



18 AUGUST 2026

REGISTERED MAIL

Dear Sir/Madam; *Geagte Meneer/Dame*

NOTICE OF LAND USE APPLICATION / KENNISGEWING VAN GRONDGEBRUIKSAANSOEK: ERF 35, ST HELENA BAY,
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:

Notice of amendment to an application in terms of Section 52(1)(a) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022.

Please take note that the application has been amended since the previous notice dated 4 August 2026.

The amendment relates to the proposed wording of Condition of Approval (x). The applicant has removed the proposed date of 17 December 2026 from Condition (x). The amended wording now provides that the public parking and public ablution facilities must be fully developed and transferred to the Municipality before the issuing of clearance for the 1 100th residential erf.

All other aspects of the application remain unchanged.

- a) 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 (x) of the Amendment of Conditions of Approval letter dated 12 June 2012 (ref: 35; 37 & 40/St H) which reads as follows:

“(x) dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met ‘n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet voor of op 1 Maart 2013 volledig ontwikkel en in die naam van die Raad oorgedra word of voor uitreiking van uitklaring vir die 400ste residensiële perseel, wat ook al die vroegste is.”

The amended application proposes that Condition (x) be amended to read as follows:

“Dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met ‘n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet volledig ontwikkel word en in die naam van die Raad opgedra word voor uitreiking van uitklaring vir die 1 100ste residensiële perseel.”

The amended application therefore seeks to remove the proposed 17 December 2026 implementation date and retain the requirement that the public parking and public ablution facilities be fully developed and transferred to the Municipality before the issuing of clearance for the 1 100th residential erf.

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 Saldanhabaai Munisipale Grondgebruik beplanningsverordening dat Saldanhabaai Munisipaliteit die volgende oorweeg:

Kennisgewing van wysiging van 'n aansoek ingevolge Artikel 52(1)(a) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022.

Neem asseblief kennis dat die aansoek gewysig is sedert die vorige kennisgewing gedateer 4 Augustus 2026.

Die wysiging het betrekking op die voorgestelde bewoording van Voorwaarde (x). Die aansoeker het die voorgestelde datum van 17 Desember 2026 van Voorwaarde (x) verwyder. Die gewysigde bewoording bepaal nou dat die openbare parkeerplek en openbare ablusiegeriewe volledig ontwikkel en aan die Munisipaliteit oorgedra moet word voordat goedkeuring vir die 1 100ste residensiële erf uitgereik word.

Alle ander aspekte van die aansoek bly onveranderd.

- a) Wysiging, ingevolge Artikel 15(2)(h) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, van voorwaarde (x) van die Wysiging van Voorwaardes Goedkeuring gedateer 12 Junie 2012 (verw: 35; 37 & 40/St H wat soos volg lees:

“(x) dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met ‘n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet voor of op 1 Maart 2013 volledig ontwikkel en in die naam van die Raad oorgedra word of voor uitreiking van uitklaring vir die 400ste residensiële perseel, wat ook al die vroegste is.”

Die gewysigde aansoek stel voor dat Voorwaarde (x) gewysig word om soos volg te lees:

“Dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met ‘n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet volledig ontwikkel word en in die naam van die Raad oorgedra word of voor uitreiking van uitklaring vir die 1 100ste residensiële perseel.”

Die gewysigde aansoek poog dus om die voorgestelde implementeringsdatum van 17 Desember 2026 te verwyder en die vereiste te behou dat die openbare parkeer- en openbare ablusiegeriewe volledig ontwikkel en aan die Munisipaliteit oorgedra moet word voordat goedkeuring vir die 1 100ste residensiële erf uitgereik word.

Besonderhede is beskikbaar vir insae op die webwerf van Saldanhabaai Munisipaliteit by die volgende skakel:
<https://sbm.gov.za/notices/>

*Die bogenoemde aansoek is ter insae beskikbaar gedurende weeksdae 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

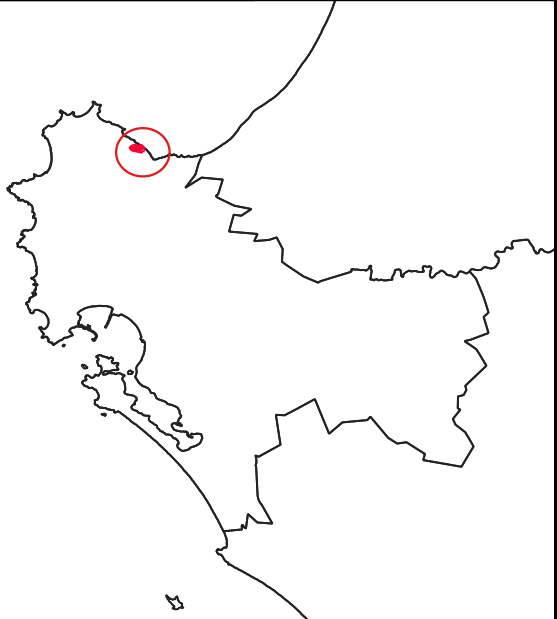


pp MUNICIPAL MANAGER / MUNISIPALE BESTUURDER

LOCALITY PLAN
ERF 35
ST HELENA BAY

REF:
STH/15324/RP





NOTE:
ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

Legend

 The Property

SCALE :

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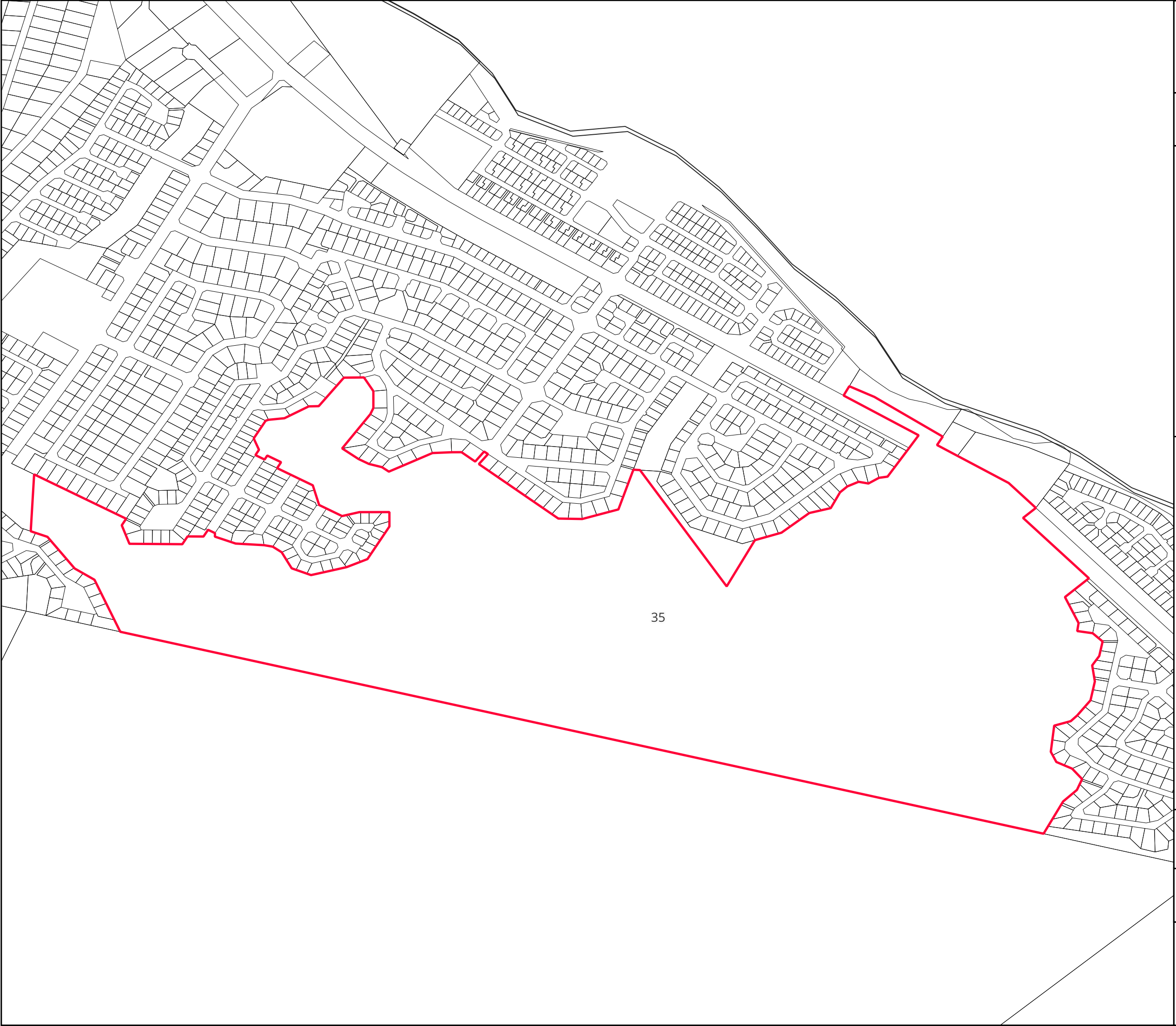
Date:
JULY 2026

AUTHORITY:
SALDANHA BAY MUNICIPALITY

COMPILED BY:

 **CK RUMBOLL**
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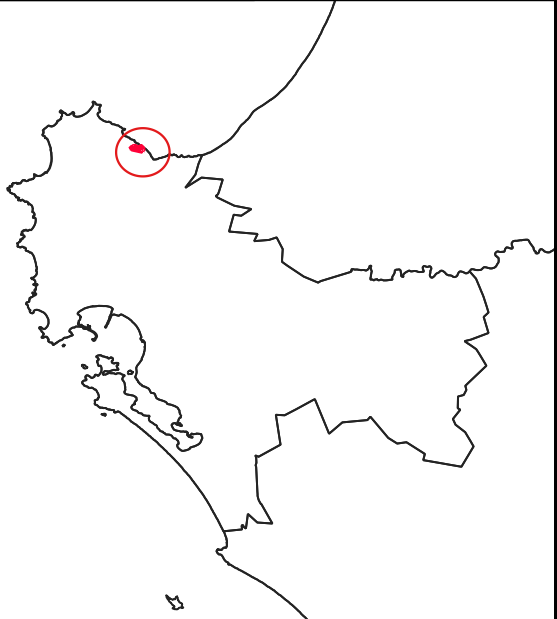


35

LOCALITY PLAN
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PLEASE QUOTE OUR REF NO:
NGESICELO BONISA INOMBOLO:

Navrae: D de VB Visser
Enquiries:
iMibuzo:

19 Februarie 2008

CK RUMBOLL & VENNOTE
Posbus 211
MALMESBURY
7299

Geagte meneer

**GRONDGEBRUIKBEPLANNING EN BEHEER: AANSOEK OM
HERSONERING EN ONDERVERDELING VAN ERF 38 EN GEDEELTES
VAN ERWE 35, 37, EN 40, ST HELENABAAI (FASES 1, 2 & 3 ST HELENA
VIEWS)**

Die Uitvoerende Burgemeesterskomitee het tydens die vergadering gehou op 7 Februarie 2008, die aansoek (Item BM8/2-08), om hersonering en onderverdeling van Erf 38 en gedeeltes van Erwe 35, 37, en 40, St Helenabaai, ingevolge Artikels 16(1) en 25(1) van die Ordonnansie op Grondgebruikbeplanning, Nr 15 van 1985, soos volg oorweeg:

- i) dat die aansoek om hersonering van erf 38 en Gedeeltes van erwe 35, 37 en 40, St. Helenabaai (Fase 1 & 2 van St Helena Views), ingevolge Artikel 16(1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985), vanaf Enkelwoning en Landbou na Onderverdelingsgebied, goedgekeur word;
- ii) dat die aansoek om hersonering van 'n Gedeelte van restant erf 35, St. Helenabaai (Fase 3 van St Helena Views), ingevolge Artikel 16 (1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985), vanaf Landbou na Onderverdelingsgebied, goedgekeur word;
- iii) dat die aansoek om onderverdeling van erf 38 en Gedeeltes van erwe 35, 37 en 40, St. Helenabaai (Fase 1 & 2 van St Helena Views), ingevolge Artikel 25 (1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985) ten einde voorsiening te

maak vir Enkelwoon Residensiële persele, Groepbehuisingspersele; Privaat Oopruimtes en Privaat Strate, goedgekeur word; en

- iv) die aansoek om onderverdeling van 'n Gedeelte van restant erf 35, St. Helenabaai (Fase 3 van St Helena Views), ingevolge Artikel 25 (1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985) ten einde voorsiening te maak vir Enkelwoon Residensiële persele, Groepbehuisingspersele; Privaat Oopruimtes en Privaat Strate, goedgekeur word.

Aangesien beswaar teen die aansoek ontvang is, is hierdie besluit eers van krag na afloop van die appélperiode. Die goedkeuring sal onderhewig wees aan die volgende voorwaardes:

- a) dat die applikant verantwoordelik is vir alle kostes rakende hierdie aansoek;
- b) dat die goedkeuring nie die eienaar vrywaar om aan enige ander relevante statutêre vereistes en permitte, indien van toepassing, te voldoen nie;
- c) dat die aansoek is onderhewig aan goedkeuring deur die Departement Omgewingsake en Ontwikkelingsbeplanning alvorens met die aktiwiteit begin kan word in terme van die Regulasies afgekondig ingevolge Hoofstuk 5 van die Nasionale Wet op Omgewingsbewing, Wet 107 van 1998, (Staatskennisgewing No. R. 385, R. 386, en R. 387 in Staatskoerant No. 28753 van 21 April 2006);
- d) dat die ontwikkeling so voorsien word dat daar 'n redelike buffer behou word tussen die graniet uitstulpings en fisiese ontwikkelings soos voorgestel in die Botaniese verslag aangeheg as **Bylae M** tot die verslag;
- e) dat die grootmaat dienste installering en opgrawings gemonitor word deur 'n proffesionele argeoloog;
- f) dat indien enige menslike oorskot gevind word moet dit onmiddelik geraporteer word aan die Erfenis Hulpbron Owerheid;
- g) dat 'n terugsetlyn van 30 - 40m vanaf die hoogwater merk word ondersteun by fase 3, dit sal meer beskerming bied aan argeologiese oorblyfsels;
- h) dat die konstruksie van verhewe voetganger roetes na die strandgebied voorsien moet word;
- i) dat argeologiese monsters van skulp afset gebiede sal vereis word om die belangrikheid van ondergrondse neerslae te bepaal;

- j) dat die netto digtheid van die enkelwoonerwe wissel tussen 20 tot 22 eenhede per ha en moet oorwegend tussen 450m² tot 550m² groot wees;
- k) dat die netto digtheid van die groepbehuisingserwe in die ontwikkeling moet wissel tussen 30 tot 35 eenhede per ha met erfgrouttes in die orde van 250m² to 350m²;
- l) dat die ontwikkelingsparameters soos vervat in die verslag gebruik word as basis vir die opstel van die ontwikkelingsriglyne vir die voorgestelde ontwikkelings met in begrip van boulyne, dekking en hoogte van eenhede;
- m) dat die Padingenieur moet ook verslapping gee vir die statutêre boulyn van 85m na 5m op die erwe wat grens aan MR533;
- n) dat die drie erwe weerskante van die toegangspad vanuit MR533 (in totaal 6 erwe) moet herbeplan word sodat geen direkte toegange vanaf die erwe geskep word tot by eerste mini-verkeersirkel, dit is ook die gedeelte waar voorsiening gemaak moet word vir die toegangshek;
- o) dat dit oorweeg word om die vyf mees oostelike erwe in Fase 1 te herbeplan en meer sinvol te voorsien;
- p) dat die uitleg ook aangepas word om die 25m granietrots buffer reg deur die onderverdelings voorstel te handhaaf;
- q) dat daar meer skakeling bewerkstellig word tussen die ontwikkeling en die aangrensende natuurgebied te einde die inwoners instaat te stel om te wandel in die natuurgebied;
- r) dat die heining kondisie tussen MR533 en die ontwikkeling moet spesifiek beplan en ontwerp word, daar word voorgestel dat 'n mate van 'n gelandskapeerde grondwal gebruik word wat nie uitsigte belemmer nie, maar die ontwikkeling versag van MR533 se kant af en die voorgestel grensmuur op die pad moet oorwegend deursigtig van aard wees;
- s) dat die ingang na Fase 2 vanuit Stephanstraat herbeplan word ten einde voorsiening te maak vir die toegangshek en gepaardgaande fasiliteite, daar word ook voorgestel dat die toegangspad minstens 16m wyd is;
- t) dat 'n addisionele toegang op die suidelike grens van die ontwikkeling geskep word vir voetgangers wat na die berggebied wil stap;
- u) dat die erwe weerskante van die toegangspad vanuit MR533 herbeplan word sodat geen direkte toegange vanaf erwe geskep word

tot by die eerste interseksie, dit is ook die gedeelte waar voorsiening gemaak moet word vir die toegangshek;

- v) dat die suid-westelike gedeelte van die ontwikkeling hersien word ten einde die 25m buffer vanaf die graniet rotse te respekteer;
- w) dat die onderverdelingsplan gewysig word om te voldoen aan die vereistes van die terugsetlyn;
- x) dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien dit algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met 'n parkeerarea en fasiliteite
* wat spesifiek ook openbare toilette insluit;
- y) dat 'n gewysigde uitleg duidelik aantoon hoe ver die ontwikkeling gaan wees vanaf die hoogwatermerk;
- z) dat die oopruimtes aangewend word om speelruimtes binne die onderskeie woonbuurt selle te ontwikkel, die ontwikkelaar moet hierdie ruimtes ten volle ontwikkel alvorens dit oorgedra word aan die Huiseienaarsvereniging om te bestuur en in stand te hou;
- aa) dat die restant van die ontwikkeling aan die suide kant behou word as natuurlike veld en geen ontwikkeling geskied binne 25m vanaf die rotsformasies;
- bb) dat die heining wat tussen die ontwikkeling en die koppie opgerig word moet so deursigtig moontlik wees om sekuriteit te verskaf maar so onopsigtelik moontlik voorkom;
- cc) dat toegang na die natuurgebied en in die natuurgebied moet deur middel van vooraf beplande voetpaadjies geskied ten einde die natuurlike attribute van die omgewing sover moontlik te behou;
- dd) dat die voorgestelde argitektoniese riglyne tot bevrediging van die Raad se Estetiesekomitee en die Bestuurder: Ruimtelike Beplanning en Ontwikkeling gefinaliseer word;
- ee) dat die tema (styl, kleur, hoogte ens) van die voorgestelde argitektoniese riglyne tot bevrediging van die Raad se Estetiesekomitee en die Bestuurder: Ruimtelike Beplanning en Ontwikkeling wees;
- ff) dat geen volksvreemde argitektoniese voorstelle aanvaarbaar is nie en dat daar gekyk moet word na tipiese Weskus boustyle en moderne en kontemporêre weergawes van die style, geen Kaap-Hollandse of Toskaanse style – wat totaal vreemd aan die omgewing is – sal oorweeg word nie;

* ingevoeg na aanleiding van ter plaatse inspeksie

- gg) dat geen voorafvervaardigde betonmure in die ontwikkeling toegelaat word nie;
- hh) dat die Konstitusie van die Huiseienaarsvereniging, ingevolge Artikel 29 van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985), tot bevrediging van die Bestuurder: Ruimtelike Beplanning en Ontwikkeling gefinaliseer word nadat die Raad se prokureurs 'n aanbeveling gemaak het en dat hierdie plaasvind voordat uitklaring kan geskied;
- ii) dat verpligte lidmaatskap aan die huiseienaarsvereniging vervat word in die titelakte van elke afsonderlike wooneenheid;
- jj) dat daar in die Huiseienaarsvereniging Konstitusie 'n klosule vervat word wat voldoening aan die goedgekeurde argitektoniese riglyne afdwing;
- kk) dat die enkelwoon erwe moet onderhewig wees aan die voorgestelde riglyne terwyl daar meer detail gegee moet word vir die groepbehuisingseenhede. Daar moet of vooraf fases geïdentifiseer word wat in lyn met spesifieke terreinontwikkelingsplanne ontwikkel word of dit moet op plot-en-plan basis ontwikkel word waar die tipe planne vooraf goedgekeur word. Die bedoeling met 'n groepbehuisingontwikkeling is dat dit 'n groep afsonderlike en/of geskakeelde wooneenhede is wat beplan, ontwerp en gebou word om 'n harmonieuse argitektoniese entiteit en eenheid te skep.
- ll) dat die ontwikkeling volgens die aangehegte standaard voorwaardes van die Munisipale Ingenieur: Siviele Dienste is (weergawe 2005-b). Sien **BYLAE "H"** tot die verslag.
- mm) dat die voorgestelde erf uitleg gewysig word om aan die nodige behoeftes te voldoen;
- nn) dat kapitaal bydraes per erf / eenheid plus BTW vir Water, Riool, Vaste Afval, en Paaie betaalbaar is ingevolge Raadsbesluit 35/06-07 van 26 Junie 2007, by die indiening van bouplanne of by aansoek vir uitklaring welke ookal die vroegste is in die geval van Enkelwoon soneerde erwe en in die geval van enige ander sonering sal bykomende kapitaal bydraes betaalbaar wees met indiening van bouplanne. Die tarief vir kapitaal bydraes van toepassing sal wees soos op die datum van uitreiking van uitklaring of goedkeuring van bouplanne;

[Hierdie kapitaal bydraes word jaarliks herbereken en geëskaleer op 1 Julie ooreenkomstig die veranderlikes in die formules wat vir die berekening van kapitaal bydraes gebruik word]

- oo) dat die applikant die firma CES / GLS van Electronstraat 11, Stellenbosch, 7599 aanstel om 'n waternetwerk aansluiting sertifikaat aan die raad en aan die applikant / ontwikkelaar te verskaf. Dat die applikant vir alle kostes rakende die aanstelling van CES / GLS self verantwoordelik is;

Sien die volle detail op bogenoemde standaard **BYLAE H** tot die verslag.

- pp) dat 'n 16 meter minimum wye padreserwe vir die toegangspaaie tot die ontwikkelings gedeeltes voorsien word;
- qq) dat 'n 25m breë padreserwe geskep word vir Provinsiale Pad MR533. Die erf vir die reserwe moet sy eie St Helenabaai erfnommer kry en oorgedra word aan die Raad;
- rr) dat alle toegangspaaie en toegangspunte op Provinsiale Pad MR533 moet vooraf deur die Distrikpadingenieur goedgekeur word;
- ss) dat enige verdere las op enige Provinsiale pad moet deur die Distrik Padingenieur goedgekeur word;
- tt) dat die ontwikkelaar is verantwoordelik om die Distrikpadingenieur te kontak ten einde goedkeuring vir die ontwikkeling te kry;
- uu) dat voor finale goedkeuring moet die Distrik Padingenieur die detail ook goedkeur;
- vv) dat die goedgekeurde erf diagramme in 'n geskikte papier formaat aan die Raad verskaf word ten minste twee (2) weke voor uitklaring verlang word en/of voordat 'n okkupasie sertifikaat uitgeryk word;
- ww) dat alle straat hoeke by alle padreserwes en padserwitute moet voldoende afgestomp word om toe te laat dat die nodige voertuie die pad maklik kan gebruik;
- xx) dat die afstompings by die aansluiting van hoofroetes moet almal ten minste 7,5 x 7,5 meter wees;
- yy) dat die afstompings van enige ander hoeke moet almal ten minste 4,5 x 4,5 meter wees;
- zz) dat indien 'n toegangsbeheer hek enige plek in die ontwikkeling aangebring word moet sodanige hek minstens 18m vanaf enige interseksie of vanaf 'n publieke pad geplaas wees. Dit is om toe te

laat vir minstens 3 motors voor die hek sonder dat hulle met die verkeer op die ander paaie inmeng;

aaa) dat die gedeelte pad tot by die toegangshek moet geregistreer word as publieke pad met sy eie erf nommer en die erf moet deur die ontwikkelaar op sy koste oorgedra word na die Raad;

bbb) dat die ontwikkelaar is vir die konstruksie van alle toegangspaaie tot by ontwikkelinge verantwoordelik;

ccc) dat alle riool uitvloei van hierdie ontwikkeling moet by die nuwe munisipale rioolstelsel van die gebied aansluit;

ddd) dat alle stormwater van hierdie ontwikkeling moet binne 'n retensie dam op die ontwikkeling gestoor word waarna die ontwikkelaar dit na die see toe moet lui;

eee) dat afhangende van die vereistes van die Raad se Departement Ruimtelike Beplanning en Ontwikkeling, moet die retensie damme in erwe gesoneer as pad reserwe of publieke oopruimtes geskep word;

fff) dat voordat enige uitklaring van die erwe kan plaasvind moes die volgende al gedoen en voorsien gewees het:

- Alle voorwaardes wat deur alle statutêre liggame asook deur die raad voorgelê was moes al nagekom gewees het.
- Alle kapitale bydraes moes betaal gewees het.
- Die korrekte en toepaslike waternetwerk aansluiting sertifikaat vanaf CES / GLS moes verskaf gewees het.
- CES / GLS moes gesertifiseer het dat hulle die korrekte "Soos Gebou" detail vanaf die ontwikkelaar ontvang het en dat CES / GLS die detail by die stelsel bygevoeg het.
- Die straat en/of die straat afstoppingserwe moes al aan die raad oorgedra gewees het of bewyse moet gelewer word dat die oordragte aan die raad in proses is.
- Alle dienste moet binne geregistreerde serwitute in die naam van die diens eienaar geregistreer wees.
- Die goedgekeurde algemene planne en/of erf diagramme moes in die verlangte formaat al verskaf gewees het. Die goedgekeurde straatname moes op die algemene planne en/of op die erf diagramme aangebring gewees het voor registrasie.
- Alle dienste, insluitend diensaansluitings moes al deur 'n

professionele siviele ingenieur as volledig voltooi gesertifiseer gewees het. Hierdie ingenieur moet in die ontwerp en inspeksie van die betrokke diens bekwaam wees.

- “Soos Gebou” detail van alle dienste moes in raad aanvaarde formaat aan die raad verskaf gewees het.
- ‘n Afskrif van die ooreenkoms tussen die applikant en die Distrik Padingenieur rakende die Provinsiale voorwaardes van ontwikkeling goedkeuring moes al aan die raad verskaf gewees het.

- ggg) dat die relefante ingenieursverslae word aangeheg as **Bylae I tot L** tot die verslag en word die aanbevelings van die verslae hiermee opgeneem as deel van die ontwikkelings voorwaardes vir die voorgestelde ontwikkeling;
- hhh) dat die elektriesiteit val binne die Eskom elektrisiteitsvoorsieningsgebied;
- iii) dat die straatlignetwerk volgens die Raad se standarde ontwerp word;
- jjj) dat straatlig netwerke wat nie voldoen aan die Raad se standarde nie moet deur die ontwikkelaar / huiseienaarsvereniging herstel en onderhou word;
- kkk) dat die Raad is verantwoordelik vir die brandkoste van straatligte in terme van die straatlig ooreenkoms tussen Eskom en die Raad;
- lll) dat die ontwikkelaar is verantwoordelik vir die kapitale kostes ter vestiging van die straatlig netwerk;
- mmm) dat ten einde uitklaring te gee moet Eskom die Raad skriftelik 'n aanduiding gee dat die elektriese dienste volledig geïnstalleer is en daar voldoende kapasiteit is om krag te lewer aan die eindverbruikers;
- nnn) dat die nodige brandkrane en brandbestrydingstoerusting voorsien word;
- ooo) dat daar voorsiening gemaak word vir die nodige vullisverwyderings dienste en dat die gebied vir die Raad se vullisverwyderingsvragmotors toeganklik sal wees;
- ppp) dat die ontwikkelaar by voltooiing van die onderverdeling en ontwikkeling van die infrastruktuur die raad in kennis moet stel wat die ontwikkelingskoste bedra ten einde die Munisipale Ingenieur : Siviele Dienste in staat te stel om voorsiening te maak vir die jaarlikse

onderhoud en depresiasie op die bedryfsbegroting;

- qqq) dat straatname tydig voorsien word;
- rrr) dat voldoende stofbeheermaatreëls tydens ontwikkeling van die perseel toegepas word;
- sss) dat na onderverdeling die onderverdeelde erwe asook die restant van die eiendom per aanvullende / algemene waardasie waardeer en volgens Raadsbeleid belas word;
- ttt) dat geen uitklaring / bewoning toegelaat sal word voordat alle vereistes nagekom is nie;
- uuu) dat die eiendomme herwaardeer word en ingevolge Raads beleid belas word;
- vvv) dat eiendomsreg verkry word op alle openbare oopruimtes, strate en servitute wat mag ontstaan na onderverdeling deur registrasie in die naam van die Raad, voordat enige ander oordragte plaasvind; en
- www) dat die applikant skriftelik bevestig dat al die goedkeuringsvoorwaardes aanvaar word en indien nie, dat daar volgens die voorgeskrewe prosedure teen sodanige voorwaardes geappeleer word.

Neem kennis dat al is daar besluit om die aansoek goed te keur, die reg tot appèl na die Munisipale Bestuurder van Saldanhabaai Munisipaliteit hiermee gegee word in terme van Artikel 62 van die Munisipale Stelsels Wet, No 32 van 2000.

Indien u of die beswaarmakers sou appelleer sal die besluit van die Uitvoerende Burgemeesterskomitee ter syde gestel word totdat die appèlproses in terme van die Munisipale Stelsels Wet, No 32 van 2000, voltooi is, waarna die besluit van die plaaslike owerheid finaal is. Op hierdie stadium sal u dan die reg tot appèl gegee word teen die besluit van die plaaslike owerheid na die Premier van die Wes-Kaap in terme van Klousule 44 (1)(a) van die Ordonnansie op Grondgebruikbeplanning, No 15 van 1985 en paragraaf 22 van die Regulasies soos gepubliseer in die Provinsiale Kennisgewing, PN 1050/1988.

Indien u die reg tot appèl wil uitoefen moet u die volgende prosedure volg. Indien hierdie prosedure nie gevolg word nie, mag u reg tot appèl ongeldig word:

- die appèl moet in skrif wees,
- die appèl ingevolge die Munisipale Stelsels Wet, No 32 van 2000, moet geadresseer word aan: **Die Munisipale Bestuurder, Privaatsak X12, Vredenburg, 7380, per geregistreerde pos,**

- indien u u reg tot appèl wil uitoefen in terme van Artikel 44(1) van die Ordonnansie 15 van 1985, moet die appèl ingedien word by **Die Departement Omgewingsake en Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad, 8000 per geregistreerde pos**, 'n afskrif waarvan aan hierdie Raad binne die gemelde tydperk aan bogenoemde adres voorgelê moet word,
- al die relevante dokumentasie moet die appèl vergesel,
- gronde waarop die appèl gebaseer is, moet aangedui word,
- die reg tot appèl moet geskied binne **21 dae van registrasie** van hierdie skrywe. Die Raad sal aanvaar dat die reg op appèl uitgeoefen word op die datum wat u appèl ontvang word by die Administratiewe Kantore van hierdie Raad.

Die uwe



MUNISIPALE BESTUURDER
/dd

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BASIC STANDARD SPECIAL DEVELOPMENT CONDITIONS : CIVIL BASIESE STANDAARD SPESIALE ONTWIKKELINGS VOORWAARDES : SIVIEL		
VERSION WEERGAWE	STANDARD DEVELOPMENT STANDAARD ONTWIKKELING	2006-b
ADDITIONAL DETAIL ADDITIONELE DETAIL	SUBDIVISION and/or CONSOLIDATION and/or REZONING ONDERVERDELING en/of KONSOLIDASIE en/of HERSONERING	
#	1. Standard Special Development Conditions : Civil (#'s 1E to 25E) 1. Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)	
1E	Should the first of the proposed development not be registered at the Deeds Office within the required time set down by Council's town planners or any statute then the proposed subdivisional layout will be deemed to be null and void because the subdivision approval would have expired. In this instance the applicant will be responsible for the withdrawing of the proposed subdivisional layout from the Office of the Surveyor General. This proposed subdivisional layout must be withdrawn from the Surveyor General within 60 days of the subdivisional plan being null and void or before the original erf can be sold. This subdivisional plan withdrawal must be done at the earliest of the two instances.	
1A	Sou die eerste erf van die voorgestelde ontwikkeling nie by die Afdelingskantoor geregistreer gewees het voordat die ontwikkeling uitgelig in terme van die voorwaardes van die raad se stadsbeplanners of in terme van enige statutêre reëls vervel het sal die onderverdeling uitlig dienooienkomstig nie meer 'n bestaanreëls het nie omdat die onderverdeling goedkeuring vervel het.	
1B	In hierdie geval sal die applikant vir die terugtrekking van die voorgestelde onderverdeling uitligplan by die kantoor van die Landmeter-Generaal verantwoordelik wees. Hierdie voorgestelde onderverdeling uitligplan moet binne 60 dae vanaf die datum wanneer die onderverdelingsplan vervel het by die Landmeter-Generaal teruggetrek gewees het. Anders moes die voorgestelde onderverdeling uitligplan teruggetrek gewees het voordat die oorspronklike erf verkoop kan word. Die terugtrekking van die onderverdeling uitligplan moes by die vroeëste geleentheid uitgevoer gewees het.	
2E	Existing services or developments must not be adversely affected by this development.	
2A	Hierdie ontwikkeling mag nie die bestaande dienste of ontwikkelings negatief beïnvloed nie.	
3E	The applicant will be responsible for the provision of all services that will be required as a direct result of this proposed development. The development must be provided with service connections of sufficient capacity to within the development and to within all erven. The applicant shall have to enter into an agreement with Telkom for telephone services. All Telkom services shall be placed underground or as may be directed by Council's Town Planners.	

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
3A	Die applikant sal vir die verskaffing van alle dienste wat deur hierdie ontwikkeling benodig word verantwoordelik wees. Die ontwikkeling moet van diensaansluitings van voldoende kapasiteit tot binne die ontwikkeling en tot binne alle erve voorsien word. Die applikant sal 'n ooreenkoms met Telkom vir Telekomdienste moet teken. Alle Telkom-dienste moet ondergronds geplaas word of soos die stadsbeplanners van die raad dit mag voorskryf.
4E	Where necessary the applicant shall also relocate existing services at his cost or register servitudes for them in the name of the service owner. All servitudes must have sufficient width and space to inter alia protect the service and to allow sufficient access to the service. The relocation of any service, or the registration of a servitude for it, for whatever reason, irrespective of whether the service has legal standing or not, will be considered an internal matter to the development and will be for the account of the developer.
4A	Waar nodig moet die ontwikkelaar bestaande dienste op sy koste verskuif of die ontwikkelaar moet servitude vir hulle laat registreer. Alle servitude moet voldoende wydte en spasie hê om onder andere die diens te beskerm en om voldoende toegang tot die diens aan te kan bied. Die herplasing van die diens of die registrasie van 'n servituut vir water rede, ongeag of die diens 'n bestaanreëls het al dan nie, sal as 'n interne saakeleentheid beskou word en sal vir die rekening van die ontwikkelaar wees.
5E	All services shall be designed in accordance with standards approved of by Council. The Municipal Engineer must approve of all the details of all civil services for this development prior to any tenders being called as well as before the work is carried out. The Municipal Engineer or his representative must be invited to all the site meetings.
5A	Alle dienste moet volgens die standarde van die raad ontwerp word. Detail van alle siviele dienste van hierdie ontwikkeling moet vooraf deur die Munisipale Ingenieur goedgekeur word alvorens tenders gevra mag word. Die Munisipale Ingenieur of sy gevolmagtigde moet na alle terrein vergaderings genooi word.
6E	Should any part of the development be private, the applicant and/or the land owners and/or the home owners association shall be responsible for the maintenance of all internal services for that section of the development. All design plans must show in advance which portions of the development, if any, are to be private. Private development portions must also be shown on all "As Built" plans.
6A	Sou enige gedeelte van die ontwikkeling privaat wees, sal die ontwikkelaar en/of die erf eienaars en/of huiseienaarvereniging vir die onderhoud van alle interne siviele dienste vir daardie gedeelte verantwoordelik wees. Alle ontwerpplanne moet vooraf aandui watter gedeelte van die ontwikkeling, indien enige gedeelte, sal privaat wees. Privaat ontwikkeling gedeeltes moet ook op alle "Soos Gebou" planne aangedui word.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
7E	Should any part of the development be private and should a centralised refuse storage area be required then a suitable and approved refuse storage area must be provided for the development in a suitable and approved position. Council's refuse compactor vehicles must be able to easily manoeuvre to collect the refuse holders. The refuse storage area must be able to be easily cleaned so that the developers can keep the area hygienic. For health reasons the area may not drain into the stormwater system. Rainwater from the waste area may also not enter any drainage system. The final detail must be approved of by Council before commencement of any building works.
7A	Sou enige gedeelte van die ontwikkeling privaat wees en sou 'n sentrale vuilnis stoor area benodig word sal 'n voldoende en aanvaarde vuilnis stoor area op die ontwikkeling by 'n aanvaarde posisie voorsien moet word. Daar moet genoegsaam beweeg area vir die raad se vuilnis kompakteerder voertuie wees om die vuilnishouers maklik te kan hanteer. Die vuilnis stoor area moet maklik skoongemaak kan word om te verseker dat die ontwikkelaars die area higiënies kan hou. Vir gesondheids redes mag die area nie na die stormwaterstelsel dreineer nie. Reënwater van die vuilnis stoor area mag nie enige dreineer stelsel bereik nie. Die finale detail moet vooraf deur die raad goedgekeur word alvorens enige bouwerk mag begin.
8E	Stormwater discharge from the area must not adversely effect downstream developments, the nature and/or the sea. Suitable stormwater detention ponds shall be provided by the developer within medium to large size developments or where excessive stormwater runoff will be generated. Unless approval is received for an exemption for the requirement of an "EIA" specifically for stormwater management, an EIA and ROD is required for the stormwater system. If any promulgated statutes specifically indicate that the development is exempt from the requirement of an "EIA" then in that instance an EIA and ROD would not be required.
8A	Stormwater vanaf hierdie ontwikkeling mag nie stroomaf ontwikkelings, die natuur en/of die see negatief beïnvloed nie. Aanvaarde stormwater detensiedamme moet deur die ontwikkelaar binne die ontwikkeling voorsien word vir medium tot groot ontwikkelings of waar stormwater afloop buitensporig gegeneer gaan word. Behalwe as vrystelling vooraf verkry word om nie 'n "EIA" vir spesifieke die stormwater te laat doen nie, sal 'n "EIA" en "ROD" vir die stormwater hanteering benodig word. Sou enige afgekondigde verordeninge dit spesifiek aandui dat geen "EIA" of ROD vir die ontwikkeling benodig word nie dan in daardie geval sal 'n "EIA" nie nodig wees nie.
9E	No electrical substation or meter may be placed where it will cause an obstruction to pedestrians or where it could cause an obstruction of vehicle site distances.
9A	Geen elektriese meterkas of transformator mag geplaas word waar dit die obstruksie van voetgangers sal veroorsaak of waar dit die obstruksie van sigafstande van motoriste mag veroorsaak nie.
10E	All public open spaces handed over to Council shall be provided with a complete and approved underground irrigation system. The system shall have automatic controls and valves. This is an internal service.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
10A	Enige openbare oop ruimtes wat aan die raad oorgedra gaan word sal van 'n volledige, voldoende en aanvaarde outomatiese besproeiingsstel voorsien moet word. Die stelsel sal outomaties wees. Dit word as 'n interne diens beskou.
11E	All the erven of all public roads and public open spaces shall be provided with the necessary infrastructure and be registered at the Deeds Office by the developer in the name of Council.
11A	Alle erve van openbare padreëls en openbare oop ruimtes moet met die benodigde infrastruktuur voorsien word en moet deur die ontwikkelaar in die naam van die raad by die Afdelingskantoor geregistreer word.
12E	All services within erven must be in servitudes, registered in the name of the service owner.
12A	Enige dienste binne 'n erf moet binne servitude in die naam van die diens eienaar geregistreer word.
13E	All servitudes must have sufficient width and space to inter alia protect the service and to allow sufficient access to the service.
13A	Alle servitude moet voldoende wydte en spasie hê om onder andere die diens te beskerm en om voldoende toegang tot die diens aan te kan bied.
14E	Should the development consist of more than 2 (two) new units / erven and/or should it be a large new shopping complex and/or should it reasonable be expected that the development would need additional moderate to large quantities of water and/or should a new water main and/or new reservoir be needed then the following shall be applicable: The applicant must appoint the firm CES / GLS of 11 Electron Street, Stellenbosch, 7599 to supply a water network connection certificate to Council as well as to the applicant / developer. The applicant will be responsible for cost incurred in appointing CES / GLS. The full water network detail must be supplied to CES / GLS when the applicant appoints the said firm to provide the certificate. The detail supplied to CES / GLS must be in a CES / GLS approved format. All phases of the proposed development must be provided to CES / GLS in advance. CES / GLS will then do a complete analysis of the full area including all the planned phases of the developer's planned development which have been placed into the analysis model. Should the layout of the development and/or the layout of the water network change for whatever reason, then the developer must obtain a complete new water network connection certificate from CES / GLS. Where the analysis shows that any portion of the water network must be upgraded then such an upgrade would be deemed to be an internal service. As such the developer will be directly responsible for such an upgrade. The upgrade must be completed before erf clearance for the full development is approved and as may be stipulated by Council. The developer must supply "As Built" detail of each completed phase of the water network to CES / GLS within one month of the provision of the completion certificate for each phase of the development. The "As Built" detail must be in CES / GLS approved digital format.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
17E	Sou die ontwikkeling uit meer as 2 (twee) nuwe eenhede / erwe en/of sou die ontwikkeling 'n nuwe winkelkompleks bevat en/of sou dit redelik verwag kan word dat die ontwikkeling addisionele gemiddeld tot hoë hoeveelhede water benodig en/of sou 'n addisionele watertoever en/of nuwe reservoir benodig gaan word sal die volgende van toepassing wees:- Die applikant sal die firma CES / GLS van Electronstraat 11, Stellenbosch, 7599 moet aansiel om 'n waternetwerk aansluiting sertifikaat aan die raad en aan die ontwikkelaar te verskaf. Die applikant sal vir alle kostes rakende die aansluiting van CES / GLS self verantwoordelik wees. Wanneer die applikant CES / GLS aansiel sal die applikant die volle waternetwerk detail van sy ontwikkeling in 'n CES / GLS aanvaarde formaat aan CES / GLS moet voorsien. Alle fases van die ontwikkelaar se beplande ontwikkeling moet vooraf aan CES / GLS voorsien word. 18A CES / GLS sal 'n volledige analise van die volle gebied doen met al die beplande fases van die ontwikkeling in die model tygwerk. Sou die uitleg van die ontwikkeling verander en/of sou die waternetwerk verander sal 'n nuwe netwerk aansluiting sertifikaat deur die applikant vanaf CES / GLS verkry moet word. Waar die analise aandui dat enige gedeelte van die bestaande netwerk opgegradeer moet word sal dit as 'n interne diens beskou word. Die ontwikkelaar sal diensooreenkomstig vir die benodigde opgradering van die bestaande waternetwerk verantwoordelik wees. Die opgradering moet plaasvind voor uitklaring van die volle ontwikkeling mag plaasvind en soos deur die raad verlang. Die ontwikkelaar sal "Soos Gebou" detail van elke fase van die waternetwerk in CES / GLS aanvaarde digitale formaat aan CES / GLS moet verskaf binne 'n maand na die verskaffing van die voltooiingsertifikaat van elke fase van die ontwikkeling.
19E	Erven and road servitudes must be suitably played on all corners alongside roads to allow for all the necessary vehicle movements on the road.
15A	Erwe en padsewittite moet by alle hoeke langs paale voldoende afgestomp word om toe te laat dat die nodige voertuie die pad maklik kan gebruik.
16E	Where new roads or road connections connect to existing or proposed surrounding infrastructure the intersections should not be staggered. No inappropriately staggered intersections will be permitted within this development. The final approval of positions and layouts of intersections will be addressed when the plans of services are submitted for inspection and consideration. At this point it may be necessary for the developer to have the layout of his development altered accordingly.
18A	Waar nuwe paale of pad aansluitings by bestaande infrastruktuur of voorgestelde ontwikkelinge aansluit moet daar nie verspringende aansluitings wees nie. Geen ongepaste / ongeskikte interseksies word binne hierdie ontwikkeling toegelaat nie. Die finale goedkeuring van die posities en die uitleg van interseksies sal tydens die goedkeuring van diensteplanne aangespreek word. Op hierdie tydstip mag dit moontlik wees dat die ontwikkelaar moet die uitleg van sy ontwikkeling diensooreenkomstig wysig.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
17E	Suitable turning head areas in accordance with standards must be provided at the end of all dead-end roads.
17A	Aanvaarde draalarea gebiede volgens standaard moet op die punt van alle doodloep strate voorsien word. The road reserve widths must be suitably wide and must be approved of by Council. Standard minimum road widths are as follows:- The minimum road reserve width for main arterial routes shall be a minimum of between 25 and 32 metres wide. The minimum road reserve width in any section of a normal industrial development is 22 metres. Any sidewalk within an industrial development must be at least 2,0 metres wide. If 90° parking is required on both sides of a roadway within an industrial development then the minimum road reserve width in such an instance would be 25 metres. This width makes allowance for two sidewalks of width of 2,0 metres each, 90° parking on both sides of the roadway of a depth of at least 5,5 metres each, manoeuvring space between the parking and the roadway of at least 1,3 metres on each side of the roadway and a roadway surface width of at least 7,4 metres wide. Main access roads to normal industrial developments shall be a minimum of 25 metres wide. 18E The absolute minimum road reserve width in any section of a business development is 16 metres. 19E The minimum road reserve width in any section of a residential development where the road serves as a collector is 16 metres. The minimum road reserve width in any section of a residential development where the road serves as a low order collector is 13 metres. The minimum road reserve width in any section of a smallholding development where the road serves as a low order collector is 13 metres. The minimum road reserve width in any section of a smallholding development where the road does not serve as a collector is 10 metres. The minimum road reserve width in any other "low order" section of a residential development shall be sufficient to allow maintenance to all possible underground services which run parallel with the roads without causing any damage to the road structure. Where applicable sufficient additional road reserve width over and above the above minimums must also be provided for parking alongside such a road.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
17E	Die padreserwe wydtes moet aanvaarbaar wees en moet deur die raad goedgekeur word. Standaard minimum padreserwe wydtes is soos volg:- Die minimum padreserwe wydte vir hoofroetes is tussen 25 en 32 meter. Die minimum padreserwe wydte van enige pad by gewone Industriële ontwikkelinge is 22 meter. Enige sypadjie binne 'n Industriële ontwikkeling moet ten minste 2 meter wyd wees. Waar 90° parkering beide kante van die rywiak in 'n Industriële ontwikkeling benodig word is die minimum padreserwe wydte in so 'n geval ten minste 25 meter. Hierdie 25 meter padreserwe wydte maak voorsiening vir twee sypadjies van ten minste 2,0 meter wyd, 90° parkering met 'n lengte van ten minste 5,5 meter beide kante van die pad, beweegruimte van ten minste 1,3 meter beide kante van 'n ryoppervlak van ten minste 7,4 meter wyd wat tussen die pad en die parkering voorsien moet word. 18A Hoof toegangse te padreserwe wydtes na gewone Industriële ontwikkelinge moet 'n minimum van 25 meter wyd wees. 19A Die absoluut minimum padreserwe wydte van enige pad by 'n besigheidskern / besigheidsarea is 16 meter. Die minimum padreserwe wydte van enige pad by residensiële ontwikkelinge wat as 'n versamel roete dien is 16 meter. Die minimum padreserwe wydte van enige pad by residensiële ontwikkelinge wat as 'n lae orde versamel roete dien is 13 meter. Die minimum padreserwe wydte van enige pad wat as 'n lae orde versamel roete vir 'n groep kleinhuise dien is 13 meter. Die minimum padreserwe wydte van enige pad wat kleinhuise dien en wat nie 'n versamel roete is nie is 10 meter. Die minimum padreserwe wydte van enige ander "lae orde" gedeeltes van residensiële ontwikkelinge moet voldoende wees om onderhoud, op enige moontlike ondergrondse diens wat parallel met die pad loop te kan uitvoer, sonder om die struktuur van die pad te raak of benadeel nie. Waar dit van toepassing is moet daar addisionele padreserwe wydte bo en behalwe die bestaande wydtes vir parkering voorsien word.

#	Standard Special Development Conditions : Civil (#'s 1E to 25E) Standaard Spesiale Ontwikkelings Voorwaardes : Siviel (#'s 1A tot 25A)
17E	Where public parking is required on a development the following detail is applicable:- In such an instance the Municipal Engineer must approve of the parking detail and vehicle entrances in advance. The following detail must be taken into account when the detailed plans of parking areas are prepared for submission to Council:- The parking in general. o The parking must be contained within the erf. o Each parking place must be at least 2,6x5,5 metres for 90° and 2,6x6,0 metres for parallel parking. o Vehicles of all visitors and workers must be accommodated within the erf as per Council standard. The parking and access to the parking may not obstruct the street or the sidewalk. o Vehicles must be able to access the erf and the road easily. Vehicles must also be able to manoeuvre easily on the parking area itself. o Access to the erf / parking area must be at least 7 metres wide. o The entrance to any parking on the erf must be at an appropriate and approved position and must be in accordance with standards. Wheelchair access points should be provided as per regulations. Waar publieke parkering op die ontwikkeling benodig gaan word sal die volgende detail van toepassing wees:- In die geval moet die Munisipale Ingenieur alle detail van die parkering uitleg en voertuig ingange vooraf goedkeur. Die volgende detail moet in ag geneem word wanneer detail planne voorberei word vir goedkeuring deur die raad:- Die parkering in die algemeen. o Die parkering moet op die erf gehuisves word. o Elke parkeerplek moet ten minste 2,6x5,5 meter vir 90° en 2,6x6,0 meter vir parallelle parkering wees. o Voertuie van alle besoekers en werkers moet volgens standaard op die erf gehuisves word en mag nie die straat of die sypadjie belemmer nie. o Voertuie moet maklik op die erf en in die straat kan beweeg. Voertuie moet ook maklik op die parkeerarea sal kan beweeg. o Die toegang na enige parkering op die erf moet ten minste 7 meter breed wees. o Die ingang na enige parkering op die erf moet op 'n aanvaarde plek en volgens standaard wees. Daar moet reëlmatige oorgange verskaf word volgens voorskrifte. Where new shopping complexes are planned a full pedestrian traffic impact assessment in connection with the development and the area for the short, medium and long term must be undertaken by the developer. 20E A pedestrian traffic impact assessment must also be undertaken for other developments where it can reasonably be assumed that the development could cause a moderate to large change in the quantities of pedestrian traffic generated to and within the development. Inter alia the need for suitable sidewalks and safe pedestrian walkways must be addressed.

6 December 2006

The Acting Town Engineer
Saldanha Bay Municipality
Private Bag X12
VREDENBURG
7380

Attention: Mr. Martiens Victor

Dear Sir

PROPOSED ST HELENA VIEWS DEVELOPMENT ON ERF 35,37 &40 - ST HELENA BAY: ASSESSMENT OF IMPACT ON WATER SYSTEM AND REQUIRED WORKS

As requested by the consultant, Messrs Nortje & De Villiers Consulting Engineers cc, on behalf of his client West Coast Miracles (Pty) Ltd, we have investigated the capacity of the water supply system to serve the proposed St Helena Views development and comment as follows:

1. BACKGROUND

CES completed the master plan for St Helena Bay in September 2005 which was updated in May 2006. Key conclusions made in this report affecting the bulk water supply to St Helena Bay and St Helena Views in particular were:

- i. New water district boundaries need to be implemented following the completion of the Hannas Bay reservoir, pump station and bulk supply currently being constructed;
- ii. The existing 375 mm Ø pipeline, running along Main Road, needs to be dedicated as a bulk supply to the Stormpneus reservoir, where spare capacity is available, from where the Shelly Point area (including the Midwest Reservoir) will be supplied. This is essential in light of the many developments in the area and the fact that the existing 375 mm Ø pipe cannot supply the future peak demand of Shelly Point. This will require, in the short term, the construction of a new gravity feed from the Stormpneus Reservoir, the upgrading of the Midwest Pump Station, a new pump/gravity feed from the Midwest Reservoir and the boosting of the pressure in the 375 mm Ø bulk pipeline (at Hannas Bay or on the West Coast District Municipality site).
- iii. Utilise the existing 225 mm Ø pipeline running parallel to the 375 mm Ø bulk pipeline as the main gravity feed from the Hannas Bay and Laingville reservoirs.

The relevance of this upgrading to the St Helena Views development is that the increase in draw-off from the 375 mm Ø pipe due to the St Helena Views and the many other developments in the Hannas Bay water district will reduce the available head and supply capacity to Stormpneus reservoir and Midwest reservoir/pump station. It is estimated that the above-mentioned upgrading needs to be completed in the next 2-3 years in order to ensure reliability of supply to the Shelly Point area.

Subsequently, the above recommendations and phasing of the proposed works have been revisited to take account of the large-scale St Helena Views development and the fact that a large portion of the proposed St Helena Views is located outside the current urban edge (2003). Furthermore, a portion of the proposed development is also located above the 50 m contour, which means it cannot be supplied through gravity from the Hannas Bay reservoir. The additional increase in demand (for areas outside the urban edge not previously considered) also meant that the July 2006 Water Master Plan required updating. The results and recommendations are discussed below.

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COMMUNITY
ENGINEERING
SERVICES

It should be emphasised that St Helena Bay and Shelly Point is experiencing unprecedented development pressure and that the recommendations made in the 2006 Water Master Plan pertaining to the upgrading of bulk supply system (and summarised in this report) and the implementation of the proposed water districts boundaries (as agreed with Saldanha Bay Municipality) is critical. This matter requires urgent attention and coordination between the various developers, CES and Saldanha Bay Municipality, is essential.

It has been a fundamental assumption that upgrading required to supply proposed developments outside the current urban edge (2003) will be determined based on the ultimate fully developed scenario, even though the existing system might have spare capacity available. This is considered reasonable to ensure that these developments will not unreasonably infringe on development rights of areas within the current urban edge. In other words, available spare capacity needs to be reserved for potential development areas within the urban edge before capacity is made available for areas outside the urban edge. However, the flexibility in the phasing of the proposed works should be given consideration.

2. EXTENT OF DEVELOPMENT

As indicated in the information provided to us the proposed St Helena Views development will comprise of 4 phases (Refer to Figure SBW35,37&40.1 included herewith), viz:

- Phase 1: 642 residential erven
- Phase 2: residential 485 erven
- Phase 3: 327 residential erven
- Phase 4: Waterfront Development (mixed use) - refer to development plan attached

We confirm that a large portion of the development is located outside the current urban edge (Spatial Development Plan, Urban Dynamics, December 2003).

3. WATER SYSTEM

3.1 Water Demand

The unit water demands for the proposed development was assumed to be 0.8 kL/unit/day for small erven and 1 kL/unit/day for larger erven. For the flats and business erven in Phase 4 (Waterfront) an average water demand of 15 kL/ha was assumed. The breakdown per phase and total demand (including an allowance for unaccounted-for-water) thus calculated are:

Phase 1:	685 kL/day
Phase 2:	517 kL/day
Phase 3:	349 kL/day
Phase 4:	408 kL/day
Total:	1 960 kL/day

3.2 Reservoir Capacity

A large portion of the St Helena Views development is located above the 50 m contour which cannot be supplied from the Hannas Bay reservoir (TWL = 93 m. asl) with sufficient pressure (> 25 m). Therefore, it is proposed that the lower lying portion of the St Helena Views development should be supplied from the Hannas Bay reservoir and the higher lying portion from a proposed 1000 kL St Helena Views reservoir (TWL = 120 m. asl) (Refer to Figure SBW35,37&40.2 included herewith - Item SHW3.4). The estimated water demand contribution for the St Helena Views development from each reservoir is 1320 kL/d and 670 kL/d respectively. The St Helena Views reservoir should be constructed when Phase 1 occurs.

An alternative to the St Helena Views reservoir is to construct a booster pump station for the high lying portion and to provide the additional storage at Hannas Bay. Preliminary discussions with Saldanha Bay Municipality and Nortje & De Villiers has indicated that this option is not preferred due to the lower reliability of supply provided by a booster system. Only the reservoir option is therefore presented in this report.



The total ultimate demand to be supplied from the Hannas Bay reservoir is 3720 kld, which is 550 kl more than that allowed for in the July 2006 Water Master Plan due to the area outside the urban edge now included. This means the 2450 kl Hannas Bay reservoir currently under construction will have to be upgraded through the construction of an additional 3000 kl reservoir. It is estimated that this reservoir will be required in the next 3-5 years or when the peak daily demand for the Hannas Bay district reaches 1600 kld.

3.3 Bulk Water Supply Capacity

Dynamic modelling of the bulk system, with the new Hannas Bay infrastructure and proposed St Helena Views pump station included (as discussed in Section 3.4 below), has indicated that the pressure at the pump station take-offs from the existing 375 mm Ø bulk pipeline could vary between approximately 5 m and 40 m. Allowance for this variable pressure in the design of the pump set should be given. It is proposed that two pumps should be installed, a jockey pump which will operate efficiently between an inlet pressure of 25 to 40 m and a second pump that will operate efficiently between 5 and 25 m, the latter to switch on only when the pressure drops below 25m. The installation of multi-stage pumps should be considered that could be upgraded as the inlet pressure conditions change. The existing inlet conditions should be measured prior to design of the pump station.

One of the objectives mentioned in paragraph 1 above is to dedicate the 375 mm Ø pipeline as a bulk supply pipeline to Stormreus reservoir in order to make use of the spare capacity at this reservoir and to reduce the peak demands on the 375 mm Ø pipeline and West Coast District Municipality's system. This is essential to ensure reliability of supply to Shelly Point and Britannia Bay. In order to achieve this goal, a booster pump station will need to be installed on the 375 mm Ø pipeline. Provision (space) has been made for a booster pump at the Hannas Bay pump station, and it is therefore suggested that this pump (to deliver 125 l/s @ 50 m head) should be installed when Phase 1 occurs (Item MP-10.1). The same design constraints as mentioned in the above paragraph should be given consideration.

Furthermore, an analysis of the WCDM's bulk system indicated that the current maximum capacity of the WCDM connection is approximately 100 l/s. This is only marginally more than the required current peak day demand of 86 l/s (present fully occupied situation). Therefore, given the major development growth currently occurring in St Helena Bay, upgrading of the WCDM's system will be required in the next 2 years. This will require the construction of a parallel bulk pipeline up to the Veldrif take-off as well as the construction of a booster pump (ultimate capacity 300 l/s) between the Vergeleë Reservoir and the Veldrif take-off. The optimum position needs to be investigated and will depend on the condition and class of the existing 375 and 250 mm Ø WCDM pipelines. It should be emphasised that this pump station is in addition to the construction of the booster pump at Hannas Bay discussed above.

3.3 Distribution System

(Refer to Figure 35, 37&40.2 for location of items and connections mentioned below.)

The proposed St Helena Views reservoir should be supplied through a pump station (SHW3.2) and dedicated 160 mm Ø rising main (Item SHW3.3) to be connected to the existing 375 mm Ø bulk pipeline (Item SHB3.2). A 200 mm Ø gravity pipeline (Item SHW 3.5) should be constructed from the reservoir and internal reticulation as indicated to supply the St Helena Views reservoir sub-district.

The Hannas Bay portion of St Helena Views should be supplied through connections A, B, D-J as indicated. A 250 mm Ø gravity feed from the Hannas Bay reservoir will need to be constructed when Phase 2 occurs. The route of this pipe is dependant on the layout of the future development's directly west of Phase 2.

It is recommended that all internal reticulation should be 110 mm Ø minimum pipe diameter unless otherwise indicated.

4. SUMMARY RECOMMENDATIONS AND CONCLUSIONS

In summary, we confirm/recommend that (Refer to Figure SBW35,37&40.2 included herewith.)

- i. Construct a 1000 kl St Helena Views reservoir, pump station (to deliver 12 l/s @ 95m to be connected to the existing 375 mm Ø pipe), 160 mm Ø rising main and 200 mm Ø gravity feed to supply the high-lying proposed St Helena Views reservoir district when Phase 1 occurs;
- ii. The Hannas Bay reservoir will have adequate spare capacity for some time to supply the portion of St Helena Views located within this water district as the development progresses, but ultimately at full development a new 3000 kl reservoir will have to be built. The storage contribution, based on 36h x average daily demand, in this reservoir for St Helena Views is 2000 kl. The Hannas Bay pump station will also require upgrading at this time;
- iii. Implement the proposed internal reticulation with pipe diameter to be 110 mm Ø unless otherwise indicated;
- iv. Supply Phase 3 and 4 with connections to the existing 225 mm Ø pipe;
- v. Install a booster pump at the Hannas Bay pump station (Item MP-10.1) when Phase 1 occurs to deliver 125 l/s @ 50 m head;
- vi. Install a 250 mm Ø gravity feed (Item SBW7.2) from the Hannas Bay reservoir when Phase 2 occurs.

Upgrading to the West Coast District Municipality system (Bulk Supply)

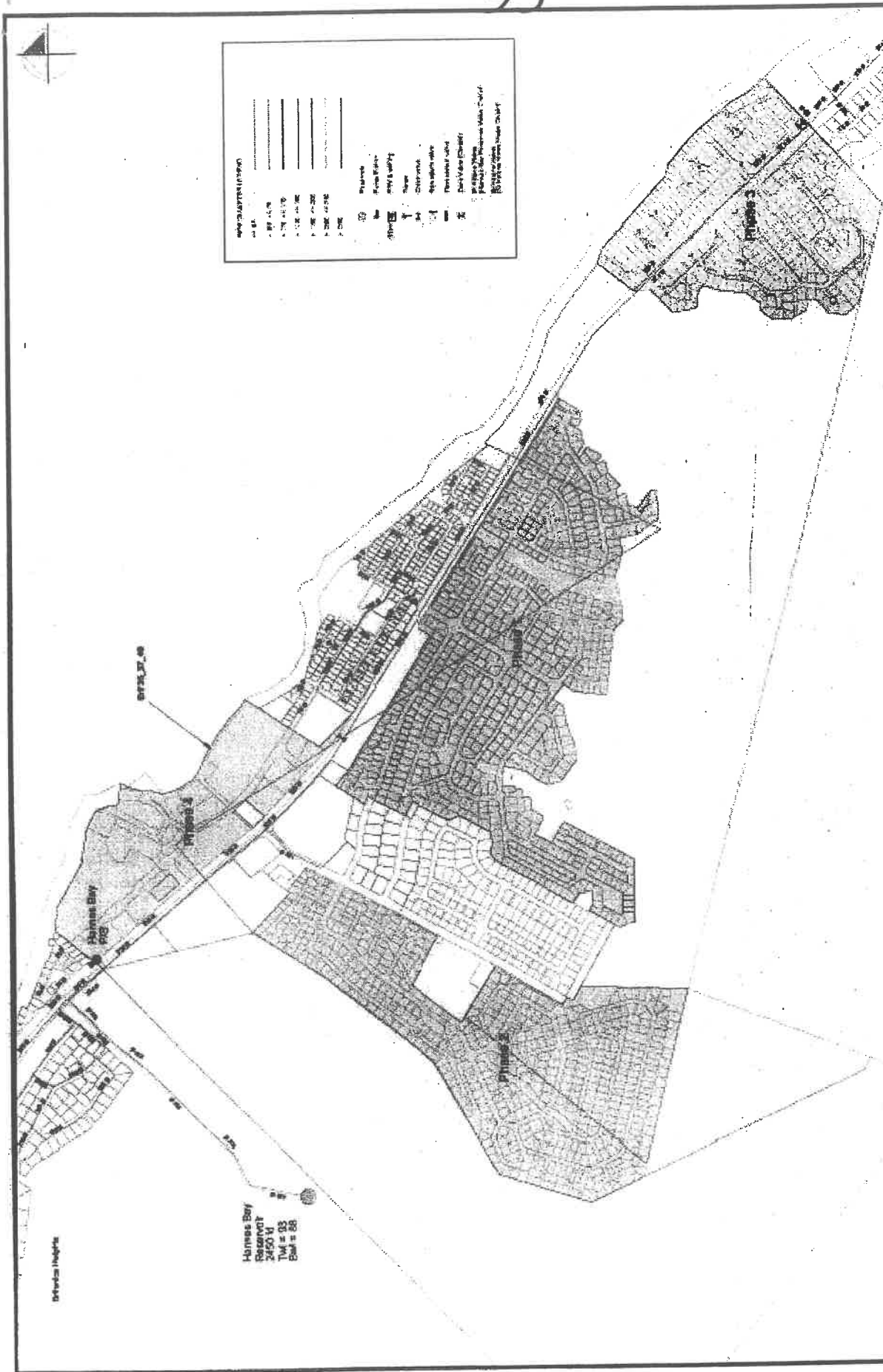
- vii. The maximum capacity at the WCDM's bulk connection is only 100 l/s which is only marginally more than the current (all existing even fully occupied) peak day demand. Upgrading of the bulk system will be required in the next 2 years and have been brought under the attention of the WCDM in a separate letter.

We trust you find the above sufficient in terms of your request.

Yours sincerely
COMMUNITY ENGINEERING SERVICES
REG. NO.: 96/13328/07

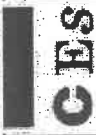


Per: JK (Cobus) Compton
(P/Eng)



PIPE DIAMETER (INCHES)	PIPE MATERIAL	PIPE LENGTH (FEET)	PIPE COST (\$)
12"	12"	100	100
18"	18"	100	100
24"	24"	100	100
30"	30"	100	100
36"	36"	100	100
42"	42"	100	100
48"	48"	100	100
54"	54"	100	100
60"	60"	100	100
66"	66"	100	100
72"	72"	100	100
78"	78"	100	100
84"	84"	100	100
90"	90"	100	100
96"	96"	100	100
102"	102"	100	100
108"	108"	100	100
114"	114"	100	100
120"	120"	100	100
126"	126"	100	100
132"	132"	100	100
138"	138"	100	100
144"	144"	100	100
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198"	198"	100	100
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216"	216"	100	100
222"	222"	100	100
228"	228"	100	100
234"	234"	100	100
240"	240"	100	100
246"	246"	100	100
252"	252"	100	100
258"	258"	100	100
264"	264"	100	100
270"	270"	100	100
276"	276"	100	100
282"	282"	100	100
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294"	294"	100	100
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498"	498"	100	100
504"	504"	100	100
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750"	750"	100	100
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768"	768"	100	100
774"	774"	100	100
780"	780"	100	100
786"	786"	100	100
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960"	960"	100	100
966"	966"	100	100
972"	972"	100	100
978"	978"	100	100
984"	984"	100	100
990"	990"	100	100
996"	996"	100	100
1000"	1000"	100	100

Figure SBW Erf 35, 37 & 40.1
(St Helena Views)
Locality Plan and Existing Water System



PJS TECHNOLOGIES (CAPE) CO
 P O Box 4542
 Tyger Valley
 7536

Tel : 021 - 975 - 0018
 Cell : 082 - 672 - 7267
 Fax : 021 - 976 - 2404
 Email : pit.oepe@telkomsa.net

Co Reg : CK 86/23464/23

Our Ref : L06-093 BED ST HELENA VIEWS.wpd
 Date : 21 February 2007
 Your order no
 Your Ref :

The Managing Director
 Britannia Bay Developers (Pty) Ltd
 P O Box 4013,
 Tyger Valley, 7536

For attention : Mr Gert Joubert

re : ST HELENA VIEWS PHASES 1 TO 4 - SERVICES REPORT (ELECTRICAL)

1. Introduction

P.J. Technologies were instructed by Britannia Bay Developers (Pty) Ltd to prepare a services report on the electrical servicing of the proposed St Helena Views (erven 35, 37, 38 and 40) in St Helena Bay, which comprises of a single residential units, group housing and commercial nodes.

2. Terms of Reference

The terms of reference for this Preliminary Services Report on the electrical can be summarized as follows:

- Obtain all services information relating to the St Helena Views phases 1 to 4;
- Liaise with Eskom Town to identify the capacity available;
- Provide an Engineering Services Report.
- Provide a layout of internal services for the development once the development has been approved.

3. Level of Service

The design parameters used to determine the level of service for this Preliminary Services Report are in accordance with the following:

- The requirements of Eskom
- SANS electrification standards & guidelines Technology.

4. Location

The development is erven 35, 37, 38 and 40 in St Helena Bay, is located in St Helena Bay on the main road in ST Helena Bay. The location is in the attached locality plan.

5. Bulk services

Bulk services investigations were undertaken with Eskom and the author in February 2007 for the proposed development.

The erven are unserviced area's with an Eskom overhead line that is connected to the 66/11KV substation in St Helena Bay. The sourcing of the electrical network was based on the following :

5.1. Infrastructure contribution

Members : J. J. Daniel, Pr Eng; P. J. Newham, Pr Eng

The developer shall be charged for the infrastructure levy by Eskom at the time of the development approval. The developer shall be responsible for the following :

- The establishment of a bulk supply point (the developer to make arrangements to the Supply & Ref. Authority a suitable substation site)
- The internal reticulation of the MV and LV services to each load centre.
- Contribution towards the establishing of any 66/11KV substation by means of extension charges

Presently the cost is R1295.00 per KVA (2006 rates) based on the anticipated notified demand. In addition to this costs shall the developer be charged for additional costs should additional equipment be required based on the structure plan of Eskom.

5.2. System loading

Expected maximum demand of the development.

The following is a breakdown of the expected impact of the development on the system at the point of supply substation level. The estimated total loading of the development is 8700KVA based on the following parameters:

Description	Qty	KVA ADMD per unit	Total electrical loading
Phase 1			
Single residential Housing	258	6.00	1548.00
Group Housing	374	4.00	1496.00
	Sub total - Phase 1		3044.00
Phase 2			
Single residential Housing	437	6.00	2622.00
Group Housing	48	4.00	192.00
	Sub total - Phase 2		2814.00
Phase 3			
Single residential Housing	151	6.00	906.00
Group Housing	157	4.00	628.00
	Sub total - Phase 3		1534.00
Phase 4			
Group Housing	127	4.00	508.00
Flats	65	3.00	195.00
Commercial : Shopping & Retail	1	520.00	520.00
Commercial : Tourist related activities	1	100.00	100.00
	Sub total - Phase 4		1323.00
ESTIMATED LOADING (KVA) OF DEVELOPMENT			8715.00

5.3 Phasing of development & initial supply

Members : J. J. Daniel, Pr Eng; P. J. Newham, Pr Eng

SALDANHA BAAI
BAY



MUNISIPALITEIT • MUNICIPALITY • uMASIPALA

35; 37 & 40/St H

MELD ASB ONS VERW NR:
PLEASE QUOTE OUR REF NO:
NGESICELO BONISA INOMBOLO:

8
Municipal Manager
Munisipale Bestuurder
Umphati kaMasipala
Privaatsak / Private Bag x12
VREDENBURG
7380

☎ (022) 701 7000 📠 (022) 715 1518
mun@saldanhabay.co.za
www.saldanhabay.co.za

Navrae: LG Gaffley
Enquiries:
iMibuzo:

12 June 2012

REGISTERED POST

Schoeman & Hamman
Po Box 710
VREDENBURG
7380

Dear Sir

**LAND USE PLANNING AND DEVELOPMENT: APPLICATION FOR THE
AMENDMENT OF CONDITIONS OF APPROVAL : ERF 35; 37 & 40, ST
HELENA BAY(DEVELOPMENT KNOWN AS ST HELENA VIEWS – PHASES
1 - 3)**

Your application (PFKP6/5-12) dated 13 February 2012, in the above-mentioned matter, refers.

You are hereby informed that at the PFKP-meeting of 10 May 2012 it was resolved that

- ii) that condition "h)" of Mayoral Committee Decision BM8/2-08 be amended to read as follows:

"h) dat die konstruksie van verheve voetganger roetes na die strand gebied voorsien en voltooi moet word voor of op 31 Augustus 2012 of voor uitreiking van uitklaring vir die 400ste residensiële perseel, wat ook al die vroegste is."

- iii) that condition "r)" of Mayoral Committee Decision BM8/2-08 be amended to read as follows:

"r) dat die heining kondisie tussen MR533 en die ontwikkeling moet spesifiek beplan en ontwerp word, daar word voorgestel dat 'n mate van 'n gelandskapeerde rondwal gebruik word wat nie uitsigte belemmer nie, maar die ontwikkeling versag van MR533 se kant af en die voorgestelde grensmuur op die pad moet oorwegend deursigtig van aard wees. Dat laasgenoemde heining moet voor of op 1 Maart 2013 volledig opgerig

word of voor uitreiking van uitklaring vir die 400^{ste} residensiële perseel, wat ook al die vroegste is;

- iv) that condition "x)" of Mayoral Committee Decision BM8/2-08 be amended to read as follows:
- "x) dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met 'n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet voor of op 1 Maart 2013 volledig ontwikkel en in die naam van die Raad opgedra word of voor uitreiking van uitklaring vir die 400^{ste} residensiële perseel, wat ook al die vroegste is;"
- v) that condition "bb)" of Mayoral Committee Decision BM8/2-08 be amended to read as follows:
- "bb) dat die heining wat tussen die ontwikkeling en die koppie opgerig word moet so deursigtig moontlik wees om sekuriteit te verskaf, maar so onopsigtelik moontlik voorkom. Dat laasgenoemde heining moet voor of op 1 Maart 2013 volledig opgerig word of voor uitreiking van uitklaring vir die 400^{ste} residensiële perseel, wat ook al die vroegste is;"
- vi) that the applicant be made aware of his right to appeal to the Municipal Manager, Saldanha Bay Municipality in terms of Section 62 of the Municipal Systems Act No 32 of 2000 and Section 44 (1) of the Land Use Planning Ordinance No 15 of 1985;
- vii) that condition "ttt)" determining that no clearance/occupation applications be approved until all the conditions have been complied with, be waived.

Note that you have the right to appeal to the Council in terms of Section 62 of the Municipal Systems Act, No 32 of 2000 and to the Premier of the Western Cape, in terms of Section 44(i)(a) of the Land Use Planning Ordinance, No 15 of 1985.

If an appeal is lodged this decision is suspended until the outcome of the appeal process, first in terms of the Municipal Systems Act No 32 of 2000, and thereafter in terms of the Land Use Planning Ordinance, No 15 of 1985 and paragraph 22 if the Regulations as published in the Provincial Notice, PN 1050/1988.

Should you wish to exercise your right of appeal in terms of Section 62 of the Municipal Systems Act, the following procedures should be adhered to, failure to adhere there to may render an appeal invalid:

- the appeal must be in writing,
- the appeal in terms of the Municipal Systems Act No 32 of 2000 must be addressed to : The Municipal Manager, Private Bag X12, Vredenburg, 7380, by registered post,
- the appeal must be accompanied by all relevant documentation,
- the appeal must set out the grounds on which it is based,
- the right of appeal must be lodged within 21 days of the date of registration of this letter. Council will regard your acting on the right of

appeal to be the date on which your appeal is received by the administrative offices of Council.

Should you wish to appeal in terms Section 44(1)(a) of the Land Use Planning Ordinance, No 15 of 1985 the appeal should be addressed to : the Department of Environmental Affairs and Development Planning, Private Bag X9086, Cape Town, 8000 by registered post, a copy of which must be submitted to this Council at the above mentioned address, within the mentioned period.

- the appeal must be accompanied by all relevant documentation,
- the appeal must set out the grounds on which it is based,
- the right of appeal must be lodged within 21 days of the date of registration of this letter. Council will regard your acting on the right of appeal to be the date on which your appeal is received by the administrative offices of Council.

Yours faithfully



MUNICIPAL MANAGER

/dd

CK RUMBOLL & PARTNERS INC.



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

DATE: 17 August 2026

OUR REF: STH/15324/RP

PER IMIS

The Municipal Manager
Saldanha Bay Municipality
Private bag X12

VREDENBURG
7380

**APPLICATION FOR AMENDMENT IN RESPECT OF A LAND USE APPLICATION SUBMITTED FOR THE
AMENDMENT OF CONDITIONS OF APPROVAL: ERF 35, ST HELENA BAY**

The purpose of this application is to apply in terms of Section 52(1)(a) of the Saldanha Bay Municipality Land Use Planning By-Law, 2022, for the amendment of an existing land use application in respect of Erf 35, St Helena Bay.

With regard to the above application find attached the following:

1. **Amended** Motivation report with supporting documents including;
 - **Annexure A** – Power of Attorney and Resolutions
 - **Annexure B** – Previous Municipal Approvals
 - **Annexure C** – Application Form
 - **Annexure D** – Title Deeds & SG Diagrams
 - **Annexure E** – Locality Plan
 - **Annexure F** – Surrounding Land Uses
 - **Annexure G** – Attorney's Letter

We trust you find the above to be in order. Please contact us should you require any further information.

Yours truly,

Roeben Pienaar
For CK RUMBOLL AND PARTNERS

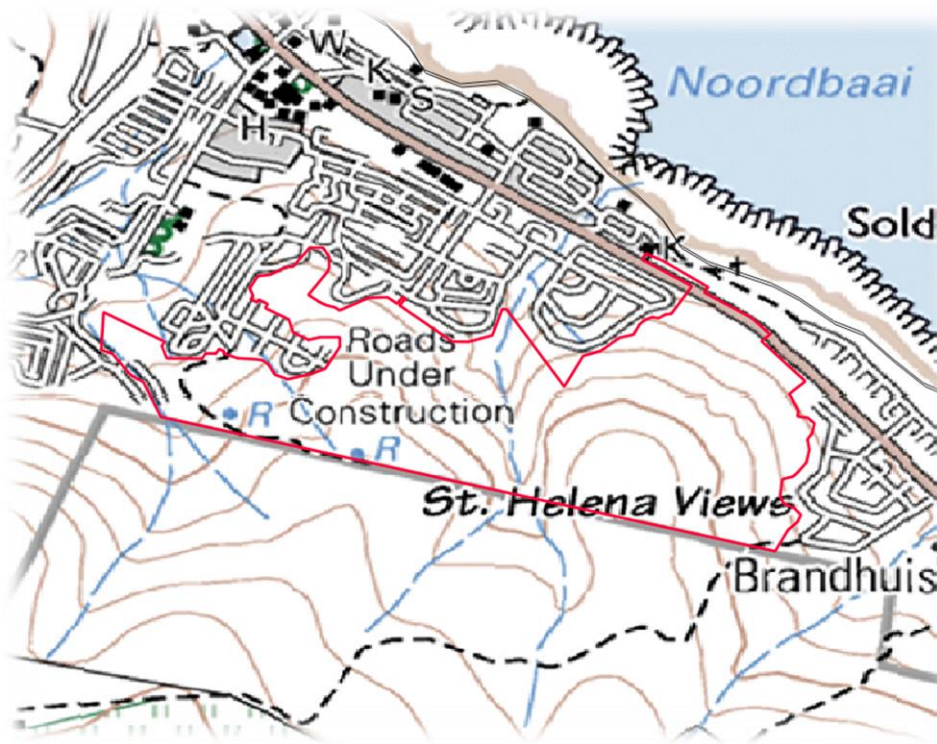
DIREKTEURE / DIRECTORS:

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

Motivational Report

PROPOSED AMENDMENT OF CONDITIONS OF APPROVAL:

ERF 35, ST HELENA BAY



Application in terms of the Saldanha Bay Municipality By-Law on Land Use Planning, 2022.

Authority:

Saldanha Bay Municipality

Date:

August 26

Our Reference:

STH/15324/RP

Compiled By:

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SECTION 1

INTRODUCTION

CK Rumboll & Partners have been appointed by Carel Steenkamp, the duly authorised representative of West Coast Miracles (Pty) Ltd¹, the registered owner of Erf 35, St Helena Bay², to manage all statutory town planning processes associated with the proposed amendment of conditions of approval.³

1.1 Background

During February 2008, Saldanha Bay Municipality approved a Rezoning and Subdivision application of Erf 38 and portions of Erven 35, 37, & 40, St Helena Bay, (Phases, 1, 2 & 3 St Helena Views), reference 38, 35, 37, 40ST H. Subsequent to the issuance of the approval, certain amendments to the Conditions of Approval was approved in a municipal decision dated 12 June 2012 with reference 35; 37 & 40/ST H.

The proposed amendment of the conditions of approval is intended to enable the further transfer of properties while the owners continue to undertake and comply with the conditions as stipulated in a letter provided to Saldanha Bay Municipality, dated 7 July 2026, addressed to Mr. Lindsey Gaffley.

1.2 Purpose

It is the purpose of this report to apply in terms of⁴:

- Amendment of conditions (x) in respect of the existing amended approval dated 12 June 2012 with reference 35; 37 & 40/ST H in accordance with Section 15(2)(h) of the Saldanha Bay Municipality Land Use Planning By-Law (2022).

1.3 Property Description⁵

1.3.1 Summary of Property Particulars

Table 1: Summary of Property Particulars

Description	:	Erf 35, St Helena Bay
Extent	:	76.7748 ha
Registered Owner	:	West Coast Miracles (Pty) Ltd
Title Deed	:	T11033/2008
Zoning	:	Open Space Zone II
Land Use	:	Open Space

1.3.2 Restrictive Title Deed Conditions

The Title Deed applicable to The Property was reviewed. No restrictive title deed conditions have been identified that prohibit or adversely affect the proposed amendment of the existing conditions of approval. Accordingly, no application for the removal, suspension or amendment of title deed restrictions is required.

¹ Power of Attorney and Resolution – Annexure A.

² Hereinafter referred to as The Property.

³ Previous Municipal Approvals – Annexure B.

⁴ Application Form – Annexure C

⁵ Title Deed & SG Diagram – Annexure D

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1.3.3 Servitudes

The proposed amendment of the conditions of approval will not have any effect on any servitudes that might be registered over The Property.

1.3.4 Bonds

The Property is not encumbered by a bond.

2. SECTION 2

CONTEXTUAL ANALYSIS

2.1 Locality

The Property is centrally located in St Helena Bay, as indicated in Figure 1. The Property is accessible via Main Road that runs through St Helena Bay. It is worth noting that The Property is considered to be a split remainder with the majority of The Property forming part of the private / communal open space provided for the St Helena Views development.⁶

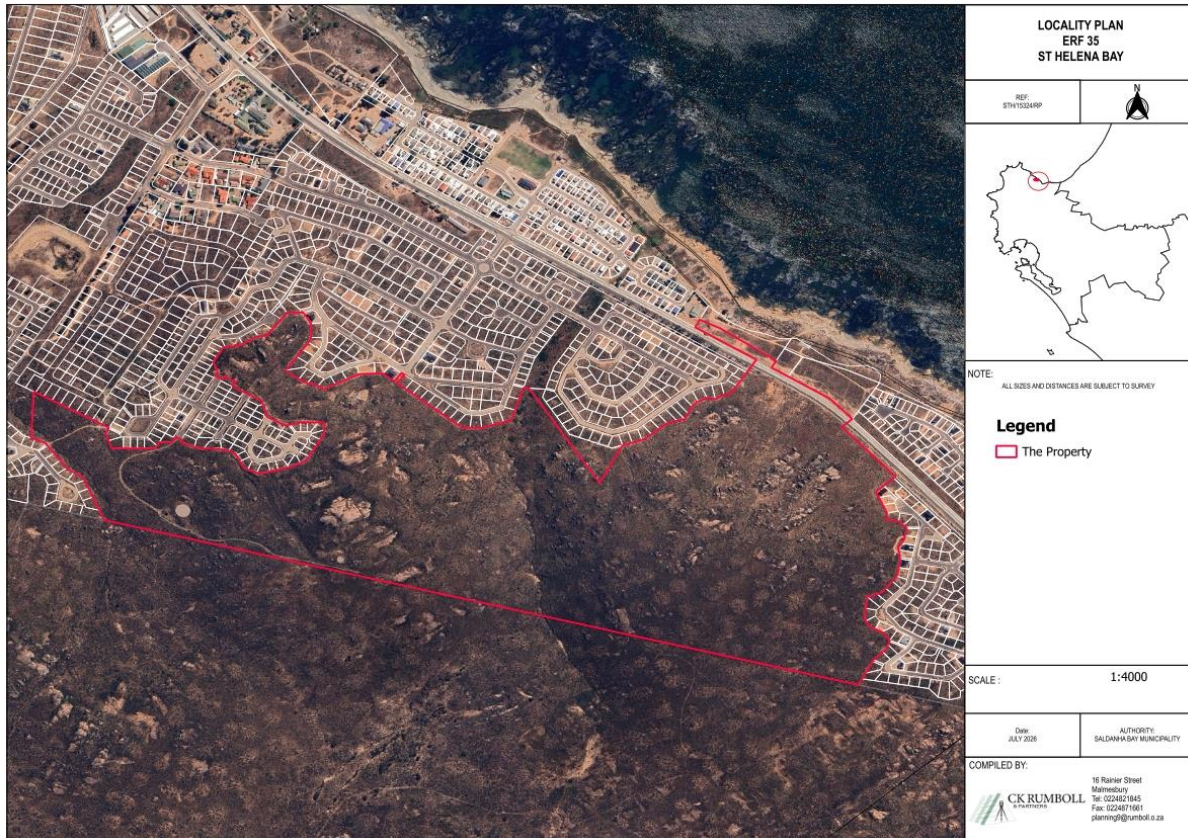


Figure 1: Locality plan

⁶ Locality Plan – Annexure E

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2.2 Existing Zoning and Surrounding Uses

As previously presented, The Property consist out of several portion being a split remainder property, as such, The Property also consist of a split zoning. As previously presented, The Property serves as the private communal open space for the existing St Helena Views development in St Helena Bay, being designated as Open Space Zone II.⁷

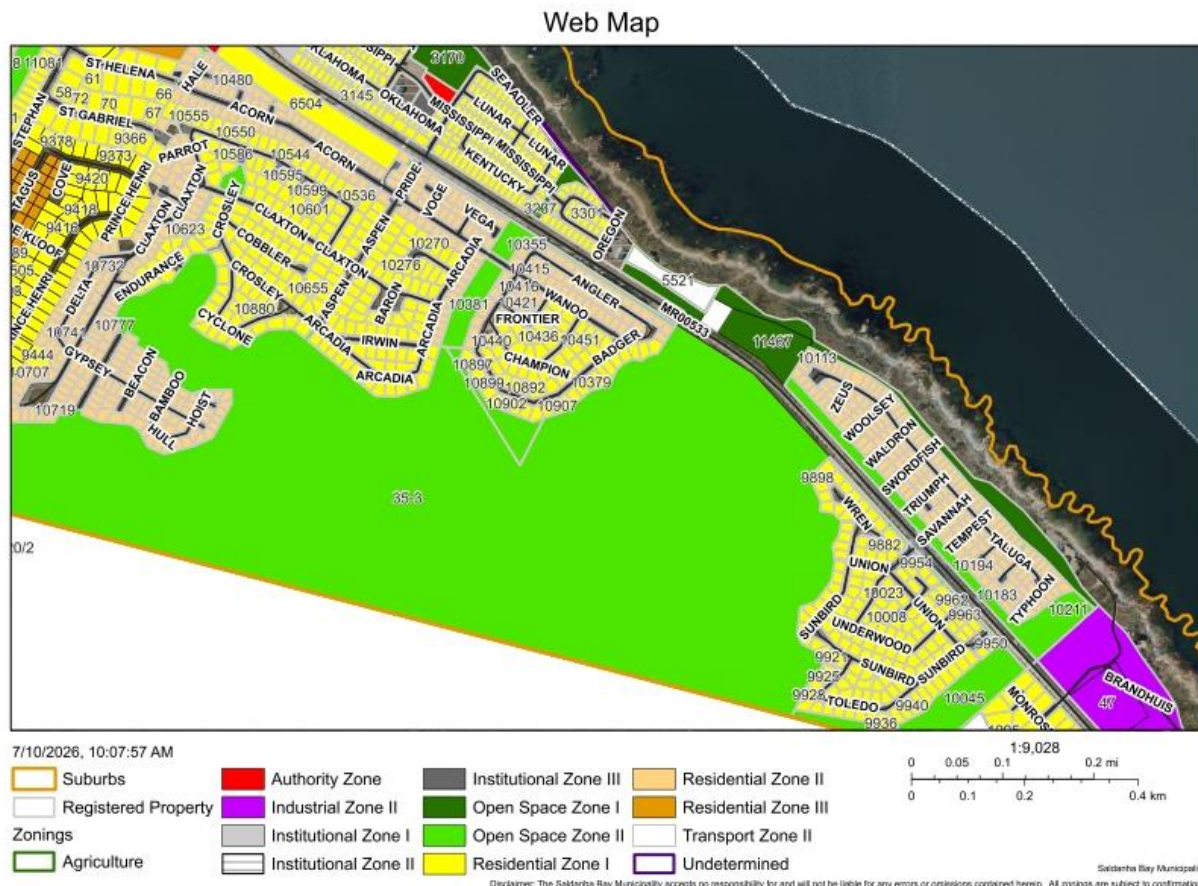


Figure 2: Surrounding Land uses

2.3 Services

The proposed amendment of the conditions of an existing approval will not have any impact on the existing services situated in the vicinity of The Property.

2.4 Access

The proposed amendment of the conditions of an existing approval will not have any impact on the existing access to and from The Property.

⁷ Surrounding Land Uses – Annexure F

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3. SECTION 3 DEVELOPMENT PROPOSAL

As previously indicated, approval for the St Helena Views development was granted during 2008, subject to a number of conditions of approval that were required to be complied with before the approved development rights could fully vest and individual residential erven could be transferred into private ownership.

Condition **ttt**) of the original approval stipulated that no clearance - or occupation certificates could be issued until all applicable conditions of approval had been complied with.

Subsequently, the Municipality approved an amendment to the conditions of approval in terms of its decision dated **12 June 2012** (Reference: **35; 37 & 40/ST H**). While Condition **ttt**) was waived to facilitate the implementation of the development, Condition **x**) was simultaneously amended to read as follows:

"Dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met 'n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet voor of op 1 Maart 2013 volledig ontwikkel en in die naam van die Raad opgedra word of voor uitreiking van uitklaring vir die 400ste residensiële perseel, wat ook al die vroegste is."

The approved St Helena Views development comprises approximately 1,450 residential erven, of which 874 erven have already been transferred into private ownership.

Although the transfer threshold prescribed in Condition **x**) has long since been exceeded, the Municipality has, in practice, continued to facilitate the registration of transfers beyond the prescribed 400th residential erf. The developer nevertheless acknowledges that the requirements contained in Condition **x**) have not yet been fully implemented and that the condition remains applicable.

Consequently, the Municipality is currently unable to approve any further transfer or clearance applications until such time as the outstanding requirements have either been complied with or the relevant condition of approval has been amended.

As confirmed in the correspondence from **MHI Attorneys**⁸, dated **7 July 2026** and addressed to **Mr Lindsey Gaffley**, approximately **30 residential erven** are presently awaiting transfer. These transfers cannot proceed pending resolution of the requirements contained in Condition **x**).

Importantly, the developer has not sought to avoid compliance with the condition. On the contrary, MHI Attorneys, acting on behalf of the developer, have formally undertaken that the developer will implement the outstanding requirements by committing to the following:

- Transfer **Unregistered Erf 11467, St Helena Bay**, comprising the private open space and nature area, to the Municipality within **90 days** from **7 July 2026**; (Unregistered Erf 11467, St Helena Bay)
- Submit building plans for the proposed public parking area and public ablution facilities on

⁸ **Attorney's letter – Annexure G**

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Unregistered **Erf 11466, St Helena Bay**, within 45 days from **7 July 2026**, and complete construction within **120 days** of obtaining the necessary building plan approval.

The present application is therefore not intended to relieve the developer of its obligations arising from Condition **x**). Rather, the application seeks to amend the implementation timeframe contained in the condition to align with the developer's current undertaking and the practical implementation programme, thereby enabling the continued transfer of residential erven while the required public infrastructure and land transfers are being completed.

It is anticipated that the statutory process relating to the proposed amendment will be finalised prior to the expiry of the implementation periods contained in the undertaking. **The amendment application has therefore been submitted to provide legal certainty, ensure consistency between the approved conditions and the implementation program, and prevent unnecessary delays in the transfer of residential properties while compliance with the condition is actively being pursued.**

3.1 Amendment of conditions in respect of an existing approval.

Application is hereby made in terms of **Section 15(2)(h)** of the **Saldanha Bay Municipality Land Use Planning By-Law, 2022**, for the amendment of **Condition x)** contained in the amended approval dated **12 June 2012** (Reference: **35; 37 & 40/ST H**).

The proposed amendment does not seek to remove the Municipality's requirement for the provision of public coastal access, parking facilities, public ablution facilities or the transfer of the relevant public land. These obligations remain unchanged.

Instead, the application seeks only to amend the implementation milestone contained in Condition **x)** by extending the compliance date by increasing the transfer threshold, thereby allowing additional residential erven to be transferred while the developer simultaneously fulfils the outstanding obligations in accordance with the undertaking provided to the Municipality on **7 July 2026**.

The proposed amendment is summarised in **Table 2** below and is motivated in greater detail in Section **3.1.1**.

Proposed Actions		
Approval Ref: 35; 37 & 40/ST H		
Condition		
x)	Currently Reading	Dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see vir die algemene publiek met 'n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. Dat laasgenoemde publieke parkeerarea en toilette moet voor of op 1 Maart 2013 volledig ontwikkel en in die naam van die Raad opgedra word of voor uitreiking van uitklaring vir die 400ste residensiële perseel, wat ook al die vroegste is"
	Action Required	Condition of Approval x) is requested to be amended to read as follows: Dat die groepbehuisingskomponent van die Fase 3 uitleg heeltemal hersien word aangesien die algehele toegang na die see afsny, daar word voorgestel dat voorsiening gemaak word vir voldoende toegang na die see

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		vir die algemene publiek met 'n parkeerarea en fasiliteite wat spesifiek ook openbare toilette insluit. <u>Dat laasgenoemde publieke parkeerarea en toilette moet volledig ontwikkel word en in die naam van die Raad opgedra word voor uitreiking van uitklaring vir die 1100ste residensiële perseel.</u>
--	--	--

Table 2: Proposed Amendments of Conditions of Approval

3.1.1 Amendment of Condition x)

As demonstrated throughout this report, the developer has formally committed to implementing the outstanding obligations contained in Condition x).

The proposed amendment of Condition x) therefore serves as an interim administrative measure that will enable the continued implementation of the approved development while the developer completes the outstanding public infrastructure and land transfers.

At present, approximately **30 residential erven** are ready for transfer into private ownership. Delaying these transfers pending completion of the outstanding works would result in unnecessary financial prejudice to the developer, potential cancellation of property transactions, and delays in the continued implementation of the approved development.

Importantly, the proposed amendment will not prejudice the Municipality or the public interest. The public facilities required by Condition x) remain a binding obligation on the developer, and the Municipality has already received a formal written undertaking confirming the implementation program. The amendment merely aligns the condition with the practical realities of implementation while ensuring that compliance remains enforceable.

Furthermore, the proposed amendment recognises that the Municipality has previously permitted transfers well beyond the original threshold of **400 residential erven**, with **874 erven** having already been transferred. The proposed increase to the **1,100th residential erf** therefore represents a reasonable and pragmatic amendment that will allow the remaining statutory processes and construction works to be completed without unnecessarily delaying the transfer of residential properties.

The amendment is accordingly considered reasonable, practical and consistent with the orderly implementation of the approved development, while simultaneously safeguarding the Municipality's ability to enforce compliance with the outstanding public benefit obligations contained in Condition x).

4. SECTION 4

PLANNING POLICIES AND LEGISLATION

4.1 Municipal Spatial Development Framework (MSDF)

The Saldanha Bay Municipal Spatial Development Framework (MSDF) (2025) serves as the primary strategic spatial planning document guiding the future growth and development of the municipal area, including St Helena Bay. The MSDF recognises St Helena Bay as a coastal settlement characterised by a number of established residential neighbourhoods separated by extensive open space systems, with continued residential growth occurring within the existing urban footprint.

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The Property forms part of the approved St Helena Views development, for which the necessary land use rights have already been granted. The current application does not seek to amend the approved development layout, land use rights, density, zoning, or development parameters. Rather, it seeks only to amend the implementation provisions contained in an existing condition of approval.

Accordingly, the proposed amendment will not alter the existing spatial structure of the area, nor will it result in any additional impacts on surrounding properties, municipal infrastructure, or the natural environment. The amendment will merely facilitate the continued implementation of an already approved residential development by enabling the transfer of additional residential erven while the developer proceeds with the outstanding obligations relating to the provision of public coastal access, public parking, public ablution facilities and the transfer of the relevant public land to the Municipality.

The proposal is therefore considered to be consistent with the objectives of the Saldanha Bay MSDF, as it supports the orderly completion and implementation of an approved development without compromising the Municipality's long-term spatial planning objectives or the public interest.

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 amendment promotes spatial justice by facilitating the continued implementation of an approved residential development while retaining the Municipality's requirement for the provision of public coastal access and associated public facilities.

Importantly, the application does not seek to remove or diminish the public benefits envisaged by Condition **x**). Instead, it seeks to amend the implementation timeframe to allow the developer to continue transferring residential erven while simultaneously complying with its obligations relating to the transfer of public land, the construction of public parking facilities and public ablution facilities.

The proposal therefore balances the rights of existing and future property owners with broader public interest.

4.2.2 Spatial sustainability

The proposal supports the sustainable completion of an existing approved residential development without introducing any additional development rights, land uses or urban expansion.

The amendment relates solely to the implementation of an existing approval and enables the orderly completion of public infrastructure required by the Municipality while allowing the development to continue progressing in a controlled manner.

Accordingly, the proposal promotes the efficient utilisation of existing infrastructure and previously approved land use rights.

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4.2.3 Efficiency

The proposal represents an efficient administrative amendment to an existing approval.

No additional engineering services, municipal infrastructure or public expenditure are required as a result of the application. The amendment merely aligns the implementation programme with the practical completion of the outstanding public infrastructure while allowing the continued transfer of residential erven that already form part of an approved township development.

The proposal therefore supports efficient land development and avoids unnecessary delays in implementing an approved development.

4.2.4 Spatial resilience

The proposal contributes to the orderly completion of the St Helena Views development by allowing the developer to continue implementing the approved township while simultaneously fulfilling its outstanding obligations to the Municipality.

By allowing further transfers, the amendment assists in maintaining the financial viability of the development, thereby enabling the developer to complete the outstanding public facilities and transfer the relevant public land to the Municipality.

The proposal therefore supports the long-term sustainability and resilience of the approved development without compromising the public interest.

4.2.5 Good administration

The application has been submitted in terms of **Section 15(2)(h)** of the **Saldanha Bay Municipality Land Use Planning By-Law, 2022**, and will be considered through the prescribed statutory application process.

The proposed amendment provides a transparent and legally compliant mechanism to amend an existing condition of approval rather than relying solely on administrative undertakings.

Furthermore, the developer has formally undertaken to comply with the outstanding obligations contained in Condition **x)**, thereby demonstrating its intention to fulfil the requirements of the approval. The application therefore promotes legal certainty, procedural fairness and sound administrative decision-making while allowing the Municipality to retain appropriate control over the implementation of the outstanding public infrastructure.

5. SECTION 5

DESIRABILITY

The criteria for the assessment of application are addressed as follows:

5.1 Socio-Economic Impact

The proposed amendment will facilitate the continued implementation of the approved St Helena Views development by allowing the transfer of additional residential erven while the outstanding public infrastructure and land transfers are being completed.

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Approximately **30 residential erven** are currently awaiting transfer. Delaying these transfers would result in unnecessary financial prejudice to the developer, may lead to the cancellation of property transactions and could negatively affect the continued implementation of the development.

The proposal will therefore contribute positively to the local economy by allowing continued investment in the development while ensuring that the outstanding public facilities are delivered in accordance with the developer's undertaking.

5.2 Compatibility with surrounding uses

The application does not propose any changes to the approved zoning, land uses, density, development footprint or layout of the St Helena Views development.

The proposal merely seeks to amend the implementation provisions contained in an existing condition of approval.

Accordingly, the amendment will not alter the existing character of the area nor affect the compatibility of the approved development with surrounding land uses.

5.3 Impact on the external engineering services

The proposed amendment will not generate any additional demand for municipal engineering services.

The approved township has already been designed and serviced in accordance with the existing approvals, and the application does not introduce any additional development rights or increase the approved development potential.

Accordingly, no adverse impacts on municipal engineering infrastructure are anticipated.

5.4 Impact on safety, health and wellbeing of the surrounding community

The proposed amendment is administrative in nature and does not alter the approved development or introduce any new land uses.

On the contrary, the amendment facilitates the implementation of public infrastructure specifically intended to improve public access to the coastline through the provision of public parking, public ablution facilities and the transfer of public open space to the Municipality.

The proposal is therefore expected to have a positive impact on the broader community while posing no adverse impacts on public safety or well-being.

5.5 Impact on heritage

The application relates solely to the amendment of an existing condition of approval.

No demolition, excavation or alteration of heritage resources is proposed as part of this application.

Accordingly, no adverse impacts on heritage resources are anticipated.

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5.6 Impact on the biophysical environment

The proposed amendment does not authorise any additional development or expansion beyond that already approved.

The application therefore does not affect biodiversity, ecological processes, natural vegetation or environmentally sensitive areas.

No adverse impacts on the biophysical environment are anticipated.

5.7 Traffic impacts, parking, access, and other transport related considerations

The application will not alter the approved road network, access arrangements or parking requirements associated with the approved township.

Conversely, the amendment facilitates the implementation of the public parking area required by Condition **x**), which will improve public access to the coastline.

No additional traffic impacts are expected as a consequence of the proposed amendment.

5.8 Can the imposition of conditions mitigate an adverse impact of the proposed land use?

The proposed amendment is not anticipated to result in any adverse planning impacts.

Should the Municipality consider it necessary, conditions may be imposed to regulate the implementation timeframe for the transfer of public land, the construction of the public parking area and ablution facilities, and any related compliance requirements.

However, it is submitted that the developer's formal undertaking dated **7 July 2026**, together with the proposed amendment to Condition **x**), already provides an appropriate and enforceable framework for achieving compliance.

The proposed amendment therefore represents a reasonable, practical and appropriate mechanism to facilitate the orderly completion of the approved St Helena Views development while ensuring that the public benefits contemplated by the original approval are ultimately realised.

6. SECTION 6

SUMMARY

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

- Amendment of conditions (x) in respect of the existing amended approval dated 12 June 2012 with reference 35; 37 & 40/ST H in accordance with Section 15(2)(h) of the Saldanha Bay Municipality 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