

18 SEPTEMBER 2026

REGISTERED MAIL

Dear Sir/Madam; *Geagte Meneer/Dame*

NOTICE OF LAND USE APPLICATION / KENNISGEWING VAN GRONDGEBRUIKSAANSOEK: ERF 322, JACOBSBAAI
APPLICANT/APPLIKANT: CK RUMBOLL & PARTNERS: - CONTACT DETAILS/KONTAK BESONDERHEDE: ROEBEN PIENAAR
[022 482 1845/ planning9@rumboll.co.za]

Notice is hereby given in terms of Sections 46 and 47 of the Saldanha Bay Municipal Land Use Planning By-law that Saldanha Bay Municipality is considering the following:

- a) Amendment, in terms of Section 15(2)(u) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, for the amendment of a previously approved Site Development Plan.
- b) Amendment, in terms of Section 15(2)(h) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, for the amendment of condition (c) of the decision letter dated 16 November 2016 which reads as follows:

"(c) That the site development plan Dated, May 2016, referenced JAC/9683/ZN_SDP1 is approved."

To be amended to read as follows:

"That the site development plan Dated August 2026, referenced JBAAI/15380/RP_SDP 3, is approved."

- c) Amendment, in terms of Section 15(2)(h) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, for the amendment of condition (e) of the decision letter dated 16 November 2016 which reads as follows:

"(e) That the restaurant and conference area be restricted to an accumulative maximum area of 645m² only as depicted on the approved site development plan."

To be amended to read as follows:

"That the Restaurant and conference areas be restricted to an accumulative maximum area of ±400m²."

- d) Consent, in terms of Section 15(2)(o) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, to allow for an Occupational Practice on Erf 322, Jacobsbaai.

Details are available for scrutiny on the website of Saldanha Bay Municipality at the following link:
<https://sbm.gov.za/notices/>

The above application is available for inspection during weekdays between 08:30 and 16:30 at the Town Planning Department, 17 Main Street, Vredenburg. Any **written comments** may be addressed in accordance with Section 50 of the said legislation to the Municipal Manager, Private Bag X12 / 17 Main Street, Vredenburg, 7380 / Amanda.Meyer@sbm.gov.za on or **before 30 days from the date of registration of this notice**, quoting your, name, address, contact details, interest in the application and reasons for your comments. Enquiries can be made to Martin Botha at Tel: 022-701-7107 or Martin.Botha@sbm.gov.za The Municipality may refuse to accept any comments received

after the closing date. Any person who cannot write will be assisted by a Municipal official by transcribing their comments. Comments/objections will be forwarded to the applicant for his/her response.

Kennis word hiermee gegee, ingevolge Artikels 46 en 47 van die Saldanhaabaai Munisipale Grondgebruik beplanningsverordening dat Saldanhaabaai Munisipaliteit die volgende oorweeg:

- a) Wysiging, ingevolge Artikel 15(2)(u) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir die wysiging van 'n voorheen goedgekeurde terreinontwikkelingsplan.
- b) Wysiging, ingevolge Artikel 15(2)(h) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir die wysiging van voorwaarde (c) van die besluitbrief gedateer 16 November 2016, wat soos volg lui:

“(c) Dat die terreinontwikkelingsplan gedateer Mei 2016, met verwysing JAC/9683/ZN_SDP1, goedgekeur word.”.

Wat gewysig moet word om soos volg te lui:

“(c) Dat die terreinontwikkelingsplan gedateer Augustus 2026, met verwysing JBAAI/15380/RP_SDP 3, goedgekeur word.”

- c) Wysiging, ingevolge Artikel 15(2)(h) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir die wysiging van voorwaarde (e) van die besluitbrief gedateer 16 November 2016, wat soos volg lui:

“(e) Dat die restaurant- en konferensiearea beperk word tot 'n kumulatiewe maksimum oppervlakte van slegs 645m², soos aangedui op die goedgekeurde terreinontwikkelingsplan.”

Wat gewysig moet word om soos volg te lui:

“(e) Dat die restaurant- en konferensieareas beperk word tot 'n kumulatiewe maksimum oppervlakte van ±400m².”

- d) Vergunning, ingevolge Artikel 15(2)(o) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, om voorsiening te maak vir 'n beroepspraktyk op Erf 322, Jacobsbaai.

Nadere besonderhede lê ter insae op die webblad van Saldanhaabaai Munisipaliteit by die volgende skakel: <https://sbm.gov.za/notices/>

Die bogenoemde aansoek is ter insae beskikbaar gedurende weksdae tussen 08:30 and 16:30 by die Departement Stadsbeplanning, Hoofstraat 17, Vredenburg. Enige **skriftelike kommentaar** kan ooreenkomstig Artikel 50 van die genoemde wetgewing gerig word aan die Munisipale Bestuurder, Privaatsak x 12 / Hoofstraat 17, Vredenburg / Amanda.Meyer@sbm.gov.za op of **voor 30 dae vanaf die datum van registrasie van hierdie kennisgewing**, met vermelding van u naam, adres of kontakbesonderhede, belang in die aansoek en redes vir kommentaar. Navrae kan gerig word aan Martin Botha by Tel: 022-701-7107 of Martin.Botha@sbm.gov.za. Die Munisipaliteit mag weier om kommentaar te aanvaar wat na die sluitingsdatum ontvang word. Enige persoon wat nie kan skryf nie, sal deur 'n Munisipale amptenaar bygestaan word deur hul kommentaar oor te skryf. Besware sal aan die applikant gestuur word vir sy/haar repliek.

Regards / Die Uwe



pp MUNICIPAL MANAGER / MUNISIPALE BESTUURDER

LOCATION MAP
ERF 322, JACOBSBAAI

REF:
JBAAI/15380/RP





NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

LEGEND

 The Property

SCALE :

1:1250

Date:
AUGUST 2026

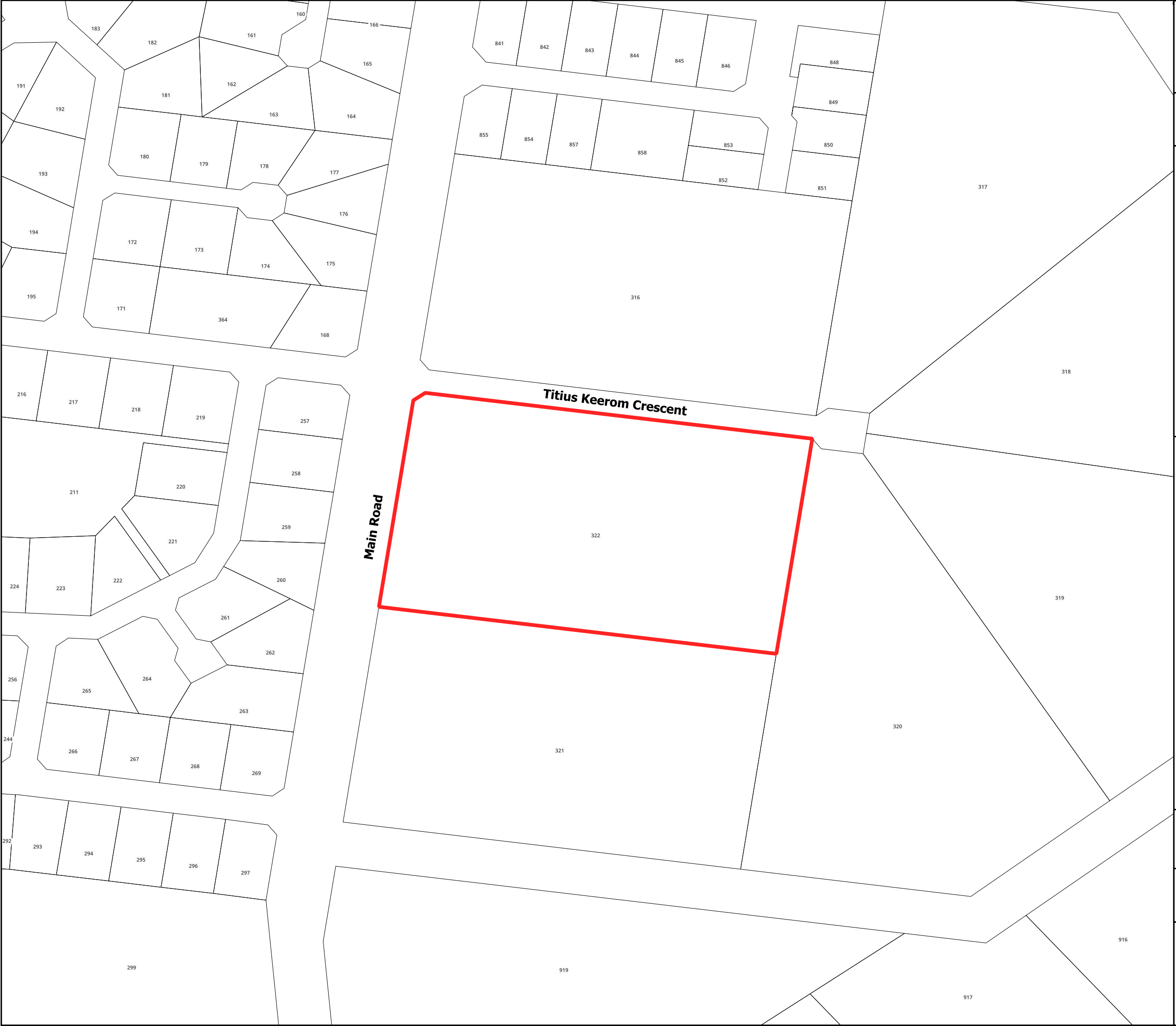
AUTHORITY:
SALDANHA BAY MUNICIPALITY

COMPILED BY:



CK RUMBOLL
& PARTNERS

16 Rainier Street
Malmesbury
Tel: 0224821845
Fax: 0224871661
reception@rumboll.o.za



LOCATION MAP
ERF 322, JACOBSBAAI

REF:
JBAAI/15380/RP





NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

LEGEND

 The Property

SCALE :

1:1250

Date:
AUGUST 2026

AUTHORITY:
SALDANHA BAY MUNICIPALITY

COMPILED BY:

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& PARTNERS

16 Rainier Street
Malmesbury
Tel: 0224821845
Fax: 0224871661
reception@rumboll.o.za



16 NOVEMBER 2016

CK RUMBOLL
PO BOX 211
MALMESBURY
7299

Dear Sir/Madam

**LAND USE PLANNING AND CONTROL: APPLICATION FOR
CONSENT USE (SPECIAL USAGE) ON ERF 322, JACOBSBAAI**

Your application in the above mentioned matter refers.

- i) That the application for Consent Use to permit a restaurant and conference/function facility BE APPROVED in terms of Section 60(a) of the Saldanha Bay Municipality: By-law on Municipal Land Use Planning (P.N. 274/2015).
- ii) That in terms of Section 60(b) of the Saldanha Bay Municipality: Bylaw on Municipal Land Use Planning the following conditions are imposed in terms of Section 66 of the said By-Law;
 - (a) That this approval does not exempt the owner from conforming to any other relevant statutory requirements.
 - (b) That the applicant/developer be responsible for all costs relating to this application;
 - (c) That the site development plan Dated, May 2016, referenced JAC/9683/ZN_SDPI is approved.

- (d) That any further amendments to the approved site development plan must be done by way of an application in terms of the Saldanha Bay Municipality: By-law on Municipal Land Use Planning (P.N. 274/2015).
- (e) That the restaurant and conference area be restricted to an accumulative maximum area of 645m² only as depicted on the approved site development plan.
- (f) That the conference facility is utilized for "low" impact activities such as seminars and training related activities only, activities that are deemed at the discretion of Council to be low impact.
- (g) That no live entertainment and loud music is permitted only background/ambient music is permitted.
- (h) That the operating hours for the conference and function facility including the restaurant be restricted to 23h00 daily.
- (i) That the operating hours for the kitchen associated with the restaurant is limited to 08h00- 22h00 daily and that no meals be prepared and served outside the stipulated hours.
- (j) That the establishment complies with the Saldanha Bay Municipality applicable By-Laws relating to but not limited to; Liquor Trading Days and Hours, Fire Safety and By-Law Relating To Prevention of Public Nuisances.
- (k) That the establishment complies with the Saldanha Bay Municipality applicable By-Laws relating to but not limited to; Liquor Trading Days and Hours, Fire Safety and By-Law Relating To Prevention of Public Nuisances.
- (l) That a permanent managerial component/individual always be available on site and that such a person resides onsite in order to control and monitor inter alia guests, parking and noise levels.
- (m) That Council may, if it is of the opinion that the approved facility relating to the restaurant and function/conference facility is being conducted in a manner which is, or is likely to be detrimental to the residential environment, or a source of nuisance, serve a notice in writing on the operator calling upon him/her to: 1) Comply with the instructions set out in such notice or 2) Cease using the premises in question for a business by a date specified in such notice.

- (n) That the premises must comply with the requirements of the National Building Regulations and Building Standards Act, No 103 of 1977.
- Building plans must be submitted for consideration and be formally approved prior to the erection of new structures or structural changes may take place.
 - Building plans must also be submitted for approval for all structures or structural changes that was performed without formal approval.
- (o) That daytime deliveries by large delivery trucks (SAB, Coca Cola, etc.) be managed by the applicant/operator on site and no loading/off-loading be accommodated in along road reserves and should not cause a vehicular or pedestrian obstruction.
- (p) That appropriate noise control and management measure be put in place to minimise possible noise in order to ensure that the privacy of the surrounding owners are not negatively impacted. That the operation of the restaurant (i.e. operating hours, location of patrons tables, music, etc.) also not be negatively impact on the general comfort and privacy of surrounding/abutting residential properties.
- (q) That the premises must be made to comply with the requirements of the Tobacco Products Control Act, 1993 (Act No 83 of 1993) and Notice Relating to Smoking of Tobacco Products in public places, Regulation No R975 dated 29 September 2000. In this regard Guidelines for the design of designated Smoking Areas, and requirements for artificial ventilation that serves smoking areas, can be obtained from the local Environmental Health Practitioner.
- (r) That all waste/refuse generated must be handled in an appropriate manner. In this regard adequate refuse bins, refuse storage facilities/ refuse storage areas and bin cleaning facilities must be provided. An integrated waste management approach must be used that is based on waste minimization and should incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill site, licensed in terms of Section 20 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).
- (s) That the appearance of the building is to be retained to a standard that does not detract from the residential character and streetscape of the surrounding area.

- (t) That the applicant will be responsible for all costs pertaining to the execution of the proposal that might be required as a result of this application.
- (u) That the provision is made for all existing servitudes registered against the property as well as any new servitudes which may be required by the Manager: Civil Services and/or the Manager: Electrotechnical and Mechanical Services.
- (v) That no signage or notice be placed within the road reserve. That if the applicant wishes to erect an advertising board(s) on the property and buildings an application must be submitted for approval in accordance with the Saldanha Bay Municipality By-Law relating to outdoor advertising and signage to the satisfaction of the Manager: Land Use Planning and Development Control.
- (w) That where necessary, the applicant, at his cost, moves and / or registers servitudes over existing services.
- (x) That fire hydrants and necessary fire fighting equipment be provided to the satisfaction of the Council.
- (y) That if meals are to be served on the premises the necessary certificate of acceptability and trading license is obtained from Council.
- (z) That capital contributions for the bulk services be payable in accordance with the approved Interim Policy of Council, approved per Council's Resolution R104/4-10 of 28 April 2010 in terms of the Acknowledgement of Debt agreed to by the developer, see Annexure "C".
- (aa) That the applicant submits an engineering detailed design of the proposed parking embayment's for approval by this department.
- (bb) That the Department: Electrotechnical Services be informed before any electrical or construction work is commenced with in order to identify existing electrical services, prior to construction commencing.
- (cc) That all electrical services be designed according to Council's standards.

- (dd) That detail of all electrical services required by the development be approved by the Manager: Electrotechnical Services in advance.
- (ee) That the Manager: Electrotechnical Services or his delegate be invited to all site meetings.
- (ff) That final and complete "As Built" detail of all electrical services be provide in both suitable transparent hardcopy, as well as Council's approved digital format.
- (gg) That existing electrical services may not be adversely affected by the development.
- (hh) That the property be valued according to supplementary / general valuation and, as per Council Policy, be taxed accordingly.
- (ii) That no occupation will be given until all requirements have been complied with.
- (jj) That the applicant confirm in writing that she accepts the conditions of approval and if not, that the prescribed procedure be followed in order to appeal against the conditions.

You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79 of the Saldanha Bay Land Use Planning By-law. The attached appeal form must be completed and should be directed to the Municipal Manager, Saldanha Bay Municipality, Private Bag X12, Vredenburg, 7380 and received by the municipality within 21 days of notification of this decision together with the information set out in section 80 of the By-law.

Please note that you must simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality.

The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Yours faithfully,



PP MUNICIPAL MANAGER

/sdb



SALDANHA BAY

MUNISIPALITEIT | MUNICIPALITY | uMASIPALA

022) 701 7000 • F: (022) 715 1518

mun@sbm.gov.za • www.sbm.gov.za

Private Bag X12 • Vredenburg • 7380

APPEAL FORM

(In terms of Section 79 of the Saldanha Bay By-law on Municipal Land Use Planning)

KINDLY NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the By-law on Municipal Land Use Planning.

PART A: APPEAL

Are you appealing against the decision made by the authorised employee or Tribunal?	Y	N	If Yes, indicate in Part E if the appeal is lodged against the whole decision or part thereof. If the latter applies provide a description of the part.
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?	Y	N	If Yes, provide facts that prove the failure in Part E.
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?	Y	N	If Yes, list relevant condition(s) and provide a description in Part E.
Is your appeal based on the process followed prior to the authorised employee or Tribunal decision?	Y	N	If Yes, specify in Part E.
Is your appeal based on the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?	Y	N	If Yes, specify in Part E.
Date of decision	DD/MM/YYYY		Date receiving notice of decision
Who took the original decision?	☒	Authorised employee	☒ Tribunal

PART B: APPELLANT'S DETAILS

First name(s)			
Surname			
Company or legal person's name			
Postal address			Postal Code
Email			
Tel		Fax	Cell

PART C: APPELLANT'S PROPERTY DESCRIPTION *(Property that is affected by proposed development)*Erf no. /Farm no. &
portion(s).

Physical Address

Town/City

PART D: PROPERTY DESCRIPTION OF PROPOSED LAND DEVELOPMENTErf no. /Farm no. &
portion(s).

Physical Address

Town/City

PART E: APPEAL MOTIVATION AND REASONS***Attach appeal motivation, information and reasons.***PART F: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION****Complete the following checklist and attach all the information and documentation relevant to the appeal.**

Y	N	Proof of date when notification received	Y	N	Proof of serving notice of appeal on applicant or objectors
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)

SECTION H: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this appeal form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(d) of the said legislation 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.

Appellant's signature: _____

Date: _____

Full name: _____

FOR OFFICE USE ONLY

Municipal Date Stamp

Received by: _____

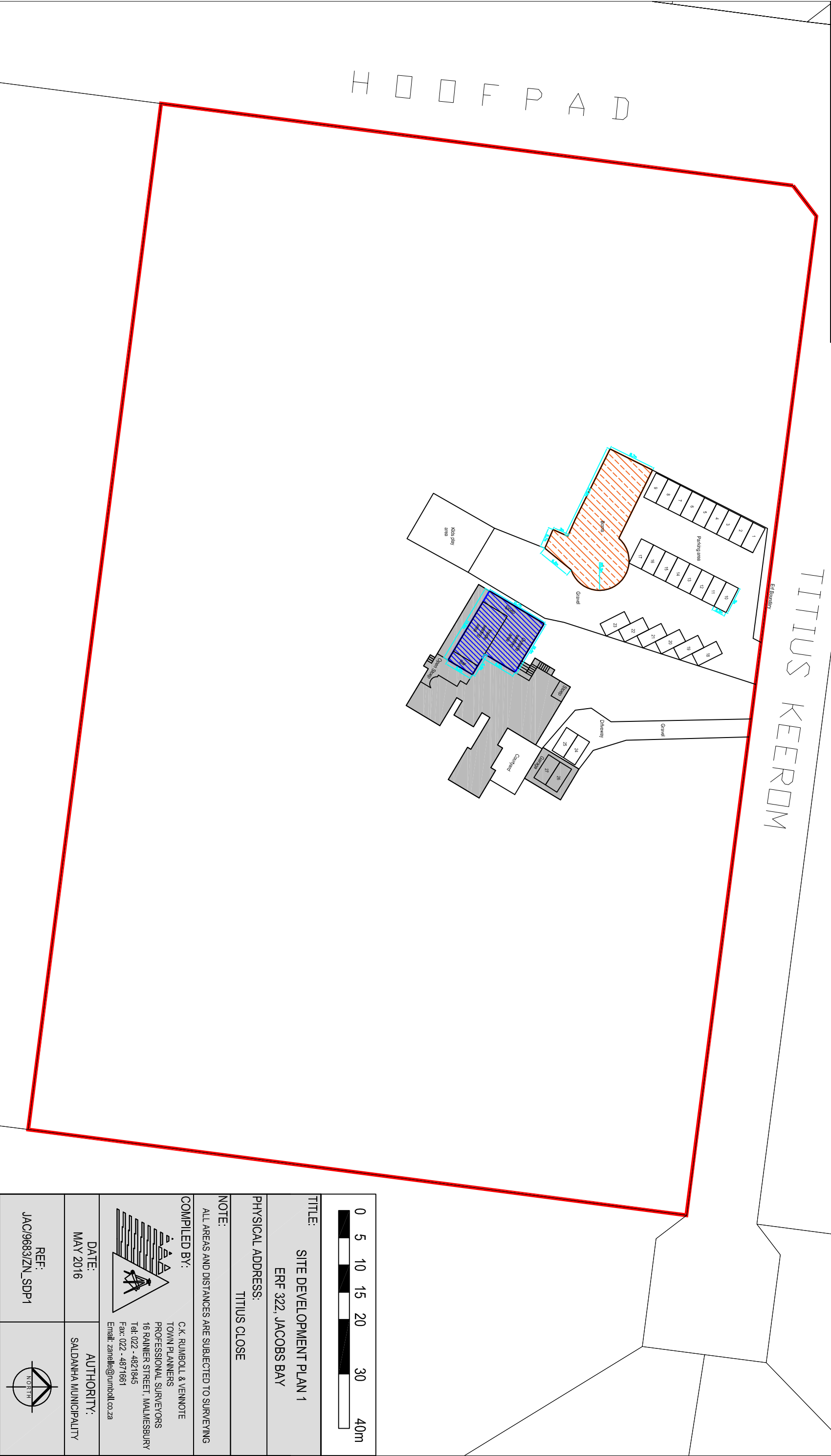
KEY:

Relevant erf

Existing structures

Restaurant area

Boma area



0 5 10 15 20 30 40m	
TITLE: SITE DEVELOPMENT PLAN 1	
ERF 322, JACOBS BAY	
PHYSICAL ADDRESS: TITTIUS CLOSE	
NOTE: ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING	
COMPILED BY:	C.K. RUMBOLD & VENNOTE TOWN PLANNERS PROFESSIONAL SURVEYORS 16 RAINIER STREET, MALMESBURY Tel: 022 - 4821845 Fax: 022 - 4871661 Email: zanelle@rumbold.co.za
DATE: MAY 2016	AUTHORITY: SALDANHA MUNICIPALITY
REF: JAC/9683/ZN_SDP1	



6 April 2017

CK RUMBOLL
PO BOX 211
MALMESBURY
7299

Dear Sir/Madam

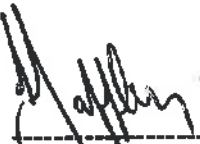
LAND USE PLANNING AND DEVELOPMENT CONTROL: APPEAL IN TERMS OF SECTION 79 OF THE SALDANHA BAY MUNICIPALITY: LAND USE PLANNING BY-LAW FOR ERF 322, JACOBSBAAI.

Your appeal in the above mentioned matter refers.

You are hereby informed that the Appeal Authority resolved your appeal, on 5 April 2017 as follows:

- i) That in terms of Section 81 of the Saldanha Bay Land Use Planning By-law the appeal for the amendment and or omission of the Senior Manager: Land Use and Development Control, condition(s) be supported and that The Senior Manager: Land Use and Development Control delegated decision dated 15 November 2016, be amended to accommodate the amendment of condition (g) as follows;
- g) That no amplified live entertainment and/or amplified loud music is permitted aside from background/ambient music performed by a single or dual instrumental artist for diners which may not be audible outside the boundaries of the subject property.

Yours faithfully,



PR **ACTING MUNICIPAL MANAGER**
/sdb

**INTERNATIONAL INSURED
PARCEL**

R

• Full tracking and tracing
• Enquiries:
ShareCall 0860 111 502 www.sps.co.za
CV 005 465 522 ZA

CK RUMBOLL
PO BOX 211
MALMESBURY
7299



SITE DEVELOPMENT
PLAN

ERF 322, Jacobs Bay

LEGEND

- The Property (2.3168 ha)
- Proposed Restaurant Area (± 50m²)
- Occupational Practice (± 50m²)
- Boma Area (± 266m²)
- Previously approved
Restaurant Area
- Building Lines

ERF 316

TITIUS KEEROM

ERF 320

ERF 321

MAIN ROAD

Proposed New Access

Existing Access To be Removed

Parking Area

Fenced Pastures

20 m Building Line

garden area

Ex. braai area

Ex. Lapa

New As Built Braai

Petting Zoo & Children's play area

Driveway

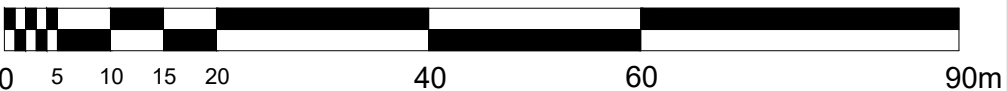
dry garden

Proposed Occupational Practice (± 50m²)

Proposed Restaurant (± 50m²)

10 m Building Line

10 m Building Line



ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

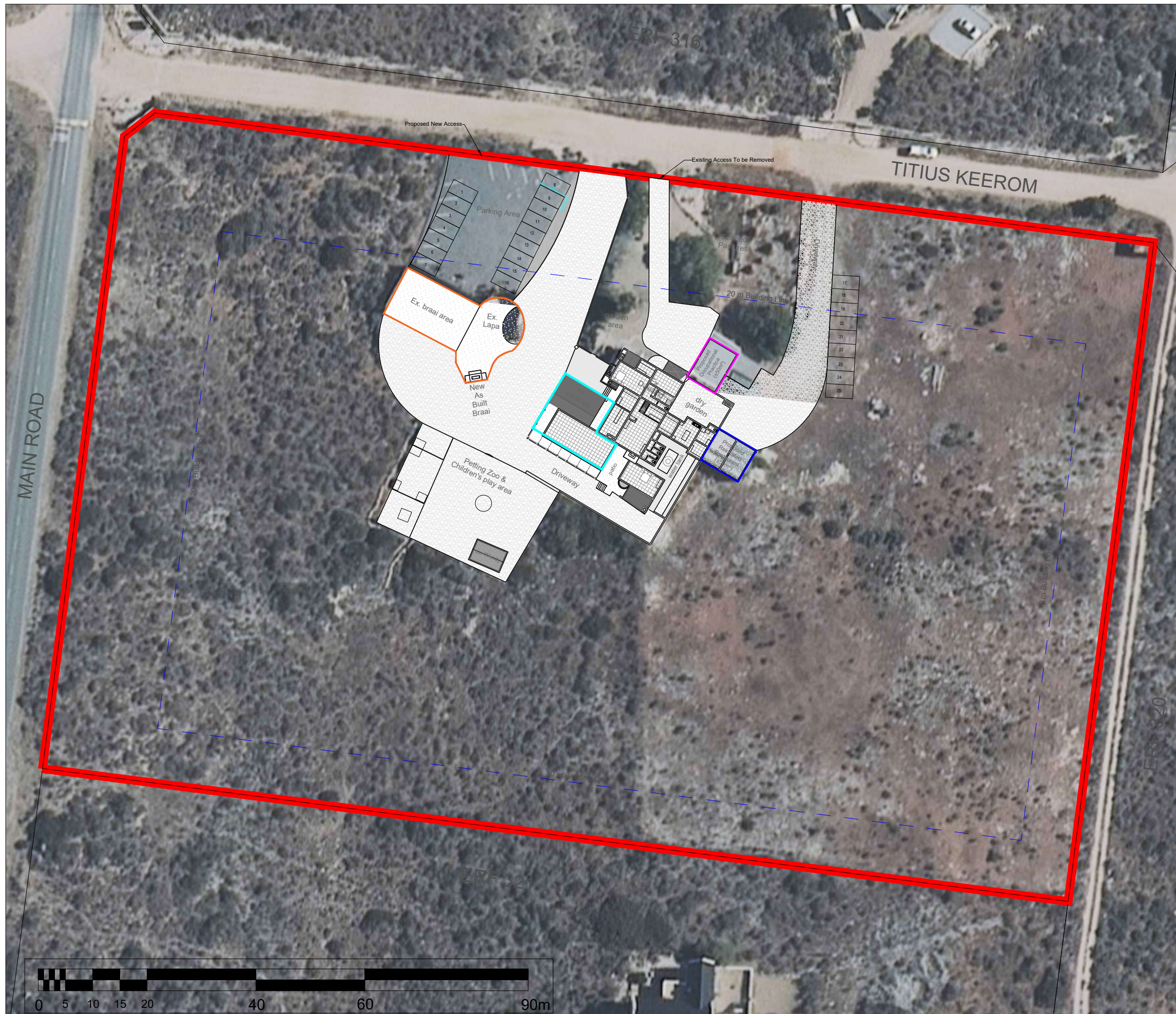


C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning9@rumboll.co.za

DATE:
August 2026

AUTHORITY:
SALDANHA BAY MUNICIPALITY

REF:
JBAAI/15380/RP_SDP 3



SITE DEVELOPMENT PLAN

ERF 322, Jacobs Bay

LEGEND

- The Property (2.3168 ha) 
- Proposed Restaurant Area ($\pm 50\text{m}^2$) 
- Occupational Practice ($\pm 50\text{m}^2$) 
- Boma Area ($\pm 266\text{m}^2$) 
- Previously approved Restaurant Area 
- Building Lines 

ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING



C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871661
Email: planning9@rumboll.co.za

DATE:
August 2026

AUTHORITY:
SALDANHA BAY MUNICIPALITY

REF:
JBAAI/15380/RP_SDP 3

CK RUMBOLL & PARTNERS INC.



PROFESSIONELE LANDMETERS ~ ENGINEERING SURVEYORS ~ STAD- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATUM / DATE: 01 September 2026

ONS VERW / OUR REF: JBAAI/15380/RP

PER E-MAIL

ATTENTION: Mr. L. Gaffley
The Municipal Manager
Saldanha Bay Municipality
Private bag X12
VREDENBURG
7380

**PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL, AMENDMENT OF APPROVED SITE DEVELOPMENT
PLAN & CONSENT USE:**
ERF 322
JACOBSBAAI

CK Rumboll and Partners has been appointed to apply for the necessary land use approval for the proposed Amendment of Conditions of Approval, Amendment of Approved Site Development Plan & proposed Consent Use on Erf 322, Jacobsbaai.

The application includes the following annexures:

- **Annexure A** : Power of Attorney
- **Annexure B** : Application Form
- **Annexure C** : Title Deeds & General Plan
- **Annexure D** : Locality Map
- **Annexure E** : Surrounding Land Uses
- **Annexure F** : Previous Land Use Approval
- **Annexure G** : Amended Site Development Plan
- **Annexure H** : Letter of Support
- **Annexure I** : Previous Company Registration
- **Annexure J** : Relevant Qualifications

Yours truly

Roeben Pienaar

For CK RUMBOLL AND PARTNERS

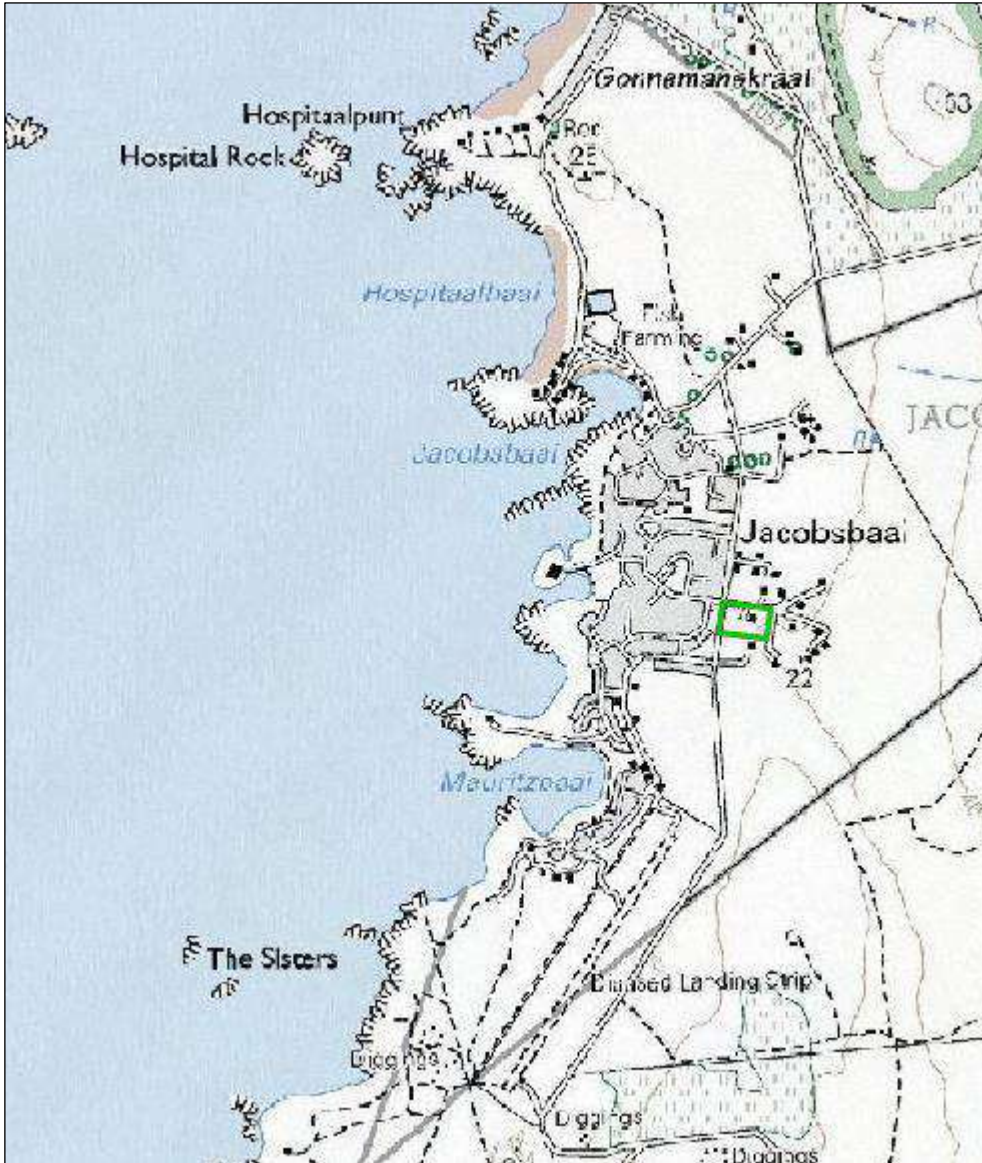
DIREKTEURE / DIRECTORS:

IHJ Rumboll GPr LS0737 | AP Steyl GPr LS0761 | J Linneman Pr Pln A/206/2010 | WA Hoffman GPr LS1223 | CR Taljaard GTc ES2672

ADDRESS/ ADRES: reception@rumboll.co.za / PO Box 211 / 16 Rainierstr, **Malmesbury**, 7299
MALMESBURY (T) 022 482 1845 **WEBSITE** www.ckrumboll.co.za

MOTIVATIONAL REPORT

Proposed Amendment of Conditions of Approval, Amendment of Approved Site Development Plan & Consent Use on Erf 322, Jacobsbaai



Application in terms of
the Saldanha Bay
Municipal By-Law on
Land Use Planning (PG
8679 of November
2022)

Authority:
Saldanha Bay Municipality

Date:
August 2026

Our reference:
JBAAI/15380/RP

Compiled By:
CK Rumboll & Partners
Town Planners
Professional Surveyors
16 Rainier Street, Malmesbury
Tel: 022-4821845
Fax: 022-4871661
Email: planning@rumboll.co.za



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Amendment of Approval & SDP & Consent Use	Erf:	322	Town:	Jacobs Bay
Ref no: JBAAI/15380/RP	By:	RP	Edit Date:	1-Sep-26
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Annexures

Annexure A: Power of Attorney

Annexure B: Application Form

Annexure C: Title Deed & General Plan

Annexure D: Locality Plan

Annexure E: Surrounding Land Uses

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Annexure I: Previous Company Registration

Annexure J: Relevant Qualifications

SECTION 1 INTRODUCTION

CK Rumboll & Partners have been appointed by Petrus Jurgens Hanekom & Aine Hanekom¹, registered owners of Erf 322, Jacobs Bay², to attend to all town planning actions regarding the proposed Amendment of Conditions of Approval, Amendment of an Approved SDP & Consent Use on The Property.

1.1 Purpose

It is the purpose of this report to apply for³:

- ▶ An amendment of conditions in respect of an existing approval in terms of Section 15(2)(h) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022;
- ▶ An amendment of an approved Site Development Plan in terms of Section 15(2)(u) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022; &
- ▶ Consent Use in order to accommodate an Occupational Practice on The Property in terms of Section 15(2)(o) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022;

1.2 Restrictions

There are no restrictions captured within the Title Deed of The Property, which will prohibit the proposed amendment of conditions of approval, the proposed amendment of the approved Site Development Plan & the proposed Consent Use⁴ for a Tourist Facility on The Property in order to accommodate recreational facilities thereon.

1.3 Property Description

Table 1: Property details

Erf 322, Jacobsbaai	
Applicant	CK Rumboll & Partners on behalf of Petrus Jurgens Hanekom & Aine Hanekom
Extent	2.3168 hectares
Registered Owner	Petrus Jurgens Hanekom & Aine Hanekom
GPS coordinates	32°58'22.39"S 17°53'32.14"E
Local Authority	Saldanha Bay Municipality
Current Zoning	Smallholding

¹ **Power of Attorney – Annexure A**

² Hereinafter referred to as The Property

³ **Application Form – Annexure B**

⁴ **Title Deed & General Plan – Annexure C**

Title Deed	T14569/2022
Applicable Zoning Scheme	<i>Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021</i>

SECTION 2 CONTEXTUAL ANALYSIS

2.1 Registered Description and Ownership

Petrus Jurgens Hanekom & Aine Hanekom.

Table 2: Ownership

Property no	Title Deed	Extent	Restrictive Conditions
Erf 322, Jacobsbaai	T14569/2022	2.3168 ha	None

2.2 Locality

The coastal settlement of Jacobsbaai is located along the West Coast within the jurisdiction of the Saldanha Bay Municipality. The town extends over an approximate distance of 4 kilometres along the coastline and is characterised by a series of seven distinct bays, each exhibiting a unique spatial and environmental character. This varied coastal morphology contributes significantly to Jacobsbaai's established appeal as a low-density, tranquil holiday destination, with a strong emphasis on natural aesthetics and sense of place.

In terms of regional context, Jacobsbaai is strategically positioned in close proximity to the primary service centres of Vredenburg and Saldanha, both located approximately 10 kilometres from the town. These neighbouring urban nodes provide access to essential commercial, institutional, and transport-related services, thereby supporting the functional integration of Jacobsbaai within the broader Saldanha Bay sub-region.⁵

The Property is situated within the western portion of Jacobsbaai, specifically within the designated smallholding area, which is characterised by larger erven, low-intensity land uses, and a semi-rural residential environment. Access to The Property is obtained via Titius Keerom Crescent, located to the north thereof, which serves as a local access route within the smallholding precinct. The Property's positioning within this area reinforces its suitability for low-density, tourism-related land uses, such as the existing restaurant and conference/ function facility, guest house and the proposed tourist / recreational facility.

⁵ **Locality Plan – Annexure D**

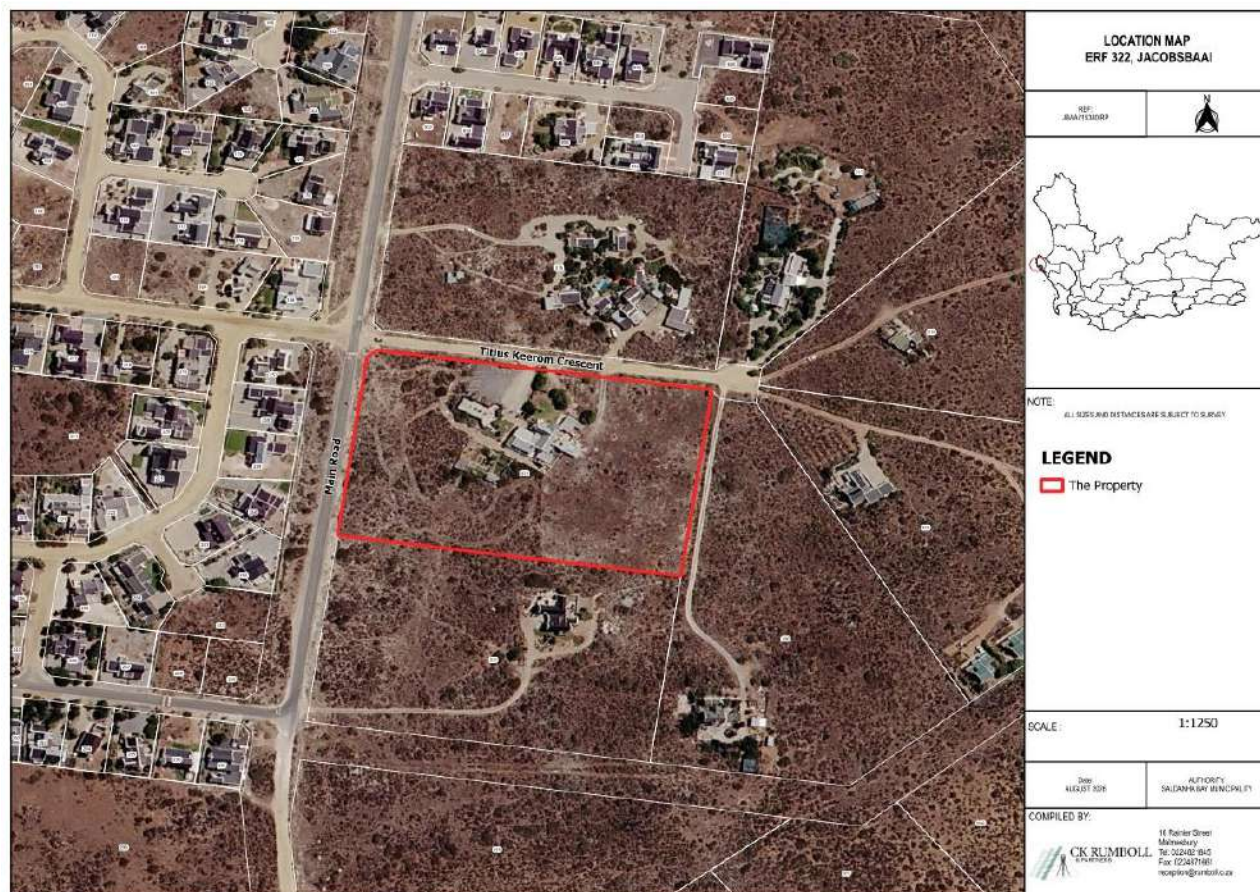


Figure 1: Locality of Erf 322, Jacobsbaai

2.3 Existing Zoning and Surrounding Uses

The Property is zoned *Smallholdings Zone* in terms of the Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021. This zoning is typically intended to accommodate low-density residential developments on larger erven forming part of a group of extensive land units inside or outside the urban edge, this is primarily a place of residence on which small scale agricultural activities may take place.

As previously presented, The Property was previously improved with several structures thereon. The Property currently functions as a guest house, a Conference / Function facility and a Restaurant.

The surrounding area to the north, east and south is characterised by a homogeneous pattern of land use, predominantly comprising properties similarly zoned as Smallholdings with residential zone I erven situated to the west. The smallholding erven are comparable in size to The Property and contribute to the established low-density spatial character of the area. A number of the surrounding smallholding properties have already been developed with residential dwellings, while others have incorporated additional dwelling units and/or self-catering accommodation facilities aimed at the tourism market. The Residential Zone I erven to the west represents a low density

residential development.

The presence of such uses within the immediate vicinity indicates an emerging trend of low-intensity tourism-related development within the smallholding area, which remains compatible with the existing zoning framework. The proposed Amendments and Consent Use is therefore considered to be aligned with the prevailing land use pattern and will not introduce a land use that is foreign or incompatible with the surrounding context.⁶

As previously indicated, access to and from The Property is obtained via Titius Keerom Crescent, located to the north thereof. The Property is separated from the Residential Zone I development to the west by Main Road which forms the western boundary of The Property, while the southern and eastern boundaries of The Property abut similar smallholding properties.

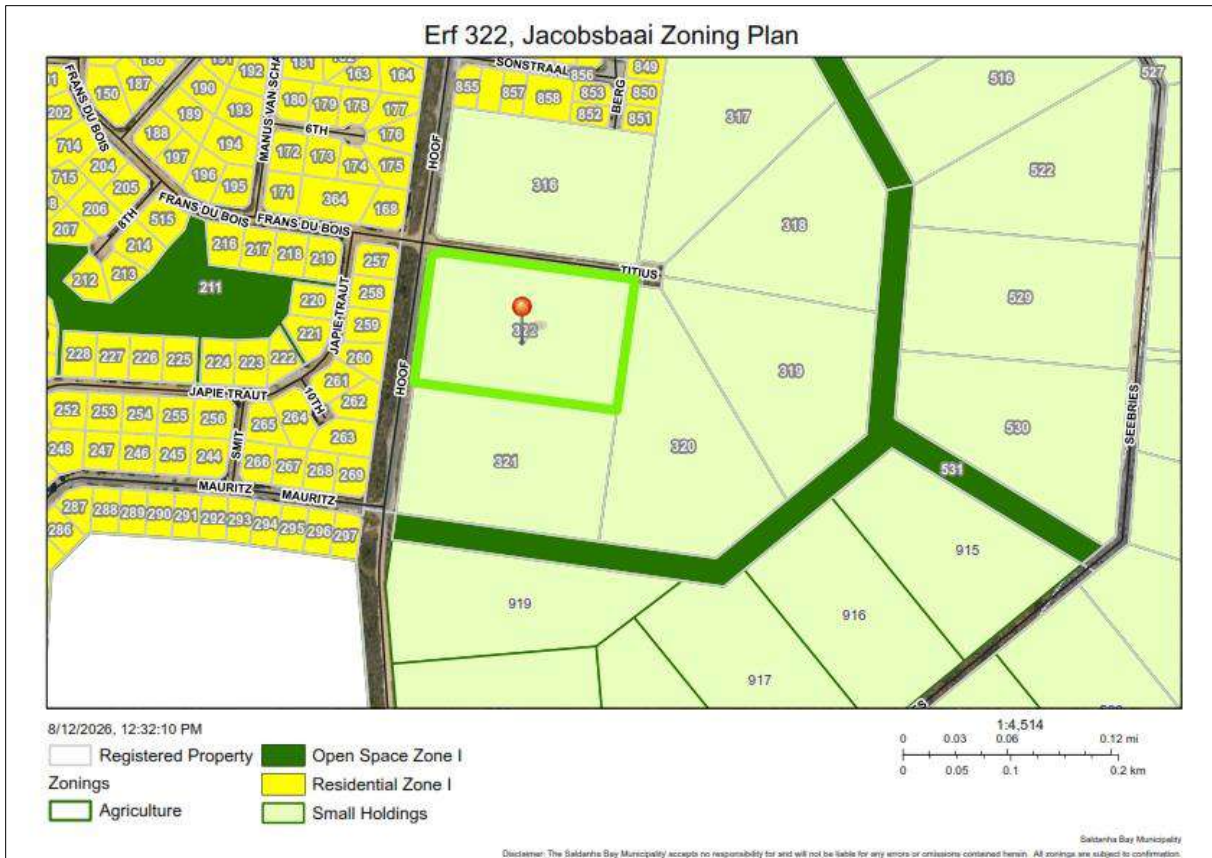


Figure 2: Surrounding land uses

⁶ **Surrounding Land Uses – Annexure E**

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2.4 Access and Parking

The Property obtains access from Titius Keerom Crescent which forms the northern property boundary. Parking bays provided on site is consistent with the Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021. It is to be noted that sufficient space for parking is available on The Property.

2.5 Services

As previously presented, The Property has already been improved with buildings erected thereon. It is not anticipated that the proposed amendments and consent use will have any impact on the existing municipal engineering services available within the Jacobsbaai Smallholdings area.

Should it be determined that certain municipal services are unavailable or insufficient to accommodate the proposed development, appropriate alternative service solutions will be investigated and implemented in accordance with applicable regulatory requirements and engineering standards.

SECTION 3 DEVELOPMENT PROPOSAL

3.1 Background

The Property was acquired by the current owners in December 2021. At the time of acquisition, The Property was already improved with an existing guest house and was subject to a land use approval granted in 2016 for a Consent Use for Special Use purposes, permitting the operation of a restaurant and conference/function facility thereon as subsequently amended following an appeal application.⁷

The current owners intend to utilise the existing dwelling on The Property primarily for their personal residential purposes, while retaining the existing guest house as an established tourism-related use. In this regard, the owners further intend to retain and continue utilising the previously approved boma for purposes of accommodating the conference/function facility.

As a result of the proposed changes of uses of the existing buildings, the area which was previously approved for the restaurant, which overlaps with areas of the approved conference/function facility, is proposed to be relocated. In order to accommodate the previously approved restaurant elsewhere on The Property, the owners intend to convert the two existing single garages situated along the western portion of The Property into the restaurant area.

Furthermore, the existing granny flat, together with the adjacent single garage, is proposed to be

⁷ **Previous Land Use Approval – Annexure F**

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converted into an exercise area. One of the owners intends to conduct a number of exercise classes from this facility during the week, including yoga, Pilates and stretching classes. These activities constitute, at least in part, an occupational practice undertaken by the owner from The Property and are therefore addressed in greater detail under Section 3.3 of this report.

The proposed amendments are consequently intended to rationalise and optimise the use of the existing buildings and previously approved facilities, while accommodating the owners' residential requirements and allowing for the continued operation of the established guest house, restaurant and conference/function facility, together with the proposed occupational practice. Importantly, the proposal does not entail a substantial intensification of development on The Property, but rather the adaptive reuse and internal reconfiguration of existing structures and approved land uses.

3.2 Amendment of Conditions & Approved Site Development Plan

In order to regularise and facilitate the proposed reconfiguration of the existing approved land uses on The Property, as well as to obtain the necessary additional land use rights, application is hereby made for the following:

Amendment of conditions in respect of an existing approval (reference: 322/JCB) on Erf 322, Jacobs Bay in terms of Section 15(2)(h) & the Amendment of a previously approved Site Development Plan (reference: JAC/9683/ZN_SDP1) in terms of Section 15(2)(u) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022.

As previously indicated, the owners propose to rationalise and reconfigure the existing approved land uses on The Property to better accommodate the current and intended use of the existing buildings and facilities. The proposed amendments as discussed under this Section, together with the additional land use rights being applied for as discussed in greater detail under Section 3.3 of this report.

The existing land use approval contains a number of conditions which regulate the manner and extent to which the approved restaurant and conference/function uses may be exercised on The Property. In particular, certain conditions link the extent and location of these uses directly to the previously approved Site Development Plan. Consequently, the proposed internal reconfiguration of the existing buildings and the relocation and rationalisation of the restaurant and conference/function facilities necessitate corresponding amendments to both the conditions of approval and the approved Site Development Plan.

The proposed amendments are intended to ensure that the land use approval accurately reflects the current and proposed utilisation of the existing buildings on The Property, while maintaining appropriate controls over the extent of the commercial and tourism-related activities. The amendments do not seek to materially intensify the overall development of The Property, but rather to facilitate a more appropriate and functional distribution of the existing approved uses within the

existing building footprint.

Amendment of Conditions of Approval:

The following amendment of conditions in respect of an existing approval (Ref: 322/JCB) are hereby applied for:

Existing Condition	New Condition as Amended
ii) (c) That the site development plan Dated, May 2016, referenced JAC/9683/ZN_SDP1 is approved.	ii) (c) That the site development plan Dated August 2026, referenced JBAAI/15380/RP_SDP 3, is approved.
ii) (e) That the restaurant and conference area be restricted to an accumulative maximum area of 645m ² only as depicted on the approved site development plan.	ii) (e) That the Restaurant and conference areas be restricted to an accumulative maximum area of ±400m ² .

The proposed reduction in the combined area allocated to the restaurant and conference/function uses, from approximately **645 m² to ±400 m²**, represents a rationalisation of the existing approved commercial floor area. This is consistent with the owners' intention to prioritise the residential and guest house components of The Property, while retaining appropriately scaled restaurant and conference/function facilities.

The proposed maximum area of ±400 m² is intended to accommodate the revised restaurant and conference/function uses within the existing buildings and associated facilities.

Amendment of the Approved Site Development Plan:

Consequent to the proposed amendment of the conditions of approval, application is also made in terms of **Section 15(2)(u)** of the Saldanha Bay Municipal Land Use Planning By-Law, 2022, for the amendment of the previously approved Site Development Plan.

The purpose of the amended Site Development Plan is to replace the existing approved Site Development Plan, referenced **JAC/9683/ZN_SDP1**, with the proposed Amended Site Development Plan, referenced **JBAAI/15380/RP_SDP3**.⁸

The amended Site Development Plan reflects the proposed reconfiguration and allocation of the

⁸ **Amended Site Development Plan – Annexure G**

existing land uses and buildings on The Property and provides the spatial framework against which the amended conditions of approval and proposed additional land use rights can be assessed. In particular, the Amended Site Development Plan identifies the revised areas allocated to the restaurant and conference/function facilities, the residential and guest house components, and the proposed exercise facility associated with the occupational practice as further discussed under Section 3.3 of this report.

The proposed amendment is therefore necessary to ensure that the approved Site Development Plan remains consistent with the actual and intended use of The Property and provides a clear and enforceable spatial basis for the implementation and management of the approved land uses.

Approved Site Development Plan:

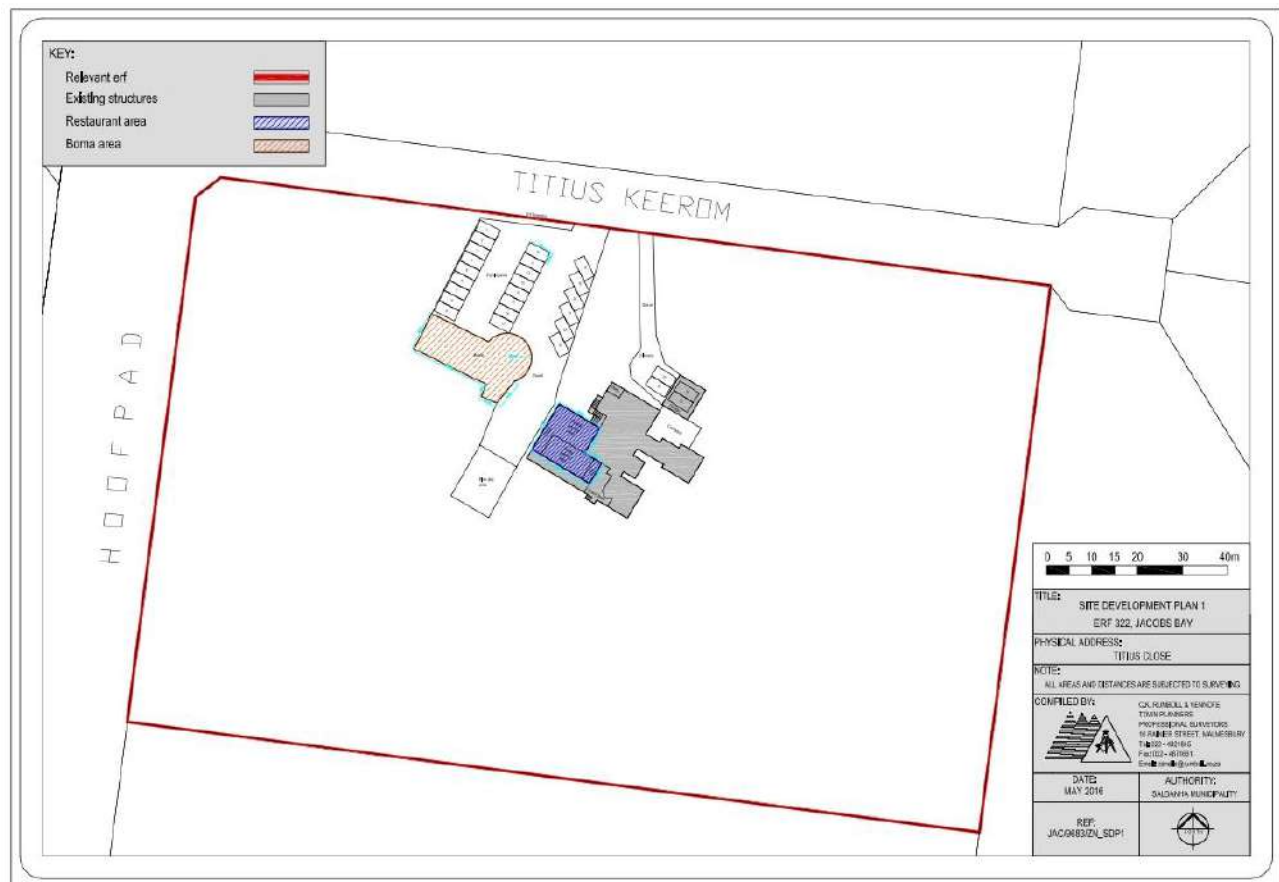


Figure 3: Approved Site Development Plan (ref: JAC/9683/ZN_SDP 1)

Proposed Amended Site Development Plan:



Figure 4: Proposed Amended Site Development Plan (Ref: JBAAI/15380_SDP 3)

3.3 Consent Use: Occupational Practice

Application is hereby made in terms of Section 15(2)(o) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022, for a Consent Use in order to accommodate an Occupational Practice on The Property.

As previously indicated, the owners propose to convert the existing granny flat and adjacent single garage, with a combined floor area of approximately **50 m²**, into a dedicated studio to accommodate the proposed Occupational Practice. The studio will be used for the hosting, instruction and presentation of small-group wellness and exercise classes, including **mat and reformer Pilates, chair exercises, stretch and release yoga, and meditation.**

The owner has previously utilised the existing conference/function facility to conduct the aforementioned wellness and exercise classes on an occasional basis. The owner now intends to formalise and continue these activities as a regular Occupational Practice, with classes to be offered

on a more consistent basis throughout the week. The proposed use will enable the owner to continue providing these services to existing and prospective clients within a dedicated and appropriately managed space on The Property. Furthermore, a number of existing clients who have attended these classes have expressed their support for the proposed Consent Use to accommodate the Occupational Practice on The Property, demonstrating an existing demand for and positive community response to the proposed wellness-related services.⁹

The proposed Occupational Practice will be operated by one of the owners, Ms Aine Hanekom, who previously resided in Ireland and operated a yoga studio there¹⁰. Ms Hanekom is a suitably qualified instructor and intends to utilise her experience and qualifications to continue providing yoga, Pilates, stretching and related wellness classes to interested residents within Jacobsbaai and the surrounding area.¹¹

The proposed Occupational Practice is considered appropriate within the context of The Property and its surrounding area. The activity is of a low-intensity nature, will be accommodated entirely within an existing building, and will not require the construction of a new commercial building or the establishment of an activity that would materially alter the established residential and smallholding character of the area.

Furthermore, the proposed activity is specifically contemplated as an Occupational Practice within the applicable zoning framework. The Property is zoned Smallholdings Zone, in terms of the Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021, wherein an Occupational Practice may be permitted as a Consent Use, subject to compliance with the prescribed development parameters and operational requirements.

The relevant requirements contained in **Section 11** of the Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021, and the manner in which the proposed Occupational Practice complies with these requirements, are set out below.

Requirements to comply with:	Compliance
11.1 The dominant use of the property must be for the accommodation of a single family;	The dominant use of The Property will remain residential. The owners reside on The Property, and the proposed Occupational Practice will constitute

⁹ **Letter of Support – Annexure H**

¹⁰ **Previous company registration – Annexure I**

¹¹ **Relevant qualifications – Annexure J**

	an ancillary use to the primary residential use.
11.2 The proprietor of the occupational practice concerned must live on the property	The proprietor of the proposed Occupational Practice, Ms Aine Hanekom, resides on The Property.
11.3 Any new structure or alteration to the property to accommodate an occupational practice must be compatible with the residential character of the area, particularly with regard to the streetscape, and must be capable of reverting to use as part of the dwelling house, additional dwelling unit or outbuilding concerned.	The proposed Occupational Practice will be accommodated within an existing approximately 50 m² building , comprising the existing granny flat and adjacent single garage, which will be internally adapted to function as a studio. No new freestanding commercial structure is proposed. The conversion is compatible with the residential character of the area and the building can readily revert to a residential or ancillary residential use should the Occupational Practice cease to operate.
11.4 Not more than two employees may be engaged by the occupant in the occupational practice.	No additional employees are proposed to be appointed in connection with the Occupational Practice. The classes will be conducted directly by the owner and proprietor, Ms Hanekom.
11.5 No occupational practice may include a noxious trade, risk activity, adult entertainment, adult services, adult shop, sale of alcoholic beverages, motor repair garage, funeral parlour or activities that are likely to generate a public nuisance, including but not limited to panel beating and spray painting, auto electrician, builder's yard, welding works or joinery.	The proposed Occupational Practice is limited to wellness and exercise activities, namely Pilates, chair exercises, yoga, stretching and meditation. These activities are inherently low-impact and are not expected to generate noise, emissions, waste or other impacts that would constitute a public nuisance or otherwise negatively affect surrounding properties. No noxious, hazardous, industrial or similarly intensive activity will be undertaken.
11.6 No goods for sale may be publicly displayed and no external evidence of the occupational practice may be	No goods will be manufactured or displayed for sale from The Property.

visible from a public street, except for an advertising sign in accordance with paragraph 11.7	The Occupational Practice will primarily provide instruction and wellness services. No external alterations or commercial displays are proposed that would detract from the residential character of the property or streetscape.
11.7 No advertising sign may be displayed other than a single un-illuminated sign or notice not projecting over a public street and not exceeding 0.2m ² in area.	The owners acknowledge and accept the applicable restriction. Should any identification or advertising signage be required, it will comply fully with the prescribed maximum area, illumination and positioning requirements.
11.8 A "Place of instruction" may be operated as an occupational practice, provided that no more than six students may be accommodated at any given time.	The proposed activity is primarily a wellness and exercise studio rather than a conventional educational or training institution. Notwithstanding the above, the classes will be conducted on a small-group basis, with the number of participants appropriately limited to ensure that the use remains low-intensity and compatible with the surrounding residential environment.
11.9 No activities that constitute or are likely to constitute a source of public nuisance or generate waste material that may be harmful to the area or requires special waste removal processes, may be carried out, to the discretion of the municipality.	The proposed Occupational Practice comprises indoor wellness and exercise activities and will not generate hazardous, harmful or specialised waste. The activities are not anticipated to generate excessive noise, odours, traffic or other impacts that could constitute a public nuisance.
11.10 Off-street parking must be provided at a ratio of 1 parking bay per 20 m ² area used for occupational practice. The Municipality may at any stage require additional on-site parking where, in the opinion of the Municipality, there is not enough parking for the occupational practice concerned.	The proposed studio measures approximately 50 m² , resulting in a requirement for approximately 2.5 parking bays , which is practically addressed by providing 3 dedicated parking bays . In addition, sufficient parking and manoeuvring space is available on The Property. The

	proposed Occupational Practice will therefore be accommodated without reliance on on-street parking.
11.11 The total area used for all occupational practice activity on a land unit, including storage, may not consist of more than 25% of the total floor area of the dwelling units on the land unit.	The total area of the occupational practice will be less than 25% of the total floor area of the dwelling units on The Property.
11.12 The storage of all goods and equipment connected with the occupational practice concerned must be inside a building or screened from neighbours and the public street.	No goods or equipment will be visible from any public street.
11.13 Not more than two vehicles may be used in connection with an occupational practice, and no one vehicle may exceed 3500 kg in gross weight.	No vehicles is required for the operation of the occupational practice.
11.14 The hours of operation of an occupational practice may not extend beyond 08:00 to 18:00 from Monday to Friday, and 08:00 to 13:00 on Saturday. No occupational practice operations are permitted on public holidays or Sundays.	The occupational practice will comply will the specified times.
11.15 The Municipality may, at any stage, call for a cassation of the occupational practice activity or impose conditions in order to minimise any potential nuisance to surrounding neighbours or the general public.	Noted.
11.16 When "occupational practice" is approved as a consent use right in any zone, the development parameters of "occupational practice" apply over and above the development parameters of the relevant land use allowed as a primary right in the zone.	Noted.
11.17 In order to exercise the consent use right under paragraph 11.16, the owner must obtain the written consent, where applicable, of the relevant owners' association or Body Corporate, or all the owners within a housing scheme if the owners' association or Body Corporate is not functioning.	Noted. The Property does not form part of any owners' association or Body Corporate.

Table 3: Occupational Practice Development Parameters

As demonstrated above, the proposed Occupational Practice complies with the applicable development parameters and operational requirements prescribed for an Occupational Practice in terms of Section 11 of the Saldanha Bay Municipality Integrated Zoning Scheme By-Law, 2021.

The proposed use is considered to be low-impact, compatible with the existing residential character of The Property and surrounding Smallholdings Zone, and capable of being accommodated within

the existing building infrastructure without materially changing the established character of the area. The activity will be conducted by the owner and will not require additional employees, extensive signage, specialised services, heavy vehicles or significant alterations to the existing property.

The nature of the proposed classes further limits the potential impact on surrounding properties. Pilates, yoga, stretching and meditation are predominantly indoor activities that do not involve significant noise generation, mechanical equipment, emissions or other external impacts. The small-scale nature of the proposed studio and the availability of adequate on-site parking further ensure that the Occupational Practice can operate without creating undue pressure on the surrounding road network or neighbouring properties.

The proposed Occupational Practice accordingly represents an appropriate ancillary use within the existing residential and smallholding context of Jacobsbaai and will enable the owner to conduct a small-scale professional activity from her place of residence while maintaining the dominant residential function of The Property.

3.4 Desirability

Although the application primarily entails an **Amendment of Conditions of Approval, Amendment of an Approved Site Development Plan and Consent Use for an Occupational Practice**, it is important that the proposal be assessed holistically in terms of its desirability and potential impact on the surrounding area. The desirability assessment has regard to the existing character and functionality of The Property, the established land use pattern of Jacobsbaai, the applicable spatial planning principles, and the potential socio-economic, environmental and land use implications of the proposal.

The proposed amendments essentially seek to rationalise and reconfigure existing approved land uses within the existing buildings on The Property, while introducing a small-scale Occupational Practice operated by one of the owners. The proposal does not entail significant new construction or a material increase in the development intensity of The Property. The desirability of the proposal is therefore assessed as follows:

3.4.1 Socio Economic Impact:

The proposed application will facilitate the **more efficient and productive utilisation of an existing developed property** within the established Jacobsbaai smallholding area. Rather than introducing a new development footprint, the proposal makes provision for the adaptive reuse and internal reconfiguration of existing buildings to accommodate the owners' residential requirements, the existing guest house, restaurant and conference/function facilities, and the proposed Occupational Practice.

The proposed Occupational Practice, to be operated by one of the owners, will comprise small-scale wellness and exercise classes, including mat and reformer Pilates, chair exercises, stretch and release yoga, and meditation. The activity will provide an opportunity for the owner to utilise her

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professional qualifications and experience to provide a specialised service to residents and visitors within Jacobsbaai and the broader surrounding area.

The proposal may therefore contribute positively to the **local service economy** by introducing a specialised wellness service that is accessible to the local community without requiring residents to travel to larger service centres such as Vredenburg or Saldanha for similar activities. The activity is also complementary to the established tourism and recreational character of Jacobsbaai and may provide an ancillary service to visitors making use of the existing guest house and other tourism-related facilities in the area.

Furthermore, the continued operation of the existing guest house, restaurant and conference/function facility, together with the proposed Occupational Practice, contributes to the ongoing economic utilisation of The Property and supports the broader tourism economy of Jacobsbaai. Visitors and participants may indirectly contribute to surrounding businesses through expenditure on accommodation, restaurants, retail, recreational activities and other services.

The socio-economic impact of the proposal is consequently considered **positive and appropriately scaled to the local context**, particularly given that the proposed Occupational Practice will be undertaken from an existing building and will not require significant additional infrastructure or development expenditure.

3.4.2 Compatibility with surrounding uses:

Sound spatial planning principles promote the integration and clustering of compatible land uses in order to create functional, sustainable and cohesive environments. The proposed application is considered compatible with the established character and land use pattern of the Jacobsbaai smallholding area.

The Property is currently improved with an established combination of residential, guest house, restaurant and conference/function uses. The proposed amendments do not introduce a fundamentally new or incompatible land use, but rather seek to reconfigure and rationalise the existing approved uses within the existing buildings. The reduction in the combined area allocated to the restaurant and conference/function uses, together with the incorporation of additional residential and guest house floor area, will result in a more appropriate balance between the residential and tourism-related functions of The Property.

The proposed Occupational Practice is similarly considered compatible with the surrounding area. Occupational Practices are specifically contemplated within the applicable zoning framework, subject to the prescribed development parameters and operational controls. The proposed activity is small in scale, will be operated by an occupant of The Property, and will be accommodated within an existing approximately 50 m² building.

Importantly, the proposed activity is not expected to generate significant noise, traffic, waste, visual

intrusion or other external impacts. The nature of Pilates, yoga, stretching and meditation activities is inherently low-intensity and predominantly indoor. The proposal will therefore retain the low-density residential and smallholding character of the surrounding area.

The proposed application consequently does not represent an incongruous intensification of land use, but rather constitutes an appropriate and controlled extension of the existing range of residential, tourism and ancillary service activities already present within Jacobsbaai.

3.4.3 Impact on external engineering services:

The proposed amendments and Consent Use are not anticipated to place undue additional pressure on the existing municipal engineering services serving The Property.

The Property is already developed and currently accommodates the existing residential, guest house, restaurant and conference/function uses. The proposed application primarily entails the internal reconfiguration and adaptive reuse of existing buildings, together with the introduction of a small-scale Occupational Practice. The proposal therefore does not entail a substantial increase in the overall development footprint or intensity of development.

The Occupational Practice will accommodate relatively small groups of participants and will operate from an existing building. The anticipated additional demand for water, electricity, sanitation and refuse removal is therefore expected to be limited.

Should the Municipality identify any specific service capacity requirements or upgrades as part of its assessment, the owners will undertake the necessary measures to ensure that the development remains compliant with the Municipality's engineering and service standards.

Overall, the proposal is not anticipated to result in any significant adverse impact on external municipal engineering services.

3.4.4 Impact on safety, health and wellbeing of the surrounding community:

The Property is situated within an established low-density smallholding area characterised by a generally tranquil residential environment. The proposed application is considered unlikely to negatively affect the safety, health or general wellbeing of surrounding residents.

The proposed Occupational Practice comprises health, wellness and exercise-related activities, including Pilates, yoga, stretching and meditation. These activities are inherently compatible with residential environments and do not involve hazardous processes, industrial equipment, noxious activities or the storage of dangerous substances.

The proposed activity will further be subject to prescribed operating hours, parking requirements and other applicable controls relating to Occupational Practices. The limited scale of the activity, together with the availability of adequate on-site parking, will assist in ensuring that potential impacts

on surrounding residents are appropriately managed.

The continued occupation and maintenance of The Property, together with the active use of the existing buildings, may furthermore contribute to the general upkeep and passive surveillance of the property. The proposal is therefore considered to have no material detrimental impact on the safety, health or wellbeing of the surrounding community.

3.4.5 Impact on heritage

No known heritage resources or culturally significant features have been identified on The Property that would be adversely affected by the proposed application.

The proposal primarily involves the adaptive reuse and internal reconfiguration of existing buildings, with no substantial new development footprint proposed. Accordingly, the potential for the proposal to adversely affect heritage resources is considered limited.

Should any heritage authority require further assessment or impose specific conditions in this regard, the owners will comply with all applicable statutory requirements.

3.4.6 Impact on biophysical environment:

The Property forms part of an established and developed smallholding area within Jacobsbaai and has already been substantially transformed through the construction and occupation of existing buildings and associated facilities.

The proposed application will primarily facilitate the reconfiguration and adaptive reuse of existing structures and will not result in significant additional disturbance of undeveloped land. The proposed Occupational Practice will also be entirely accommodated within an existing building.

Given the limited nature and scale of the proposed amendments, no significant additional impacts on vegetation, soil, stormwater, biodiversity or other components of the biophysical environment are anticipated.

The proposal is consequently considered to have a negligible additional impact on the biophysical environment, particularly when considered in the context of the existing developed nature of The Property.

3.4.7 Traffic impacts, parking, access and other transport related considerations:

Access to The Property will continue to be obtained via Titius Keerom Crescent, which provides access to the Property from the north. No significant alteration to the existing access arrangement is proposed as part of this application other than the moving of an existing access point to The Property.

The proposed Occupational Practice is small in scale and will accommodate limited numbers of participants at any given time. Consequently, the additional traffic generated by the proposed activity is expected to be minimal and intermittent, particularly when considered in relation to the existing approved and established uses on The Property.

Adequate on-site parking is available to accommodate the anticipated demand associated with the Occupational Practice. Based on the approximately 50 m² floor area of the proposed studio, approximately three parking bays are required in accordance with the applicable parking ratio, and sufficient on-site parking is available on The Property to accommodate this requirement.

The provision of adequate on-site parking will ensure that participants and visitors can be accommodated without creating a reliance on public road space or resulting in inappropriate parking within the surrounding residential area.

The existing local road network is considered adequate to accommodate the limited additional traffic associated with the proposal. Given the scale and nature of the Occupational Practice, no material adverse impact on traffic flow, road safety, access or the surrounding transport network is anticipated.

3.5 Zoning Parameters

SALDANHA BAY MUNICIPAL INTEGRATED ZONING SCHEME BY-LAW (2021)

“Smallholding” Means a land unit as part of a group of extensive land units inside or outside the urban edge that is primarily a place of residence on which small scale agricultural activities may take place.

The proposal will retain its smallholding zoning and previously approved land uses, whilst the a consent use for the operation of a occupational practice from The Property is proposed. The proposed consent use will remain true to the desired land use and definition of “smallholding”.

The following table indicates the compliance of the proposed development with the requirements specified in the Saldanha Bay Municipal Integrated Zoning Scheme By-Law, 2021.

Smallholdings		
Land Use Determination	Proposal	Compliance
<u>Primary use:</u> Smallholding, Additional dwelling unit, Dwelling house, Nature Conservation, Riding school Veterinary building <u>Consent use:</u>	Application is made for the consent uses for occupational practice on The Property.	Applied for.

Agricultural building; backpackers lodge; day care facility; utility services; farm stall; guest lodge; intensive animal farming; intensive horticulture; nursery; occupational practice; special use; tourism accommodation; tourist facility; & Telecommunication infrastructure.		
Coverage: The maximum coverage for all buildings may not exceed 5% of the extent of the property.	The Proposed development will adhere to the prescribed coverage development parameters.	
Building Lines: Street building line: 20m Side and rear building line: 10m	All building lines will be adhered to.	
Parking: (a) Dwelling house: 2 parking spaces per dwelling house (b) Additional dwelling unit: 1 parking space per dwelling unit	Sufficient on-site parking bays will be provided.	
Height: No building may exceed a height of 8m.	The proposed buildings are all under the 8m mark.	
Floor area Additional dwelling unit: 150m ²	All additional self-catering dwelling units adhere to parameter.	

Table 4: Zoning Scheme By-law Regulations applicable to Smallholding properties

SECTION 4 PLANNING POLICY

4.1 Municipal Spatial Development Framework

The Saldanha Bay MSDF 2025–2030 serves as a strategic instrument to guide growth and development in a sustainable manner, embracing a vision of "Excellence and Opportunity". Within this framework, Jacobsbaai is recognised as a "Remote Village" and a significant tourism destination. The application for the amendment of conditions of approval, amendment of the approved Site Development Plan, and a Consent Use for an Occupational Practice on Erf 322, Jacobs Bay, aligns with the MSDF's core directives in the following ways:

- **Promotion of the Tourism Economy:** The MSDF identifies tourism as a high contributor to the local economy and employment. Specifically, for settlements like Jacobsbaai, the framework directs the municipality to promote their role as tourism destinations and advance mixed land uses. The Property already accommodates an established guest house,

restaurant and conference/function facility, approved in 2016. The proposed amendments do not introduce new commercial uses but rather rationalise and better distribute these existing, approved tourism-related uses within the existing buildings, ensuring their continued and more functional operation in support of Jacobsbaai's tourism role.

- **Optimal Land Use and Rationalisation of Existing Development:** The MSDF emphasises "Smart Growth" by curbing urban sprawl and prioritising the efficient use of existing developed land and infrastructure. The Property is not vacant, but already improved with a dwelling, guest house and associated tourism facilities. Rather than intensifying development, the application proposes a reduction in the accumulative floor area allocated to the restaurant and conference/function uses, from $\pm 645 \text{ m}^2$ to $\pm 400 \text{ m}^2$, through the adaptive reuse and internal reconfiguration of existing structures. This is consistent with the principle of Efficiency, making optimal use of what already exists on the erf rather than pursuing further building or footprint expansion.
- **Preservation of Settlement Character:** A key challenge identified in the 2025–2030 MSDF is keeping the settlement layout pattern of Jacobsbaai intact and preserving the rural character of smallholding areas. The Property is zoned Smallholdings, and the proposal retains this underlying character: the dominant use remains residential, the existing guest house, restaurant and conference/function facility continue to operate at a reduced and rationalised scale, and the proposed occupational practice is accommodated entirely within an existing 50 m^2 granny flat and garage, with no new commercial building proposed. This reflects the MSDF directive for "limited, light density development" that is not visually intrusive and remains compatible with the surrounding smallholding environment.
- **Support for Diversification of Smallholding-Based Livelihoods:** The MSDF encourages tourism- and service-related activities on smallholdings as a means of economic diversification. The continued operation of the guest house and conference/function facility, together with the proposed low-intensity wellness studio (offering yoga, Pilates and stretch classes), allows the owners to sustain a diversified income stream from The Property in a manner compatible with the surrounding "Namaqualand by the sea" aesthetic, without requiring new construction or a change in the underlying smallholding character.
- **Alignment with Residential and Occupational Directives:** While the MSDF notes that Jacobsbaai has an oversupply of residential land, the current owners' intention is to prioritise the existing dwelling for personal residential use, consistent with the dominant residential function required of the zone. The proposed Occupational Practice is a small-scale, owner-operated activity conducted from the property of residence, in line with the MSDF's support for home-based and low-impact economic activity that does not compromise residential character.

Summary of Alignment:

- **Strategic Role:** Reinforces Jacobsbaai's established role as a tourism and holiday destination by maintaining, rather than expanding, existing approved guest house, restaurant and conference/function uses.

- **Spatial Principle:** Promotes the efficient use of existing developed land through internal reconfiguration and a reduction in commercial floor area, rather than through new development or footprint expansion.
- **Compatibility:** Retains the residential-agricultural character of the Smallholdings Zone, accommodates all proposed uses within existing buildings, and is consistent with the low-density, low-intensity development pattern required by the MSDF for this precinct.

In conclusion, the application for the amendment of conditions of approval, amendment of the approved Site Development Plan, and a Consent Use for an Occupational Practice is consistent with the spatial vision and operational strategies of the Saldanha Bay MSDF 2025–2030, representing a rationalisation of existing development that balances the owners' residential and economic needs with the preservation of Jacobsbaai's unique sense of place.

4.2 Principles of Land Use Planning

The proposed development supports the principles of *Chapter VI (Article 59) of the Land Use Planning Act (LUPA), Act 3 of 2014, and Chapter 2 (Article 7) of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013*, as follows;

4.2.1 Spatial justice

The proposed application promotes spatial justice by facilitating the continued productive use of an established property within the existing smallholding precinct of Jacobsbaai, while allowing the property to accommodate a complementary range of residential, tourism and small-scale service-related activities. The application does not seek to introduce an incompatible or exclusionary land use, but rather to rationalise existing approved uses and accommodate an Occupational Practice operated by one of the residents. The proposed wellness and exercise activities, including Pilates, yoga, stretching and meditation, will provide an additional service accessible to residents and visitors within Jacobsbaai and the surrounding area.

The proposal further promotes a more inclusive and functional use of an existing developed property by enabling the owner to undertake a professional occupation from her place of residence, in accordance with the applicable Occupational Practice provisions of the zoning scheme. The use is appropriately scaled to the surrounding smallholding environment and does not undermine the established residential character of the area. The proposal therefore contributes to a diverse and integrated land use pattern, while supporting the broader objective of creating accessible and functional communities through the efficient utilisation of existing land and buildings.

4.2.2 Spatial sustainability

The proposed application represents a sustainable approach to land use by primarily facilitating the adaptive reuse and internal reconfiguration of existing buildings rather than requiring substantial new construction or the development of previously undeveloped land. The existing Property is already established and accommodates residential, guest house, restaurant and conference/function uses. The proposed amendments will rationalise these existing uses, while the

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Occupational Practice will be accommodated within an existing approximately 50 m² building.

The proposal therefore promotes the efficient utilisation of existing land, buildings and infrastructure and limits the need for additional development within the smallholding area. The low-intensity nature of the Occupational Practice, together with the prescribed operational and development parameters, will ensure that potential environmental and land use impacts remain limited and manageable. The proposal also supports the continued economic viability of The Property and contributes to the sustainability of the broader Jacobsbaai tourism and service economy, without compromising the long-term functionality or character of the surrounding area.

4.2.3 Efficiency

The proposed application promotes the efficient use of land and existing infrastructure by making better use of buildings and facilities that are already established on The Property. The amendment of the existing conditions and Site Development Plan will enable the owners to rationalise the approved restaurant and conference/function areas and better align the approved land uses with the current and intended utilisation of the existing buildings. The proposed Occupational Practice will similarly be accommodated within an existing building, thereby avoiding the need for a new development footprint.

The Property is situated within an established smallholding precinct with existing access and municipal services. The proposal therefore makes use of infrastructure and services that are already available, while the anticipated additional demand associated with the Occupational Practice is limited due to its small scale. The application consequently represents an efficient use of an existing developed property and supports the principle of achieving appropriate development outcomes without unnecessary expansion of the existing development footprint or additional pressure on public infrastructure.

4.2.4 Spatial resilience

The proposed application supports spatial resilience by allowing an established property to respond to changing residential, tourism and economic needs while retaining its underlying smallholding character. The proposed reconfiguration of the existing approved uses provides the owners with greater flexibility to utilise the existing buildings in accordance with their current requirements, while the Occupational Practice enables the owner to continue practising her profession from her place of residence. This creates a diversified and adaptable land use arrangement without requiring substantial physical expansion of The Property.

The proposal further enhances the long-term economic resilience of The Property by allowing a complementary mix of residential, guest house, restaurant, conference/function and wellness-related activities to operate within an appropriately controlled framework. The Occupational Practice remains capable of being discontinued and the building reverted to an ancillary residential use, thereby ensuring that the proposal does not permanently compromise the future use or functionality of The Property. The application accordingly provides flexibility to respond to changing needs while safeguarding the established character and spatial integrity of Jacobsbaai.

4.2.5 Good administration

The application will be assessed and processed in accordance with the applicable provisions of the Saldanha Bay Municipal Land Use Planning By-Law, 2022, the Integrated Zoning Scheme and other relevant legislative and policy requirements. The application will be subjected to the prescribed public participation and interdepartmental circulation processes, thereby ensuring that the Municipality and relevant stakeholders are afforded an appropriate opportunity to consider and comment on the proposed Amendment of Conditions, Amendment of the Approved Site Development Plan and Consent Use.

The applicant further undertakes to provide all information reasonably required by the Municipality to enable the application to be properly assessed and considered. The statutory process will allow the decision-making authority to consider the proposal in an objective and informed manner, having regard to applicable planning principles, municipal policies, public input and potential impacts. The application therefore supports the principle of good administration through a transparent, participatory and procedurally fair land use planning process.

In conclusion, the proposed Amendment of Conditions of Approval, Amendment of the Approved Site Development Plan and Consent Use for an Occupational Practice are considered consistent with the overarching principles of spatial planning and land use management contained in LUPA and SPLUMA. The proposal facilitates the appropriate and efficient use of an existing developed property, supports a compatible mix of residential, tourism and ancillary service uses, and enables a small-scale professional activity to be conducted from the owner's residence without materially altering the established character of the Jacobsbaai smallholding area.

5. SECTION 5 SUMMARY

In view of the foregoing motivation report, it is therefore clear that the application for:

- ▶ An amendment of conditions in respect of an existing approval in terms of Section 15(2)(h) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022;
- ▶ An amendment of an approved Site Development Plan in terms of Section 15(2)(u) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022; &
- ▶ Consent Use in order to accommodate an Occupational Practice on The Property in terms of Section 15(2)(o) of the Saldanha Bay Municipal Land Use Planning By-Law, 2022;

Is considered desirable and is therefore submitted for your favourable consideration.

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 Roeben Pienaar
 For CK RUMBOLL AND PARTNERS