

Roofs blown off, many areas submerged in water

Continued from PAGE 1

by the bad weather at the weekend. A Nemato resident said at the weekend her house inside was "very wet and soggy" and they were waiting

patiently for the weather to clear. Her home and the homes of neighbours had been battered by the rain and wind since Friday late she said.

Alexandria

A resident from Alexandria said while it rained heavily at the weekend, there were no reports of homes being flooded in the neighbourhood. "It wasn't storm conditions just persistent rain ... but it is of course very wet and cold."

Kilfontein

Kilfontein resident Halgard Fischat said though the rain was persistent, remarkably no major damage to infrastructure was reported in the hamlet. However, residents were without electricity for the fourth day on Tuesday. "Driving around a bit this morning, a few RDP houses and a number of shacks had a bit of flooding but no extensive damage was caused. "People are just trying to keep out of the rain and keep warm but it's difficult when you are without electricity and it's raining. "People are mostly making fires under carports or in yards to keep warm or prepare food."

Bathurst and Nolutshanyo In Bathurst village, the roof blew off one home on Sunday afternoon. The resident, who asked not to be identified, said: "There was a big gust of wind that blew it off. Now we just have to sort out replacing it." In neighbouring Nolutshanyo, mud-and-wood homes were most affected by the weekend's weather. Ward 5 councillor Mzwandile Swell visited informal settlements in Freestone, east of Nolutshanyo, and Enkanini in the West. Buyiswa Cagwe was at work in Bathurst on Sunday when neighbours called her to tell her that her roof had blown off and rain was pouring into her four-room mud-and-wood home. Everything inside was soaked by the downpour, but she had no choice but to stay there that night and the next. "I stayed in the two rooms that still have a roof," she said. "I was afraid that people would come and take my things if I didn't."

At Enkanini informal settlement west of Nolutshanyo, Ntombazana Apleni and her three children, aged four and six, and an eight-month-old baby, had to leave their mud-and-wood home when torrents of rain washed away large sections of the mud walls and the whole structure started tilting dangerously at an angle. When Talk of the Town accompanied Swell to visit the area on Monday June 3, the family had



DANGEROUS: Ntombazana Apleni and her three young children had to leave their home when torrential rain washed away its mud walls, leaving gaping holes and the structure leaning dangerously to one side. Ward 5 councillor Mzwandile Swell visited affected areas on Monday to compile a list of residents to be assisted by Sassa.



NO ROOF: Buyiswa Cagwe, right, is living in the two rooms of her Freestone, Nolutshanyo, home after the roof blew off the other two rooms while she was at work on Sunday. Ward 5 councillor Mzwandile Swell, left, visited affected areas on Monday to compile a list of residents to be assisted by Sassa. Pictures: SUE MACLENNAN

moved into a temporary structure covered by plastic across the dirt track. "We are compiling a list of residents who have been affected by the storms so that we can apply for assistance from Sassa," Swell told TOTT.

Marsele Many residents of informal settlements in the Nomzamo, New Rest and Stadium areas of Marsele had to scoop water out of their homes as the rain penetrated makeshift roofs and walls, but there were no reports of evacuations. "We had to use buckets to get the water out of our houses," said a resident who asked not to be named. "But it was nothing like what you saw happening in East London and [Qoqoberha]."

The main inconvenience for Marsele residents has been an extended power outage. "We've had no electricity since Saturday," the resident told Talk of the Town on Tuesday.

Kleinemonde In Kleinemonde, where residents reported more than 200mm of rain over the weekend, a rare event occurred. The Kleinemonde East river diverted at the beach and joined the Kleinemonde West river.

"I can only remember that happening once in the 20 years I've lived here," Chris Bezuidenhout said. Both rivers are usually closed at the mouth; however, the Kleinemonde East river breaks through to the sea fairly regularly and just before Christmas last year, permission was given to create a channel for the extremely full west river to flow into the sea.


"The combined force pushed at such a rate that the west river rose by about 1m before the combined force – it really was raging – pushed through to the sea," the local residents and ratepayers association's chairperson Gebe Pancoust said. Several boats moored on the rivers were swamped and owners had to wade into the river to ball them out. "One or two smaller canoes actually sank," Pancoust said. "But once the water subsides, it will be easy enough for their owners to bring them to the surface."

Parts of the village had been without electricity from about 10am on Saturday to about 5pm on Sunday after storm damage to Eskom lines. Municipal spokesperson TK Mtiki said the Ndlambe area was affected by the severe weather, "although perhaps not as extensively as other towns like East London and Qoqoberha".

"Unfortunately, the West Beach complex was severely impacted, with strong winds during the rainstorm causing parts of the roof at two businesses to be blown off."

He said the situation was particularly challenging in the townships, where water entered houses during the heavy rains. But fortunately, no extensive damage had been reported. "We would like to extend our heartfelt gratitude to our mayor Khululwa Ncamiso, speaker Andile Maseki, councillor Siphokazi Dyakala, councillor Sibusiso Zweli, infrastructure director Nolutshanyo Maseki Vithi, and corporate services director Laziwa Maneli-Payi. These dedicated individuals were on the ground during the rainstorm, assisting residents in the township."

The rain was expected to clear by Thursday, according to the weather bureau.



NDLAMBE MUNICIPALITY
PORT ALFRED

APPLICATION FOR EXEMPTION FOR SUBDIVISION OF A PORTION OF ERF 1157 ALEXANDRIA. REZONING OF THE SUBDIVIDED PORTION FROM AUTHORITY ZONE TO BUSINESS ZONE 1: EXEMPTION FOR CONSOLIDATION OF THE SUBDIVIDED PORTION OF ERF 1157, ALEXANDRIA WITH ERF 1160, ALEXANDRIA.

Applicant: M.E.H SULTER & SON INC

Owner: NDLAMBE MUNICIPALITY (OWNER OF ERF 1157, ALEXANDRIA) AND JOHANNES JACOBUS GRIESEL (EXECUTOR OF THE ESTATE OF LATE ALETTA SCHOLTZ OF ERF 1160, ALEXANDRIA)

Property Description: ERF 1157 AND ERF 1160, ALEXANDRIA

Physical Address: VOORTREKKER, ALEXANDRIA, 8185

Detailed description of proposal:
The matter for consideration is an Application for Exemption For Subdivision of A Portion of Erf 1157 Alexandria, Rezoning of The Subdivided Portion from Authority Zone to Business Zone 1; Exemption for Consolidation of The Subdivided Portion of Erf 1157, Alexandria With Erf 1160, Alexandria as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Ndlambe website (www.ndlambe.gov.za), under Town Planning Portal: Planning Applications-Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to the MUNICIPAL MANAGER, Causeway, Port Alfred, 8170, or emailed to townplanning@ndlambe.gov.za or kradingoana@ndlambe.gov.za on or before 08 July 2024. Telephonic enquiries can be made to the Town Planning Section at (046) 804 8520. 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 NR: 116/2024
ADV. R DUMEZWENI
MUNICIPALMANAGER
06 June 2024



Multi Security Services

24 Hours: 048 624 2508
Office Hours: (046) 624 3708
@MultiArmedReaction
Join our Whatsapp Group



GARDMED AMBULANCE SERVICE

MULTI SECURITY CRIME REPORT

Monday May 27 to Sunday June 2

Monday 8am: Attempted break-in at a premises in Smith Street. Response officers dispatched to address after receiving a signal. SAPS was notified and a case was registered.

Tuesday 6.40am: Aluminium strips stolen in Bank Street. SAPS informed, and a case registered.

Tuesday 11.07am: Laptop reported stolen at premises on Southwell Road. The matter reported to SAPS and a case was registered.

Tuesday 3.46pm: Drums reported stolen from Lancaster Lane premises. A case was registered

with the SAPS.

Wednesday 10.16pm: Armed response responded to alarm signal in Mulfield Avenue and discovered burglary had taken place. K9 officers arrived on scene after call for back-up was made. Suspect found on premises and was arrested. Case opened with SAPS.

Saturday 4.21am: Control room alerted of theft of solar lights at Caxton Lane premises. Case of theft registered with SAPS after response officers attended the scene.

Sunday 7.53am: Control room alerted to possible break-in at a premises on West Beach Road. On their arrival, the suspects had already fled the scene. Armed response members patrolled the area.

Talk Town OF THE ARENA HOLDINGS

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Update on sewerage upgrade

TOTT CONTRIBUTOR

Ndlambe Municipality's Infrastructure Directorate and BSDS CC, the contractor for sewerage reticulation in Wharf Street and Station Hill, will update members of the public on the upgrade at a meeting to be held at the Civic Centre in Port Alfred. The meeting will be held at 10am on June 8. For more information, contact Lizo Shwisa at 079-493-9546 or lizo.shwisa@gmail.com. - Ndlambe Municipality communications officer TK Mtiki

DOCTORS ON WEEKEND EMERGENCY

CALL OUTS FOR JUNE 2024

Friday 07 th - Sunday 09 th	Dr Jackson	083 8615 511
Friday 14 th - Sunday 16 th	Dr Galpin	083 3244 324
Friday 21 st - Sunday 23 rd	Dr Van Jaarsveld	083 4407 912
Friday 28 th - Sunday 30 th	Dr Cole	082 5657 202

CALL OUTS FOR JULY 2024

Friday 05 th - Sunday 07 th	Dr Webster	084 5858 584
Friday 12 th - Sunday 14 th	Dr Gaunt	082 3782 336
Friday 19 th - Sunday 21 st	Dr Galpin	083 3244 324
Friday 26 th - Sunday 28 th	Dr Van Jaarsveld	083 4407 912

16 MAY 2024

RECEIVED

**NDLAMBE MUNICIPALITY
SPLUMA LAND USE APPLICATION
(Spatial Planning and Land Use Management Act 16 of 2013)**

TYPE OF APPLICATION:

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
✓	Rezoning (SPLUMA)	R 8 431.07
✓	Consolidation - exemption	R 1 181.10
	Requirements for amendment, suspension or removal of restrictive conditions or obsolete condition, servitude or reservation registered against the title of the land	
	Departure Permanent or Temporal Departure (for land use change)	
	Departure Relaxation of building lines	
	Consent use in terms of Land Use Scheme	
	Extension approval	
✓	Subdivision - exemption	R 1 181.10
	Road closure or Closure of Public Open Space	
TOTAL		R 10 793.27

COMPLETE THE FOLLOWING:

Local Authority **NDLAMBE MUNICIPALITY**

Description of Land: **REMAINDER ERF 1157 ALEXANDRIA**

Registered owner(s): **NDLAMBE MUNICIPALITY**

Postal Address: **VOORTREKKER ROAD**
ALEXANDRIA Code: **6185**

Email Address of Owner: **sboshoff@ndlambe.gov.za**

Applicant (With Power of Attorney): **M.E.H. SULTER & SON INC.**

Postal Address: **15A MILNER STREET**
GRAHAMSTOWN Code: **6139**

Email Address of Applicant: **peter@surveyec.co.za**

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 Municipal Spatial Planning and Land Use Management Bylaw (2015).
- 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
PO Box 13
Port Alfred
6170

The Municipal Manager
Ndlambe Municipality
Campbell St
Port Alfred
6170

- 3.3. Lack of information leads to delays and adds to the workload of the 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 land in the vicinity of 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 Land Development Objectives, 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 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 section 42 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA).
- When an application is submitted for an amendment, suspension or removal of restrictive conditions the criteria referred to in section 33(5) of the said legislation, 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);
- Flood line 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;
- Landscaping / Tree plan;
- Typical unit types (plan & elevation);
- Abutting neighbour consent;
- 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.

SECTION A**TO BE COMPLETED BY THE APPLICANT**

(* ANSWER YES, NO, OR NOT APPLICABLE)

1. PERSONAL PARTICULARS OF APPLICANT

Your reference number	ALEX-1157&1160
Name of person to whom correspondence should be addressed	P.B. SULTER C/o M.E.H. SULER & SON INC.
Address:	15A MILNER STREET GRAHAMSTOWN 6139
Telephone number:	046-6224441
Facsimile number:	046-6361068

- 1.1. Is the applicant the only registered owner of the property? **NO**
If not, attach the power of attorney from the registered owner(s) to the application. This is also applicable if the person who is applying is still in the process of obtaining the land unit, or if the land unit is owned by a company or more than one person.
- 1.2. Name the registered owner(s): **NDLAMBE MUNICIPALITY**
- 1.3. Is the property encumbered with a bond? **NO**
If so, please attach the authorisation of the mortgage holder to the application. **N/A**

2. DETAILS OF LAND UNIT

- 2.1. Registered description of the property, as is shown on title deed:
REAMINDER ERF 1157 ALEXANDRIA
Title deed: **T 5500/2007** Area of land: **885 SQ.M.**
- 2.2. What is the present zoning of land unit? **AUTHORITY ZONE**
- 2.3. Are any departures applicable to the land unit? **NO**
- 2.4. Is there any building or other development on the land unit? **YES**
If so, what are the nature and condition of these improvements? **SEE SUBDIVISION PLAN**
- 2.5. Is the site being used in accordance with its present zoning? **YES**
If not, how is the land being utilised? **N/A**

3. DETAILS OF APPLICATION

3.1 Describe the proposed development in detail (A separate motivational report may be added): - **SEE MOTIVATION REPORT**

3.2 Does the proposed development involve the entire land unit? **NO**
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: **ONLY PORTION A.**

3.3 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**

3.4 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 (2015) for a relaxation of the:

- i. Lateral (side) building line(s) from m to m; and
- ii. Rear building line from m to m; and
- iii. Street building line from m to m; and
- 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. Other zoning scheme condition(s) (as specified).....

4. RESTRICTING FACTORS

4.1 Are there any title deed restrictions, which may have an effect on the application?
NO

If so, furnish details: **N/A**

4.2 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**

4.3. 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**

4.4. 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**

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

5. POSSIBLE REFERRAL TO OTHER BODIES

5.1. Does the application fall within the area of a Land Development Objective (LDO) and/or Policy Plan (Structure Plan, Framework Plan etc.)? **YES**

If so, please give details in so far as they affect the application under consideration:

NDLAMBE SPATIAL DEVELOPMENT PLAN

5.2. Are the provision of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) applicable in the case of this application? **NO**

5.3. Is the land unit situated within the boundaries of a nature area reserved in terms of Section 4 of the Physical Planning Act, 1967 (Act 88 of 1967), or a mountain catchment area reserved in terms of the Mountain Catchment Areas Act, 1970 (Act 63 of 1970), or a nature reserve reserved in terms of the former Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), or a national park reserved in terms of the Nature Parks Act, 1978 (Act 57 of 1978). **NO**

If so, furnish details: **N/A**

5.4. Does the land unit abut on the area of jurisdiction of another local authority or does any other local authority have an interest in this application? **NO**

If so, state the name of the local authority and its interest in the application: **N/A**

5.5. Does the property abut on any national, trunk, main or divisional road or such proposed road? **NO**

If so, furnish full details (including status of the road and full statutory width): **N/A**

5.6. Is the land situated in a metropolitan transport area in terms of the Urban Transport Act, 1977 (Act 78 of 1977)? **NO**

If so, has it been referred to the relevant transport authority? **N/A**

5.7. Is the land unit close to, or is it affected by, a power line, a power station, a railway line, a railway station, airport or harbour? **NO**

If so, furnish details: **N/A**

5.8. Are there any conservation worthy buildings/grave/rock engravings/archeological finds on the property including those that have not been declared national monuments? **NO**

5.9. Is the land unit situated within 100m from the high-water mark of the sea or tidal river? **NO**

If so, has Nature Conservation been consulted? **N/A**

5.10. Does the land unit abut on, or is it in any way influenced by any property belonging to the S.A. National Defence Force? **NO**

If so, please supply details: **N/A**

ANNEXURES

HAVE THE FOLLOWING ANNEXURES BEEN ATTACHED

(* ANSWER YES, NO OR NOT APPLICABLE)

ANNEXURE	YES	NO	NOT APPLICABLE
Power of attorney, Letter of Executorship and Ndiambe Municipal letter	*		
Resolution or other proof that the applicant is authorised to act on behalf of a juristic person			*
Flood-line certificate			*
Bondholder's consent			*
Locality map	*		
Extract from zoning map	*		
Land-use map	*		
Layout plan	*		
Motivation report	*		
Full Copy of Signed Title Deed	*		
Conveyancers Certificate			*
Proof of Payment	*		
Any other annexures, give details.....			

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

AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION


Y	<input type="checkbox"/>	National Environmental Management Act, 1998 (Act 107 of 1998)
Y	<input type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)
Y	<input type="checkbox"/>	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations
Y	<input type="checkbox"/>	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.

DECLARATION

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 to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are 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. That this submission includes all necessary land use planning applications required to enable the development proposed herein
6. 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.

7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.

Applicants Signature:  Date: 10TH MAY 2024
Full Name: **PETER BROCAS SULTER**
Professional capacity &
Registration No: **PROFESSIONAL LAND SURVEYOR PLS 0786**

FOR OFFICE USE ONLY

Date received:

16 May 2024

Received by:

Khaisafu Radingwana

For Erf No: 1157 Alexandria



SPECIAL POWER OF ATTORNEY

I, the undersigned,

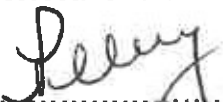
JOHANNES JACOBUS GRIESEL, in my capacity as **Executor In the Estate of the Late ALETTA SCHOLTZ**, acting under **Letters of Executorship Number 003220/2022** issued by the Master of the High Court of South Africa, Eastern Cape Division, Grahamstown at Grahamstown on 01 November 2022,


being the registered owner of **Erf 1160 Alexandria**, do hereby appoint **Peter Brocas Sülter** of M.E.H. Sulter & Son Inc. Land Surveyors in Grahamstown, to make and handle all and whatsoever applications and procedures that are necessary and to sign all documentation necessary, on my behalf in my above capacity as **Executor** in respect of the **subdivision of Erf 1157**, onto which the building on Erf 1160 Alexandria encroaches, and to **re-zone** the subdivided portion from Erf 1157 Alexandria from **Authority Zone** to **Business Zone 2** and consolidate it with Erf 1160 Alexandria.

SIGNED AT Port Alfred this 7th day of November 2022.


JOHANNES JACOBUS GRIESEL, as **Executor of the estate of the late ALETTA SCHOLTZ**

AS WITNESSES:

1. 

2. 



NDLAMBE MUNICIPALITY

PORT ALFRED

Gamtoosrivier
P O Box 13
Port Alfred
6170

Phone: (048) 804 5800
Fax: (048) 824 2688
ports Alfred@ndlambe.co.za
<http://www.ndlambe.co.za>

Please address all correspondence to The Municipal Manager.

Our Ref: AX/1160 - 39901
Your Ref:

17 July 2019

Enquiries:

M.E.H. Sufar & Son Inc
Medical Centre
16A Milner Street
Grahamstown
6139

Email: peter@surveyec.co.za

Dear Sir/Madam

SECTIONAL TITLE "ALEXANDRIA BUTCHERY" AND EXEMPTION IN TERMS OF SECTION 23 OF THE LAND USE PLANNING ORDINANCE 1985 AND SECTION 68 OF THE NDLAMBE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW (2015) FOR REMAINDER ERF 1160 ALEXANDRIA

Your letter dated 19th July 2018 refers.

This serves as notice that Ndlambe Municipality is aware of the encroachment of the concrete slab/canopy over the street boundary of Erf 1160 Alexandria and the minor building encroachment of $\pm 13 \text{ m}^2$ in extent onto the adjoining municipal property Erf 1157 Alexandria as per diagram attached (ALEX - 4193).

Therefore the encroachments is hereby condoned as they have been in existence for over 40 years.

Furthermore, The above-mentioned subdivision is in terms of Section 23 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) exempt from the provisions of Chapter III of the said Ordinance and in terms of Section 68 of the Ndlambe Spatial Planning and Land Use Management Bylaw (2015) as it is a minor adjustment of a common boundary between two Erfen.

Yours faithfully

N VITHI MASIZA
DIRECTOR INFRASTRUCTURAL DEVELOPMENT
FOR MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY

PORT ALFRED

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Our Ref: 7/2/1/3

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E-mail: zelda@djlaw.co.za

De Jager Lordan Attorneys
P.O. Box 36
ALEXANDRIA
6185

22 June 2022

Dear Sir

PROPOSED ACQUISITION OF A PORTION OF MUNICIPAL OWNED PROPERTY ERF 1157 VOORTEKKER STREET, ALEXANDRIA

It is our pleasure to inform you that Council at its Special Council meeting held on the 31st of May 2022, Resolution SNCM019/05/2022, resolved Inter alia:-

- *c) THAT it **BE APPROVED** that the portion, 13 m² in extent encroached upon, situated on the northern boundary of the municipal owned property known as Erf 1157 Voortrekker Street, Alexandria, **BE SOLD** to the adjoining property owner of Erf 1160 Chowles Street, Alexandria, as depicted on approved Diagram S.G. 109/2021, subject to the following conditions:
- i) The applicant complies with all statutory and land use requirements by lodging a formal rezoning and exemption for subdivision and consolidation application with the Town Planning Section in terms of Sections 66(1)(d) and Section 68 of the Ndlambe Spatial Planning and Land Use Management By-Laws, 2015 within a period of three (3) months of acceptance of condition (vi).
 - ii) All costs associated with the transaction is borne by the applicant.
 - iii) The sale of the portion only be commenced with on the successful approval of condition (i) above.
 - iv) A valuation to determine the purchase price is obtained on the approval of (i) above.
 - v) A building plan is submitted in terms of the National Building Regulations and Building Standards Act 103 of 1977 which reflects all the buildings present on the property and the enclosure of the entire canopy for safety purposes.
 - vi) The applicant indicates the acceptance of all the above conditions in writing before the transaction is proceeded with.

You are hereby requested to provide the Estates Section of the Directorate Infrastructural Services, via e-mail: sboshoff@ndlambe.gov.za with your response as per condition (c) above within fourteen (14) days of this notification, and if positive to proceed with condition (i) above accordingly.

Kindly note that the transaction relating to the sale can only be proceeded with on the successful conclusion of condition (i) above.

Yours faithfully



DR. N. VITHI-MASIZA
DIRECTOR INFRASTRUCTURAL DEVELOPMENT

SECTION A: INTRODUCTION

MEH Sulter & Son have been appointed by the executor of the Estate of the Late Aletta Stoltz, owner of erf 1160 Alexandria, to apply to the Ndlambe Municipality for the following.

- **Subdivision, re-zoning and consolidation**
 - **Exemption in terms of Section 66(1)(d) of the Municipal By-law to subdivide a thin strip off erf 1157 Alexandria**
 - **To re-zone the subdivided portion from Authority Zone to Business Zone 1 in terms of Section 68(1) of the By-laws**
 - **Exemption in terms of Section 66(1)(d) for the consolidation of the subdivided portion with the adjoining erf 1160 Alexandria**

Refer to the attached Special Power of Attorney and letter of Executorship - **Annexure 2**.

The contents of this report therefore serve as a motivation for the subdivision and re-zoning of a portion of erf 1157 Alexandria, onto which the building on erf 1160 Alexandria encroaches. The subdivided portion is to be re-zoned from Authority Zone to Business Zone 1 and consolidated with the adjoining erf 1160 Alexandria.

An exemption for the subdivision of erf 1157 Alexandria and consolidation of the subdivided portion with erf 1160 Alexandria was granted by the Ndlambe Municipality in error on 9th February 2021 in terms of 66(1)(d) of the Ndlambe Municipality's By-laws on Spatial Planning and Land Use Management.

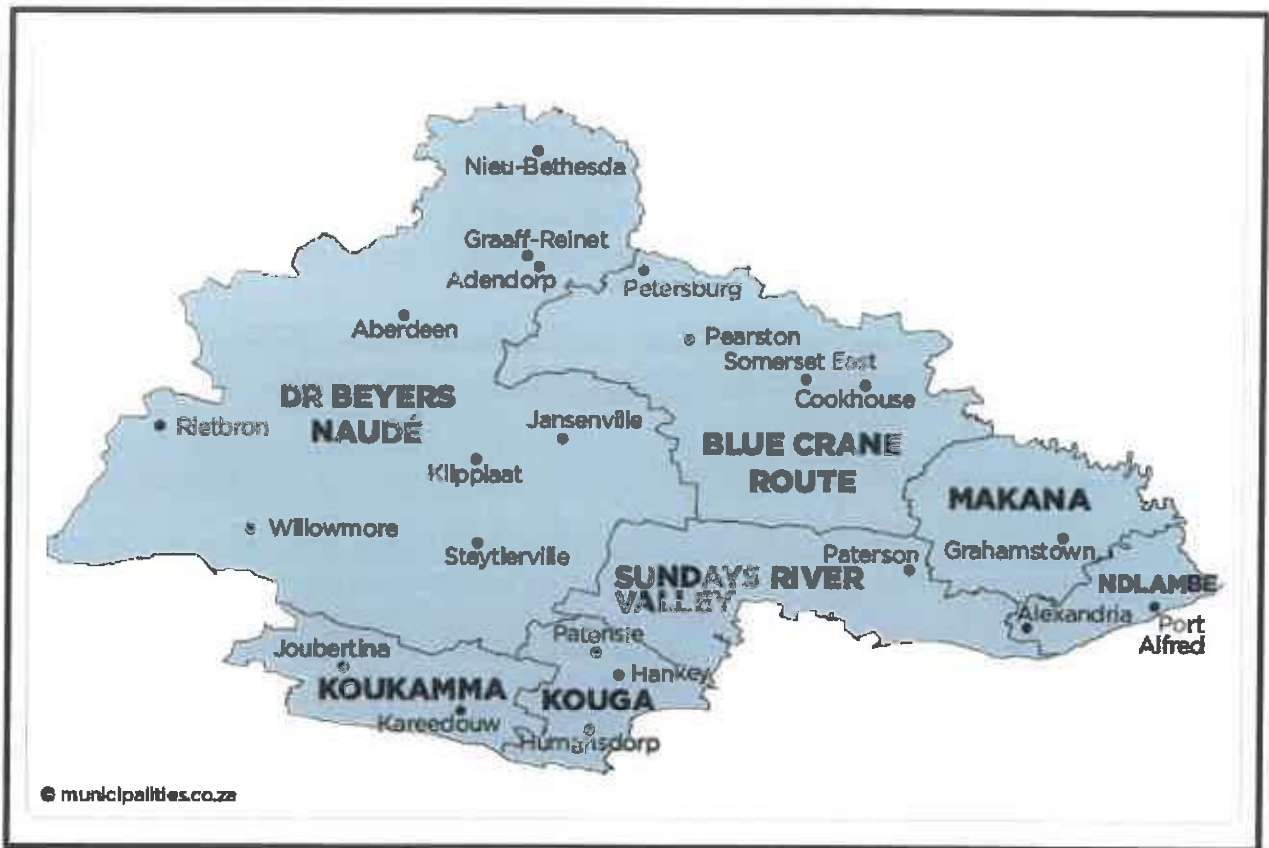
The diagrams for the portion of erf 1157 (erf 4193) Alexandria and the consolidated diagram showing erf 1160 and erf 4193 (now erf 4194) Alexandria were approved in March 2021 and are attached to this motivation report under the annexure with the maps.

The application is made in terms of Sections 66(1)(d) and 68(1) of the Ndlambe Municipal By-laws promulgated in terms of the Spatial Planning and Land Use Management Act No.16 of 2013.

Erf 1160 Alexandria is subject to sectional title and a portion of the building encroaches onto the adjoining erf 1157 Alexandria. In a sectional title development, any encroachment onto an adjoining erf is forbidden and needs to be rectified by subdivision and consolidation.

SECTION B: LOCALITY OF THE PROPERTIES

The locality of the properties can be broken down into municipal and local levels. The municipal level refers to which municipal borders the properties falls in and the local level refers to the erven inside the town in which the properties fall. In this instance the property falls within the Ndlambe Municipality and inside the town of Alexandria. The borders of the Ndlambe Municipality can be seen on Map 1 on page 3.



Map 1: Ndlambe Local Municipality

The Ndlambe Municipality consists of towns such as Alexandria, Bathurst, Boknesstrand, Bushmansrivermouth, Cannon Rocks, Kenton-on-Sea, Port Alfred and Seafield.

Within the town of Alexandria, the locality of the subject properties can be seen below. Erf 1157 Alexandria is situated on the corner of Voortrekker Road and Kerk Street and erf 1160 is situated in Kerk Street.

The locality of the property can be seen on Map 2 below.



SECTION C: OWNERSHIP, ZONING AND EXTENT OF THE PROPERTIES

All legal information which is relevant, and which relates to this application is detailed as follows.

a) OWNERS PARTICULARS

Property Details	Registered Owner	Title Deed	Extent
REMAINDER ERF 1157 ERF 1160 ALEXANDRIA	NDLAMBE MUNICIPLAITY ESTATE LATE ALETTA SCHOLTZ	T 5500/2007 T 16943/1976	885 SQ.M. 1 190 SQ.M.

A copy of the title deeds has been attached to this application marked **Annexure 3**.

b) ZONING

In terms of the Ndlambe Integrated Land Use Management Scheme, erf 1157 Alexandria is currently zoned **Authority Zone** while erf 1160 Alexandria is zoned **Business Zone 1**.

This application serves to re-zone a portion of erf 1157 Alexandria from **Authority Zone** to **Business Zone 1** in order to consolidate the portion with erf 1160 Alexandria.

SECTION D: TITLE DEED RESTRICTIONS

There are no title deed restrictions over the properties which prohibit subdivision, consolidation or re-zoning.

See of the title deed under **Annexure 3**.

SECTION E: BOND HOLDERS CONSENT

Neither erf is bonded – see **Annexure 3**.

SECTION F: EXISTING AND ADJACENT LAND USE

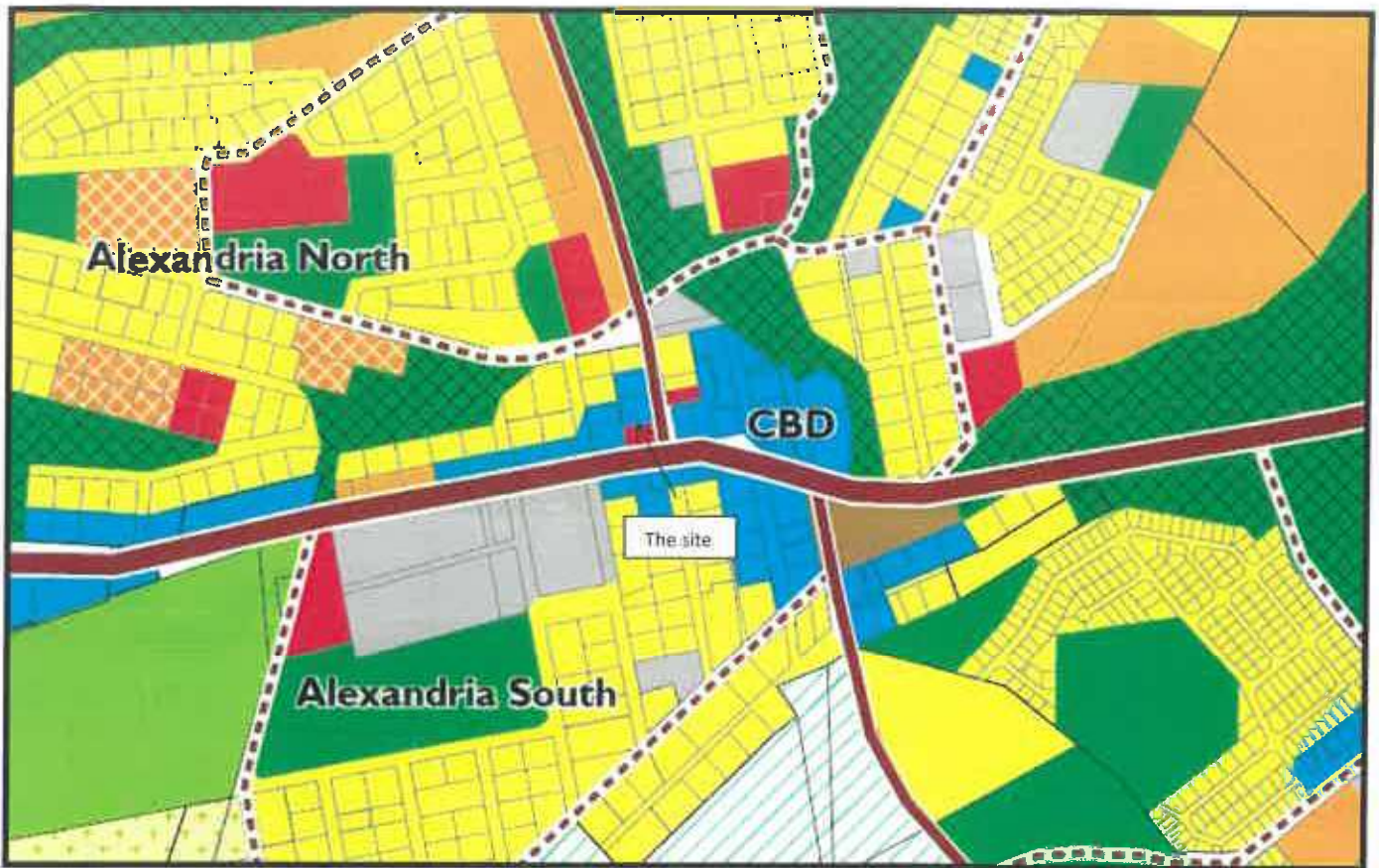
The subject property has municipal offices erected on it.

The surrounding land uses are mixed with various businesses, vacant and residential erven in the immediate vicinity.

Erf 1157 Alexandria abuts the main road.

The small strip of erf 1157 Alexandria is being re-zoned from Authority Zone to Business Zone1 so that it can be consolidated with erf 1160 Alexandria, therefore, surrounding land uses are not really applicable to this particular application.

Please see Land Use Map on page 5.



Map 4: Land Use Map

SECTION G: SERVITUDES

There are no servitudes encumbering the either erf.

SECTION H: EXISTING SERVICES

The purpose of this section is to highlight the existing infrastructural services available to erven 1157 and 1160 Alexandria. The erven are situated in Voortrekker Road and Kerk Street in Alexandria.

All services have been installed and are being fully utilized.

- **Water**
The sites are within built-up areas and are fully serviced with water infrastructure.
- **Sanitation**
Both properties are currently serviced by the existing municipal sewer system.
- **Refuse Removal**
The Municipality is currently responsible for refuse removal.
- **Roads**
The properties are accessed from Voortrekker Road and Kerk Street. Both accesses already exist.
- **Electricity**
The Municipality provides electricity to the site.
- **Storm water**
Is via natural run off and drains.

SECTION I: EXISTING AND PROPOSED ZONING

Remainder erf 1157 Alexandria zoned Authority Zone.

Erf 1160 Alexandria is zoned Business Zone 1.

Existing and proposed developmental Parameters.

Authority Zone

Primary Use: Authority use

Consent uses: None

Coverage, height, building lines as imposed by the Municipality

Business Zone 1 (BZ1):

Primary Use: General Business, General Residential Building above ground floor

Consent uses: Funeral Parlour, Gambling Activity, Institution, Liquor Outlet, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Service Station, Telecommunications Mast, Tourist Facility, Transport Facility, Warehouse

Coverage: At most 100%

Height: 11m

Street Building Line: 0m

Side & lateral Building Line: 0m

Although it is possible to consolidate erven with different zonings, an Authority Zone would not be suitable for the new consolidated erf which consists of a butcher shop on the ground floor and flats on the first floor.

The subdivision and consolidation exemption in terms of Section 66(1)(d) for the minor adjustment of a common boundary between two erven makes no mention of the zonings of the respective erven.

See municipal zoning certificates under **Annexure 4**.

SECTION J: PROPOSED DEVELOPMENT & DESIRABILITY

The main criterion of establishing a need and desirability is to ensure that the land use development proposals are necessary and desirable in the public interest. This will result in sustainable land utilization which is publicly acceptable and relevant in all aspects such as economic growth, convenience, and benefit to all at all levels. The subdivision of this erf is desirable from a Town Planning point of view for the following reasons.

- The adjustment of the common boundary between the two erven will rectify the existing encroachment.
- The erven are situated in a “mixed use” area with businesses, residential erven and authority uses.
- The development aligns itself with the Ndlambe Municipality SDF which encourages infrastructure investment and sustainable development.
- The development will be guided by the Spatial Planning and Land Use Management Act 16 of 2013.

- The development encourages densification as the property will eventually consist of two flats on the first floor and a butchery on the ground floor.
- The proposed development will bring additional rates and taxes to the local fiscus once the units in the sectional title development are sold.

SECTION K: POLICY ALIGNMENT – DEVELOPMENT PRINCIPLES, NORMS & STANDARDS

National Development Plan:

The National Development plan identifies a number of short comings in the development path of South Africa, which includes inequality, high levels of unemployment and extreme poverty.

The NDP realises that South Africa needs to increase employment capacity and to reduce poverty and inequality.

To achieve the above the following requirements must be met:

- Active efforts and participation of all South Africans in their own development
- Redress injustices of the past
- Create faster economic growth and higher investment and employment opportunities
- Increase the standard of education, health and housing
- An effective and capable government
- Co-operation between the private sector and public sector
- Leadership in all spheres of society

As a long-term strategic plan, the NDP serves four broad objectives:

1. Providing overarching goals for what we want to achieve by 2030.
2. Building consensus on the key obstacles to us achieving these goals and what needs to be done to overcome those obstacles.
3. Providing a shared long-term strategic framework within which more detailed planning can take place to advance the long-term goals set out in the NDP.
4. Creating a basis for making choices about how best to use limited resources.

The NDP highlights the need to strengthen the ability of local government to fulfil its developmental role. Integrated Development Plans need to be used strategically to focus attention on priorities in the NDP, such as spatial planning, infrastructure and basic services. The IDP should strive to focus on areas of the NDP that are in line with the municipality's priorities.

Ndlambe Municipality Integrated Development Plan (2022/2023)

The Ndlambe Municipality 2030 vision:

The Ndlambe Municipality Vision that emerged during the Strategic Planning workshop is as follows:

Ndlambe municipality strives to be a premier place to work, play and stay, on the eastern coast of South Africa. It strives to be the destination of choice for people who love natural and cultural heritage, adventure water sports, and living for families.

Our promise is to build a state-of-the-art physical infrastructure which will be laid out aesthetically in our beautiful natural environment. Our prosperous community supports a safe and healthy lifestyle which is supported by affordable natural living and a vibrant tourism and agriculturally based economy.

We promote good governance by providing sustainable, efficient, cost effective, adequate and affordable services to all our citizens.

Mission:

To achieve our vision by enabling optimal performance within each of the five Key Performance Areas of Local Government within the context of available resources

Values:

- Commitment;
- Transparency;
- Honesty;
- Trustworthiness; and
- Care

Strategic Goals and Objectives:

Below are the Strategic goals and objectives that emanate from the long-term strategy of the municipality:

Goal 1:	A premier place to work and do business
Strategic Objectives	1.1. Improve the efficient running of and the governance of the Municipality 1.2. Develop state-of-the-art physical infrastructure 1.3. Develop a vibrant, rapidly growing, employment generating agri-based economy 1.4. Develop a vibrant, rapidly growing, employment generating tourism economy, including the heritage economy 1.5. Develop a vibrant, rapidly growing, employment generating oceans economy
Goal 2:	2. Destination of choice for living Strategic Objectives
Strategic Objectives	2.1. Improve financial viability of the municipality 2.2. Provide sustainable, efficient, cost effective, adequate and affordable services to all our citizens 2.3. Create a safe and secure living environment 2.4. Position the municipality as a learning hub of excellence
Goal 3:	3. Tourist destination of choice for people, who love natural and cultural heritage and adventure water sports

Strategic Objectives	3.1. Preserve the natural beautiful environment 3.2. Develop and support adventure and extreme water sports 3.4. Develop cultural heritage economy
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The proposed development supports the principles of the Integrated Development Plan and aims to create a vibrant community, investment opportunities, service delivery and economic development.

Municipal Spatial Development Framework (2023):

The Ndlambe Spatial Development Framework sets out the long term spatial development for the municipality. The SDF is a framework that seeks to guide overall spatial distribution of current and desirable land uses within a municipality, to give effect to the vision, goals and objectives of the municipal Integrated Development Plan. The Ndlambe SDF is a high-level strategic policy plan which is a component of the IDP. It is a living document.

Planning Principles - Section 20:

The SDF for the Ndlambe Municipality is guided by the following planning principles:

- Accessibility – the erf is readily accessible and has existing access off Kerk Street to adequate parking at the rear of the property. The erf is also in the CBD making it accessible to the community.
- Density and infill – the proposed development has resulted in densification and infill as the 2 flats (residential) on the first floor are now separated from the butchery (business) on the ground floor. Each unit can now be held by separate title.
- Environmental Systems Management – the erf is not subject to an environmental assessment. The buildings already exist and have approved building plans.
- Promote Local Economic Development – once the sectional title is registered there will be 3 units on the erf (2 flats on the first floor and butchery on the ground floor). If each unit is separately owned it could lead to an increase in employment opportunities.
- Node and corridor development – the properties are on, and adjacent to, a main node (CBD) and corridor (main streets).
- Create sense of place and special places – individual ownership will contribute to a sense of “place”.

Erf 1157 Alexandria is zoned Authority Zone, and the adjoining erf 1160 Alexandria is Zoned Business Zone (BZ1). The surrounding area consists of mixed-use erven.

A sectional title unit may not encroach onto another cadastral unit. If the land was freehold the encroachment could be considered as a mutually beneficial boundary wall.

However, the boundaries of units in a sectional title scheme extend to the median line of the wall which in this case is over the common boundary. Encroachments should where possible be avoided at all costs.

It should be emphasized that this proposal will not negatively impact on the character of the area.

The proposed subdivision, re-zoning and consolidation are to rectify an existing encroachment of the building on erf 1160 Alexandria (privately owned) onto erf 1157 Alexandria (municipal land).

This application aligns with the growth and development of Ndlambe in that it conforms to the Spatial Development Framework for the Ndlambe Municipality.

Spatial Panning and Land Use Management Act (SPLUMA), Act No.16 of 2013:

The proposed subdivision of the erf is in accordance with the future planning principals that are found in the most recent planning legislation.

Such principals include but are not limited too.

- The principal of Spatial Justice
- The principal of Spatial Sustainability
- The principal of Efficiency
- The principal of Spatial Resilience
- The principal of Good Administration

The proposed re-zoning and consolidation is in line with the SPLUMA Development Principles (Section 42(1)(1)) in the following manner:

SPLUMA REFERENCE		Development Compliance
7 (a)	Spatial Justice	<ul style="list-style-type: none"> ● The principle of spatial justice requires that past spatial and other development imbalances must be addressed through improved access to and use of land. ● The location of this property in the town and the type of land use supports spatial justice. ● The application is being submitted so that the encroachment can be rectified, and the sectional title development registered.
7 (b)	Spatial Sustainability	<ul style="list-style-type: none"> ● This principle deals with the promotion of land development in strategic location, protecting the environment, stimulation of land markets and viable communities. ● The existing erf is within the urban edge of Alexandria and in an established business area. ● This proposal will not conflict with the present character of the area.
7 (c)	Efficiency	<ul style="list-style-type: none"> ● This principle advocates for optimization of resources, minimization of impact and sufficiency of land development. ● The proposal will promote the optimal utilization of the subject property and existing infrastructure. ● The proposal supports the principle of nodal development
7 (d)	Spatial Resilience	<ul style="list-style-type: none"> ● This principle calls for flexibility of spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities that are most likely to suffer from environmental and economic shocks. ● The sectional title units can only be sold once the plans are registered
7 (e)	Good Administration	<ul style="list-style-type: none"> ● This principle refers to the promotion of administrative actions, procedure, and consultative planning practices for all the relevant role players. ● The Ndlambe Municipality is obliged to consider the application fairly and within the timeframes provided. ● It is important that decision making is aligned with sound policies based on national, provincial and local development policies. This application complies with all relevant policies, legislation and procedures as well as

		<p>transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.</p> <ul style="list-style-type: none"> • This application will be processed in accordance with the prescribed application procedures and stipulated in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).
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Building Controls

All new dwellings and buildings will have to have plans drawn and submitted to the Ndlambe Municipality for approval to ensure that they comply with the National Building Regulations.

“As built” plans were submitted to the Ndlambe Municipality prior to the sectional title plans being submitted. These plans are available from the Building Inspector’s Department at the Municipality.

The sectional title plans have already been approved by the Surveyor General based on the previous exemption granted by the Municipality.

SECTION L: APPLICATION FORM

This application form, in terms of the Spatial Planning and Land use Management Act, Act No.16 of 2013, for the subdivision, re-zoning and consolidation can be found under **Annexure 1**.

SECTION M: CONCLUSION

The application which has been submitted is for:-

- **Exemption in terms of Section 66(1)(d) of the Municipal By-law to subdivide a thin strip off erf 1157 Alexandria**
- **To re-zone the subdivided portion from Authority Zone to Business Zone 1 in terms of Section 68(1) of the By-laws**
- **Exemption in terms of Section 66(1)(d) for the consolidation of the subdivided portion with the adjoining erf 1160 Alexandria**

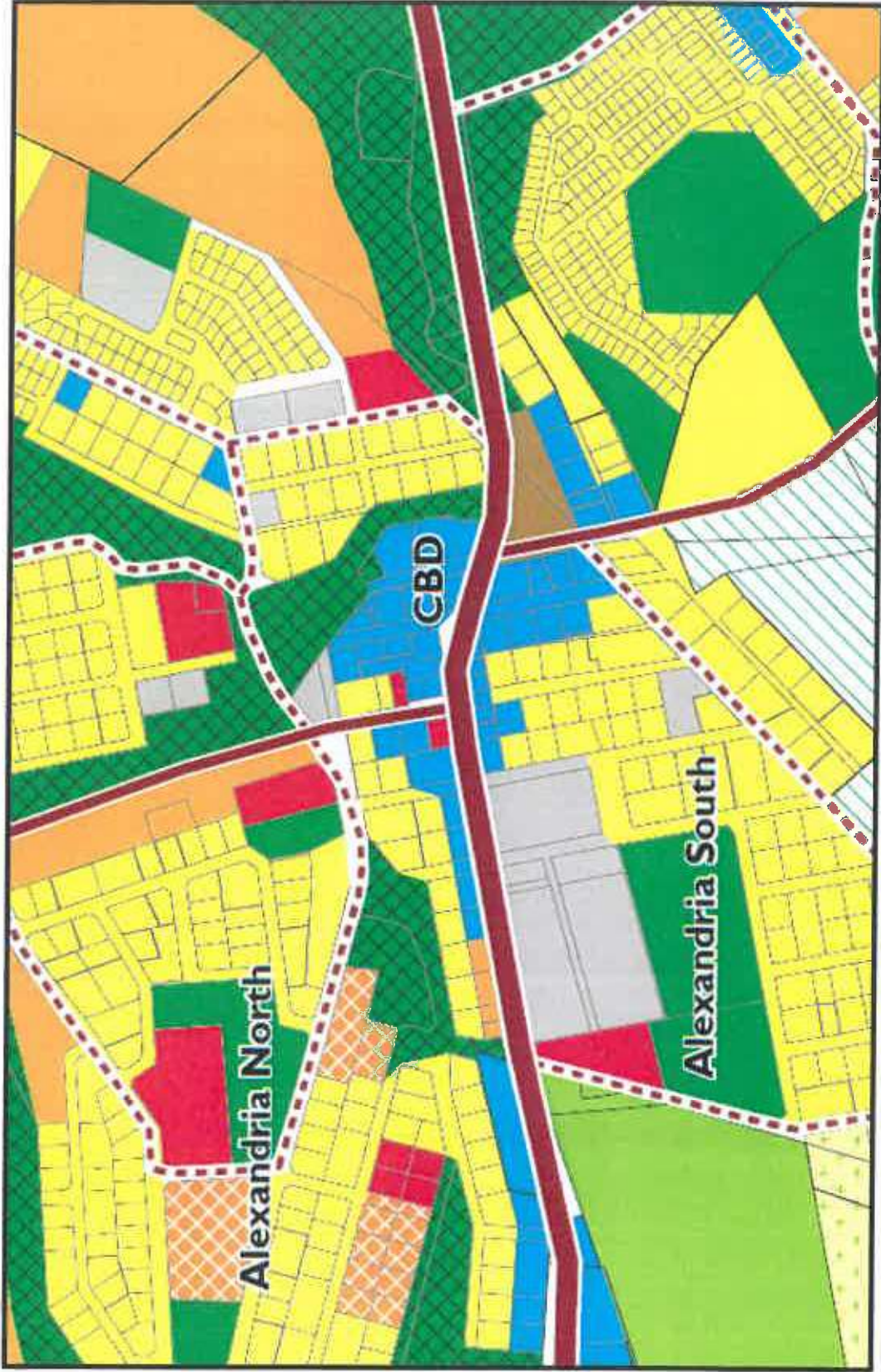
It is recommended that the Council supports and approves the above-mentioned application based on the following.

- The sectional title plans cannot be registered in the Deeds Office due to this encroachment.
- The re-zoning, adjustment of the common boundary and subsequent consolidation will rectify the encroachment.
- Once the sectional title plans are registered in the Deeds Office, the units can be sold, and this will bring in additional rates and taxes to the municipal fiscus.
- The development is aligned with the Development Parameters as set out by Ndlambe Municipality and ties in with the spatial policies.
- Through the sale and transfer of the units the State will also benefit from additional revenue

Accordingly, it is recommended that Ndlambe Municipality favourably considers the application for approval.

P.B. Sulter
Professional Land Surveyor
May 2024

ERF 1157 & 1160 ALEXANDRIA – LAND USE MAP



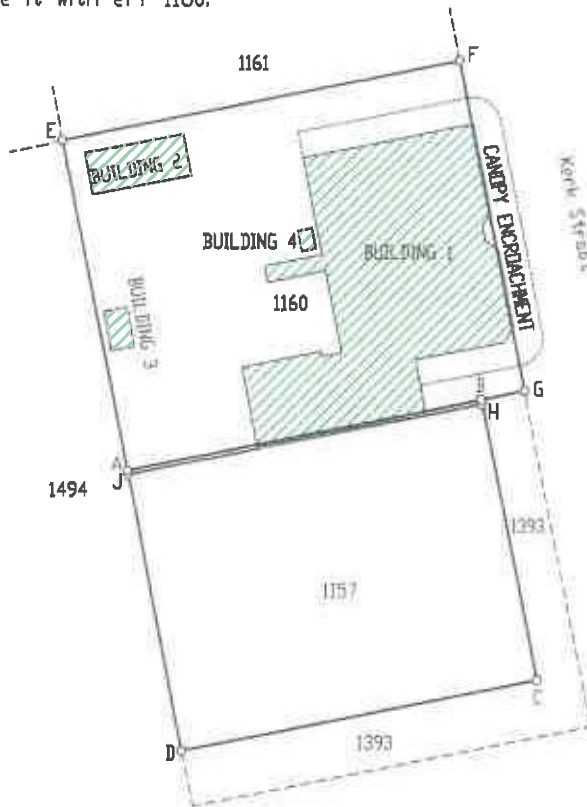
Subdivisional Plan
Showing
Subdivision of erf 1157 & consolidation of the
subdivided portion with erf 1160 Alexandria
Administrative District of Alexandria
Province of the Eastern Cape
Scale: 1/500



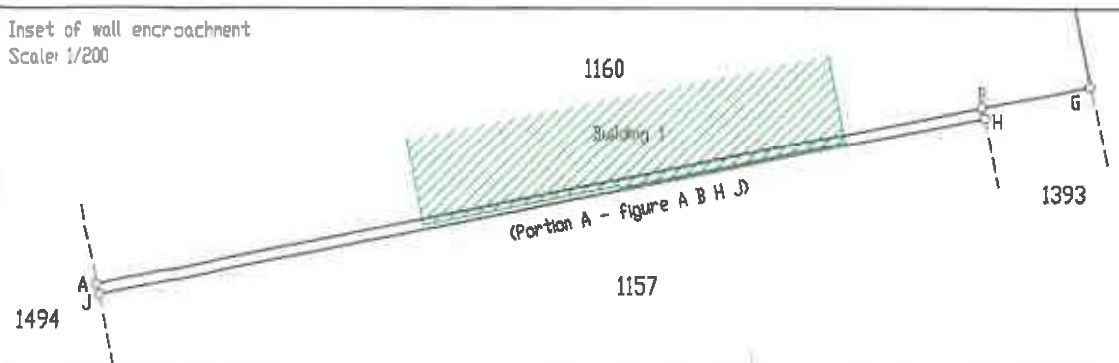
NOTES:

- 1) Figure A B C D represents Remainder erf 1157 Alexandria
- 2) The figure E F G A represents erf 1160 Alexandria
- 3) It is proposed to subdivide Portion A (figure A B H J) from erf 1157 and to consolidate it with erf 1160.

SCHEDULE OF AREAS & ZONINGS			
	SQ.M.	PRESENT ZONING	PROPOSED ZONING
Erf size	885		
Portion A	13	AZ	BZ1
Remainder	872	AZ	AZ



Inset of wall encroachment
 Scale: 1/200



Date: November 2022



M.E.H SULTER & SON INC

Professional Land Surveyors
 Township & Property Consultants
 Sectional Title Practitioners
 3D scanning & data modelling

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