

Ndlambe athletes excel at EP Cross Country league event



CONSISTENT: Faith-Kaylee Machina comes in first in the U10 2km in the fourth EP Cross Country league event for 2026 at St Albans, Gqeberha, on Saturday July 18.



STAR: Nicholas Cox wins the boys U9 2km.



STRONG: Leon Machina is first in the boys U16 6km. **Pictures: RADEMEYER PHOTOGRAPHY**



RISING STAR: Thandolwethu Matsalo wins the senior men's 10km.

KAREN ZIMMERMAN

The fourth and final Eastern Province Cross Country league event for 2026 was held at St Albans, Gqeberha, on Saturday July 18.

Ndlambe athletes who finished on the podium were: 1st: Faith-Kaylee Machina Girls U10; Nicholas Cox Boys U9; Leon Machina Boys U16; Thandolwethu Matsalo Senior Men.

2nd: Chantelle Machina Girls U12; Liesl van Zyl Women 50-59.

3rd: Gabrielle Schwyer Girls U9; Mandiluve Ngqolowa Boys U15; Sizakele Dayimani Men 40-49.

Local athletes who participated: Girls U9 2km — 3rd Gabrielle Schwyer (Nedbank) 9:28; Girls U10 2km — 1st Faith-Kaylee Machina (PAJSS) 8:30; Girls U12 3km — 2nd Chantelle

Machina (PAJSS) 13:39; Women 50-59 4km — 2nd Liesl van Zyl (Nedbank) 18:23; Boys U9 2km — 1st Nicholas Cox (Kingswood) 7:38; Boys U15 4km — 3rd Mandiluve Ngqolowa (Bathurst) 14:09; 6th Sibabalo Swartz (Bathurst) 14:53; Boys U16 6km — 1st Leon Machina (PAJSS) 20:48; Boys U17 6km — 13th Singalakhla Papu (Bathurst) 27:21; Junior Men U19 8km — 8th Likhanyo Mafani (Sibaleka) 29:30; 13th Siyamthanda Sodladla (Bathurst) 32:44; Men U2 34km — 7th Xabisa Mazantsi (Bathurst) 13:27; Senior Men 10km — 1st Thandolwethu Matsalo (Ilhamva) 32:06; Men 40-49 8km — 3rd Sizakele Dayimani. The EP Championships will be held at Nelson Mandela University on August 8.

- Karen Zimmerman coaches PAJSS athletes.



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR CONSENT USE TO ALLOW A LIQUOR OUTLET (TAVERN) ON ERF 767, NKWENKWEZI.

Applicant: WADS PROJECTS
(PTY) LTD

Owner: ZOLISWA EUNICE
LUBELWANA

Property Description: ERF 767,
NKWENKWEZI

Physical Address: 104 RUNELI DRIVE,
NKWENKWEZI,
6170

Detailed description of proposal:

The matter for consideration is an Application for Consent Use to Allow a Liquor Outlet (Tavern) on Erf 767, Nkwenkwezi 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 above mentioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway Road, and Port Alfred Municipal Office. The application can also be viewed on the Ndlambe Municipal website: www.ndlambe.gov.za under Services > Town Planning Portal > Public Participation or through the following link: www.ndlambe.gov.za/services/town-planning-portal/. Any written comments may be addressed in terms of Section 98 of the said By-law to The MUNICIPAL MANAGER, Causeway Road, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **24 August 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: 153/2026

ADV. ROLLY DUMEZWENI
23 July 2026 MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE SUBDIVISION OF ERF 274, BOESMANSRIVIERMOND INTO THREE PORTIONS (PORTION A TO C) AND LEAVING THE REMAINDER.

Applicant: M.E.H SULTER AND
SON INC

Owner: THE TRUSTEES FOR
THE TIME BEING OF
THE MCKINLAY TRUST

Property Description: ERF 274,
BOESMANSRIVIERMOND

Physical Address: 6 SCHEEPERS STREET,
BOESMANSRIVIERMOND,
6190

Detailed description of proposal:

The matter for consideration is an Application for the Subdivision of Erf 274, Boesmansriviermond Into Three Portions (Portion A to C) and Leaving the Remainder 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 above mentioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway Road, and Port Alfred Municipal Office. The application can also be viewed on the Ndlambe Municipal website: www.ndlambe.gov.za under Services > Town Planning Portal > Public Participation or through the following link: www.ndlambe.gov.za/services/town-planning-portal/. Any written comments may be addressed in terms of Section 98 of the said By-law to The MUNICIPAL MANAGER, Causeway Road, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **24 August 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: 155/2026

ADV. ROLLY DUMEZWENI
23 July 2026 MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REZONING OF ERF 416, PORT ALFRED FROM COMMUNITY ZONE 2 TO BUSINESS ZONE 2 AND PERMANENT DEPARTMENT TO RELAX PARKING REQUIREMENTS.

Applicant: MIRINDA DE BEER
TOWN AND REGIONAL
PLANNERS

Owner: SHAQU TRADING CC

Property Description: ERF 416,
PORT ALFRED

Physical Address: 48 CAMPBELL
STREET, PORT
ALFRED, 6170

Detailed description of proposal:

The matter for consideration is an Application for the Rezoning of Erf 416, Port Alfred from Community Zone 2 to Business Zone 2 and Permanent Department to Relax Parking Requirements 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 above mentioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway Road, and Port Alfred Municipal Office. The application can also be viewed on the Ndlambe Municipal website: www.ndlambe.gov.za under Services > Town Planning Portal > Public Participation or through the following link: www.ndlambe.gov.za/services/town-planning-portal/. Any written comments may be addressed in terms of Section 98 of the said By-law to The MUNICIPAL MANAGER, Causeway Road, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **24 August 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: 152/2026

ADV. ROLLY DUMEZWENI
23 July 2026 MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE TO RELAX BOTH LATERAL BUILDING LINES AND PERMANENT DEPARTURE TO RELAX THE HEIGHT RESTRICTION FROM 8.5M TO 9.46M ON ERF 567, KENTON ON SEA.

Applicant: MIRINDA DE BEER
TOWN AND REGIONAL
PLANNERS

Owner: MALCOLM RALPH
HOBSON AND JESSICA
ANN HOBSON

Property Description: ERF 567,
KENTON ON SEA

Physical Address: 28 DONKIN STREET,
KENTON ON SEA,
6191

Detailed description of proposal:

The matter for consideration is an Application for Restrictive Title Deed Conditions, Departure to Relax Both Lateral Building Lines and Permanent Departure to Relax the Height Restriction from 8,5m to 9,46m on Erf 567, 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 above mentioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway Road, and Port Alfred Municipal Office. The application can also be viewed on the Ndlambe Municipal website: www.ndlambe.gov.za under Services > Town Planning Portal > Public Participation or through the following link: www.ndlambe.gov.za/services/town-planning-portal/. Any written comments may be addressed in terms of Section 98 of the said By-law to The MUNICIPAL MANAGER, Causeway Road, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **24 August 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: 154/2026

ADV. ROLLY DUMEZWENI
23 July 2026 MUNICIPAL MANAGER

NDLAMBE MUNICIPALITY



LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

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

INSTRUCTIONS:

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

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:

3.3.1. Details in respect of the application

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

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

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

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

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

3.3.4. Motivation

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

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

3.3.5 Supporting information and documentation

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

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

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

PART C: INFORMATION TO BE COMPLETED BY THE APPLICANT**NOTE:** Complete this form using BLOCK letters and ticking the appropriate boxes**PART C.1: APPLICANT DETAILS**

First name(s)	Mirinda
Surname	de Beer
Company name (If applicable)	Mirinda de Beer Town & Regional Planners
Street or Postal Address	117 Cape Road, Port Elizabeth
Email Address	mirinda@mdbtownplanner.co.za
Contact Number	082 896 2686

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

Registered owner(s) Name	Malcolm Ralph Hobson and Jessica Ann Hobson
Street or Postal Address	28 Donkin Drive, Kenton on Sea
E-mail Address	
Contact Number	Not available

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No	567	Suburb/Town/Area	Kenton on Sea	
Farm No	N/A	Portion (if applicable)	N/A	
Physical or Street Address	28 Donkin Drive, Kenton on Sea			
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?	Yes, dwelling unit in good condition.			
Is the site/property being used in accordance with its present zoning? If not, how is the land being utilised?	Yes			
Property Size/ Extent (m ² / ha - as per Title Deed	942m ²			
Title Deed Number	[REDACTED]			
Any additional/relevant information in regard to the property	N/A			
Any restrictions ito Conveyance's Certificate?	☒	☐	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	☐	☒	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	☐	☒	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)	☐	☒	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?	☐	☒	Is the building older than 60 years?	☐
Does the property fall inside the urban edge in terms of the SDF?	☒	☐	Does the property fall within the service edge in terms of SDF?	☒
Is the property encumbered with a bond	☐	☒	If yes, is bond/mortgage holders consent attached	☐
Any existing unauthorized buildings and/or land use on the subject property(ies)?	☒	☐	If yes, is this application to legalise the building / land use?	☒
NOTE: A contravention penalty may be imposed				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	☐	☒	Are there any land claim(s) registered on the subject property(ies)?	☒

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 height encroachment and building line encroachment of the existing development footprint on Erf 567, Kenton-on-Sea. Conditions in the Title Deed do not align with the Ndlambe Municipality Integrated Land Use Scheme (2019) 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 ...0.9 & 0m; and / or (for existing development & screen walls)
- ii. Rear building line from m to m; and / or
- iii. Street building line from m to m; and / or
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from ...8.5... m to ...9.46... m; and / or (for existing development)
- vi. Street boundary wall / fence height restriction from m to m;
- vii. Relaxation of parking requirements from.....bays to..... bays
- viii. Other zoning scheme condition(s) (as specified).....

5. **RESTRICTING FACTORS**

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

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

If so, furnish details: Condition C. 3 and C.4. (b), (c) & (d)

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- 5.2 Is there any portion of the land unit subject to tidal flow or situated under the high water mark?

No

If so, furnish details:

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

If so, furnish details:

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- 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:

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Are there any other restrictions of which you are aware, but which were not mentioned above? No

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

Please answer the following questions and provide comments:

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

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

Please answer the following questions and provide comments:

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

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

PART H: SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL 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.

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:			
Beacon & Height Certificate			

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

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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	Town & Regional Planner A/1037/1998		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	Yes
Applicant's Signature		Date	26/05/2026

Applicant's Initials: MdB

PART K: FOR OFFICE USE ONLY	
APPLICATION RECEIVED AND VERIFIED BY:	
Full Name(s)	Khoisetsa Rethingana.
Title/Capacity	Manager: Town Planning
Signature	
Municipal Stamp	

POWER OF ATTORNEY FOR LAND USE APPLICATIONS

This Power of Attorney is made on this 06th day of August 2025, by:

Principals:

Malcolm Ralph Hobson and Jessica Ann Hobson
28 Donkin Drive
Kenton-on-Sea
6191
IDs: [REDACTED] 7 and [REDACTED]

Agent 1:

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

Whereas, the Principals own certain real property known as Erf 567, Kenton-on-Sea (hereinafter referred to as the "Property");

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

1. Appointment of Authority

The Principals hereby appoint the Agent to act as the Principals' dual authority, having the right to both:

- Submit land use applications related to the Property to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions from Title Deed T9182/2023, and Permanent Departure from Height Restriction, in terms of the Ndlambe Municipality SPLUM By-Laws (2016).
- Inquire about, follow up on, and obtain information regarding the status of land use applications submitted for the Property.

2. Powers Granted

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

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

3. Duration

This Power of Attorney shall remain in full force and effect until it is revoked in writing by the Principals. The Principals have 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. Dual Authority

Both the Principals and the Agent are authorized to submit and inquire about land use applications independently, and each party may communicate directly with the relevant municipality, its officials, department staff and any other authorities regarding the status or requirements related to the relevant property. Any action or inquiry by either the Principals or the Agent is considered valid and binding as long as it pertains to the land use application for the Property.

5. Execution

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

Principals Signatures: _____

M. HOBSON

JA Hobson

Date: 7 August 2025

JA Hobson

Agent Signature: _____

JA Hobson

Date: 06 August 2025

Witness Name: _____

CLAUDIO LAMPARELLI

Witness Signature: _____

CLAUDIO LAMPARELLI

Date: _____

7 August 2025

140

TBB ATTORNEYS

043 721 1234 e Endorsement

	Amount	Office Fee
Purchase Price/Value	R. 3750 000,00	R. 2014,00
Mortgage Capital Amt.	R.	R.
ALL OTHER REGISTRATIONS		R.
Reason For Exemption	Category Exemption.....	Exempt to a Sect./Reg. Act/Prov.

Prepared by me

CONVEYANCER
ESETHU VUYISIWE ZIBI (102415)

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

NIKHAIL VAUGHN MUNSAMY
LPCM Number 94717

T [REDACTED] / [REDACTED]

appeared before me, the Registrar of Deeds at King William's Town, the said appearer, being duly authorised thereto by a power of attorney granted to him by

1. ANDREW JOHN DE JAGER
Identity Number [REDACTED]
Unmarried

2. PATRICIA WENDY GILLIES
Identity Number [REDACTED]
Unmarried

signed at KENTON-ON-SEA on 13 MAY 2023

And the appearer declared that:

Whereas the Transferors had truly and legally sold the undermentioned property on 4 March 2023 by Private Treaty

Now therefore the Appearer on behalf of the Transferors, did by these presents, cede and transfer to and on behalf of

1. MALCOLM RALPH HOBSON
Identity Number [REDACTED]
Married out of Community of Property
2. JESSICA ANN HOBSON
Identity Number [REDACTED]
Married out of Community of Property

their heirs, executors, administrators or assigns, in full and free property

ERF 567 KENTON-ON-SEA
NDLAMBE LOCAL MUNICIPALITY
DIVISION OF BATHURST
PROVINCE OF THE EASTERN CAPE

MEASURING 942 (NINE HUNDRED AND FORTY TWO) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T4013/1957CTN WITH
DIAGRAM NUMBER 9730/1956 RELATING THERETO AND HELD BY DEED OF
TRANSFER NUMBER T8546/2021

- A. SUBJECT to the conditions referred to in Deed of Transfer No. 10579/1970CTN save insofar as these may have since lapsed or been cancelled.
- B. SUBJECT FURTHER to the servitude referred to in the servitude endorsement dated 9th September 1929 on Deed of Transfer No. 8365/1924CTN, relating to an Order of the Water Court (Water Court District No. 10) dated 5th, 6th and 7th December 1927.
- C. SUBJECT FURTHER to the following conditions contained in said Deed of Transfer No. 4013/1957CTN, imposed by the Administrator of the Cape of Good Hope under the provisions of Ordinance No. 33 of 1934 when approving of the establishment of Kenton-on-Sea Township Extension No. 7, namely: -
 - "1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under provincial Administration Notice No. 401 dated 17th October 1935, and in the memorandum which accompanied the said regulations.

2. The owner of this erf shall, without compensation, be obliged to allow water mains and the sewage and drainage, including stormwater of any other erf or erven to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time in order to construct, maintain, alter, remove or inspect any sewer, manhole, channel, conduit or other works pertaining thereto.
3. That no building intended for human habitation shall be erected on this erf unless provision is made above ground for the storage of rain water, the said storage to have a capacity of not less than 45449,60 litres and provided further that no shallow well shall be constructed or sunk on this erf within 31,49 metres of any existing pit privies.
4. This erf shall be subject to the following further conditions, provided especially that where in the opinion of to Administrator, after consultation with the Townships Board and the local authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relaxation subject to compliance with such conditions as he may impose: -
 - (a) it shall not be subdivided:
 - (b) it shall be used only for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;
 - (c) not more than half the area thereof shall be built upon;
 - (d) 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, within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation may be erected within the above prescribed rear space. On consolidation of any two or more erven this condition shall apply to the consolidated holding as one erf. "

WHEREFORE the appearer, renouncing all the rights and title the said

1. ANDREW JOHN DE JAGER, Unmarried
2. PATRICIA WENDY GILLIES, Unmarried

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

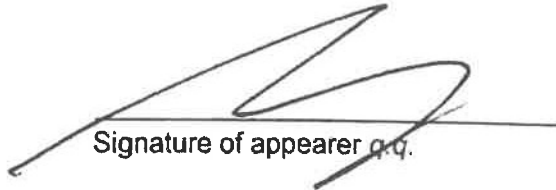
1. MALCOLM RALPH HOBSON, Married as aforesaid
2. JESSICA ANN HOBSON, Married as aforesaid

their heirs, executors, administrators or assigns, now are and henceforth shall be entitled thereto, conformably to local customs; the State, however, reserving its rights, and finally acknowledging that the purchase price is the amount of R3 750 000,00 (Three Million Seven Hundred and Fifty Thousand Rand).

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

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds at King William's Town on

2023 -06- 01


Signature of appearer q.q.

In my presence



Registrar of Deeds

MOTIVATIONAL REPORT

ERF 567, KENTON-ON-SEA

Application for:

- Removal of Restrictive Title Deed Condition C. 3 and C.4. (b), (c) & (d) in Title Deed T9182/2023.
- Permanent Departure from the 8,5m height restriction to 9,46m to formalize the existing development.
- Permanent Departure from the 1,5m lateral building lines to 0,9m lateral building lines to accommodate the existing roof overhang and 0m for screen walls.

Compiled by:



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

Contact Details:

Email: mirinda@mdbtownplanner.co.za

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

www.mdbtownplanner.co.za

MAY 2026

EXECUTIVE SUMMARY

Erf 567, Kenton-on-Sea is located in the western part of Kenton-on-Sea, situated at 28 Donkin Drive between the Boesmansrivier in the south-west and Two Rivers Place Retirement Village 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 height encroachment and building line encroachment of the existing development footprint on Erf 567, Kenton-on-Sea. A condition in the Title Deed does not align with the Ndlambe Municipality Integrated Land Use Scheme (2019) 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 footprints on Erf 567, Kenton-on-Sea and align the Title Deed with the Ndlambe Municipality Integrated Land Use Scheme (2019).

Summary:

Existing Zoning	Residential Zone 1
Area	942m ²
Title Deed	T [REDACTED]
Owners	Malcolm Ralph Hobson and Jessica Ann Hobson
Address	28 Donkin Drive, Kenton-on-Sea
Bond	There is no bond registered on the property
Applications required	Application in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019) for: • Removal of Restrictive Title Deed Condition C. 3 and C.4.(b), (c) and (d) from Title Deed T9182/2023, in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016). • Permanent Departure from the 8,5m height restriction to 9,46m to formalize the existing development, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016). • Permanent Departure from the 1,5m lateral building lines to 0,9m lateral building lines to accommodate the existing roof overhangs and 0m for screen walls, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).



Erf 567, Kenton-on-Sea: 28 Donkin Drive

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A. MAPS

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3. Zoning Map
4. Site Development Plan

B. APPLICATION FORM

C. PROPERTY DETAILS

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2. Title Deed
3. Cadastral Diagram
4. Conveyancer Certificate
5. Beacon and Height Certificate (M.E.H Sulte and Son Inc.)

D. CONSENT LETTERS FROM NEIGHBOURS

1. The Applicant

Mirinda de Beer Town and Regional Planners (MDB) is appointed by the owners of Erf 567, Kenton-on-Sea, to prepare and submit an application to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions, Permanent Departure from the height restriction and Permanent Departure from the lateral building line 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 567, Kenton-on-Sea, situated in the Ndlambe Municipal jurisdiction. The Cadastral Diagram (General Plan No. 867 L.D.) is attached as **Annexure C.3.**

Ownership:

Malcolm Ralph Hobson and Jessica Ann Hobson.

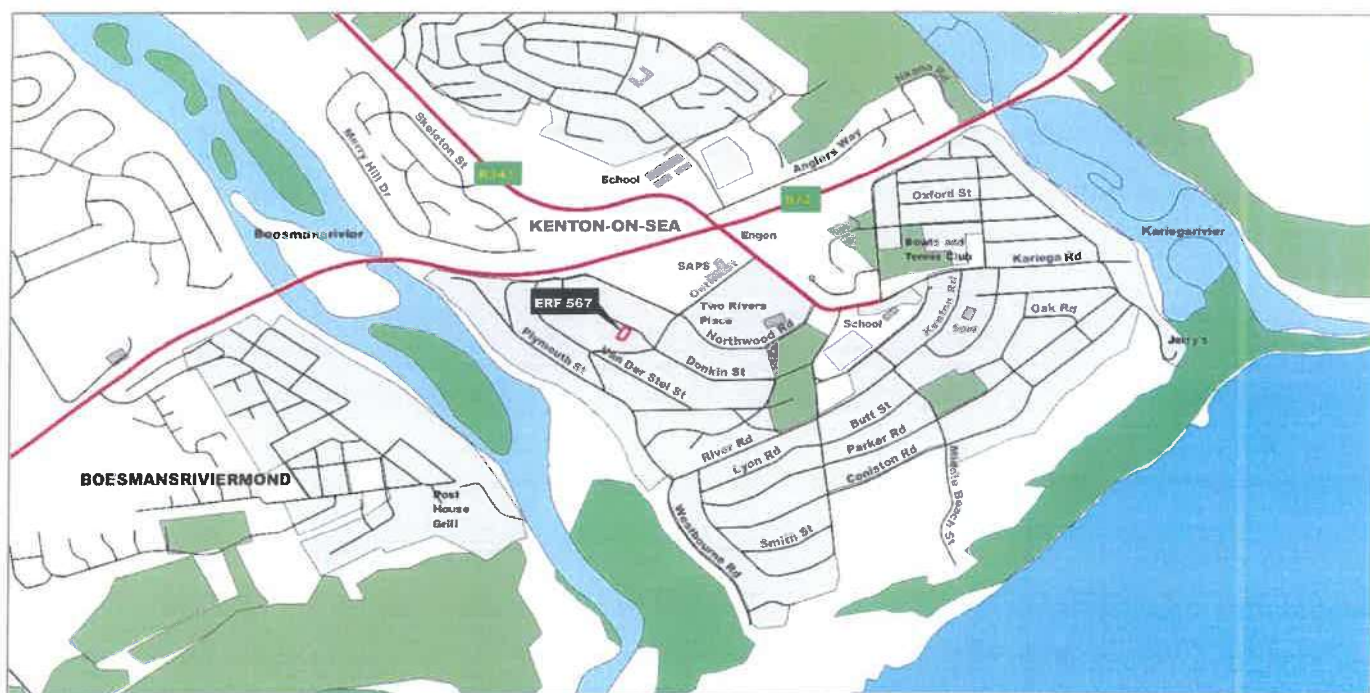
Property size:

942m²

3. Locality

The property is located in the western part of Kenton-on-Sea, situated at 28 Donkin Drive between the Boesmansrivier in the south-west and Two River Place Retirement Village in the north-east.

Map 1: Locality Map



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. Donkin Drive borders the property in the north-east and access is obtained from Donkin Drive.

Map 2: Land Use Map



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:

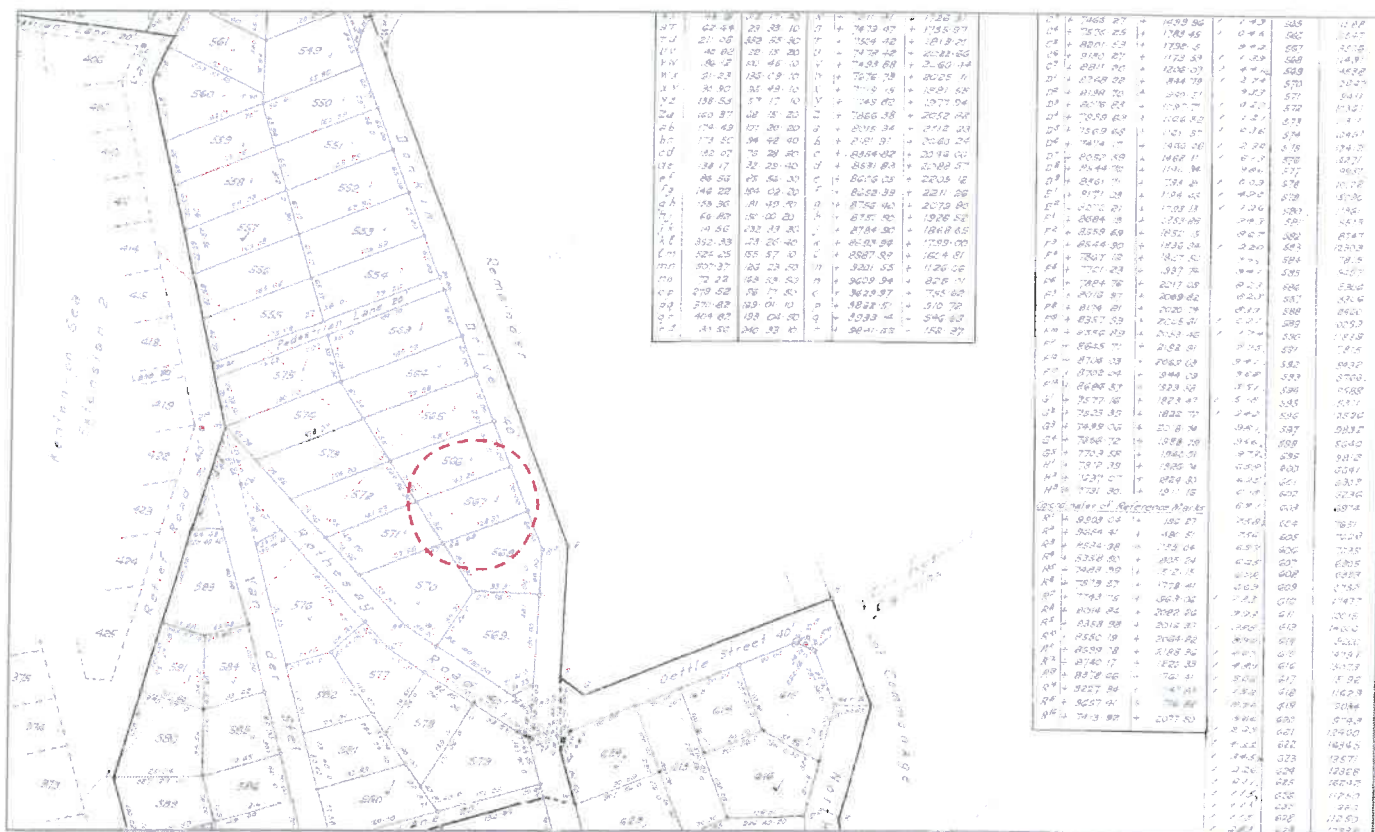
Zoning	Residential Zone 1
Primary Use	Dwelling Unit means a self-contained inter-leading group of rooms with not more than one kitchen used for human habitation and includes such outbuildings as are ordinarily used therewith and permit a home occupation for a single household.
Coverage	50%
Height	8,5m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

5. Title Deed, Servitudes and Bond Holder

Title Deed T9182/2023 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 on the property and should be removed from Title Deed T9182/2023. A copy of the Conveyancer Certificate is attached as **Annexure C.4**.

Cadastral Diagram:



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

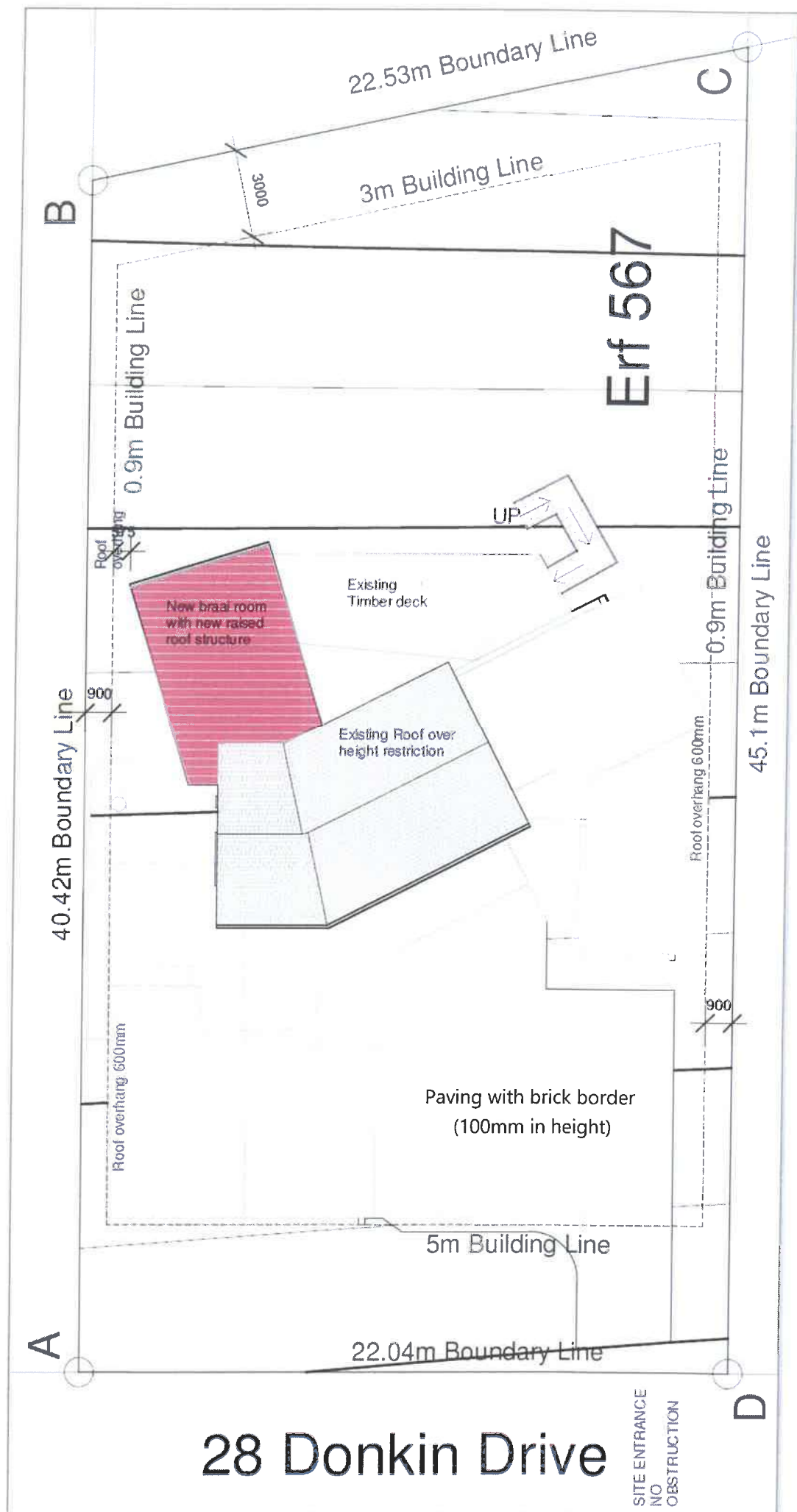
There is no bond registered on the property. Subsequently, consent from a bond holder is not required.

This application is, based on the stipulations of the Ndlambe Municipality Integrated Land Use Scheme (2019), Ndlambe Spatial Planning and Land Use Management By-Laws (2016) and Section 33(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), **for the following on Erf 567, Kenton-on-Sea:**

1. **Removal of Restrictive Title Deed Conditions** C.3 C.4. (b), (c) & (d) from Title Deed [REDACTED] in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).
2. **Permanent Departure** from the 8,5m height restriction to 9,46m to formalize the existing development, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).
3. **Permanent Departure** from the 1,5m eastern lateral building lines to 0,9m lateral building lines to accommodate the roof overhangs of the existing development and 0m for screen walls, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).

Proposed development parameters on Erf 567, Kenton-on-Sea:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	5m
Lateral Building Lines	Existing development: 0,9m (for the roof overhang) and 0m for screen walls Future development: 1,5m
Rear Building Line	3m
Height	Existing Development: 9,46m Future Development: 8,5m
Floor Factor	1.0
Parking	1 space / dwelling unit



- The Conveyancer Certificate confirmed that Condition C.3, C.4. (b), (c) and (d) from Title Deed [REDACTED] should be removed:

"C. – FURTHER SUBJECT to the following conditions contained in said Deed of Transfer No. 4013/1957CTN, imposed by the Administrator of the Cape of Good Hope under the provisions of Ordinance No. 33 of 1934, when approving of the establishment of Kenton-on-Sea Township Extension Number 7, namely:-

3. *That no building intended for human habitation shall be erected on this erf unless provision is made above ground for the storage of rain water, the said storage shall have a capacity of not less than 45449,60 liters and provided further than no swallow well shall be constructed or sunk on this erf within 31,49 meters of any existing pit privies.*
4. *This erf shall be subject to the following further conditions, provided especially that where in the opinion of the Administrator, after consultation with the Townships Board and the local authority, it is expedient that the restriction in any such condition should at any time be suspended or relaxed, he may authorize the necessary suspension or relaxation subject to compliance with such conditions as he may impose:-*
 - (b) *it shall be used for the purpose of erecting thereon one dwelling together with such outbuildings as are ordinarily required to be used therewith;*
 - (c) *Not more than half the area thereof shall be built upon;*
 - (d) *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 the boundary of this erf, within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority an outbuilding used solely for the housing of a motor vehicle and not exceeding 3,05 metres in height, measured from the floor to the wall plate and no portion of which will be used for human habitation may be erected within the above prescribed rear space. On consolidation of any two or more erven this consolidation shall apply to the consolidated holding as if it was one erf."*

► **Removal of Condition C.3:**

- This condition was imposed at a time when Kenton-on-Sea had limited municipal infrastructure, and properties relied on rainwater collection and pit privies for domestic use. The restriction ensured adequate water supply and safeguarded public health under those historical circumstances.
- However, circumstances have materially changed. The area is now serviced by municipal water supply and waterborne sewage reticulation, rendering the mandatory rainwater storage and distance requirement obsolete and unnecessarily restrictive.
- Current building regulations under the National Building Regulations and Building Standards Act (Act 103 of 1977), as well as Local Municipal Bylaws, already regulate water storage, sanitation, and environmental health.
- Any new development or building on the erf will therefore still be subject to rigorous approval processes ensuring adequate water supply, stormwater management, and sanitation, without the need for a restrictive title condition.

► **Removal of Condition C. 4 (b):**

- The Ndlambe Municipality Land Use Scheme permits the establishment of an additional dwelling unit on a residential property, subject to the Municipality's approval through a Special Consent process. The SPLUMA By-Laws similarly empower the Municipality to grant consent uses on properties where appropriate and in line with planning policy.
- This demonstrates that the Municipality already has adequate legislative and procedural mechanisms in place to manage and assess applications for additional dwellings. Therefore, the restrictive title condition prohibiting more than one dwelling on the erf is unnecessary and inconsistent with the provisions of the current Land Use Scheme and SPLUMA framework.

► **Removal of Condition C. 4 (c):**

- The application seeks to remove the title deed restriction limiting development to 50% of the erf area. While the Ndlambe Municipality Land Use Scheme already regulates coverage at 50%, the SPLUMA By-Laws empower the Municipality to consider departures from development parameters, such as building coverage, where appropriate.
- The removal of the restrictive title deed condition will allow future applications for coverage departures to be assessed under SPLUMA, without being hindered by the outdated deed restriction. It therefore provides flexibility while remaining fully aligned with municipal planning processes.

► **Removal of Condition C.4.(d):**

- Condition C.4.(d) 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 Municipality 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 development complies with the building line requirements as per the Ndlambe Municipality Integrated Land Use Scheme (2019).
- The development is encroaching on the building line requirements as per the Title Deed T9182/2023.
- It is the intention of the owners to align the Title Deed with the Ndlambe Municipality Integrated Land Use Scheme (2019) to ensure that a single set of development controls are applicable to Erf 567, Kenton-on-Sea.
- To align the Title Deed with the Ndlambe Municipality Integrated Land Use Scheme (2019) the removal of this condition is required.

► The existence of the Title Deed conditions has the effect of:

- Undermining the Ndlambe Municipality 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 Municipality 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 Municipality 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 Municipality 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 Two Rivers Place Retirement Village 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 Donkin Drive in the north-eastern corner of the property.
- ▶ After surveying the property and existing buildings in April 2021, the Beacon and Height Certificate confirmed that the existing structures transgress the permissible building height as per the Ndlambe Municipality Integrated Land Use Scheme (2019). The Beacon and Height Certificate for Erf 567, Kanton-on-Sea is attached as **Annexure C.5**.
- ▶ The purpose of this application is to regularize the existing height transgression and building line encroachment of the roof overhang of the existing development on the property. This will allow the owner to legalize the existing development and submit building plans for minor alterations and new development.
- ▶ A braai-room is proposed on the southern portion of the property. The new development will comply with development parameters as per the Ndlambe Municipality Integrated Land Use Scheme (2019) and no departure application are required to permit the new development.

Proposed new braai room:



2. Permanent Departure from Height Restriction

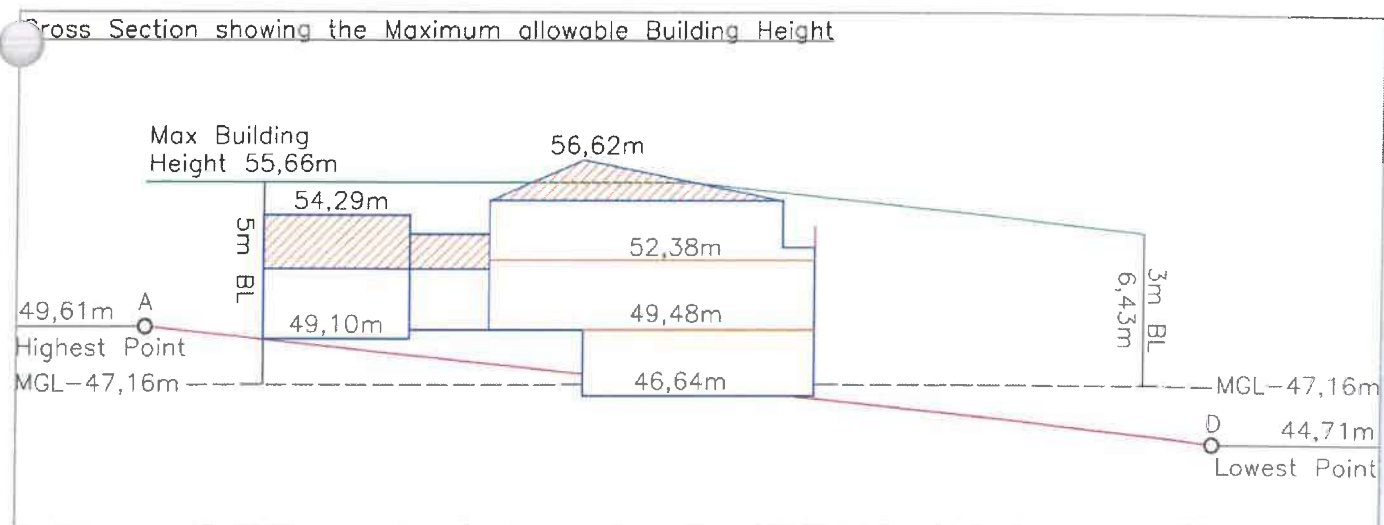
- ▶ The Ndlambe Municipality Integrated Land Use Scheme (2019) stipulates a height restriction of 8,5m for properties with a Residential 1 zoning.
- ▶ Definition of height : *the maximum permissible vertical dimension of any building to be constructed on a land unit, which vertical dimension shall be measured from the determined ground level to the highest externally visible point of the building and shall not exceed a parallel line drawn at the maximum height above the ground level, and a horizontal line drawn at the maximum height above the ground level, provided that:*
 - (a) *Chimneys, flues, satellite dishes, masts and antennae having a total accumulated diameter of less than 1.5 metres shall be excluded from the calculation of the height of the structure.*
 - (b) *Elevator motor rooms, ventilation shafts, water tanks, air conditioning plants vehicles and equipment attached to or parked on top of a structure are included when determining the height of the structure.*
- ▶ Definition of Ground Level: *the average between the highest and the lowest natural undisturbed level of the land unit, as determined by a registered surveyor.*

► The height restriction is calculated in the following manner:

- The mean ground level (MGL) has been calculated at 47,16m above sea level (the average between the highest level (49,61m) and the lowest level (44,71m) natural undisturbed level of the subject property).
- The height restriction of 8,5m from the mean ground level, as calculated by the Professional Land Surveyor, results in a maximum building height of 55,66m above sea level.
- The existing development was built in good faith and developed before the Ndlambe Municipality Integrated Land Use Scheme (2019) came into effect.
- The height of the existing buildings is as follows:

	Height above Sea Level	Height
Existing Dwelling	56,62m	9,46m

Height Certificate for the exiting dwelling on Erf 567, Kenton-on-Sea:

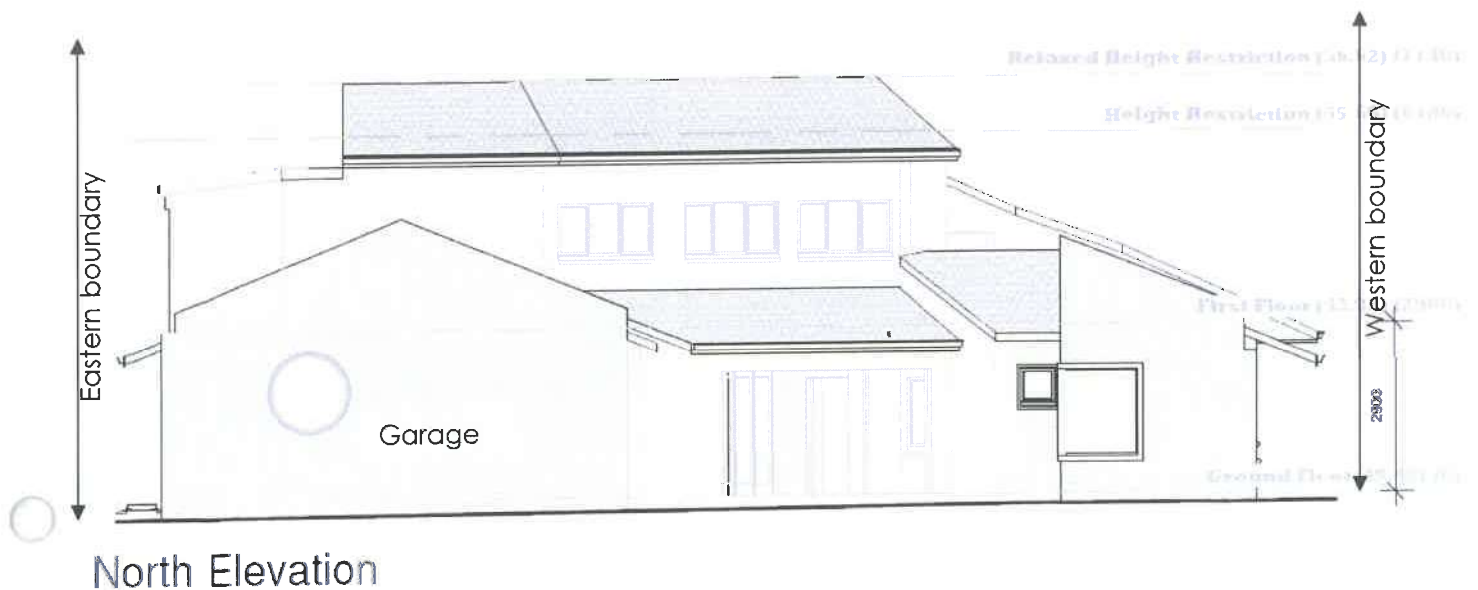


- It is the intention of the owners to formalize the height encroachment of the existing dwelling on Erf 567, Kenton-on-Sea.
- The Elevations clearly illustrate that the proposed addition to the dwelling will comply with the height restriction as per the Ndlambe Municipality Integrated Land Use Scheme (2019).

3. Permanent Departure from Lateral Building lines

- ▶ The Beacon Certificate illustrates that the existing buildings on the property are located within the 1,5m lateral building lines, however the roof overhang of 600mm encroaches the lateral building lines.

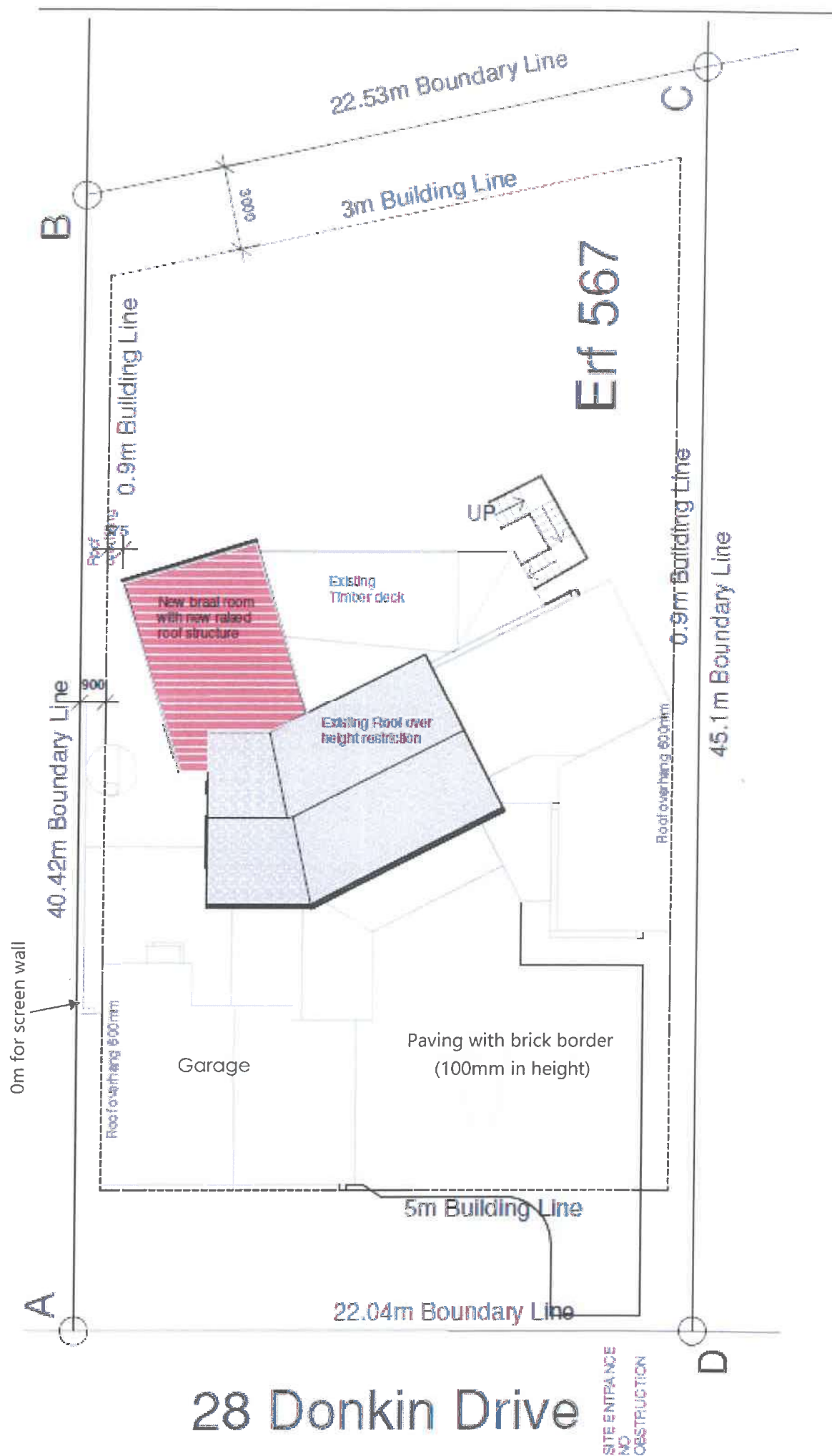
Roof overhang along eastern and western lateral building line:



Roof overhang along eastern lateral building line:

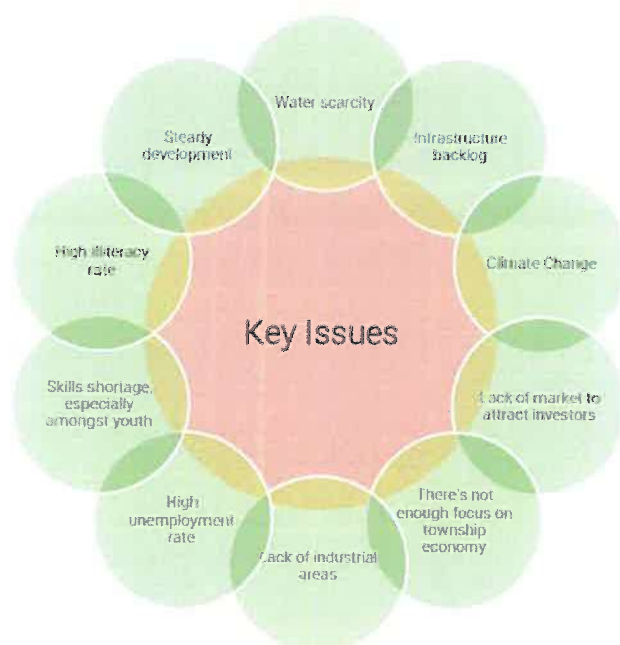


- ▶ This application includes the relaxation of the western lateral building line to 0m to accommodate screen walls, as illustrated on the Site Development Plan.
- ▶ The relaxation of this portion of the building line to 0m will only be applicable to formalize the encroachment of the screen walls and no other future development.
- ▶ Screen walls are strategically incorporated to enhance security, for privacy purposes and to regulate movement throughout the property.



Key Issues

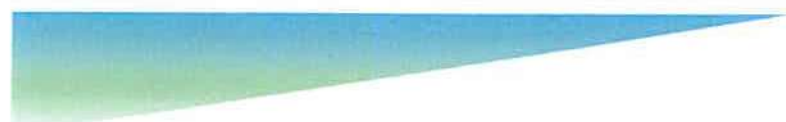
The following key issues were identified pertaining to the Ndlambe Local Municipality:



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

The Ndlambe Municipality Spatial Development Framework (SDF) identifies specific structuring elements that provide guidance for development and spatial planning. The key objectives of these structuring elements are as follows and the proposed departures support and strengthen the intent of SDF in the following manner:

- ▶ ***Contain urban sprawl:***
 - The proposal involves formalization of an existing lawful dwelling within the established urban boundary of Kenton-on-Sea.
 - No expansion of the urban edge or extension of services is proposed.
 - By focusing development within the existing serviced area, the application contributes to compact urban form and the containment of urban sprawl, in direct support of this SDF objective.
- ▶ ***Promote urban and social integration:***
 - The regularization of the minor height and roof encroachments does not alter the residential use or character of the area, and allows the property to remain integrated within the existing urban fabric.
 - The approval supports social and functional integration, ensuring that the property remains compliant and harmonious within the neighborhood context.

► **Create quality urban environments:**

- The minor height and overhang variations were designed to enhance architectural character, proportion, and functionality, such as weather protection and visual balance.
- By allowing the encroachments to be formalized, the municipality supports quality urban design and context-sensitive development, as envisioned in the SDF.

► **Create a sense a place:**

- The dwelling's architectural design, including its roof articulation and modest height variation, reflects the coastal vernacular and character typical of Kenton-on-Sea.
- Allowing the encroachments to remain ensures that the structure contributes to a place-specific urban environment that reinforces local identity.

► **Enhancement of investment opportunities:**

- Regularizing the existing encroachments provides certainty of tenure and compliance, thereby enhancing the market value and investment security of the property.
- Such formalization contributes to the broader economic stability of the residential area, aligning with the SDF's goal to encourage investment and confidence in the built environment

► **Simplifying decisions-making regarding development application:**

- This application is fully motivated in terms of SPLUMA principles and SDF objectives, providing the Municipality with a well-founded basis for approval.
- The regularization of minor deviations simplifies long-term administration and ensures planning consistency for both the municipality and property owner.

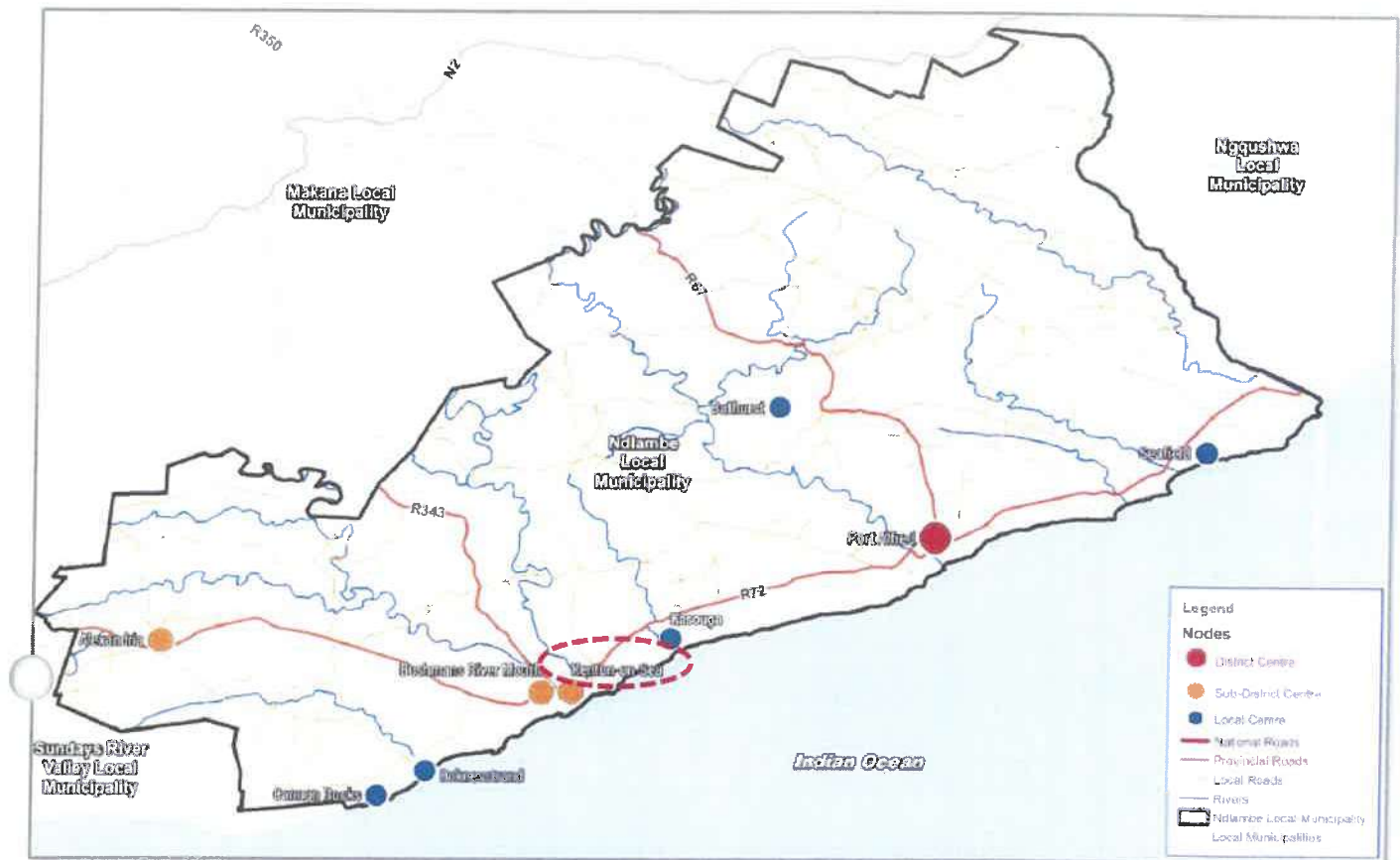
The following elements guide spatial development and decision-making in the municipality:

- 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.



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 from all over the country visit.

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 567, Kenton-on-Sea is earmarked for Residential development.



Consistence with the Ndlambe SDF: Kenton-on-Sea

- ▶ Erf 567, 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 height restriction and building lines will not change the residential land use or character of the surrounding area.
- ▶ 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.

1. Potential of the property

- ▶ The subject site is 942m² in size. A dwelling unit and garage are situated on the property. Donkin Drive borders the property in the north-east and access to the property is obtained from Donkin Drive.
- ▶ The building height relaxation will allow the owners to formalize the height encroachments of the transgressing the permissible building height as per the Ndlambe Municipality Integrated Land Use Scheme (2019).
- ▶ The current structures were developed and approved in accordance with the Kenton-on-Sea Town Planning Scheme (1982), permitting 2 storeys with no specific height stipulation. The height encroachment was only discovered in April 2021 after M.E.H Sulter & Sons Land Surveyors surveyed the property boundaries and all structures.
- ▶ The proposed relaxation of the building height restriction will only be applicable to the existing development as per the Site Development Plan. Future development will adhere to the building height restriction as per the Ndlambe Municipality Integrated Land Use Scheme (2019).
- ▶ The eaves extend 600mm over the prescribed building lines, but do not result in any habitable floor area intrusion. The overhang provides shading, weather protection, and visual articulation to the façade.
- ▶ All new development will occur in accordance with the Ndlambe Land Use Scheme Regulations (2019).
- ▶ 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

- ▶ The property is situated in an area predominantly characterized by larger residential dwellings including double storey and triple storey dwellings.
- ▶ Donkin Drive reflects the informal, coastal village character of Kenton-on-Sea, characterized by a mix of freestanding homes, varied building setbacks, developed landscaping, and non-uniform boundary treatments.
- ▶ The development will not change the character of the area and have no detrimental impact on the surrounding properties.
- ▶ The proposed braai area will comply with the development parameters as per the Ndlambe Municipality Integrated Land Use Scheme (2019).
- ▶ It can be concluded that the removal of conditions in the Title Deed, relaxation of the building height restriction and departure from the lateral building lines to formalize the encroachments of the existing development 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 the restrictive condition in the Title Deed and departure from the height restriction and building lines to formalize the encroachment of the existing development will not have any effect on the 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 height restriction and building lines on Erf 567, Kenton-on-Sea.

In light of this motivation and the information contained in the foregoing report, it is clear that the application for Erf 567, Kenton-on-Sea:

- ▶ **Removal of Restrictive Title Deed Condition** C.4.(d) for Title Deed [REDACTED] in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the 8,5m height restriction to 9,46m to formalize the existing development, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the 1,5m lateral building lines to 0,9m lateral building lines to formalize the existing development (roof overhangs) and 0m for screen walls, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),

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

To conclude:

- ▶ Erf 567, 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 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.
- ▶ Restrictive conditions in the Title Deed relate to 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 building height and building line encroachments of the development on Erf 567, Kenton-on-Sea. All future development will comply with the Land Use Scheme Regulations.
- ▶ 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 removal, departure from lateral building lines and height departure to formalize the existing development on Erf 567, Kenton-on-Sea.

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.

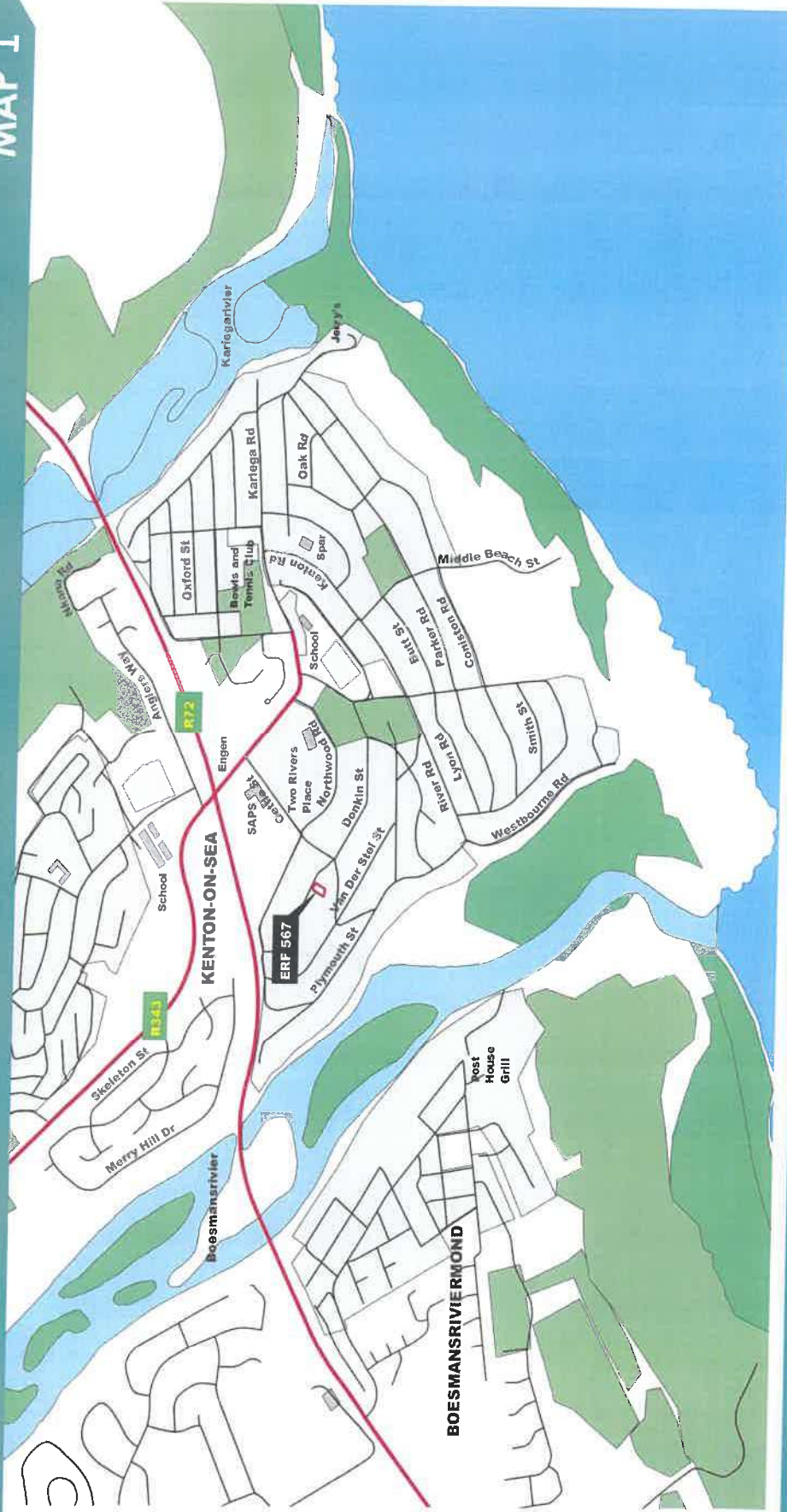
ANNEXURE A

MAPS

1. **Locality Map**
2. **Land Use Map**
3. **Zoning Map**
4. **Site Development Plan**

LOCALITY

MAP 1



ERF 567, KENTON-ON-SEA

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TOWN & REGIONAL PLANNERS

082 896 2686

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LAND USE MAP

MAP 2



ERF 567, KENTON-ON-SEA



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EXISTING ZONINGS

MAP 3

BUSHMANS RIVER & KENTON-ON-SEA

MARCH 2019

SHEET 1 of 1

- Agriculture Zone
- Residential Zone 1
Dwelling Unit
- Residential Zone 2
Group Housing
- Residential Zone 3
General Residential Building
- Residential Zone 4
Dwelling Unit
Incremental Housing
- Business Zone 1
General Business
General Residential Building
- Business Zone 2
Office
Shop
- Business Zone 3
Office
- Industrial Zone 1
Industry



ERF 567, KENTON-ON-SEA

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TOWN & REGIONAL PLANNERS

082 896 2686

mirinda@mbtownplanner.co.za

Height Certificate
showing
Erf 567 Kenton-on-Sea
Administrative District of Bathurst
Province of the Eastern Cape

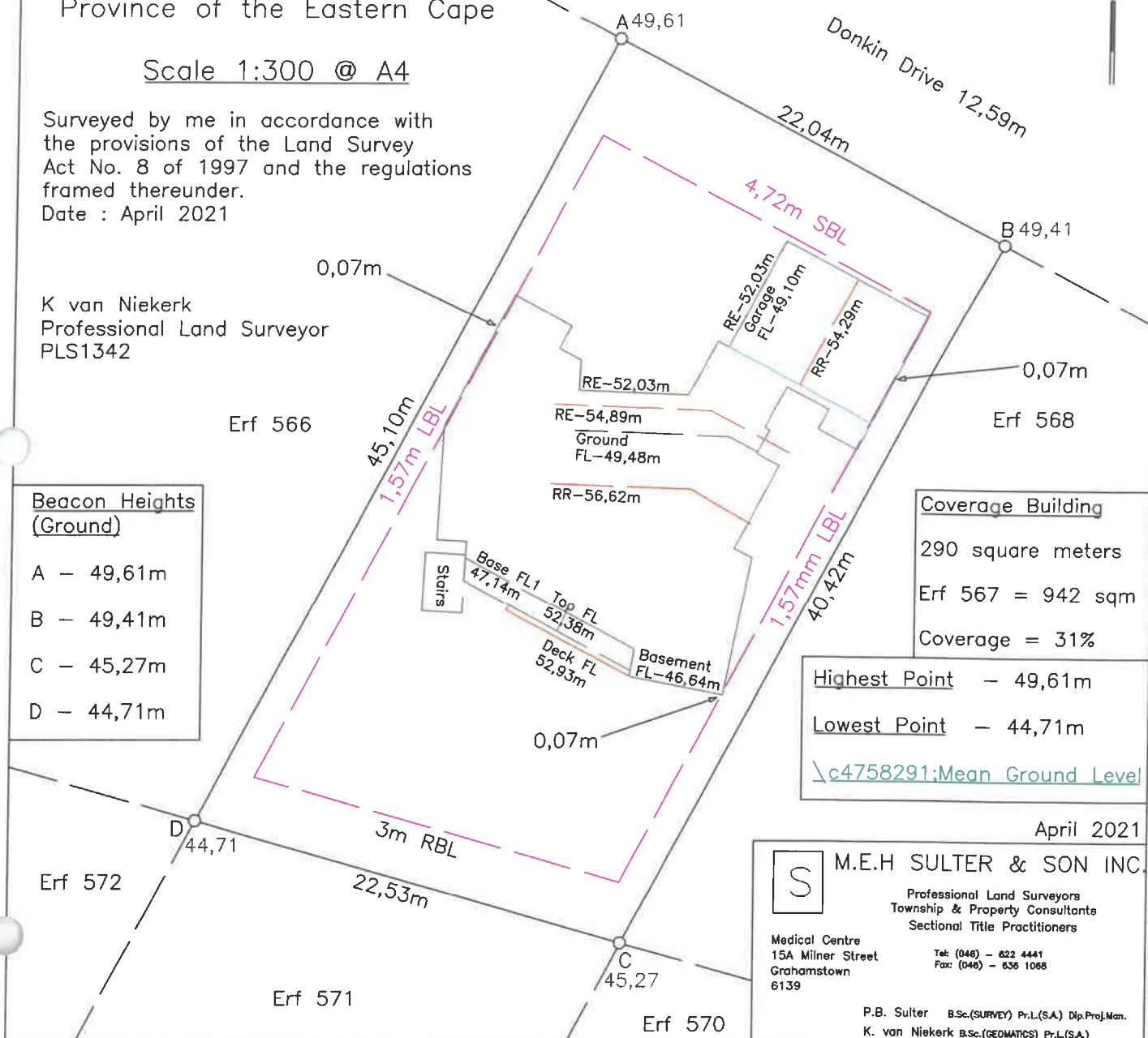
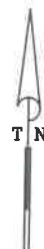
Scale 1:300 @ A4

Surveyed by me in accordance with
the provisions of the Land Survey
Act No. 8 of 1997 and the regulations
framed thereunder.
Date : April 2021

K van Niekerk
Professional Land Surveyor
PLS1342

Beacon Descriptions

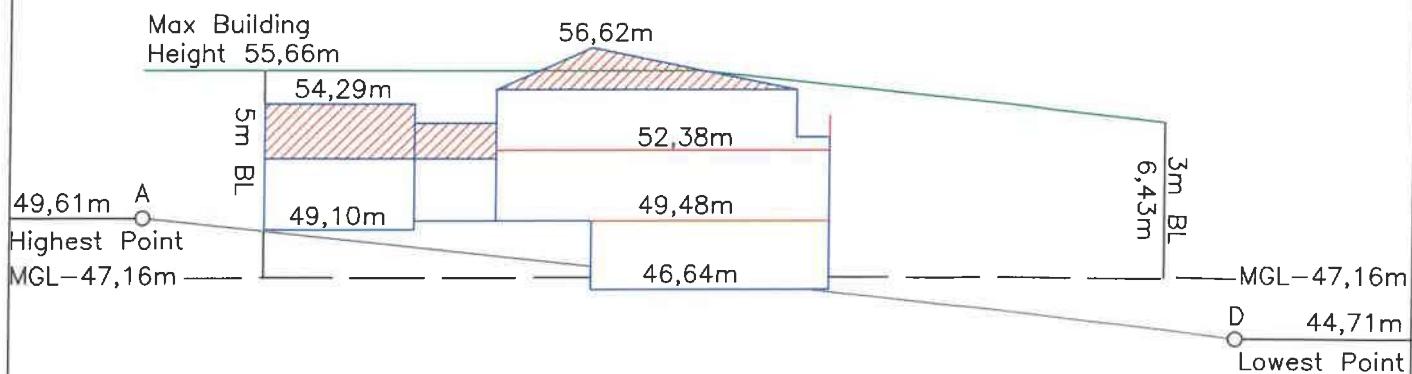
A,..... 16mm Iron Peg
B,C,D..... 20mm Iron Peg



Cross Section showing the Maximum allowable Building Height

Notes:

- 1) The height of the building is 0.96m above the 8.50m allowable height restriction limit.





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

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

COMMENT (S) TO APPLICATION

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

APPLICATION FOR: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM BUILDING LINES AND HEIGHT
SITUATED ON ERF ...567..., **STREET & NO.** ...28 DONKIN DRIVE..., **TOWNSHIP** ...KENTON-ON-SEA...

It is confirmed that I (Name in Full of affected land owner) ...**SC SPENCER**...
being the registered owner of Erf ...**571**... 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; (TO ACCOMMODATE THE EXISTING ROOF OVERHANGS)
- b) ~~A relaxation of the rear building line from m to m;~~
- c) ~~A relaxation of the street building line from m to m;~~
- d) A relaxation of building height from ...8.5... m to ...9.46... m; (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO 0M FOR SCREEN WALLS AS PER THE SDP.**

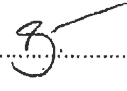
shown on plan number ...2025-046... undated ...05/12/2025...

Additional comments by consenting owner to the above consent:

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

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

Residential Address (Of owner giving consent):

Signed: 

Date: 10 APRIL '26

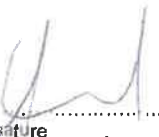
Home Tel: 

Work Tel: 

WITNESSES

1. **Natake Howard**
Full Name

2. **Robyn Naidoo**
Full Name


Signature



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The Manager: Town Planning & Land Estates
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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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM BUILDING LINES AND HEIGHT
SITUATED ON ERF 567, STREET & NO. 28 DONKIN DRIVE, TOWNSHIP KENTON-ON-SEA

It is confirmed that I (Name in Full of affected land owner), SJ ELLIS,
being the registered owner of Erf 572 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; (TO ACCOMMODATE THE EXISTING ROOF OVERHANGS)
- b) ~~A relaxation of the rear building line from m to m;~~
- c) ~~A relaxation of the street building line from m to m;~~
- d) A relaxation of building height from 8.5 m to 9.46 m; (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO 0M FOR SCREEN WALLS AS PER THE SDP.

shown on plan number 2025-046 undated 05/12/2025

Additional comments by consenting owner to the above consent:

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

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

Signed: [Signature]

Date: 11/01/2021

Residential Address (Of owner giving consent):

[Redacted Address]

Home Tel: [Redacted Phone Number]

Work Tel: [Redacted Phone Number]

WITNESSES

1. [Signature]
Full Name

[Signature]
Signature

2. [Signature]
Full Name

[Signature]
Signature



NDLAMBE MUNICIPALITY
The Manager: Town Planning & Land Use
P.O. Box 11
Port Alfred
6170

Tel: (048) 645 512
Fax: (048) 64 516
Municipal E-mail: info@pa.gov.za

COMMENT (S) TO APPLICATION

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

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS DEPARTURE FROM BUILDING LINE AND HEIGHT

SITUATED ON ERF 567, STREET & NO. 28 DONKIN DRIVE, TOWNSHIP KENTON-ON-SEA

It is confirmed that I (Name in Full of affected land owner) **TJ BOON**

being the registered owner of Erf 697 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 (TO ACCOMMODATE THE EXISTING FRONT OVERHANGS)
- b) A relaxation of the rear building line from m to m
- c) A relaxation of the street building line from m to m
- d) A relaxation of building height from 8.5 m to 9.46 m (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO UM FOR SCREEN WALLS AS PER THE SDP**

shown on plan number 2025-046 undated 05/12/2025

Additional comments by consenting owner to the above consent

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

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

Residential Address (Of owner giving consent)

Signature

Date: 12/4/2026

Home Tel

Work Tel

WITNESSES

1 FAREEL BOON

Full Name

Signature

2 Hanna Boon

Full Name

Signature



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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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM BUILDING LINES AND HEIGHT
SITUATED ON ERF 567 **, STREET & NO.** 28 DONKIN DRIVE **, TOWNSHIP** KENTON-ON-SEA

It is confirmed that I (Name in Full of affected land owner), AP & H WARREN
being the registered owner of Erf 566 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; (TO ACCOMMODATE THE EXISTING ROOF OVERHANGS)
- b) ~~A relaxation of the rear building line from m to m;~~
- c) ~~A relaxation of the street building line from m to m;~~
- d) A relaxation of building height from 8,5 m to 9,46 m; (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO 0M FOR SCREEN WALLS AS PER THE SDP.

shown on plan number 2025-046 updated 05/12/2025

Additional comments by consenting owner to the above consent:

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

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

Signed: 

Date: 29/04/2026

Residential Address (Of owner giving consent):



Home Tel: 

Work Tel:

WITNESSES

1.....
Full Name

.....
Signature

2.....
Full Name

.....
Signature



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

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

COMMENT (S) TO APPLICATION

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

APPLICATION FOR: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM BUILDING LINES AND HEIGHT

SITUATED ON ERF 567, STREET & NO. 28 DONKIN DRIVE, TOWNSHIP KENTON-ON-SEA

It is confirmed that I (Name in Full of affected land owner), JAJ, JR AND HAJ LOBBAN

being the registered owner of Erf 569 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: (TO ACCOMMODATE THE EXISTING ROOF OVERHANGS)
- b) A relaxation of the rear building line from m to m;
- c) A relaxation of the street building line from m to m;
- d) A relaxation of building height from 8,5 m to 9,46 m; (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO 0M FOR SCREEN WALLS AS PER THE SDP.

shown on plan number 2025-046 undated 05/12/2025

Additional comments by consenting owner to the above consent:

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

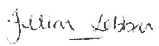
I, the undersigned, hereby declare that I am familiar with the contents of the building plan(s) and site plan by signing the building plan(s).

Signed: 

Date: 11/03/2026



41 Chesham Road
Bryanston
0826070706



0664244316

WITNESSES

1 Gabriella Lobban
Full Name

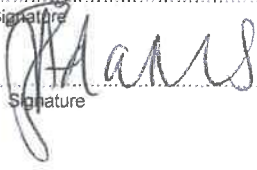
2 Zita Adams
Full Name

Residential Address (Of owner giving consent):

Home Tel: 

Work Tel: 


Signature


Signature



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

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

COMMENT (S) TO APPLICATION

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

APPLICATION FOR: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM BUILDING LINES AND HEIGHT

SITUATED ON ERF 567 **STREET & NO.** 28 DONKIN DRIVE **TOWNSHIP** KENTON-ON-SEA

It is confirmed that I (Name in Full of affected land owner) CAREL TRUST

being the registered owner of Erf 696 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; (TO ACCOMMODATE THE EXISTING ROOF OVERHANGS)
- b) A relaxation of the rear building line from m to m;
- c) A relaxation of the street building line from m to m;
- d) A relaxation of building height from 8.5 m to 9.46 m; (TO FORMALIZE THE EXISTING DEVELOPMENT)
- 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 BUILDING LINES TO 0M FOR SCREEN WALLS AS PER THE SDP.

shown on plan number 2025-046 updated 05/12/2025

Additional comments by consenting owner to the above consent:

**Consent only for existing strictures. All new
must comply with the new regulations**

(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: 10/04/2026

Residential Address (Of owner giving consent):

Glen Donald
Midvaal

Home Tel:

Work Tel:

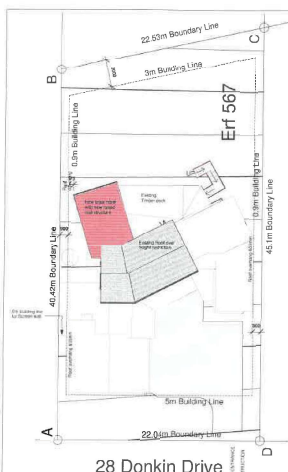
WITNESSES

1. Stephanus Engelbrecht
Full Name

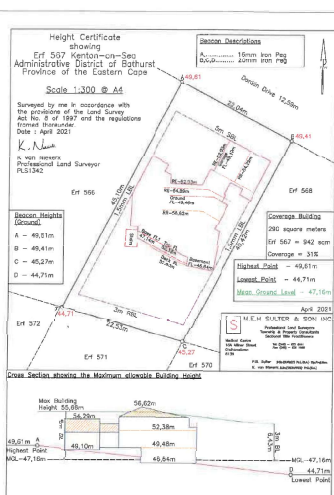
Signature [Signature]

2. Maralize Nell
Full Name

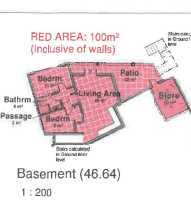
Signature [Signature]



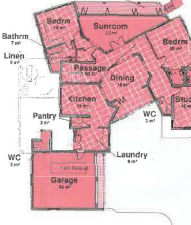
Site Plan
1 : 200



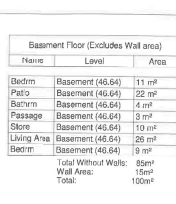
Height Certificate
1 : 200



Basement (46.64)
1 : 200



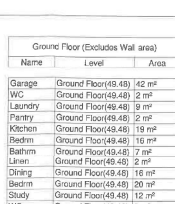
Ground Floor (49.48)
1 : 200



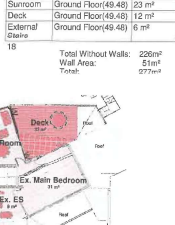
First Floor (52.38)
1 : 200



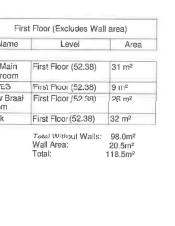
Second Floor (52.38)
1 : 200



Basement (46.64)
1 : 200



Ground Floor (49.48)
1 : 200



First Floor (52.38)
1 : 200



Second Floor (52.38)
1 : 200

CLASS H4 (DWELLING HOUSE)

FLOOR AREA DATA

Name	Level	Area
Basement	Basement (46.64)	11 m ²
Ground Floor	Ground Floor (49.48)	22 m ²
First Floor	First Floor (52.38)	14 m ²
Second Floor	Second Floor (52.38)	15 m ²
TOTAL FLOOR AREA		62 m²

OWNER'S SIGNATURE

ARCHITECT'S SIGNATURE

BEDFORDS
architectural practice

PROJECT
SUP
Erf 567 KOS
28 Donkin Drive

DATE
2025-04

SCALE
1:100

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2025-04