

Blooming creativity at Glens Den



BONUS: Linda Griese received a lucky draw prize and is pictured here with Jenny Butlion who handed over the prize.

SARAH COHEN

Creativity blossomed at Glens Den, Settlers Retirement Village on Saturday 16 May as more than 30 women gathered for an inspiring morning of floral art, imaginative flower arranging and shared camaraderie.

Hosted by the Port Alfred Floral Art Club, the event featured renowned floral enthusiast Jenny Butlion, who guided attendees through the "ABC's of flower arranging while sharing practical techniques and inventive ideas that left guests both inspired and eager to experiment with their own creations.

Guests were welcomed with a glass of champagne before taking part in the hands-on session, where each participant received a mystery box of flowers to transform into a floral masterpiece using vases or vessels they had brought along. The room quickly filled with colour, creativity and lively conversation as members put their newfound skills to work.

"We were delighted to see so many familiar and a number of new faces at our meeting. Attendees really loved Jenny Butlion's talk and got really creative with their mystery boxes," said Chairperson of the Port Alfred Floral Art Club, Elaine Thompson.

Among the highlights of the morning was Butlion's demonstration showing how a simple sheet of cellophane could be transformed into a makeshift vase: A practical and thoughtful way to transport flowers to hospital patients. She also demonstrated how a small u-bend pipe could be used to create an elegant miniature arrangement for a table setting, along with several other clever floral tips and tricks.

The gathering reflected not only a passion for floral art, but also the growing sense of community surrounding the club.

"We are certain the Floral Art Club will grow from strength to strength with so much enthusiasm and goodwill behind us," continued Thompson.

The Port Alfred Floral Art Club welcomes both experienced arrangers and newcomers alike. Membership costs R20 for members and R40 for visitors. Those interested in joining or learning more about the club can contact Elaine Thompson on 082-696-6302.



INNOVATION: Jenny Butlion showing her vase made from a cellophane sheet.



ARTISTRY: Lydia Gimbel, Megan Harris, Hilda Vermaak and Erica Gething enjoyed a morning of floral magic at the Port Alfred Floral Art Club gathering on Saturday 16 May.



RAW MATERIAL: Linda Griese and Sheryl Bradfield showed off their mystery boxes ahead of applying their minds to creating masterpieces. *Pictures: SARAH COHEN*



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR CONSENT USE FOR A LIQUOR OUTLET ON ERF 1202, ALEXANDRIA.

Applicant: ARCHIFORM (PTY) LTD

Owner: D B INVESTMENT HOLDINGS PROPRIETARY LIMITED

Property Description: ERF 1202, ALEXANDRIA

Physical Address: VOORTREKKER STREET, ALEXANDRIA, 6185

Detailed description of proposal:

The matter for consideration is an Application for Consent Use for a Liquor Outlet on Erf 1202, Alexandria 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 **06 July 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: 108/2026

**ADV. ROLLY DUMEZWENI
21 May 2026 MUNICIPAL MANAGER**



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE TO RELAX THE REAR AND LATERAL BUILDING LINES ON ERF 462, CANNON ROCKS.

Applicant: MIRINDA DE BEER TOWN AND REGIONAL PLANNERS

Owner: JOHAN BENJAMIN ENGELBRECHT

Property Description: ERF 462, CANNON ROCKS

Physical Address: 103 ALICE ROAD, CANNON ROCKS, 6186

Detailed description of proposal:

The matter for consideration is an Application for Removal of Restrictive Title Deed Conditions and Permanent Departure to Relax the Rear and Lateral Building Lines on Erf 462, 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 **06 July 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: 109/2026

**ADV. ROLLY DUMEZWENI
21 May 2026 MUNICIPAL MANAGER**



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMANENT DEPARTURE TO RELAX THE STREET AND LATERAL BUILDING LINES ON ERF 372, KENTON ON SEA.

Applicant: MIRINDA DE BEER TOWN AND REGIONAL PLANNERS

Owner: GEOFFREY RONALD BENNETT

Property Description: ERF 372, KENTON ON SEA

Physical Address: 25 WESTBOURNE ROAD, KENTON ON SEA, 6191

Detailed description of proposal:

The matter for consideration is an Application for Removal of Restrictive Title Deed Conditions and Permanent Departure to Relax the Street and Lateral Building Lines on Erf 372, Kenton on Sea as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **06 July 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: 107/2026

**ADV. ROLLY DUMEZWENI
21 May 2026 MUNICIPAL MANAGER**

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FORM JJJ

LOST OR DESTROYED DEED

Notice is hereby given in terms Regulation 68 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of Certificate of Consolidated Title Number T62230/1991CTN, issued in favour of MICHAEL BRADFIELD, Identity Number: 560126 5060 08 7, Unmarried, in respect of REMAINDER OF THE FARM SILVERSTONE NUMBER 600, MAKANA LOCAL MUNICIPALITY, DIVISION OF ALBANY, PROVINCE OF THE EASTERN CAPE, IN EXTENT: 581,8967 (FIVE HUNDRED AND EIGHTY ONE COMMA EIGHT NINE SIX SEVEN) HECTARES, which has been lost or destroyed.

All interested persons 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 from the date of the publication of this notice.

Dated at Alexandria on this the 08 May 2026.

DE JAGER & LORDAN INC.,
2 Allen Street, Grahamstown, 6185
Tel: 046 622 2799;



NDLAMBE MUNICIPALITY



LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
	Rezoning	R
	Consolidation	R
✓	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R 10 729,68
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
✓	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
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- 3.3. Lack of information leads to delays and adds to the workload of the Section/Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should indicate the following:

Applicant's Initials: MdB

3.3.1. Details in respect of the application

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

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

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

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

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

3.3.4. Motivation

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

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

3.3.5 Supporting information and documentation

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

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

Applicant's Initials: MdB

- 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, 6001
Email Address	mirinda@mbdtownplanner.co.za
Contact Number	082 896 2686
PART C.2: REGISTERED LANDOWNER(S) DETAILS <i>(If different from applicant)</i>	
Registered owner(s) Name	Geoffrey Ronald Bennet
Street or Postal Address	25 Westbourne Road, Kenton-on-Sea, 6191
E-mail Address	████████████████████
Contact Number	██████████

Applicant's Initials: MdB

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No	372	Suburb/Town/Area	Kenton-on-Sea	
Farm No	N/A	Portion (if applicable)	N/A	
Physical or Street Address	25 Westbourne Road, Kenton-on-Sea, 6191			
Current Zoning	Residential Zone 1			
Proposed Zoning	N/A			
Additional Rights or Consent Uses Approved	N/A			
Current activities	Residential			
Are any departures applicable to the land unit?	Yes			
Is there any building or other development on the land unit? If so, what are the nature and condition of these improvements?	Dwelling unit and garage.			
Is the site/property being used in accordance with its present zoning? If not, how is the land being utilised?	Yes			
Property Size/ Extent (m ² / ha - as per Title Deed)	1 322m ²			
Title Deed Number	[REDACTED]			
Any additional/relevant information in regard to the property	No			
Any restrictions in the Conveyance's Certificate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority.	
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, indicate which section are triggered in motivation report and attach relevant permit.	
Is the property or building located within the historical core or contains any heritage significant features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the building older than 60 years?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Does the property fall inside the urban edge in terms of the SDF?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the property fall within the service edge in terms of SDF?	<input checked="" type="checkbox"/> <input type="checkbox"/>
Is the property encumbered with a bond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is bond/mortgage holders consent attached	<input type="checkbox"/> <input type="checkbox"/>
Any existing unauthorized buildings and/or land use on the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is this application to legalise the building / land use?	<input type="checkbox"/> <input type="checkbox"/>
NOTE: A contravention penalty may be imposed.				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	<input type="checkbox"/> <input checked="" type="checkbox"/>

Applicant's Initials: MAB

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 building line encroachments of the

 existing development footprints on the property. A condition in the Title Deed restricts

 the existing development on the property and should be removed. This application

 includes the removal of the restrictive Title Deed condition.

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

.....
 Yes

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

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

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

- i. Lateral (side) building line(s) from ...1.5... m to .0.5..... m; and / or (for the existing development along the south-eastern boundary)
- ii. ~~Rear building line from m to m; and / or~~
- iii. Street building line from ...5..... m to ...4..... m; and / or (for the existing garage)
- 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).....
 Relaxation of the street and lateral building lines to 0m for walls, screen walls and the deck as per the Site Development Plan.

Applicant's Initials: MdB

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?

If so, furnish details:

.....
Condition C.4 in Title Deed [REDACTED]

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 (SDF) (2023)
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? List condition numbers and third party(ies)]	X		Condition C.4 in Title Deed. T1 [REDACTED]
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	Departure from building lines are required
Are additional applications required to deviate from the land use scheme? (if yes, specify)	X		Departure from building lines are required

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

Please answer the following questions and provide comments:

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	OBTAIN APPROVAL / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?		X	
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X	
Is the property/land situated within 100m from the high-water mark of the sea or tidal river? (NOTE: Please check with the Environmental Compliance Officer of the Municipality)	X		The southern boundary of the property is ±50m from the Bushmans River.
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X	This application is not for new development but to formalize building line encroachments.
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	

Applicant's Initials: MdB

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: MAB

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:			X
.....			
.....			
.....			

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

.....

.....

.....

.....


.....

Applicant's Initials: MdB


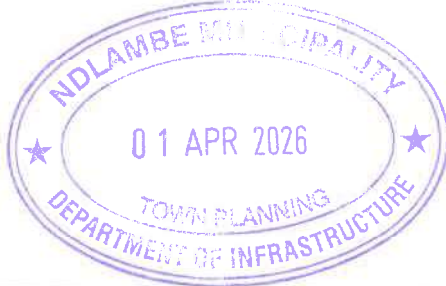
PART J: DECLARATION BY THE APPLICANT

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	Pr. Pln A/1037/1998		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	Yes
Applicant's Signature		Date	01.04.2026

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 27th day of August 2025, by:

Principal:

Geoffrey Ronald Bennett
Kenton-on-Sea
6191
ID: [REDACTED]

Agent:

Mirinda de Beer Town & Regional Planners
117 Cape Road
Port Elizabeth
6000
ID: [REDACTED]

Whereas, the Principal owns certain real property known as Erf 372, Kenton-on-Sea (hereinafter referred to as the "Property");

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

1. Appointment of Authority

The Principal hereby appoints the Agent to act as the Principal's 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 [REDACTED] and 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 Principal;
 - To communicate with municipal officials, department staff, and any other authorities regarding the status or requirements related to land use applications for the Property;
 - To make inquiries, provide additional documentation, and respond to requests for information from the municipality related to land use applications for the Property;
 - To receive copies of all correspondence or decisions related to the land use applications;
 - To take any actions necessary to facilitate or finalize the land use application process.
-

MB

3. Duration

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

4. Execution

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

Principal's Signature: *[Handwritten Signature]*

Date: 20/10/2025

Agent Signature: *[Handwritten Signature]*

Date: 27 August 2025

Witness Signature: *LvanDeventer*

Witness Name: Linda van Deventer

Date: 24/10/2025

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 372 KENTON-ON-SEA**, Ndlambe Local Municipality, Division of Bathurst, Province of the Eastern Cape, measuring 1322 (one thousand three hundred and twenty two) square metres was registered in the name of **GEOFFREY RONALD BENNETT**, Identity number 4[REDACTED], Married out of community of property, on 13 March 1990 under Deed of Transfer No [REDACTED]
2. There are no Mortgage Bonds registered over the above property;
3. The following title deed condition in Deed of Transfer No T14276/1990CTN may affect the use or development of the property or an alignment of the title deed with the local town planning scheme and must be removed from the title deed:

"C. FURTHER SUBJECT to the following conditions contained in Deed of Transfer No. T22269/1954CTN, imposed by the Administrator of the Province of the Cape of Good Hope under the provisions of Section 18(3) of Ordinance No. 33 of 1934, as being in favour of the registered owner of any Erf in the Township and subject to amendment or alteration by the Administrator under the provisions of the said Ordinance:-

4. That no building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf. No building or structure shall be situated within 1,57 metres of the lateral boundary common to any adjoining erf, provided that an outbuilding not exceeding 3,15 metres in height, measuring from the floor to the wall plate, may be erected in such a position that the distance between it and any building situate on this Erf or an adjoining Erf, except another such outbuilding, is not less than 3,15 metres."

DATED at QONCE this 21st day of OCTOBER 2025.


BRIAN HENRY VON DER DECKEN

B.Proc. D.B./LPCM No 80120
Smith Tabata Incorporated
Sutton Square, Queens Road, Qonce

Beacon Certificate
Erf 372 Kenton-on-Sea
Scale: 1/250



Beacon descriptions:

A,B,C.....20mm iron peg
 D.....Southern corner of metal post



Legend	
	Buildings
	Building line
	Driveway
	Pathway (approximate)
	Tank
	Walls

Surveyed by me in accordance with the provisions of the Land Survey Act No. 8 of 1997 and the regulations framed thereunder.

Date: September 2025

P.B. SULTER
 Land Surveyor 0786

M.E.H SULTER & SON INC.
 Professional Land Surveyors
 Township & Property Consultants
 Sectional Title Practitioners
 3D scanning & data modelling

Medical Centre
 15A Milner Street
 Grahamstown
 6139

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

P.B. Sulter B.Sc(SURVEY) Pr.L(SAGC) Dip.Proj.Man.
 K. van Niekerk B.Sc(GEODMATIC) Pr.L(SAGC)

CLARK LAING Inc

136

043 721 1556

53

B000007986 / 2025

GEKANSLEER
CANCELLED

REGISTRATEUR/REGISTRAR

16 JUL 2025

VERBIND

MORTGAGED

VIR
FOR R

[REDACTED]

II

B 000000291 / 2012

05 JAN 2012

[Signature]
REGISTRATEUR/REGISTRAR

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE 7

T [REDACTED]

Prepared by me,

[Signature]

S L FRONEMAN
Conveyancer

WHEELDON, RUSHMERE & COLE
Attorneys, Notaries & Conveyancers
GRAHAMSTOWN 6140

DEED OF TRANSFER

By Virtue of a Power of Attorney

KNOW ALL MEN WHOM IT MAY CONCERN:

THAT

~~DAVID FRANCIS DREW~~ MICHAEL PETER KOTZE

appeared before me, Registrar of Deeds at Cape Town, he, the said
Appararer, being duly authorised thereto by a Power of Attorney
granted to him by

JOAN MONICA BENNETT
Identity Number : [REDACTED]
Married out of community of property

1

dated the **8th** day of **FEBRUARY 1990** signed at
GRAHAMSTOWN and witnessed in accordance with law,
which Power has been lodged with me.

AND the said Appearer declared that his Constituent on the **22nd**
day of **JANUARY 1990**, had truly and lawfully sold to and
that he, the said Appearer in his capacity aforesaid, did, by virtue
of these presents, cede and transfer in full and free property to
and on behalf of

GEOFFREY RONALD BENNETT
Identity Number : [REDACTED]
Married out of community of property

- WHITE GROUP -

his Heirs, Executors, Administrators or Assigns,

|

Sh.

3/...

1

C

ERF 372 KENTON-ON-SEA, in the Municipality of Kenton-On-Sea,
Division of Bathurst;

IN EXTENT: 1 322 (ONE THOUSAND THREE HUNDRED AND
TWENTY TWO) Square Metres;

FIRST TRANSFERRED by Deed of Transfer No. T.22269/1954 with
Diagram No. 2412/42 annexed and held by Deed of Transfer No.
T.7413/1960.

- A. SUBJECT to such conditions as are referred to in Certificate of
Township Title No. T.14156/1937.
- B. FURTHER SUBJECT to the Servitude referred to in the endorsement
dated 9th September 1929 on Deed of Transfer No. T.8365/1924
relating to an Order of the Water Court (Water Court District No.
10) dated 5th, 6th and 7th December 1927.
- C. FURTHER SUBJECT to the following conditions contained in Deed
of Transfer No. T.22269/1954 imposed by the Administrator of the
Province of the Cape of Good Hope under the provisions of Section
18(3) of Ordinance No. 33 of 1934 as being in favour of the registered
owner of any Erf in the Township and subject to amendment or
alteration by the Administrator under the provisions of the said
Ordinance:-

The words and expressions used in these conditions shall have
the meanings assigned to them in the regulations published
under Provincial Administration Notice No. 401 dated 17th
October 1935.

1. That this Erf be used for residential purposes only.
2. That only one dwelling, together with such outbuildings as are ordinarily required to be used therewith, be erected on this Erf.
3. That not more than half the area of this Erf be built upon.
4. That no building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which forms a boundary of this Erf. No such building or structure shall be situated within 1,57 metres of the lateral boundary common to any adjoining Erf, provided that an outbuilding not exceeding 3,15 metres in height, measuring from the floor to the wall plate, may be erected in such a position that the distance between it and any building situate on this Erf or an adjoining Erf, except another such outbuilding, is not less than 3,15 metres.

As being in favour of the Administrator:-

5. That this Erf be not subdivided, except with the consent in writing of the Administrator.

As being in favour of any Local Authority that may hereafter be constituted for the Township:-

6. That the owner of this Erf shall be obliged to allow the drainage or sewerage of any other Erf to be conveyed over this Erf if deemed necessary by the Local Authority that may be hereafter constituted for the Township and in such manner and in such position as may reasonably be required by the aforesaid Local Authority.

7. That no building for human habitation shall be erected on this Erf unless provision is made above the ground for the storage of rain water, the said storage to have a capacity of not less than 9 092 litres and provided further that no shallow well shall be constructed or sunk within 31,49 metres of any existing pit privies.

DD. FURTHER SUBJECT to the following special conditions contained in Deed of Transfer No. T.22269/1954 imposed by Alfred William Pudney, Norman Andrew Pudney, Alfred Eric Pudney, Frederick George Pudney, Ernest William Pudney, Vernon George Pudney and Charles Roy Pudney, carrying on business in partnership as City Executors Loan and Investment Company, as being in favour of the Registered Owner of any Erf in the Township:-

1.

2. That the right of supervising the plans of any buildings to be erected on this Erf shall be vested in the Township Owners until such time as a Local Authority shall have been established in connection therewith.

WHEREFORE the Appearer, renouncing all the Right and Title his said Principal/s heretofore had to the premises, did, in consequence, also acknowledge his said Principal/s to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said

GEOFFREY RONALD BENNETT
Identity Number : [REDACTED]
Married out of community of property

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights:- and finally acknowledging the Purchase Money to amount to the sum of **R166 750,00 (ONE HUNDRED AND SIXTY SIX THOUSAND SEVEN HUNDRED AND FIFTY RAND)**,

which has been duly paid or otherwise secured.

IN WITNESS WHEREOF I, the said Registrar of Deeds, 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 Cape Town, Cape Province, on the 13th day of *March* in the Year of Our Lord One Thousand Nine Hundred and Ninety (1990).

[Signature]
q.q his Principal,

In my presence,

[Signature]
REGISTRAR OF DEEDS

T.P.

KENTON-ON-SEA A/A.
GENERAL PLAN NO 421 LD.
KENTON-ON-SEA TOWNSHIP (EXTENSION NO 2)
BATHURST DIVISION

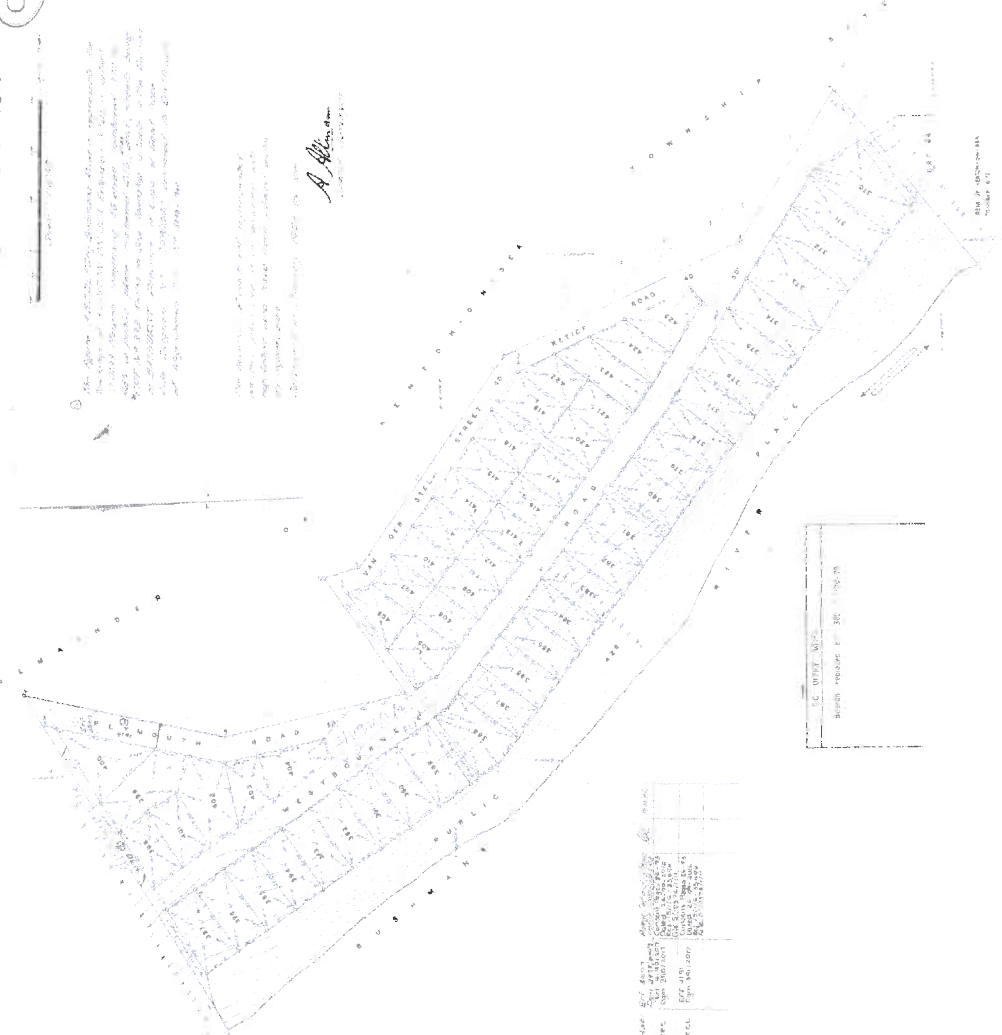
C.D.R. B

ERR 352
KENTON-ON-SEA

The above plan is submitted for approval in accordance with the provisions of the Land Use Management Act 1977, and the provisions of the Bathurst District Council's Local Environmental Plan No. 1 of 1994. The plan shows the proposed extension of the KENTON-ON-SEA TOWNSHIP (EXTENSION NO 2) in the BATHURST DIVISION. The plan also shows the proposed extension of the KENTON-ON-SEA TOWNSHIP (EXTENSION NO 2) in the BATHURST DIVISION.

The above plan is submitted for approval in accordance with the provisions of the Land Use Management Act 1977, and the provisions of the Bathurst District Council's Local Environmental Plan No. 1 of 1994. The plan shows the proposed extension of the KENTON-ON-SEA TOWNSHIP (EXTENSION NO 2) in the BATHURST DIVISION. The plan also shows the proposed extension of the KENTON-ON-SEA TOWNSHIP (EXTENSION NO 2) in the BATHURST DIVISION.

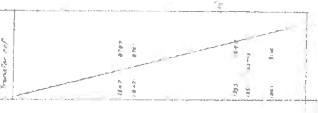
A. B. C.



1:10000
Scale of map
North arrow

1. Approved by the Bathurst District Council on 10/10/2011.
2. Approved by the Bathurst District Council on 10/10/2011.
3. Approved by the Bathurst District Council on 10/10/2011.

Lot No.	Area (sq m)	Area (sq ft)
1	1000	10764
2	1000	10764
3	1000	10764
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5	1000	10764
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99	1000	10764
100	1000	10764



421 C.D.R.

APPROVED
10/10/2011
10/10/2011
10/10/2011

MOTIVATIONAL REPORT

ERF 372, KENTON-ON-SEA

Application for:

- Removal of Restrictive Title Deed Condition C.4 in Title Deed [REDACTED].
- Permanent Departure from the 1,5m south-eastern lateral building line to a 0,5m south-eastern lateral building line.
- Permanent Departure from the 5m street building line to 4m street building line.
- Permanent Departure from the street building line and lateral building lines for 0m for walls, screen walls and the deck.

Compiled by:



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

Contact Details:

Email: mirinda@mbdtownplanner.co.za

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

www.mdbtownplanner.co.za

APRIL 2026

EXECUTIVE SUMMARY

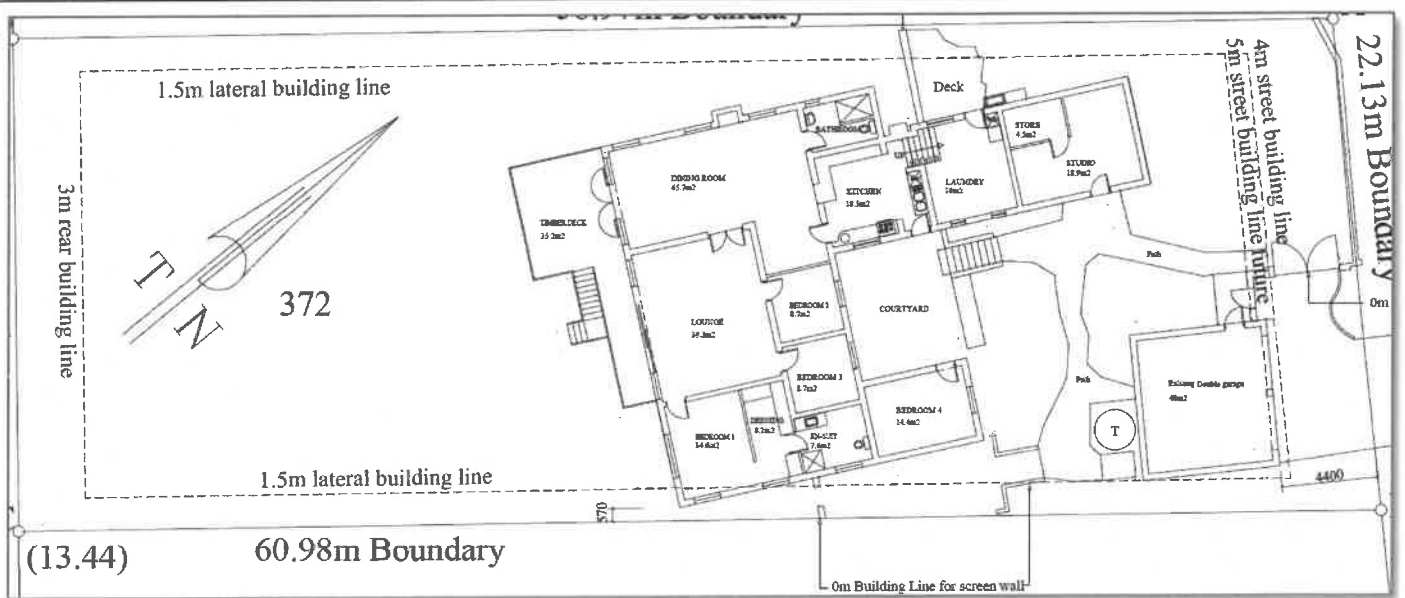
Erf 372, Kenton-on-Sea is located in the western part of Kenton-on-Sea, situated at 25 Westbourne Road between the Boesmansrivier in the south-west and Westbourne Road in the north-east. The subject property is zoned for Residential 1 purposes, and a dwelling unit and garage is situated on the property.

It is the intention of the owners to regularize the building line encroachments of the existing development footprints on the property. A condition in the Title Deed restricts the existing development on the property and should be removed. This application includes the removal of the restrictive Title Deed condition.

The purpose of this application is to obtain the necessary approvals to formalize the development on Erf 372, Kenton-on-Sea. No additional development is proposed at this time.

Summary:

Existing Zoning	Residential Zone 1
Area	1 322m ²
Title Deed	[REDACTED]
Owner	Geoffrey Ronald Bennett
Address	25 Westbourne Road, Kenton-on-Sea
Bond	There is no bond registered on the property
Applications required	<p>Application in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019) for:</p> <ul style="list-style-type: none"> • Removal of Restrictive Title Deed Condition C.4 from Title Deed [REDACTED], in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016). • Permanent Departure from the 1,5m south-eastern lateral building line to a 0,5m south-eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016). • Permanent Departure from the 5m street building line to a 4m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016). • Permanent Departure from the street building line and lateral building lines to 0m for the walls, screen walls and deck, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).



Erf 372, Kenton-on-Sea – 25 Westbourne Road

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ANNEXURES

A. MAPS

1. Locality
2. Land Use
3. Site Development Plan

B. APPLICATION FORM

C. PROPERTY DETAILS

1. Power of Attorney
2. Title Deed
3. Cadastral Diagram
4. Conveyancer Certificate
5. Beacon 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 owner of Erf 372, Kenton-on-Sea, to prepare and submit an application to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions and Permanent Departure from the street building line and lateral building lines, to formalize the existing development, 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 372, Kenton-on-Sea, situated in the Ndlambe Municipal jurisdiction. The Cadastral Diagram (General Plan No. 421 LD.) is attached as **Annexure C.3**.

▶ Ownership:

Geoffery Ronald Bennett.

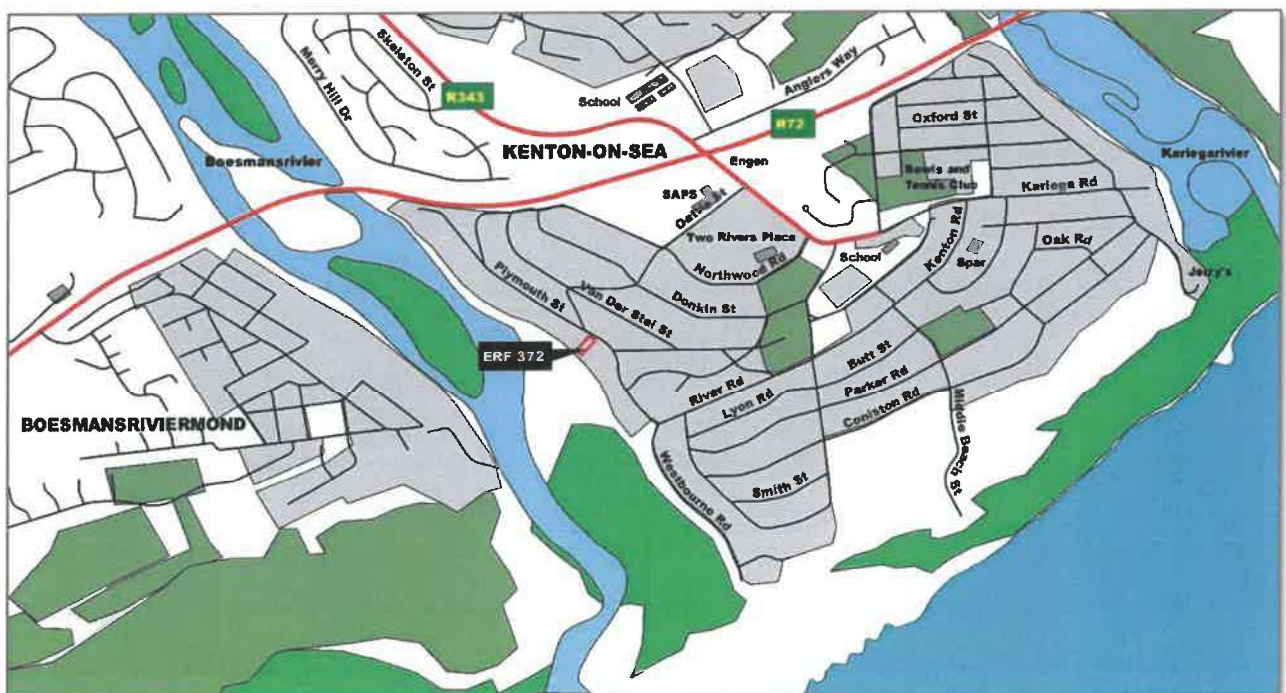
▶ Property size:

1 322m²

3. Locality

The property is located in the south-western part of Kenton-on-Sea, situated at 25 Westbourne Road between the Boesmansrivier in the south-west and Westbourne Road in the north-east.

Map 1: Locality



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

4. Existing Zonings & Land Uses

A dwelling unit and garage are situated on the property, as illustrated below. Westbourne Road borders the property in the north-east and access is obtained from Westbourne Road.

Map 2: Land Use



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

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

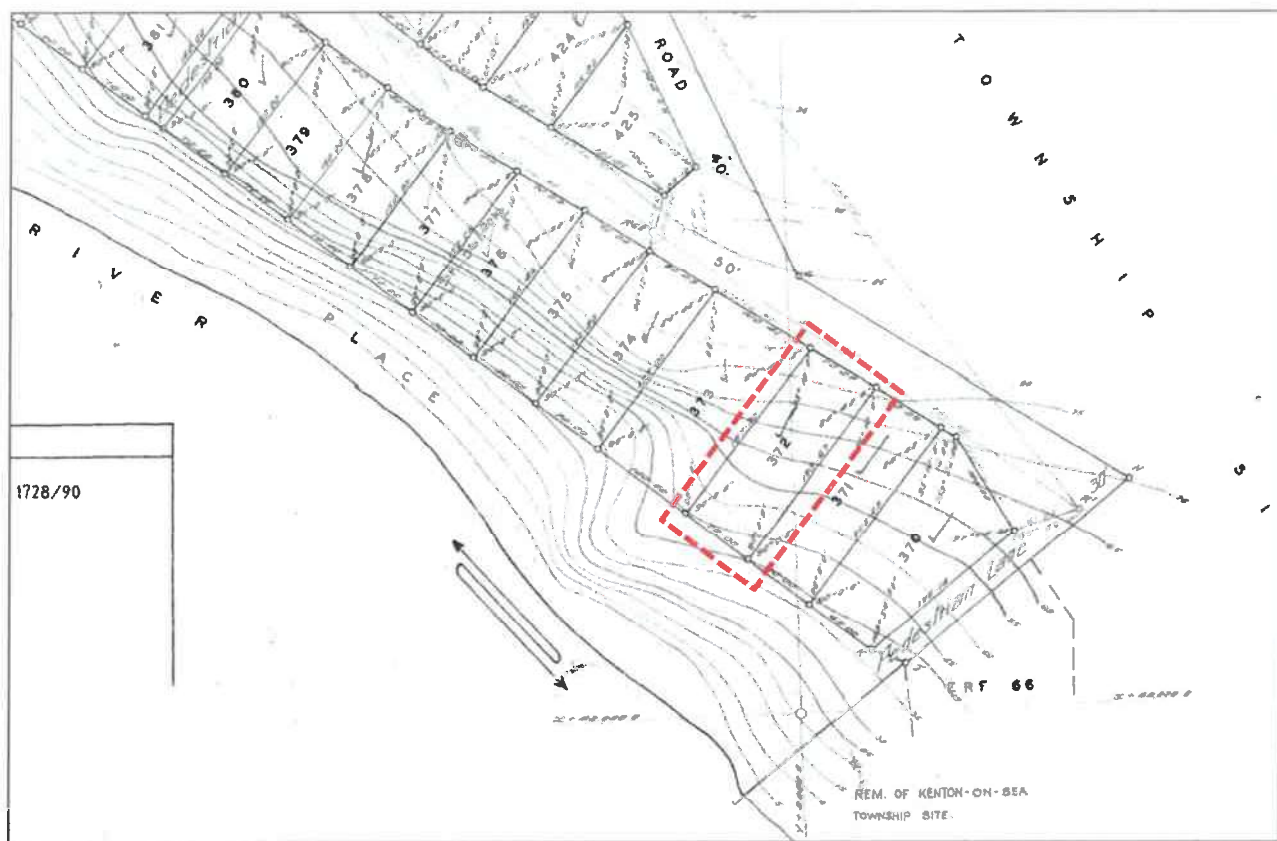
Zoning	Residential Zone 1
Primary Use	Dwelling Unit <i>means a self-contained inter-leading group of rooms with not more than one kitchen used for human habitation and includes such outbuildings as are ordinarily used therewith and permit a home occupation for a single household.</i>
Coverage	50%
Height	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 T14276/1990 is relevant to the subject site. A copy of the Title Deed is attached as **Annexure C.2**.

The Conveyancer Certificate confirmed that a condition in the Title Deed prohibits the existing development footprints on the property and should be removed from Title Deed T14276/1990. 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.

The Application

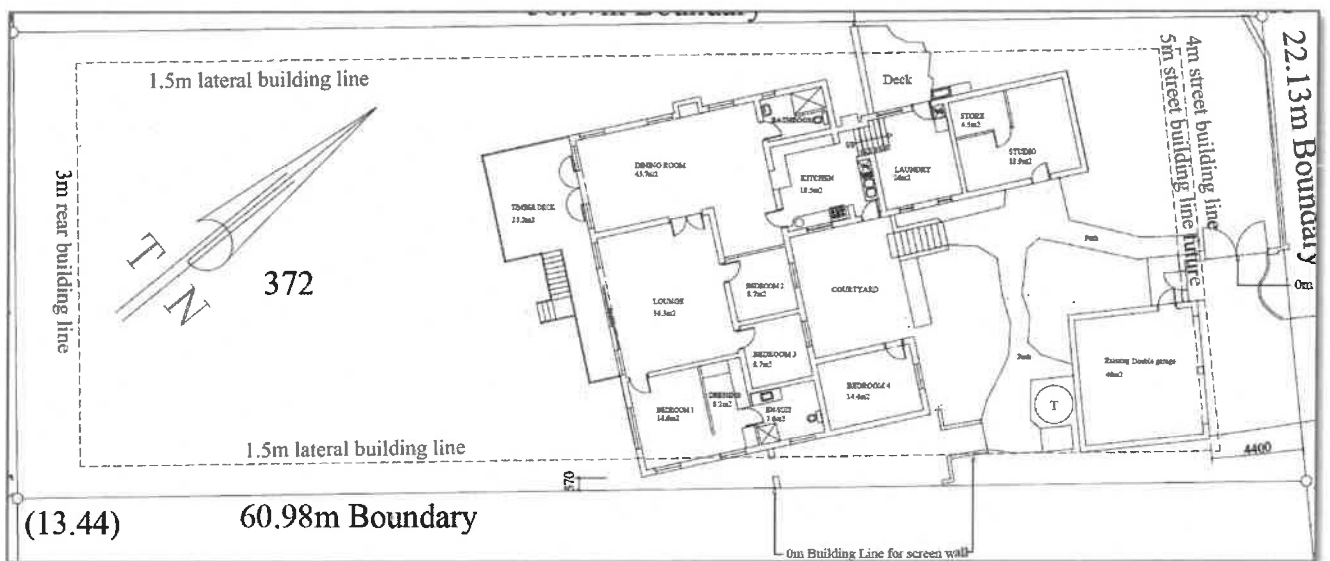
Section B

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 372, Kenton-on-Sea:

1. **Removal of Restrictive Title Deed Condition C.4** from Title Deed T [REDACTED] in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).
2. **Permanent Departure** from the 1,5m south-eastern lateral building line to a 0,5m south-eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).
3. **Permanent Departure** from the 5m street building line to a 4m street building line, in terms of Sector 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).
4. **Permanent Departure** the street building line and lateral building lines to 0m for walls, screen walls and deck, in terms of the Ndlambe Municipality SPLUMA By-Laws (2016).

Proposed development parameters on Erf 372, Kenton-on-Sea:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	4m: Existing Development 5m: Future Development 0m: For walls
Lateral Building Lines	South-eastern: 0,5m for existing development, 0m for screen walls and 1,5m for future development North-western: 0m for screen walls and 1,5m for future development
Rear Building Line	3m
Height	8,5m
Floor Factor	1.0
Parking	1 space / dwelling unit



- ▶ The Conveyancer Certificate confirmed that Condition C.4 from Title Deed [REDACTED] should be removed:

"C. - FURTHER SUBJECT to the following conditions contained in Deed of Transfer No. T22269/1954CTN, imposed by the Administrator of the Province of the Cape of Good Hope under the provisions of Section 18(3) of the Ordinance No. 33 of 1934, as being in favour of the registered owner of the Erf in the Township and subject to amendments or alteration by the Administrator under the provisions of the said Ordinance:

4. *That no building or structure of any portion thereof, except boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which forms a boundary of this Erf. No such building or structure shall be situated within 1,57 metres of the lateral boundary common to any adjoining Erf, provided that an outbuilding not exceeding 3,15 metres in height, measuring from the floor to the wall plate, may be erected in such a position that the distance between it and any building situated on this Erf or an adjoining Erf, except another such outbuilding, is not less than 3,15 metres."*

▶ Removal of Condition C.4:

- Condition C.4 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 garage is encroaching the 5m street building line along Westbourne Road.
 - The dwelling unit along the south-eastern boundary is encroaching the 1,5m south-eastern lateral building line.
 - Walls, screen walls and the deck are encroaching the 5m street building line and 1,5m lateral building lines respectively.
 - To permit the proposed departure from the street building line and lateral building lines to formalize the existing development, the removal of this condition is required.
- ▶ The existence of the Title Deed conditions has the effect of:
- Undermining the Ndlambe Integrated Land Use Scheme (2019), which is the current legal and policy instrument for land use management;
 - Delaying development potential that may otherwise be permitted through proper municipal processes;
 - Creating legal uncertainty, as it introduces a second layer of regulation no longer aligned with the delegated planning authority structure under SPLUMA (Spatial Planning and Land Use Management Act, 2013).

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

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

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

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

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

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

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

- The restrictive conditions are obsolete and have been effectively replaced by the provisions of the Ndlambe Integrated Land Use Scheme (2019) and modern building regulations, which are subject to Municipal approval.
- As such, its removal will eliminate legal uncertainty, align the property's development controls with the Ndlambe Integrated Land Use Scheme (2019), and support more flexible, efficient land use without influencing the rights or values of any third party.

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

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

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

- The conditions were imposed generically at the time of township establishment and was not intended to serve the interests of a specific individual or property.
- The continued existence of the conditions does not enhance or protect any current owner's property rights or enjoyment, nor does its removal result in a loss of personal benefit to any party.
- Removing these restrictions thus removes the arbitrary and outdated control without infringing on any legitimate personal rights of others.

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

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

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

- The removal will allow for more efficient and flexible use of the property in accordance with current Municipal planning regulations, the Ndlambe Integrated Land Use Scheme (2019).
- This includes the ability to construct additional or more appropriately located buildings, respond to contemporary lifestyle needs, and enhance the market value and functional use of the property.
- In addition, the removal will eliminate outdated spatial limitations that are no longer aligned with Municipal Zoning provisions, thereby simplifying the legal and planning environment in which the property exists.

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

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

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

- The restrictive Title Deed conditions serve only to limit private development on the subject property and does not contribute to the protection of public rights, heritage, environmental resources, or community access.
- Building lines are now appropriately and effectively regulated through the Ndlambe Municipality Integrated Land Use Scheme (2019) and Municipal development processes, which serve the public interest in a more current, flexible, and responsive manner.
- The retention of the existing title deed conditions provides no tangible social benefit to the community, municipality, or surrounding property owners. Instead, their removal would align with current planning and land use policies, enable local economic activity, encourage sustainable development and reduce administrative inefficiency.

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

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

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

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

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

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

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

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

1. Development Proposal

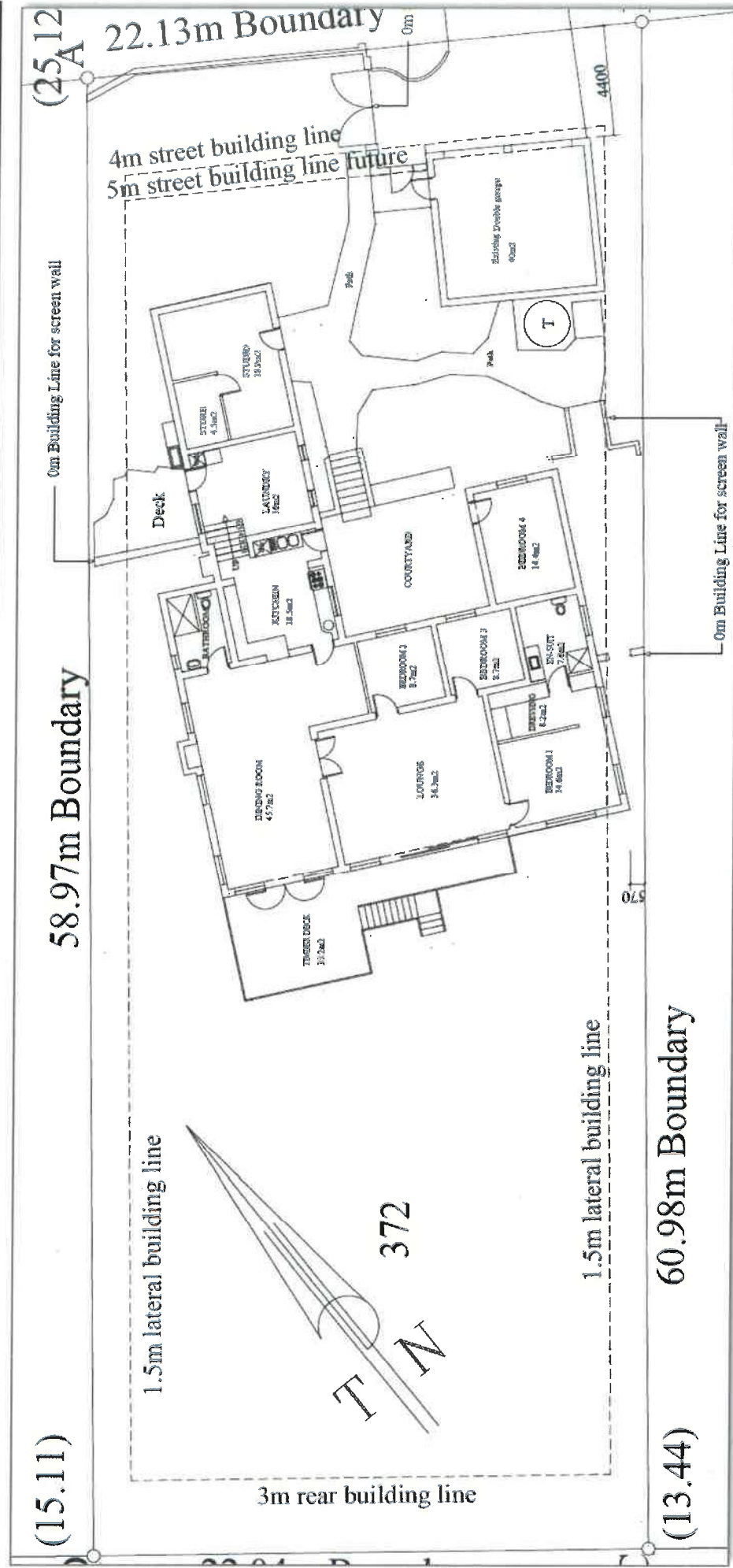
- ▶ The subject site is situated between Westbourne Road in the north-east and the Boesmansrivier in the south-west.
- ▶ A dwelling unit and garage are situated on the property, and access to the property is obtained from Westbourne Road in the north-east, as illustrated below.

Map 2: Land Use



- ▶ In October 2000, building plans for alterations to the dwelling and garage were approved, and construction was subsequently completed in accordance with these approved plans.
- ▶ After surveying the property and existing buildings in September 2025, the Beacon Certificate confirmed that the existing structures encroach the 5m street building line and 1,5m lateral building lines. The Beacon Certificate for Erf 372, Kenton-on-Sea is attached as **Annexure C.5**.
- ▶ The purpose of this application is to regularize the existing encroachments of the development footprints on the property. This will allow the owner to legalize the existing development.
- ▶ No additional development is proposed at this time and future development will comply with the building line requirements as per the Ndlambe Integrated Land Use Scheme (2019).

Site Development Plan: Erf 372, Kenton-on-Sea



2. Permanent Departure from Building Lines

- ▶ Condition C.4. in the Title Deed of Erf 372, Kenton-on-Sea stipulates a 4,72m street building line, 3,15m rear building line and 1,57m lateral building lines for the subject property. This application includes the removal of this condition from the Title Deed. Following the removal of the restrictive condition 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
- ▶ After surveying the property boundaries and existing buildings in September 2025 the Beacon Certificate confirmed that the existing structures are encroaching on the 5m street building line and the 1,5m lateral building line. The Beacon Certificate for Erf 372, Kenton-on-Sea is attached as **Annexure C.5.**
- ▶ **Proposed 4m street building line:**
 - The existing garage is encroaching the 5m street building line along Westbourne Road.
 - The purpose of this application is to formalize the building line encroachment of the existing development on the property, as per the Site Development Plan.
 - Permanent Departure from the 5m street building line will formalize the existing encroachments of the development footprint on the northern portion of the site.
 - This request does not apply to the entire street boundary along Westbourne Road, and the remainder of the street boundary will continue to comply with the prescribed 5m street building line.
- ▶ **Proposed 0,5m south-east lateral building line:**
 - The existing dwelling unit is encroaching the 1,5m lateral building line along the south-eastern boundary.
 - The purpose of the 0,5m lateral building line relaxation along the south-eastern boundary is to formalize the building line encroachment of the existing dwelling unit, as per the Site Development Plan.
 - Permanent Departure from the 1,5m south-east lateral building line will formalize the existing encroachment of the development footprint along the south-eastern boundary.
 - This request does not apply to the entire south-eastern lateral boundary, and the remainder of the south-eastern lateral boundary will continue to comply with the prescribed 1,5m south-eastern lateral building line.
- ▶ **Proposed 0m street building line and lateral building lines:**
 - The existing walls, screen walls and deck are encroaching the 5m street building line and the 1,5m lateral building lines respectively, as per the Site Development Plan.
 - This departure will only be applicable to the walls, screen walls and deck as indicated on the Site Development Plan to formalize the existing development footprints on Erf 372, Kenton-on-Sea.
 - All future development will comply with the building lines requirements 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 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 Kenton-on-Sea.
	The location of the property and the type of land use 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 Kenton-on-Sea Precinct.
	The development is within the urban edge of the Kenton-on-Sea 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 realize 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 Kenton-on-Sea 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 Ndlambe Integrated Land Use Scheme (2019).

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 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:

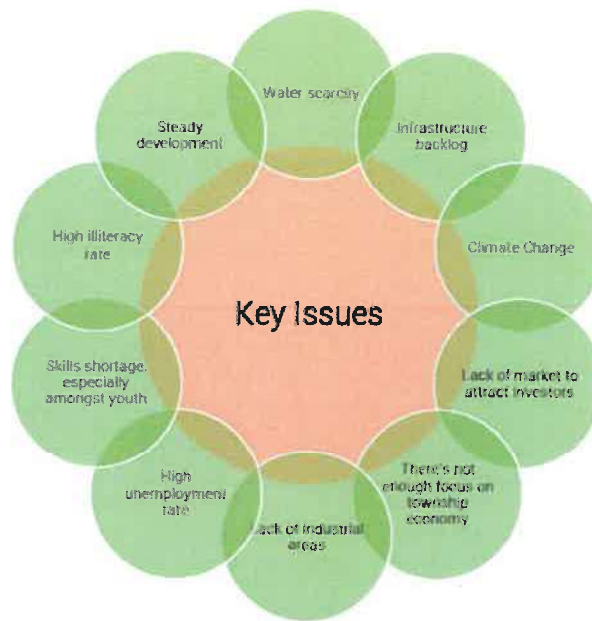
Criteria:	Compliance: Planning Implication
Section 7 (e) refers to the promotion of administrative actions, procedure and consultative planning practices for all the relevant role players.	The development complies with the Spatial Planning and Land Use Management Act as demonstrated in the report.
	The 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, **Kenton-on-Sea** has been classified as a **Sub-District Centre**, as illustrated below.

Ndlambe SDF: Nodal Plan



The functions of a Sub-District Centre and associated land uses:

- Municipal scale Administrative Centre
- Municipal scale Service Centre for commercial and social goods and services
- Residential development covering full range of economic bands (middle-income and 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: Kenton-on-Sea



Land Use Proposals: Kenton-on-Sea

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 "Kenton-on-Sea" urban concentration has been identified as a "*Sub-District Centre*" owing to its location in close proximity to the R72 (Tourism Route) and a large number of tourism activities situated in town where tourists for all over the country visits.

Residential:

The limited range of housing typologies has led to very low-density developments and promotion of urban sprawl. Residential development is not integrated; low-income housing is situated in the periphery far from economic opportunities in the CBD. There is a need to redress this situation by providing social housing on underutilized vacant land near the CBD and creating nodes in the townships.

Erf 372, Kenton-on-Sea is earmarked for Residential development.



Consistence with the Ndlambe SDF: Kenton-on-Sea

- ▶ Erf 372, Kenton-on-Sea is situated within the urban edge and service edge of Kenton-on-Sea within walking distance of residential areas and surrounding community facilities.
- ▶ The Removal of Restrictive Title Deed Conditions and Permanent Departure from the building lines will not change the residential land use or character of the surrounding area.
- ▶ The 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 Kenton-on-Sea. It promotes infill development without the need to expand urban boundaries or extend costly infrastructure.
Strengthen the form and function of existing settlements.	Relaxing the street and lateral building lines allow buildings to conform to the character of existing streetscapes or neighbouring structures. Many properties in Kenton-on-Sea 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 relaxations on the property in Kenton-on-Sea 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 Kenton-on-Sea, 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 372, Kenton-on-Sea is currently zoned for Residential Zone 1 purposes.
- ▶ It is the intention of the owner to obtain the necessary building line relaxations from the Municipality to regularize the existing encroachments of the development footprints on the property. This will allow the owner to legalize the existing development footprints, with the following development parameters applicable to Erf 372, Kenton-on-Sea:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	4m: Existing Development 5m: Future Development 0m: For walls
Lateral Building Lines	South-eastern: 0,5m for existing development, 0m for screen walls and 1,5m for future development North-western: 0m for screen walls and deck, and 1,5m for future development
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 1 322m² in size. A dwelling unit and garage are situated on the site. Westbourne Road borders the property in the north and access to the property is obtained from Westbourne Road.
- ▶ The building line relaxations will allow the owner to formalize the building line encroachments of the existing development footprints.
- ▶ The property slopes in a southerly direction towards the Boesmansrivier. The topography does not pose any constraint to the proposal to legalize the existing development.
- ▶ The current structures were developed in good faith, and the building line encroachments were only discovered in September 2025 after M.E.H Sulter & Sons Land Surveyors surveyed the property boundaries and all structures.
- ▶ The proposed relaxation of the street building line and lateral building lines will only be applicable to the existing development as per the Site Development Plan. Future development will adhere to the building lines as per the Ndlambe Integrated Land Use Scheme (2019).
- ▶ The development will make more effective use of land, which is a scarce resource, especially in an established environment and well sought-after Kenton-on-Sea.
- ▶ 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

- ▶ Kenton-on-Sea is a holiday town with a growing number of permanent residents. The area is characterized by mild slopes towards the Indian Ocean and the Boesmansrivier.
- ▶ The property is situated in an area predominantly characterized by larger residential dwellings including double storey and triple storey dwellings.
- ▶ Westbourne Road reflects the informal, coastal village character of Kenton-on-Sea, characterized by a mix of freestanding homes, varied building setbacks, mature landscaping, and non-uniform boundary treatments.
- ▶ The relaxation of the street building line and lateral building lines has already been approved on various properties along Westbourne Road.
- ▶ The development will not change the character of the area and have no detrimental impact on the surrounding properties. No additional development is proposed at this time.
- ▶ It can be concluded that the removal of conditions in the Title Deed, relaxation of the street building line and lateral building lines 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 south-east lateral building line will not have any effect on the existing Municipal services.

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 lateral building lines on Erf 372, Kenton-on-Sea.

In light of this motivation and the information contained in the foregoing report, it is clear that the application for Erf 372, Kenton-on-Sea:

- ▶ **Removal of Restrictive Title Deed Condition** C.4 for Title Deed [REDACTED] in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from a 1,5m south-east lateral building line to a 0,5m south-east lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the 5m street building line to a 4m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the street building line and lateral building lines to 0m for screening walls and deck, 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:

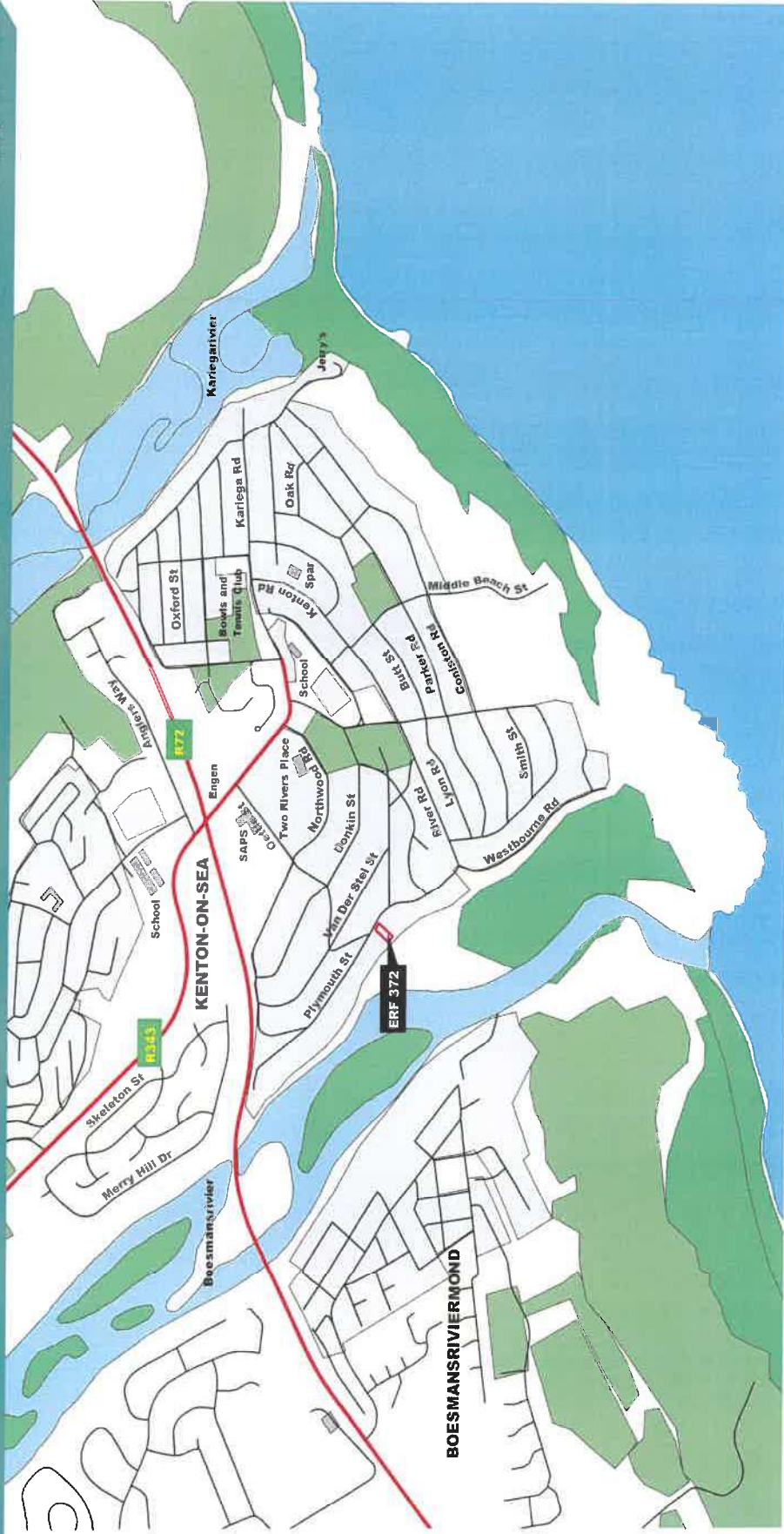
- ▶ Erf 372, Kenton-on-Sea is situated within the urban edge and service edge of Kenton-on-Sea within walking distance of residential areas and surrounding community facilities.
- ▶ It is clear that the proposed permanent departures to permit the existing development footprints will not have a negative 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.
- ▶ Conditions C.4 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 condition 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.
- ▶ The proposal is not in conflict with the SPLUMA principles and Ndlambe Municipality SDF for Kenton-on-Sea and will promote optimal use of existing resources and infrastructure. There are no significant negative impacts that are envisaged from the proposed building line departures.

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. Land Use**
- 3. Existing Zonings**
- 4. Site Development Plan**



ERF 372, KENTON-ON-SEA

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LAND USE

MAP 2



SUBJECT SITE

ERF 372, KENTON-ON-SEA

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 6170

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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 DEPARTURE FROM BUILDING LINES AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS

SITUATED ON ERF 372, STREET & NO. 25 WESTBOURNE ROAD, TOWNSHIP KENTON ON SEA

It is confirmed that I (Name in Full of affected land owner), B M ILSLEY & OTHERS

being the registered owner of Erf 589 Township KENTON ON SEA

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 0,9 m from our common side; (FOR EXISTING ROOF OVERHANG)
- b) A relaxation of the rear building line from _____ m to _____ m;
- c) A relaxation of the street building line from 5 m to 4 m, (FOR EXISTING GARAGE)
- 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) _____
 Relaxation of the street building line and lateral building lines to 0m for walls, screen walls and the deck (all existing)

shown on plan number Ben/01D undated 14/10/25

Additional comments by consenting owner to the above consent:

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

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

Signed: [Signature]
 Date: 16/11/2025

Residential Address (Of owner giving consent):
[Redacted]
[Redacted]
 Home Tel: [Redacted]
 Work Tel: [Redacted]

WITNESSES

1. Irene Ilsley
 Full Name

2. GAIL GROVER
 Full Name

Signature: [Signature]
 Signature: [Signature]



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

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

COMMENT (S) TO APPLICATION

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

APPLICATION FOR: DEPARTURE FROM BUILDING LINES AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS.
SITUATED ON ERF 372....., STREET & NO. 25 WESTBOURNE ROAD....., TOWNSHIP KENTON ON SEA.....

It is confirmed that I (Name in Full of affected land owner), ROBERT ALEXANDER BLYTH ELIOTT; CATHERINE LORNA WARBURTON; CAMARGUE ELIOTT FAMILY TRUST
 being the registered owner of Erf 588 Township KENTON ON SEA

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 0,5 m from our common side; (FOR EXISTING DEVELOPMENT ALONG THE SOUTH-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 4 m; (FOR EXISTING GARAGE)
- 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) Relaxation of the street building line and lateral building lines to 0m for walls, screen walls and the deck (all existing)

shown on plan number Ben/01D undated 14/10/25

Additional comments by consenting owner to the above consent:

.....

.....

.....

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

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

Signed: 

Residential Address (Of owner giving consent):



Date: 01/12/2025

Home Tel: 


Work Tel: 

WITNESSES

1. DHIVA JAANVI SINGH
 Full Name


 Signature

2. Douglas Anthony Vrey
 Full Name


 Signature



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 The Manager: Town Planning & Land Estates
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 6170

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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: DEPARTURE FROM BUILDING LINES AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS.

SITUATED ON ERF 372 **, STREET & NO.** 25 WESTBOURNE ROAD **, TOWNSHIP** KENTON ON SEA

It is confirmed that I (Name in Full of affected land owner), PETER TROLLOPE FAMILY TRUST

being the registered owner of Erf 373 Township KENTON ON SEA

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 0,5 m from our common side; (FOR EXISTING DEVELOPMENT ALONG THE SOUTH-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 4 m; (FOR EXISTING GARAGE)
- ~~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) Relaxation of the street building line and lateral building lines to 0m for walls, screen walls and the deck (all existing)

shown on plan number Ben/01D updated 14/10/25

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: *P. E. Trollope*

[REDACTED ADDRESS]

Date: 25.11.2025

Home Tel: [REDACTED]

Work Tel: n/a

WITNESSES

1 Carmilla Trollope
 Full Name

[Signature]
 Signature

2 Steven Mortlock
 Full Name

[Signature]
 Signature

Occupied 373

Westbourne Road 15,74m

D (15.11)

(25.12) A

58.97m Boundary

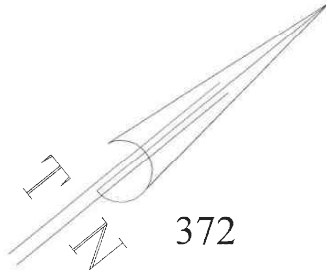
22.04m Boundary

22.13m Boundary

426
Public Place

3m rear building line

1.5m lateral building line



372

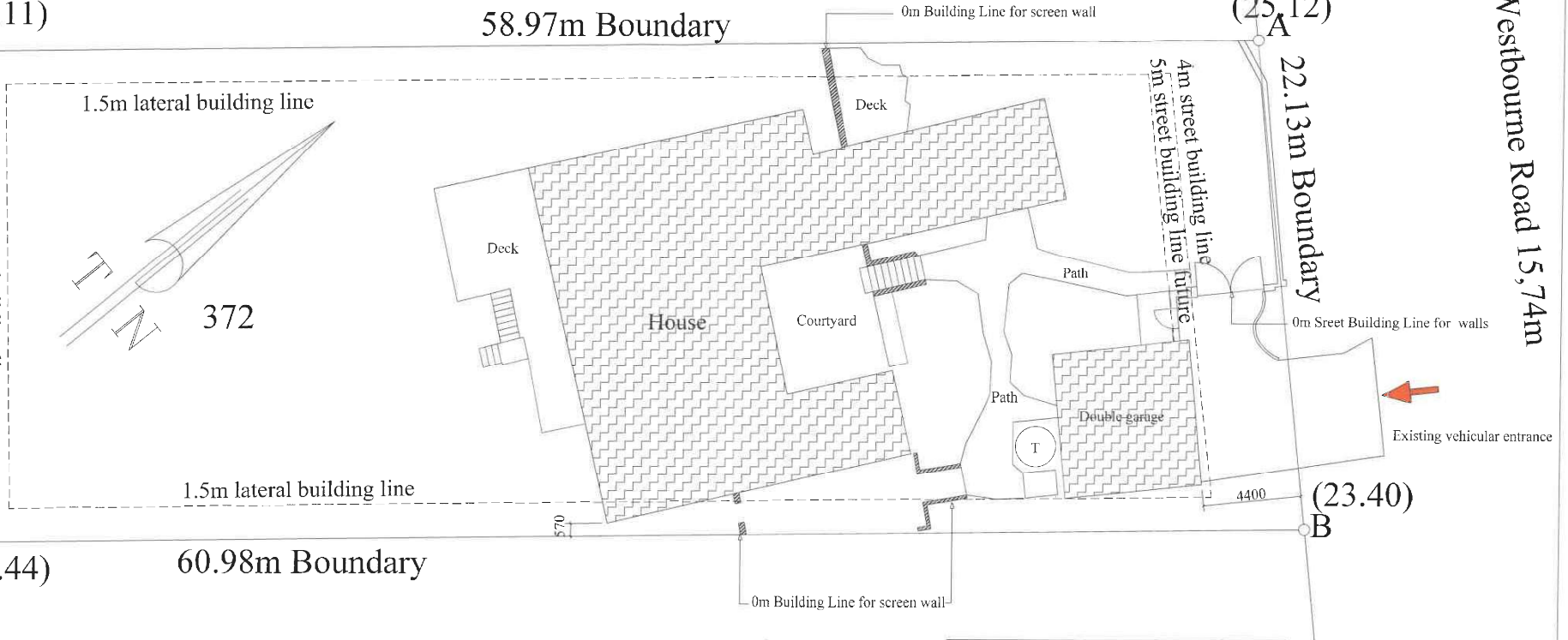
C (13.44)

60.98m Boundary

(23.40) B

Occupied 371

Site Plan



Town Planning Scheme	
Street Building Line	4.4m Existing 5m Future 0m for deck and walls
Lateral Building Line	0.57m Existing (eastern) 1.5mm Future (eastern) 1.5mm Future (western) 0m for deck and walls
Rear Building Line	3m
Height	8.5m
Main House	247.5 m2
Garage	40m2
Timber Deck	35.2m2
Erf Area	1322 m2
Coverage	24%

drawing title
SDP PLAN.

Rick Betts
 Architectural Design
 Pty Ltd
 s.o.c. p.no. 00255
 C.F.I.L. (No. 125108)
 B.S.M.I. r.betts@betts.co.nz
 22 marlin road
 port Alfred
 6101

job.no dwg.no rev.no.
 Ben/01D 1 1

scale drawn date
 1:100 RJB 14/10/25

Occupied 373

58.97m Boundary

(25.12)
A

Westbourne Road 15,74m

22.13m Boundary

(15.11)
D

1.5m lateral building line

0m Building Line for screen wall

4m street building line
5m street building line future

0m Street Building Line for walls

Existing vehicular entrance

3m rear building line

372

1.5m lateral building line

5.70

(23.40)
B

4400

60.98m Boundary

0m Building Line for screen wall

Occupied 371

Site Plan

Public Place
426

22.04m Boundary

(13.44)
C

Town Planning Scheme	
Street Building Line	4.4m Existing 5m Future 0m for deck and walls
Lateral Building Line	0.57m Existing (eastern) 1.5mm Future (eastern) 1.5mm Future (western) 0m for deck and walls
Rear Building Line	3m
Height	8.5m
Main House	247.5 m2
Garage	40m2
Timber Deck	35.2m2
Erf Area	1322 m2
Coverage	24%

drawing title
SDP PLAN

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11 St Michaels Street
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Fax: +27 21 461 1112
www.rickbetts.co.za

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scale drawn date
1:100 RJB 14/10/25

