

MAJESTIC BEAUTY: This early morning image was taken on the Seceda Ridgeline in the Italian Dolomites last October. The spectacular setting involved an early morning trek in 4x4s up this very steep mountain to this lovely setting, characterised by sharp dramatic peaks and ever-evolving cloud formations. I waited until the fog started to lift from the valley below and the colours of the sunrise started to peep through the fog to add some colour and drama to the unfolding scene. Image taken with my Nikon D850 with 16-35mm lens set at 16mm and f13, 1/20 sec shutter speed and ISO 64. The Kowie Camera Club meets twice a month. They organise excursions and invite guest speakers to talk about their specialist genres. You don't need to have a professional camera or photography background to be a member of the club. To join or for more information call 078-428-9551. **Picture: ROB HEFFER**





NDLAMBE MUNICIPALITY
PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE TO RELAX THE STREET AND LATERAL BUILDING LINES ON ERF 1376, PORT ALFRED.

Applicant: MIKHULU SPATIAL SOLUTIONS (PTY) LTD

Owner: MEGAN GAIL TILNEY

Property Description: ERF 1376, PORT ALFRED

Physical Address: 16 RIVERSIDE DRIVE, PORT ALFRED, 6170

Detailed description of proposal:
The matter for consideration is an Application for Removal of Restrictive Title deed Conditions, Departure to Relax the Street and Lateral Building Lines on Erf 1376, Port Alfred 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 **07 September 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: 161/2026

ADV. ROLLY DUMEZWENI
06 August 2026 MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY
PORT ALFRED

APPLICATION FOR SUBDIVISION OF ERF 220, BATHURST INTO TWO PORTIONS (PORTION A AND B) AND LEAVING THE REMAINDER.

Applicant: M.E.H SULTER AND SON INC

Owner: HUNTLY RICHARD KNOWLES

Property Description: ERF 220, BATHURST

Physical Address: 220, BATHURST, 6166

Detailed description of proposal:
The matter for consideration is an Application for Subdivision of Erf 220, Bathurst Into Two Portions (Portion A and B) 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 **07 September 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: 162/2026

ADV. ROLLY DUMEZWENI
06 August 2026 MUNICIPAL MANAGER

Bathurst Country Affair promises biggest yet

TOTT CONTRIBUTOR

Bathurst is preparing to welcome thousands of visitors for the Bathurst Country Affair, taking place from August 28 to 30.

Renowned as one of the Eastern Cape's premier country lifestyle festivals, this year's event will be bigger, bolder and more exciting than ever before.

With more than 60 carefully hand-picked, upmarket exhibitors showcasing exceptional artisan products, décor, fashion, gourmet treats, homeware, gifts and handcrafted treasures, visitors can once again expect a shopping experience unlike any other.

This year's festival introduces five major additions designed to elevate the Bathurst Country Affair experience.

A brand-new destination for food and beverage lovers, The Cask & Cuisine promises an unforgettable sensory experience. Relax in the beautiful chill area while enjoying:

- Premium wine tastings
- Craft botanical gin tastings
- An exciting range of craft beers
- Refreshing rum slushies
- Coffee cocktails
- Gourmet artisanal cuisine
- Delicious charcuterie boards
- Live music throughout the weekend

It's the perfect place to unwind, meet friends and soak up the festival atmosphere.

Under the magnificent ancient trees that have watched over Bathurst for generations, Settlers Square comes alive with exceptional craft and artisanal vendors, a vibrant food truck village, shaded relaxation areas and live entertainment, creating one of the festival's most inviting spaces.

Adding yet another exciting venue, The Grand Lounge at The Historic Pig will showcase an impressive selection of premium exhibitors in an elegant setting that perfectly complements Bathurst's rich heritage.

Back by popular demand, The Culinary Challenge will once again see talented home cooks go head-to-head with professional chefs at venues throughout the village. It's guaranteed to entertain, inspire and delight food enthusiasts.

There's also an exciting surprise in store for younger visitors who dream of wearing the crown! Details will be revealed soon on the Bathurst Country Affair Facebook page — so keep watching this space!

No Bathurst Country Affair would be complete without the much-loved signature events that have become legendary over the years.

Visitors can once again take part in or cheer on competitors in:

- The Mystery Box Challenge
- The Pineapple Throwing Competition
- The Bokdrol Spoeg Championship
- The ever-popular Drag Race

These uniquely Bathurst experiences continue to draw crowds and create unforgettable memories.

Food lovers will once again have the opportunity to enjoy popular Wine Tastings hosted by Chef Ray Hanekom-Barnard, while music and theatre lovers are in for a real treat.

Rock band Who Invited Karen? will have



MEETING PLACE: A group of friends relaxes in the garden of the Pig and Whistle Inn, during the Mystery Box cook-off in 2025. This fun and sociable event is on the menu again for the 2026 Bathurst Country Affair from August 28-30. **Picture: SUE MACLENNAN**

audiences on their feet at The Stage at The Pig, while theatre-goers can enjoy two outstanding live productions.

These include a hilarious comedy featuring Eksnidanie & Whipme Houston, and a powerful one-woman performance written and presented by Corinne Willoughby.

Adding another special highlight to the weekend, the magnificent Saeculum Aureum Choir returns to perform inside the beautiful St John's Church, promising an unforgettable musical experience.

The Bathurst Country Affair has evolved into far more than a shopping event.

Throughout the village, visitors will discover demonstrations, entertainment, food experiences, local attractions, historic venues and hidden gems around every corner.

The full festival programme will be released shortly on the Bathurst Country Affair Facebook page.

Bathurst's local businesses are preparing to roll out the red carpet, with many offering exclusive weekend promotions, specials and unique experiences for festival visitors.

The entire village looks forward to extending its warm country hospitality to guests from near and far.

The Bathurst Country Affair is sponsored by:

- My Pond Hotel
- Stenden University
- Royal St Andrews Hotel
- The Farm Bathurst
- Bathurst Agricultural Society
- Bathurst Riding Club
- Three Valleys
- Pick n Pay
- Sotheby's
- Multi Security

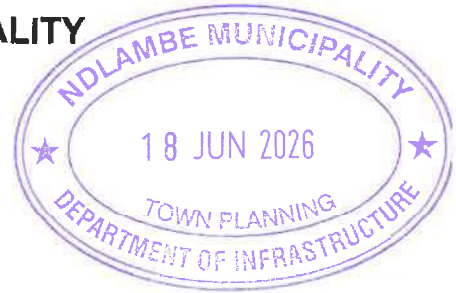
Whether you're passionate about artisan shopping, gourmet food, fine wine, live music, theatre, family fun or simply soaking up the charm of one of SA's most historic villages, the Bathurst Country Affair 2026 has something for everyone.

Ndlambe Municipality
Corporate Services

23 JUN 2026

RECEIVED

NDLAMBE MUNICIPALITY



LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
	Rezoning	R
	Consolidation	R
	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R 10 729,68
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
	Departure Relaxation Building Line	R 5 110,89
	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R
	Consent use in terms of the Land Use Scheme	R
	Extension for validity of an approval	R
	Subdivision	R
	Road closure or Closure of Public Open Space	R
	Approval of Architectural Design Manual, Homeowners Constitution, Site Development Plan	R
	Amendment of Conditions of Approval	R
	Cancellation/Amendment of General Plan	R
	Other	R
TOTAL ON FEES PAYABLE		R 15 840,57

INSTRUCTIONS:

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

Applicant's Initials: S.M

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)	SINESIPHO MZUKISI
Surname	SICWEAU
Company name (If applicable)	MIKHULU SPATIAL SOLUTIONS (PTY) LTD
Street or Postal Address	26 KING EDWARD STREET NEWTON PARK Gqeberha 6120
Email Address	info@mikhuluspatial.co.za / swe@mikhuluspatial.co.za
Contact Number	041 001 3038 / 0787446894

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

Registered owner(s) Name	MEGAN GAIL TILNEY
Street or Postal Address	[REDACTED]
E-mail Address	[REDACTED]
Contact Number	[REDACTED]

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No	1376	Suburb/Town/Area	Port Alfred	
Farm No		Portion (if applicable)		
Physical or Street Address	16 RIVERSIDE DRIVE, PORT ALFRED			
Current Zoning	RESIDENTIAL ZONE 1			
Proposed Zoning	N/A			
Additional Rights or Consent Uses Approved	N/A			
Current activities	DWELLING HOUSE / ADDITIONAL DWELLING			
Are any departures applicable to the land unit?	STREET AND SIDE BUILDING LINE DEPARTURE			
Is there any building or other development on the land unit? If so, what are the nature and condition of these improvements?	YES THERE IS A DWELLING HOUSE IN GOOD COND			
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)	738 m 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, attach a power of attorney 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):

PROPOSED APPLICATION IS FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS CAPTIONED IN DEED NO: T.16404/2021 ITEMISED AS CONDITIONS F (i)(ii)(iii) AND CONDITION (iv), AND A SIMULTANEOUS BUILDING LINE DEPARTURE TO RELAX THE STREET BUILDING LINE FROM 5m TO 0m AND THE SIDE/LATERAL BUILDING LINE FROM 1.5m TO 0m.

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:

THE REMOVAL OF RESTRICTIVE CONDITIONS IS APPLICABLE TO THE ENTIRE LAND AREA HOWEVER THE RELAXATION OF BUILDING LINES IS APPLICABLE TO THE STREET AND SIDE BUILDING LINE

3. Is a departure being applied for in order for a temporary change of use on the land unit?

NO.

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

N/A.

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

- i. Lateral (side) building line(s) from 1.5 m to 0 m; and / or
- ii. Rear building line from m to m; and / or
- iii. Street building line from 5 m to 0 m; and / or
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from m to m; and / or
- vi. Street boundary wall / fence height restriction from m to m;
- vii. Relaxation of parking requirements from bays to bays
- viii. Other zoning scheme condition(s) (as specified).....

5. RESTRICTING FACTORS

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

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

If so, furnish details:

THE APPLICATION ALSO SEEKS TO
REMOVE CONDITIONS F (i) (ii) (iii) AND (iv)
ON DEED OF TRANSFER. THE LAND USE
SCHEME ADEQUATELY COVERS THE MANAGEMENT OF LAND

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

If so, furnish details:

N/A

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

If so, furnish details:

N/A

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

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

N/A

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

N/A

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		CONDITIONS F(i)(ii)(iii) AND (iv) OF DEED T... AND THESE ARE IN FAVOUR OF THIRD PARTIES AS LAND USE IS MAINTAINED
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 / 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)	✓		
Company resolution/Minutes if property is registered under a company or entity			✓
Resolution or other proof that applicant is authorised to act on behalf of a juristic person			✓
Full Copy of Signed Title Deed	✓		
Bondholder's consent			✓
Locality map	✓		
Zoning map	✓		
Land-use map	✓		
Site Development Plan/ Site Layout	✓		
S.G / Erf Diagram			✓
Motivation report	✓		
Written motivation pertaining to the desirability and impact of the application	✓		
Proof of payment			
MINIMUM AND ADDITIONAL REQUIREMENTS			
Neighbours consent			
Proposed subdivision plan			✓
Proposed consolidation plan			✓
Conveyancer's certificate		✓	
Flood-line certificate			✓
Services Report or indication of all municipal services / registered servitudes			✓
Environmental Authorisation (EA) / Record of Decision (ROD)			✓
Heritage Impact Assessment (HIA)			✓
Traffic Impact Assessment (TIA)			✓
Traffic Impact Statement (TIS)			✓
Major Hazard Impact Assessment (MHIA)			✓
Home Owners Association Consent			✓
Any other annexures, give details:			✓
.....			
.....			
.....			
.....			

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

THE APPLICABLE TITLE DEED GAVE ALL
 RELEVANT INFORMATION REGARDING CONDITIONS
 IMPOSED TO THE SITE.

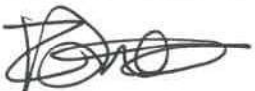
PART J: DECLARATION BY THE APPLICANT

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)	SINESIPHO MZIKISI SICWEBU		
Professional Capacity & Registration Number	PR.PLN (A2026/2015) PROFESSIONAL PLANNER		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	YES
Applicant's Signature		Date	14 - 06 - 2026

Applicant's Initials: S.M

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

POWER OF ATTORNEY

I, the undersigned person: Mrs. Megan Gail Tilney

Signature:

M Tilney

Date:

18 JULY 2025

The registered land owner of:

PROPERTY DESCRIPTION: ERF 1376 PORT ALFRED

DEED OF TRANSFER NUMBER:

[REDACTED]

Do hereby nominate and appoint the below mentioned person/firm:

MR. SINESIPHO SICWEBU OF THE FIRM MIKHULU SPATIAL SOLUTIONS (PTY) LTD

With Power of Substitution, to be my Lawful Agent in my name and place and to make the application for:

AN APPLICATION FOR THE PROPOSED BUILDING LINE DEPARTURE APPLICABLE TO ERF 1376 PORT ALFRED.

and generally for effecting the purposes mentioned above, to act on my behalf for all intents and purposes and hereby notifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all whatsoever our said Agent shall lawfully do, or cause to be done, by virtue of these present witnesses.

SIGNED AT:

PORT ALFRED

THIS 18 DAY OF JULY 2025 IN THE PRESENCE OF THE UNDERSIGNED WITNESSES.

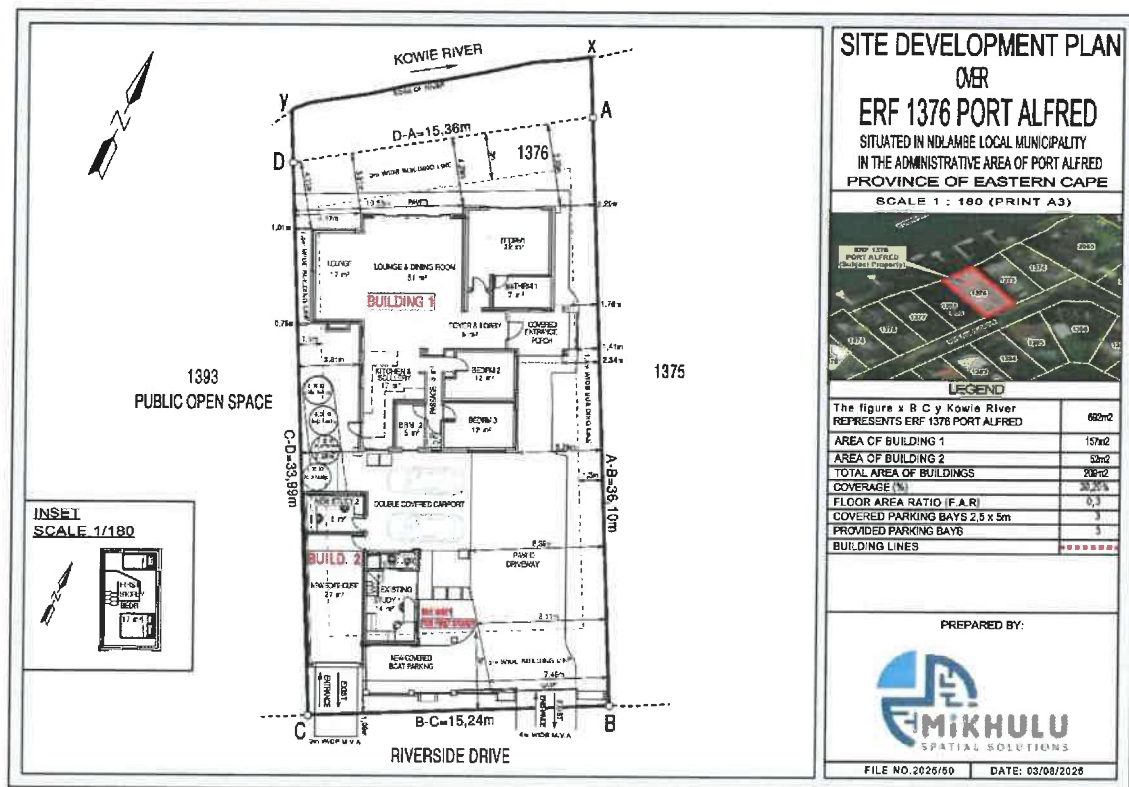
AS WITNESS

1. Name: Anna Tilney Signature: *[Signature]* Date: 18 JULY 2025

2. Name: Ethan Tilney Signature: *[Signature]* Date: 18 JULY 2025



A SIMULTANEOUS APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION CONTAINED IN THE TITLE DEED NO. T1 [REDACTED] AND A PERMANENT DEPARTURE APPLICATION FROM BUILDING LINE REQUIREMENTS WHICH INCLUDES THE RELAXATION OF STREET AND SIDE (WESTERN) BUILDING LINES IN RESPECT OF ERF 1376, PORT ALFRED.



Report Info.

APPLICANT INFORMATION:

Date:	Thursday, 12 March 2026
Report No:	NDAMBLE-LM RE/1376,PORT ALFRED
Prepared By:	Mikhulu Spatial Solutions (Pty) Ltd
Enquiries:	Sinesipho Sicwebu and Mthandazo Makamisa
Email:	sne@mikhuluspatial.co.za / mtha@mikhuluspatial.co.za

CLIENT INFORMATION:

Prepared for:	Megan Gail Tilney 16 Riverside Drive Port Alfred 6170
---------------	---

AUTHORITY INFORMATION:

Submitted to:	The Municipal Manager Ndlambe Local Municipality P O Box 13 Port Alfred 6170	The Municipal Manager Ndlambe Local Municipality 47 Campbell Street Port Alfred 6170
Enquiries:	Ms Zama Dantile	

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1. INTRODUCTION

Messers **Mikhulu Spatial Solutions (Pty) Ltd** has been duly appointed by **Megan Gail Tilney** (hereinafter referred to as the property owner) in her capacities as the registered owner of the property.

The property owner has appointed **Mikhulu Spatial Solutions (Pty) Ltd**, in terms of the Power of Attorney (**Annexure A**), *inter alia*, to lodge a simultaneous application for the relaxation of the **Street Building line from 5 m to 0 m and the Western Side and Lateral Building Line from 1.5 m to 0 m** (along the boundary abutting Erf 1393, Port Alfred), as well as for the removal of **Restrictive Condition F. (i), (ii), (iii) and (iv) contained in Title Deed No. T1 [REDACTED]** in respect of Erf 1376, Port Alfred (hereinafter referred to as "the subject property", where applicable).

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The application seeks to obtain Council approval to formalise the existing structures on the subject property through a permanent departure from the prescribed building lines, as contemplated in Section 76 of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-Laws, 2015, as well as the relaxation of restrictive conditions as contemplated in Section 69 of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-Laws, 2015, read together with the provisions of Regulations 56 and 63 of the Ndlambe Local Municipality: Land Use Scheme, 2019, in respect to Erf 1376, Port Alfred.

2. PURPOSE OF APPLICATION

The purpose of the application at hand is to motivate to the relevant decision-making authority Ndlambe Local Municipality (hereinafter referred to as the Ndlambe LM) to obtain the necessary land use rights for the development on the subject properties as described above.

The application intends to contribute to a planned, co-ordinated and desired development within the jurisdiction of the Municipality, furthermore, to formalise the existing structures on the property in compliance with the Ndlambe Local Municipality: Land Use Scheme, 2019. Thus, appointing Mikhulu Spatial Solutions (Pty) Ltd as the preferred service provider to prepare and submit the prior said application to Ndlambe Local Municipality.

As briefly outlined in the introduction of this report, the application at hand is rooted in the provisions of various planning statutes which includes the Ndlambe LM: Spatial Planning and Land Use Management By-Laws 2015, the Spatial Planning and Land Use Management Act, 16 of 2013 read with the provisions of Ndlambe LM: Land Use Scheme Regulations 2019 (hereinbelow referred to as the Town Planning Scheme or Scheme, terms used interchangeably). The following is hereby sought:

- (a) An application for the removal of **Restrictive Conditions, F. (i), (ii), (iii) and (iv), Contained in the Deeds of Transfer No. [REDACTED]** in respect of Erf 1376, Port Alfred as per the provisions of Section 69 of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-laws, 2015 read together with Regulation 56 of the Ndlambe Local Municipality Land Use Scheme, 2019.
- (b) An application for a Permanent Departure for the relaxation of the **Street Building Line from 5m to 0m and the Western Side and Lateral Building Line from 1.5m to 0m** (along the boundary abutting Erf 1393, Port Alfred), as per the provisions of Section 76 (1) of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-law, 2015 read together with the provisions of Regulation 63 of the Ndlambe Local Municipality: Land Use Scheme, 2019 in order to permit the existing study 1 and new covered boat parking on the Street side and in order to accommodate the traversing existing building, the new proposed study 2 room and the new boathouse.

3. CONFIRMATION OF APPOINTMENT AND AUTHORITY

Messrs **Mikhulu Spatial Solutions (Pty) Ltd** has been duly appointed by **Megan Gail Tilney** (hereinafter referred to as the property owner) in her capacity as the registered owner.

The property owner has appointed Mikhulu Spatial Solutions (Pty) Ltd as per the power of attorney *inter alia* to lodge an application for the departure of the prescribed street building lines from 5m to 0m and the side and lateral building lines from 1.5m to 0m, together with the removal of restrictive condition , F. (i), (ii), (iii) and (iv), contained in Deeds of Transfer No. T1 [REDACTED] in respect of Erf 1376, Port Alfred.

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4. PUBLIC PARTICIPATION PROCESS

The application is subject to Chapter 6 of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-Laws, 2015 which outlines the process to follow for due public participation process.

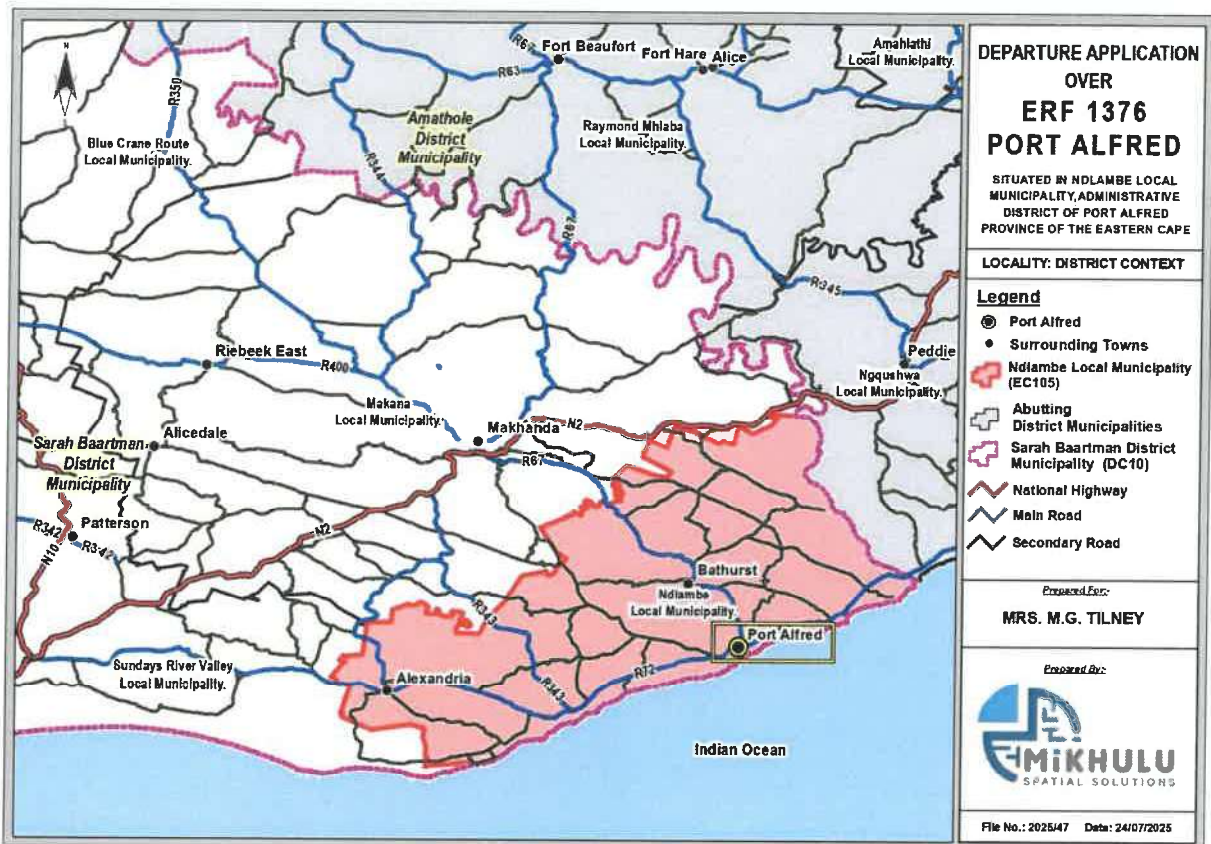
In respect to notices being served to considered affected parties the provisions of Section 93 read together with Section 94 of the By-Law will apply. Notification of the application and serving of notices will be made for a period of 30 days inviting the members of the public through registered letters be sent to all the neighbouring properties to allow for participation and commentary. Furthermore, a notice in the local media and a notice on site which will be affected by the application will need to be placed on the property.

5. PROPERTY INFORMATION

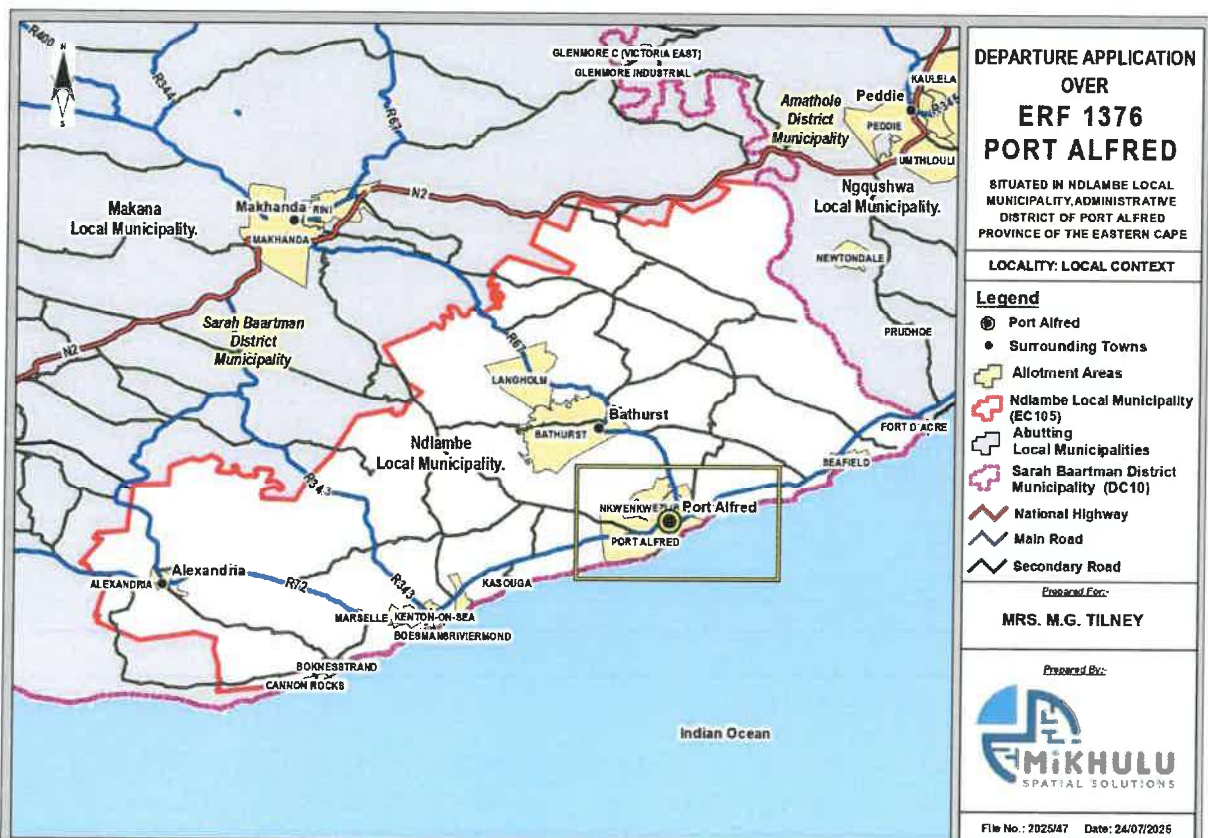
5.1 Locality

Erf 1376, Port Alfred, is located within the Port Alfred Central Business District (CBD), toward the eastern extent of the CBD, along the Kowie River. Access to the subject property is obtained via Riverside Drive. The property falls within the jurisdiction of the Ndlambe Local Municipality, situated in the Eastern Cape Province of the Republic of South Africa.

A SIMULTANEOUS APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION CONTAINED IN THE TITLE DEED NO. T16404/2021 AND A PERMANENT DEPARTURE APPLICATION FROM BUILDING LINE REQUIREMENTS WHICH INCLUDES THE RELAXATION OF STREET AND SIDE (WESTERN) LATERAL BUILDING LINES IN RESPECT OF ERF 1376, PORT ALFRED.

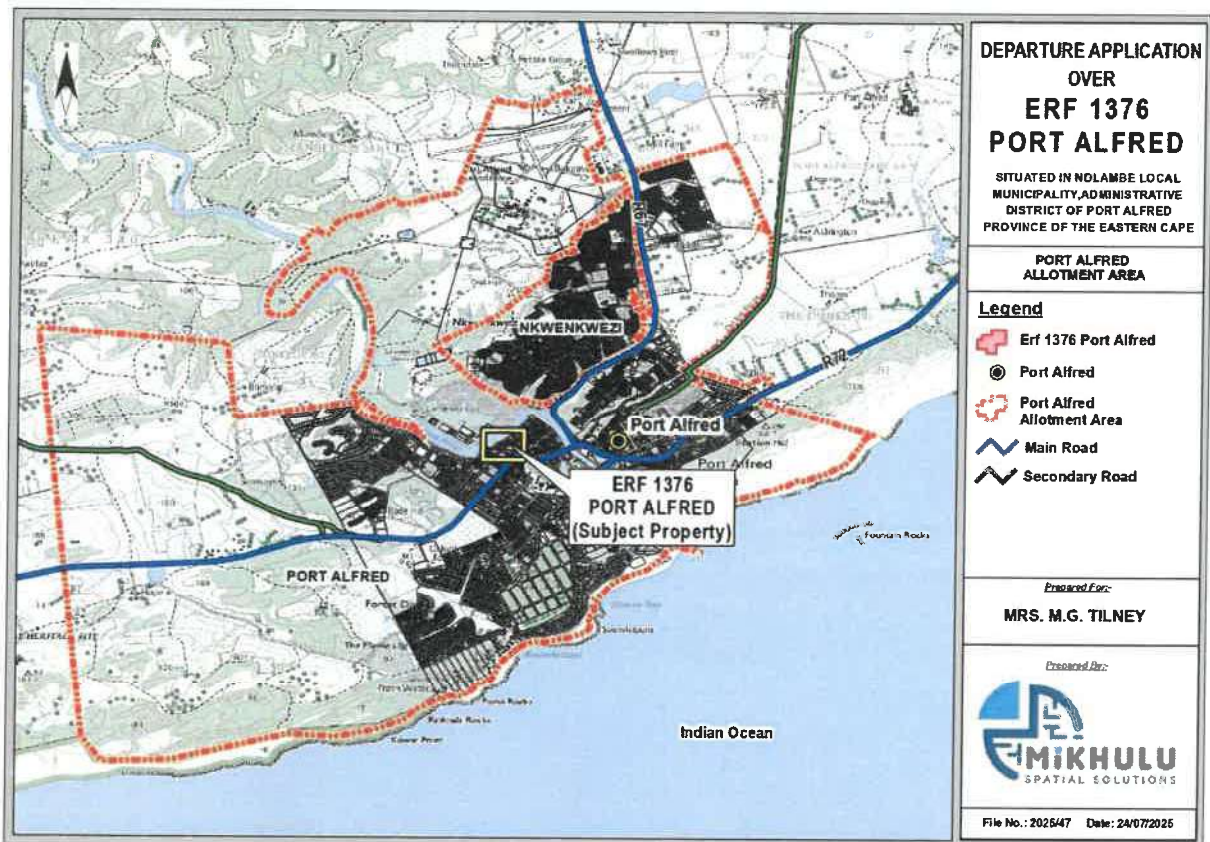


District Locality Context



Local Locality Context

A SIMULTANEOUS APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION CONTAINED IN THE TITLE DEED NO. T16404/2021 AND A PERMANENT DEPARTURE APPLICATION FROM BUILDING LINE REQUIREMENTS WHICH INCLUDES THE RELAXATION OF STREET AND SIDE (WESTERN) LATERAL BUILDING LINES IN RESPECT OF ERF 1376, PORT ALFRED.



Allotment Locality Context



Neighbourhood Locality Context

Erf 1376, Port Alfred is situated on Riverside Drive, in close proximity to the Kowie River. The rear boundary of the property abuts the river edge. Vehicular access to Riverside Drive is obtained via Stock Avenue, which provides a direct link to the Port Alfred Central Business District (CBD).

5.1.1 Access

Page 5

Access to the site is obtained directly via Riverside Drive, which connects to Stock Avenue. Stock Avenue provides direct access to the Central Business District (CBD) and further links to the R72 (Settlers Way Road), thereby ensuring regional connectivity.

5.2 Site Description & Ownership

The subject property Erf 1376, Port Alfred is located within the Ndlambe Local Municipality, in the Province of the Eastern Cape.

Property and Ownership:

Erf	1376
Allotment	Port Alfred
Jurisdiction	Ndlambe Local Municipality
Title Deed No.	
Area (Ha)	± 738m ² in extent
Ownership	Megan Gail Tilney
Applicable Land Use Scheme	Ndlambe Local Municipality: Land Use Scheme, 2019
Existing Zoning	Residential Zone 1
Bond	The property is currently not bonded

See Annexure B: Deed information.

5.3 Title Deed conditions

The Title Deed has been examined, and it is confirmed that a restrictive condition exists which impedes the proposed formalisation of the existing structures on the subject property. Specifically, Title Deed Condition , F. (i), (ii), (iii) and (iv), as contained in Deeds of Transfer No. T prohibits the proposed use, thereby necessitating an application for the removal of the restrictive condition in respect of Erf 1376, Port Alfred.

The application is submitted in terms of Section 69 of the Ndlambe Local Municipality Spatial Planning and Land Use Management By-laws, 2015, read together with Regulation 56 of the Ndlambe Local Municipality Land Use Scheme, 2019. (See Deed of Transfer No. T Annexure B)

5.4 Servitudes

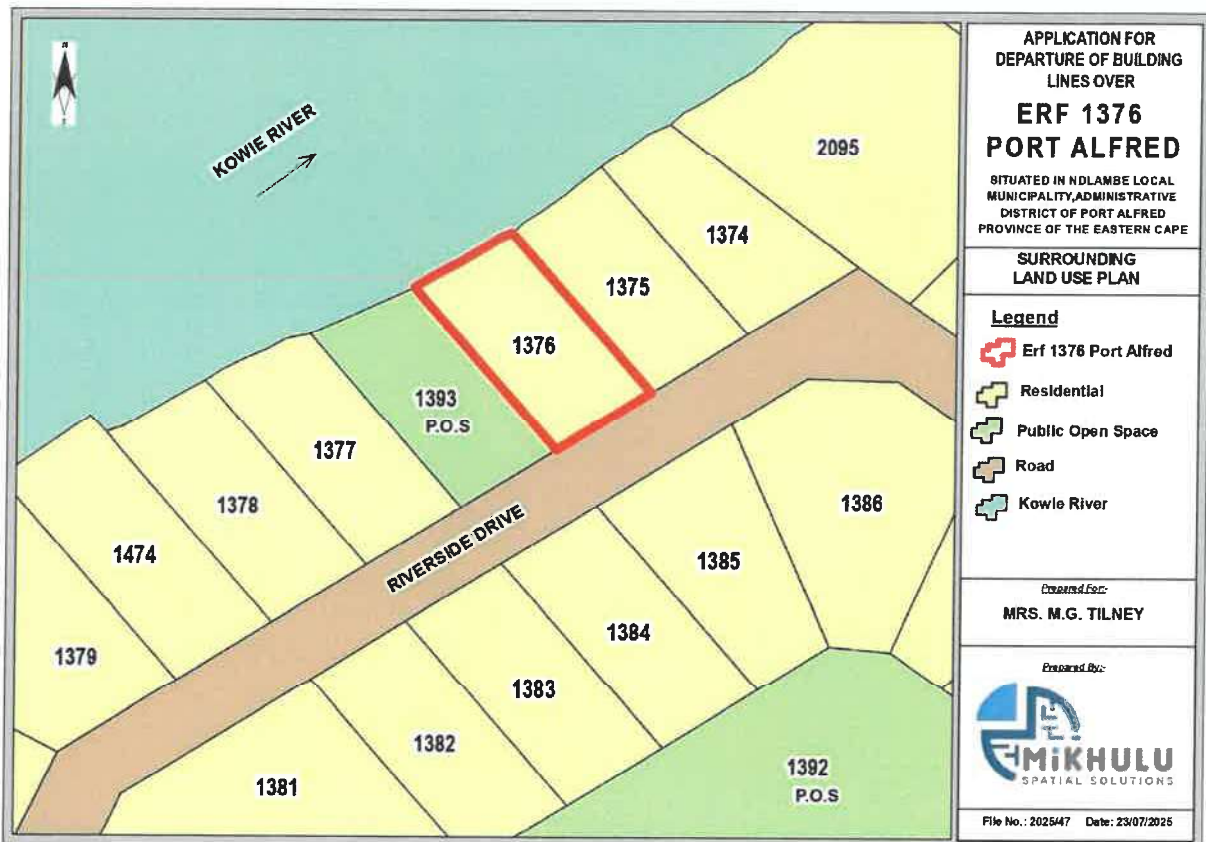
There are no registered servitudes over the subject site.

5.5 Land Use and Surrounding Land Uses

Erf 1376, Port Alfred is currently bein utilised for residential purposes (dwelling house) with other ancillary structures the property is currently developed with a main dwelling unit with related outer building nestled within an existing residential neighbourhood.

The proposed formalisation of the existing structure is considered non-intrusive and is compatable with the residential nature of activities predominant in the area.

A SIMULTANEOUS APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION CONTAINED IN THE TITLE DEED NO. T16404/2021 AND A PERMANENT DEPARTURE APPLICATION FROM BUILDING LINE REQUIREMENTS WHICH INCLUDES THE RELAXATION OF STREET AND SIDE (WESTERN) LATERAL BUILDING LINES IN RESPECT OF ERF 1376, PORT ALFRED.



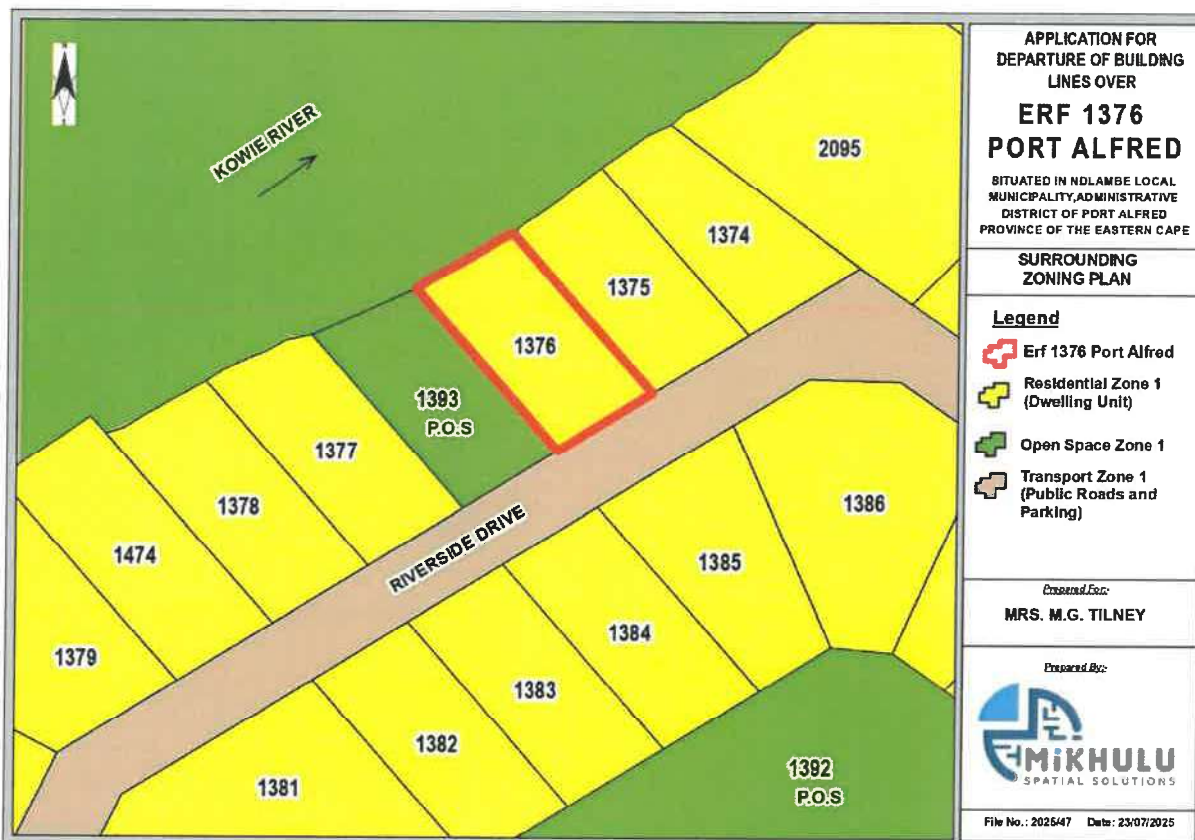
Page 6

(See Plan 5, Land Use Plan)

5.6 Zoning and Surrounding Zonings

The subject property is located approximately one kilometre from the Port Alfred Central Business District (CBD) and as previously indicated, is currently zoned Residential Zone 1 in terms of the Ndlambe Local Municipality Land Use Scheme, 2019. The surrounding properties are similarly zoned for residential purposes and are predominantly utilised as such, with the area characterised by a low-density residential neighbourhood.

A SIMULTANEOUS APPLICATION FOR THE REMOVAL OF A RESTRICTIVE CONDITION CONTAINED IN THE TITLE DEED NO. T16404/2021 AND A PERMANENT DEPARTURE APPLICATION FROM BUILDING LINE REQUIREMENTS WHICH INCLUDES THE RELAXATION OF STREET AND SIDE (WESTERN) LATERAL BUILDING LINES IN RESPECT OF ERF 1376, PORT ALFRED.



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(See Plan 6, Zoning Plan)

5.7 Physical Aspects



5.7.1 Topography

The subject property is relatively flat or has a gentle slope sitting at an altitude between 38m to 42m above sea level. There are no top ground hydrological features or any environmental elements that warrant an assessment from a physical site analysis perspective.

5.7.2 Vegetation

The property is developed with existing structures. There are no endangered or threatened species present on the site, and no environmental constraints have been identified in relation to the proposed use. Furthermore, the proposed development will not alter or impact the riverbanks, as previously indicated.

6. LEVEL OF INFRASTRUCTURE

6.1 Water

The site is situated within an area that is already serviced with water infrastructure.

6.2 Sanitation

The site already receives this type of service through the existing sewer infrastructure, and it is anticipated that this service will continue being provided.

6.3 Refuse Removal

The municipality is currently responsible for the collection of refuse removal within the urban area of the city. It is anticipated that there will be sufficient capacity to deal with any refuse produced from the site as it falls within the urban area.

6.4 Roads

There is already existing road infrastructure providing access to the subject property and access will continue to be gained from the Riverside Drive.

6.5 Electricity

There is already existing electrical infrastructure available in the form of an electricity meter where the property will be connected.

6.6 Stormwater

The area in which the site exists is within an existing built-up area and is fully serviced with infrastructure, there is storm water drainage forming part of the bulk services that exist.

6.7 Access Roads

Currently the area is easily accessible via the existing road system, and the subject property will gain access from these existing road network.

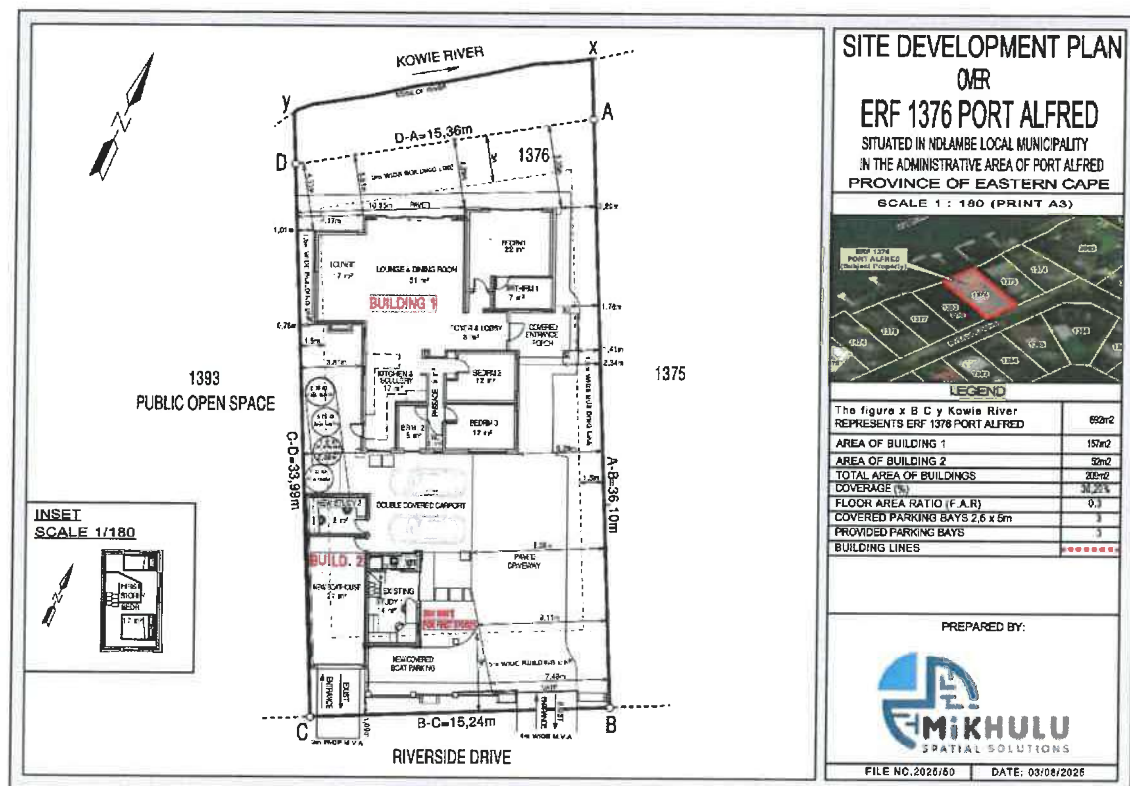
7. DEVELOPMENT PROPOSAL

7.1 Proposal

Page 9

The application at hand is rooted in the provisions of various planning statutes which include but not limited to the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-Laws 2015, the Spatial Planning and Land Use Management Act, 16 of 2013 read with the provisions of Ndlambe Local Municipality: Land Use Scheme, 2019. The following is hereby sought:

- An application for the removal of **Restrictive Condition, , F. (i), (ii), (iii) and (iv), Contained in the Deeds of Transfer No. [REDACTED]**, in respect of Erf 1376, Port Alfred as per the provisions of Section 69 of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-laws, 2015 read together with Regulation 56 of the Ndlambe Local Municipality Land Use Scheme, 2019.
- An application for a Permanent Departure for the relaxation of the **Street Building Line from 5m to 0m and the Western Side and Lateral Building Line from 1.5m to 0m** (along the boundary abutting Erf 1393, Port Alfred), as per the provisions of Section 76 (1) of the Ndlambe Local Municipality: Spatial Planning and Land Use Management By-law, 2015 read together with the provisions of Regulation 63 of the Ndlambe Local Municipality: Land Use Scheme, 2019 in order to permit the existing study 1 and new covered boat parking on the Street side and in order to accommodate the traversing existing building, the new proposed study 2 room and the new boathouse.



(See Plan 8, Proposed Site Development Plan)

7.2 Developmental Parameters

Erf 1376, Port Alfred is currently zoned as Residential Zone 1 as per the Ndlambe LM: Land Use Scheme, 2019. Currently following land uses are permitted as per the Residential Zone 1:

LAND USE CATEGORY				Residential		
ZONING				Residential Zone 1		
PURPOSE				Single Residential		
Objectives						
• Use of land for single residential purposes. • Protection of the quality and character of residential neighbourhoods and the well-being of its citizens. • Limit multiple use of buildings to minimise adverse impact on the residential environment. • Densities that are compatible with existing surrounding land uses and are generally situated inside the urban edge. • Site sizes to be guided by relevant subdivison / densification policy.						
USE OF THE PROPERTY						
Primary Use		Definition			Consent 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.			• Additional Dwelling Unit • Creche • Guest House • Home Enterprise • Medical Use • Social Facility	
DEVELOPMENT PARAMETERS						
Building Lines				Height	Coverage	Floor Factor
	Street	Lateral	Rear			
Erven < 600m ²	4m	1.5m	2m	8.5m	70%	
Erven > 600m ²	5m	1.5m	3m	8.5m	50%	

The land use right currently being exercised on the subject property is that of a dwelling unit, which constitutes a primary use. A **"dwelling unit is defined as a self-contained, interleading group of rooms, with not more than one kitchen, used for human habitation, and includes such outbuildings as are ordinarily used in conjunction therewith"**. The use further permits a home occupation for a single household.

The subject property has a total extent of approximately 738m², which places it within the category of erven exceeding 600 m². As previously indicated, the existing dwelling encroaches upon the prescribed building lines in terms of the applicable Land Use Scheme. This encroachment necessitates the submission of an application for a permanent departure from the prescribed building line requirements.

The building line relaxation is sought by way of a departure from the provisions of the Land Use Scheme. For the purposes of Part I of Chapter 5, a "departure" is defined as an application for a temporary deviation from, or permanent amendment of, the land use scheme provisions applicable to land.

In terms of the relevant legislation referred to above, it is evident that the permanent departure sought for the relaxation of the applicable building line setbacks, in respect of the existing structures on the property, is permissible within a Residential Zone 1 zoning.

8. MOTIVATION

As highlighted *supra* it is hereby submitted that the proposed application for a permanent departure for the relaxation of **Street Building lines from 5m to 0m** and the **Side & Lateral Building Lines from 1.5m to 0m** (along the boundary abutting Erf 1393, port Alfred), together with an application for the **Removal of Restrictive Condition , F. (i), (ii), (iii) and (iv)**, contained in **Deeds of Transfer No. [REDACTED]** in respect of Erf 1376, port Alfred.

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The proposed development is situated within the urban built-up area of Port Alfred, by approving the proposed the Permanent Departure of Building Lines and the Removal of Restrictive Conditions on the site will conform to the growing trends and surrounding character in the immediate vicinity, which currently encompasses of residential properties with additional dwelling units or outbuildings predominantly utilised for guest houses or extra dwelling for extended family.

The Eastern Cape Provincial Spatial Development Framework (EC PSDF), as referenced in the Ndlambe Local Municipality Spatial Development Framework (SDF), 2023, promotes a spatial vision of a poverty-free Eastern Cape founded on a modern, ecologically sustainable economy. This vision supports the development of well-managed urban and rural human settlements, supported by appropriate infrastructure, productive land use, and environmentally sustainable development practices.

The EC PSDF further advocates for the consolidation and efficient utilisation of existing urban areas, with an emphasis on accommodating development within the urban footprint in a manner that is compatible with existing land use rights and municipal planning frameworks. In this regard, development interventions that seek to regularise existing structures through planning approvals are supported, provided that such interventions do not compromise the surrounding built environment or municipal service delivery.

The proposed application for a departure from the prescribed building lines and the relaxation of restrictive conditions contained in the title deed is considered consistent with the spatial planning principles set out in both the EC PSDF and the Ndlambe Local Municipality SDF. The application relates solely to the regularisation of existing development on an erf situated within the established urban area of Port Alfred and does not introduce an intensification of land use or a change in zoning.

The approval of the requested departures and removal of restrictive conditions will facilitate orderly development, ensure compliance with the applicable Land Use Scheme, and promote certainty in land use management within the municipal area, without undermining the broader spatial vision or development objectives of the Ndlambe Local Municipality.

9. DESIRABILITY

9.1. The National Development Plan (NDP) vision for 2030:

The National Development Plan (NDP) provides a long-term framework aimed at eliminating poverty and reducing inequality by 2030 through inclusive and sustainable development. Key land development objectives of the NDP include the promotion of spatial integration, efficient land use, improved access to services and infrastructure, and the redress of historical spatial imbalances.

Within this context, land use management plays a critical role in enabling orderly development and the efficient utilisation of land within existing urban areas. The proposal to depart from the prescribed building lines and to remove a restrictive condition contained in the title deed is consistent with the

principles of the NDP, as it facilitates the optimal use of serviced residential land without introducing additional land use rights or intensification beyond what is permitted under the applicable zoning.

The application supports infill development and the consolidation of existing urban form, which aligns with broader spatial planning objectives aimed at limiting urban sprawl, making efficient use of existing infrastructure, and promoting sustainable human settlements.

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In the context of the Ndlambe Local Municipality, the proposed departure from building line requirements and the removal of the restrictive condition will not adversely affect the surrounding area, the rights of adjoining property owners, or the overall development intent of the applicable Land Use Scheme. The proposal is therefore considered to be in line with national development principles and the municipality's approach to orderly and sustainable land use management.

9.2. Ndlambe Local Municipality Spatial Development Framework 2023:

The Ndlambe Local Municipality Spatial Development Framework (SDF), 2023, is prepared in accordance with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), particularly Sections 5 and 20 thereof. The SDF provides a strategic spatial vision and development framework to guide land use management and decision-making within the municipal area. The subject property falls within the area of jurisdiction covered by the approved SDF.

The Spatial Development Framework serves as a policy instrument that guides the spatial distribution of existing and future land uses within the municipality, while giving effect to the goals, vision, and objectives of the Municipal Integrated Development Plan (IDP). The SDF aims to promote sustainable, functional, and integrated human settlements, ensure efficient use of land and infrastructure, and protect the character and spatial integrity of established urban areas.

The Ndlambe Local Municipality is situated within the Eastern Cape Province and is bordered by Makana Local Municipality to the north, Ngqushwa Local Municipality to the east, and Sundays River Valley Local Municipality to the west.

NDLAMBE LOCAL MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK
PORT ALFRED - SERVICES AND URBAN EDGE



TSHANI

AUGUST 2021

Source: Ndlambe Local Municipality, South Eastern District Municipality, Department of Human Settlements, HDA, Department of Transport, Municipal Demarcation Board, Statistics SA, Department of Education, Department of Co-operative Governance and Traditional Affairs, Esatour.

(Urban Edge - Source: Ndlambe Local Municipality: Spatial Development Framework, 2023. Pg 118)

In terms of the Ndlambe Local Municipality Spatial Development Framework (SDF), the subject property is located within the defined urban area of the Port Alfred Central Business District (CBD). The SDF indicates that the CBD comprises a mix of land use and zoning typologies, supported by compatible and complementary ancillary uses. The spatial vision for the area seeks to retain and reinforce the existing urban character, while allowing for appropriate development that is compatible with the surrounding built environment.

The application does not propose a change in land use or an intensification of development beyond what is permissible in terms of the prevailing zoning. As such, the proposal is considered consistent with the spatial intent of the Ndlambe Local Municipality SDF, which supports orderly development, infill development, and the optimisation of land use within the urban edge, provided that such development remains compatible with the character of the area and complies with applicable planning legislation.



9.3. Permanent Departure: Relaxation of Building Line:

The proposed departure seeks to permit the existing boathouse, study area, and lounge area, which encroach upon the prescribed street building line along Riverside Drive, as well as the side and lateral building lines along the boundary abutting Erf 1393, Port Alfred.

Furthermore, the proposed departure will not compromise the privacy of adjoining properties, as the encroachment along the street building line abuts a public road. The encroachment along the lateral boundary does not result in any overlooking or loss of privacy to neighbouring properties, as a rattan fence is in place to provide adequate screening and privacy.

In light of the above, the proposed relaxation of the applicable building line requirements is supported.

9.4. The Removal of Restrictive Title Deed Conditions

The Removal of Restrictive Title Deed Conditions is supported as per section 69 (5) as the removal will be of personal benefit to the property owner as it will increase the possibility of property improvements which in turn will also contribute to the surrounding areas. It must also be noted that the restrictive conditions were imposed as a land use management tool, however Municipalities have since adopted Land Use Schemes that are there to manage development and impose development parameters, thus replacing the need to have development parameters as part of Title Deed Conditions, the proposal will not adversely affect the neighbouring residents.

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9.5. The Spatial Planning and Land Use Management Act, 2013:

In terms of Sections 6 and 7 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), the development principles set out in Chapter 2 apply to all organs of state and authorities responsible for the regulation of land use and development. These principles inform and guide decision-making in respect of land development applications, including applications for departures from land use scheme provisions and the removal of restrictive title deed conditions. The relevant SPLUMA development principles have been considered and addressed as follows:

The Principle of Spatial Justice:	- The subject property is located within an established urban area, within the defined urban edge, where access to services and infrastructure already exists. - The application relates to an existing residential development and does not propose exclusionary land use practices or intensification beyond the rights afforded by the prevailing zoning. - The proposed departure from the prescribed building lines and the removal of the restrictive condition will not prejudice surrounding properties or limit access to land use rights enjoyed by neighbouring landowners. - The application is supported by applicable national, provincial, and local planning policies and is consistent with the objectives of Section 42 of SPLUMA.
The Principle of Spatial Sustainability	- The proposal facilitates the continued use and optimisation of an existing residential property within the urban area, thereby limiting the need for outward urban expansion. - The proposed departure do not result in additional environment impacts and maintain the established character of the area. - Existing municipal infrastructure and services are adequate to accommodate the development, with no additional burden anticipated.
The Principle of Efficiency	- The application supports efficient land use by regularising existing structures through the departure from building line requirements and the removal of the restrictive title deed condition. - The proposal promotes the optimal use of already developed land and existing infrastructure within the urban edge.
The Principle of Spatial Resilience	- The proposed departure enable the lawful continuation of existing structures, thereby contributing to the long-term and adaptability of the property. - No adverse environmental, infrastructural, or land use impacts are anticipated as a result of the proposed departure.

The Principle of Good Administration	- The application has been submitted in accordance with the relevant legislative and procedural requirements. - All necessary approvals and consents will be obtained prior to implementation to ensure compliance with applicable legislation and municipal policies. - The application aligns with the objectives and principles of the Ndlambe Local Municipality Spatial Development Framework and Land Use Scheme.
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10. CONCLUSION

These principles support the proposed application for a permanent departure for the relaxation of **Street Building lines from 5m to 0m** and the **Side and Lateral Building Lines from 1.5m to 0m** (along the boundary abutting Erf 1393, port Alfred), together with an application for the **Removal of Restrictive Condition , F. (i), (ii), (iii) and (iv),),** contained in **Deeds of Transfer No. [REDACTED]** in respect of Erf 1376, port Alferd.

There are no negative impacts associated with the development in the manner proposed and the site is generally well suited for the proposed activity. Accordingly, it is recommended that the Municipality favourably considers the application for approval.



Plan 1

District Locality

Context Plan

DEPARTURE APPLICATION

OVER

ERF 1376

PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

LOCALITY: DISTRICT CONTEXT

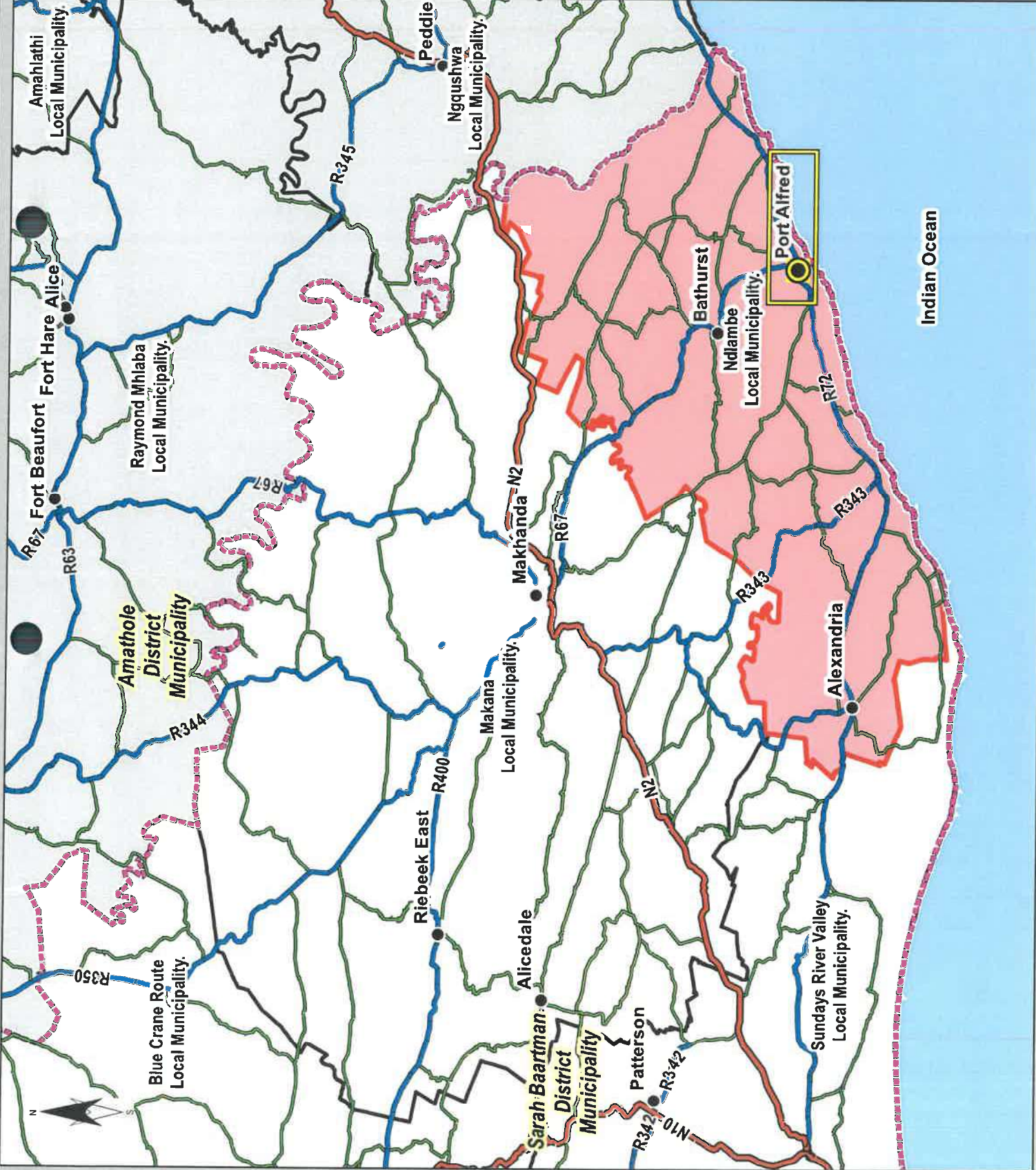
Legend

- Port Alfred
- Surrounding Towns
- Ndlambe Local Municipality (EC105)
- Abutting District Municipalities
- Sarah Baartman District Municipality (DC10)
- National Highway
- Main Road
- Secondary Road

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-





Plan 2

Local Locality Context

Plan

DEPARTURE APPLICATION OVER ERF 1376 PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

LOCALITY: LOCAL CONTEXT

Legend

-  Port Alfred
-  Surrounding Towns
-  Allotment Areas
-  Ndlambe Local Municipality (EC105)
-  Abutting Local Municipalities
-  Sarah Baartman District Municipality (DC10)
-  National Highway
-  Main Road
-  Secondary Road

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-





Plan 3

Allotment Locality

Context Plan

DEPARTURE APPLICATION OVER ERF 1376 PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

PORT ALFRED
ALLOTMENT AREA

Legend



Erf 1376 Port Alfred



Port Alfred



Port Alfred
Allotment Area



Main Road



Secondary Road

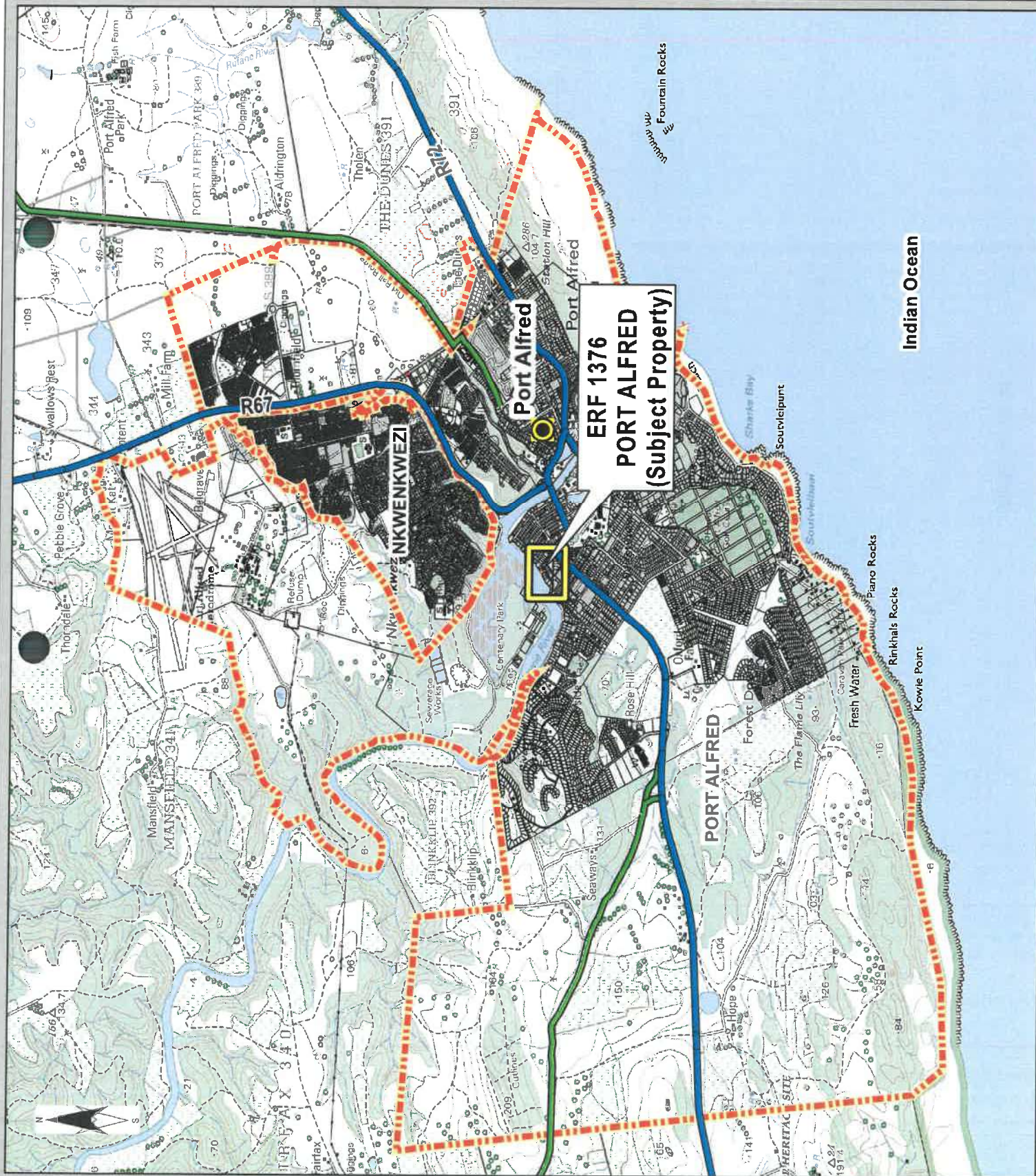
Prepared For:-

MRS. M.G. TILNEY

Prepared By:-



File No.: 2025/47 Date: 24/07/2025





Plan 4

Neighbourhood Context Plan

DEPARTURE APPLICATION

OVER

ERF 1376

PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

SURROUNDING
PROPERTIES

Legend



Erf 1376 Port Alfred



Abutting Cadastral
Boundaries

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-



File No.: 2025/47 Date: 24/07/2025



Source: Erfi, Mavva, Earthstar Geo, Topos, and the GIS User Community



Plan 5

Land Use Plan

APPLICATION FOR
DEPARTURE OF BUILDING
LINES OVER

ERF 1376 PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

SURROUNDING LAND USE PLAN

Legend



Erf 1376 Port Alfred



Residential



Public Open Space



Road



Kowie River

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-





Plan 6

Zoning Plan

APPLICATION FOR
DEPARTURE OF BUILDING
LINES OVER

ERF 1376 PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

SURROUNDING ZONING PLAN

Legend



Erf 1376 Port Alfred



Residential Zone 1
(Dwelling Unit)



Open Space Zone 1



Transport Zone 1
(Public Roads and
Parking)

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-



File No.: 2025/47 Date: 23/07/2025





Plan 7

Site Plan

DEPARTURE APPLICATION
OVER
ERF 1376
PORT ALFRED

SITUATED IN NDLAMBE LOCAL
MUNICIPALITY, ADMINISTRATIVE
DISTRICT OF PORT ALFRED
PROVINCE OF THE EASTERN CAPE

SUBJECT PROPERTY

Legend



Erf 1376 Port Alfred



Abutting Cadastral
Boundaries

Prepared For:-

MRS. M.G. TILNEY

Prepared By:-



File No.: 2025/47 Date: 23/07/2025



Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Plan 8

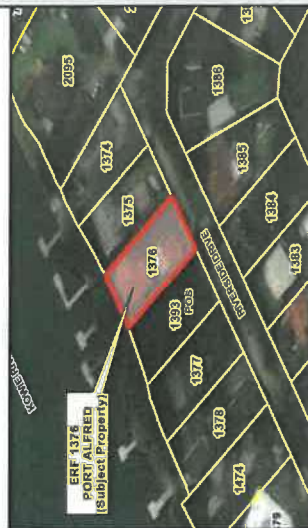
Site Proposed Site Development Plan

OVER

ERF 1376 PORT ALFRED

SITUATED IN NDLAMBE LOCAL MUNICIPALITY
IN THE ADMINISTRATIVE AREA OF PORT ALFRED
PROVINCE OF EASTERN CAPE

SCALE 1 : 180 (PRINT A3)



LEGEND

The figure x B C y Kowie River
REPRESENTS ERF 1376 PORT ALFRED

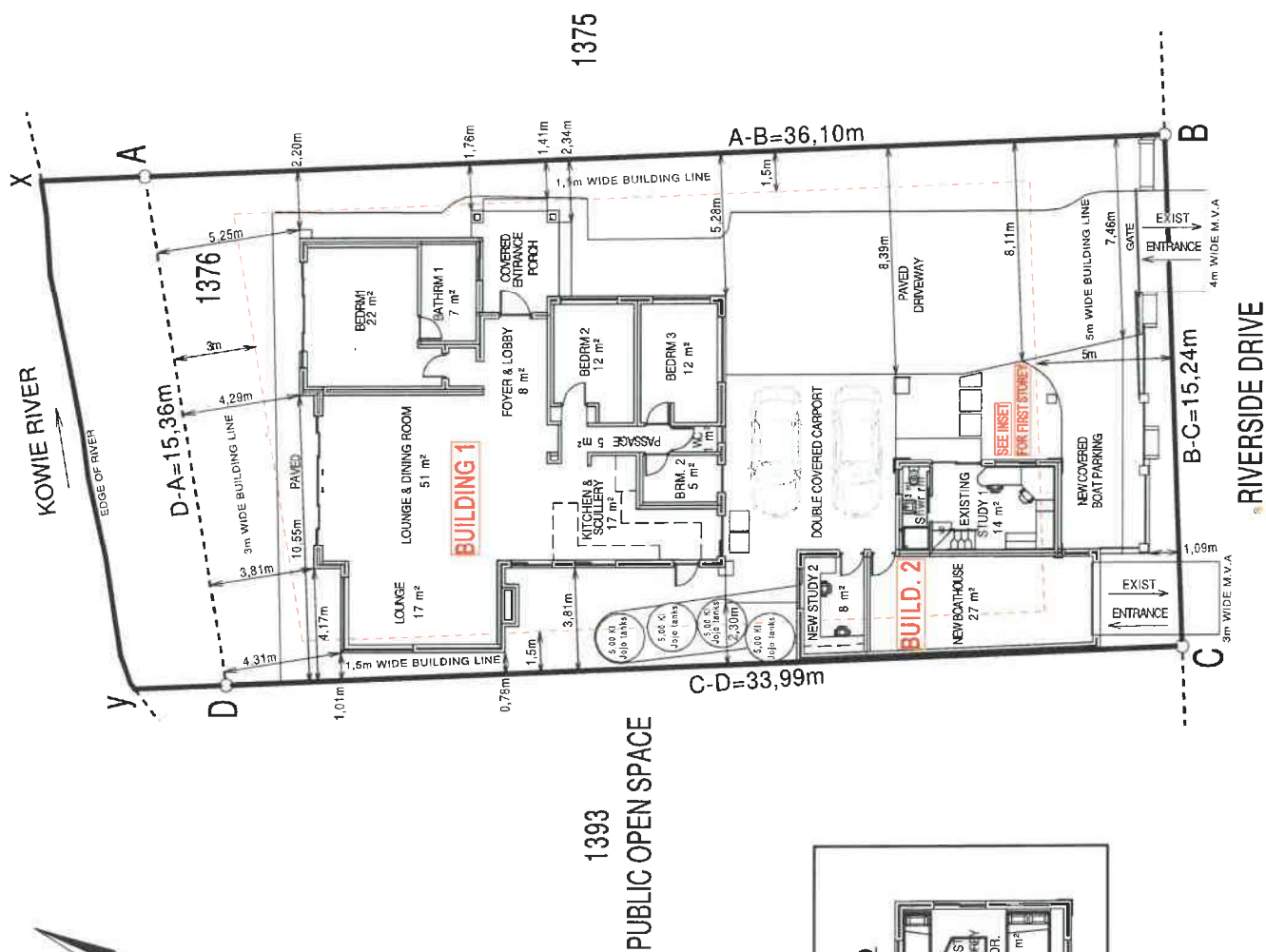
The figure x B C y Kowie River REPRESENTS ERF 1376 PORT ALFRED	692m2
AREA OF BUILDING 1	157m2
AREA OF BUILDING 2	52m2
TOTAL AREA OF BUILDINGS	209m2
COVERAGE (%)	30.20%
FLOOR AREA RATIO (F.A.R)	0.3
COVERED PARKING BAYS 2,5 x 5m	3
PROVIDED PARKING BAYS	3
BUILDING LINES	

PREPARED BY:



FILE NO.2025/50

DATE: 03/08/2025



INSET

SCALE 1/180

