

24 AUGUST 2026

REGISTERED MAIL

Dear Sir/Madam; *Geagte Meneer/Dame*

**NOTICE OF LAND USE APPLICATION / KENNISGEWING VAN GRONDGEBRUIKSAANSOEK: ERF 896, HOPEFIELD
APPLICANT/APPLIKANT: CK RUMBOLL & PARTNERS: - CONTACT DETAILS/KONTAK BESONDERHEDE: ROEBEN PIENAAR
[022 482 1845/ planning9@rumboll.co.za]**

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

- a) Subdivision, in terms of Section 15(2)(d) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, of Erf 896, Hopefield into the following:
 - (i) Portion A ($\pm 5\,723\text{m}^2$)
 - (ii) Remainder ($\pm 1.4980\text{ha}$)
- b) Permanent departure, in terms of Section 15(2)(b) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, for the relaxation of the following building lines:
 - (i) Western side boundary building line from 30m to $\pm 15\text{m}$ to accommodate the existing storeroom and worker's quarters on the Remainder.
 - (ii) Eastern side boundary building line from 30m to $\pm 25\text{m}$ to accommodate an existing dwelling house on Portion A.

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

The above application is available for inspection during weekdays between 08:30 and 16:30 at the Town Planning Department, 17 Main Street, Vredenburg. Any **written comments** may be addressed in accordance with Section 50 of the said legislation to the Municipal Manager, Private Bag X12 / 17 Main Street, Vredenburg, 7380 / Amanda.Meyer@sbm.gov.za on or **before 30 days from the date of registration of this notice**, quoting your name, address, contact details, interest in the application and reasons for your comments. Enquiries can be made to Martin Botha at Tel: 022-701-7107 or Martin.Botha@sbm.gov.za. The Municipality may refuse to accept any comments received after the closing date. Any person who cannot write will be assisted by a Municipal official by transcribing their comments. Comments/objections will be forwarded to the applicant for his/her response.

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

a) Onderverdeling, ingevolge Artikel 15(2)(d) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, van Erf 896, Hopefield in die volgende:

(i) Gedeelte A ($\pm 5\,723\text{m}^2$)

(ii) Restant ($\pm 1.4980\text{ha}$)

b) Permanente afwyking, ingevolge Artikel 15(2)(b) van die Saldanhaabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir die verslapping van die volgende boulyne:

(i) Westelike sygrensboulyn van 30m na $\pm 15\text{m}$ om die bestaande stoorkamer en werkerskwartiere op die Restant te akkommodeer.

(ii) Oostelike sygrensboulyn van 30m tot $\pm 25\text{m}$ om 'n bestaande woonhuis op Gedeelte A te akkommodeer.

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

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

Regards / Die Uwe



pp MUNICIPAL MANAGER / MUNISIPALE BESTUURDER



LOCALITY PLAN ERF 896, HOPEFIELD	
REF: HOPE/15260/RP	
NOTE: ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY	
Legend The Property	
SCALE : 1:1500	
Date: June 2026	AUTHORITY: SALDANHA BAY MUNICIPALITY
COMPILED BY:  16 Rainier Street Malmesbury Tel: 0224821845 Fax: 0224871661 planning9@rumboll.co.za	

LOCALITY PLAN
ERF 896, HOPEFIELD

REF:
HOPE/15260/RP





NOTE:

ALL SIZES AND DISTANCES ARE SUBJECT TO SURVEY

Legend

 The Property

SCALE :

1:1500

Date:
June 2026

AUTHORITY:
SALDANHA BAY MUNICIPALITY

COMPILED BY:



16 Rainier Street
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Tel: 0224821845
Fax: 0224871661
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The map displays a series of land parcels (erfs) in the Hopefield area. A central parcel, ERF 896, is highlighted with a red border. It is situated between Hoewe Street to the north and Vredenburg Street to the south. Surrounding parcels include ERF 888, 889, 890, 891, 892, 895, 897, 898, 899, 900, 1318, 1319, 1320, 2269, 2270, 2271, 2279, and 2280. The map also shows the R45 road running diagonally across the top right. The scale is 1:1500, and the plan was compiled by CK Rumboll & Partners on June 2026.



PROPOSED SUBDIVISION

**SUBDIVISION & DEPARTURE
PLAN:
REMAINDER ERF 896, HOPEFIELD**

- NOTES:
- Application is hereby made in terms of **Section 15(2)(d) of the Saldanha Bay Municipality Land Use Planning By-Law (PG 8679 of November 2022)**, for the Subdivision of Remainder Erf 896, Hopefield as represented by Figure ABCD, measuring 2.0703 hectares in extent, into 1 portion and a Remainder, namely:
- Portion A as represented by Figure AabD, measuring approximately 5726m²; and
 - Remainder Erf 896, Hopefield as represented by Figure aBCb, measuring approximately 1.4977 hectares in extent.

Current Zoning:
Agriculture

30m Building Line 

Proposed Subdivision Line 

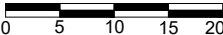
Departure Applied for 

Drawing by: Roeben Pienaar

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING



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

DATE: JUNE 2026	AUTHORITY: Saldanha Bay Municipality
REF: HOPE/15260/RP	SCALE: 

**SUBDIVISION & DEPARTURE
PLAN:
REMAINDER ERF 896, HOPEFIELD**

NOTES:

Application is hereby made in terms of **Section 15(2)(d) of the Saldanha Bay Municipality Land Use Planning By-Law (PG 8679 of November 2022)**, for the Subdivision of Remainder Erf 896, Hopefield as represented by Figure ABCD, measuring 2.0703 hectares in extent, into 1 portion and a Remainder, namely:

- Portion A as represented by Figure AabD, measuring approximately 5726m²; and
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Current Zoning:
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30m Building Line 

Proposed Subdivision Line 

Departure Applied for 

Drawing by:
Roeben Pienaar

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

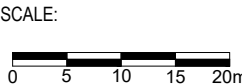


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16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
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Email: planning9@rumboll.co.za

DATE:
JUNE 2026

AUTHORITY:
Saldanha Bay Municipality

REF:
HOPE/15260/RP



**2890
(± 1.0197 ha)**

**Portion A
(± 5723 m²)**

**Remainder
(± 1.4980 ha)**

PROPOSED SUBDIVISION

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

DATUM / DATE: 24 June 2026

ONS VERW / OUR REF: HOPE/15260/RP

PER IMIS

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

PROPOSED SUBDIVISION & DEPARTURE: ERF 896, HOPEFIELD

CK Rumboll and Partners has been appointed to apply for the necessary land use approval for the proposed Subdivision & Departures on Erf 896, Hopefield.

The application includes the following annexures:

- Motivation Report
- **Annexure A** : Power of Attorney & Trust Resolution
- **Annexure B** : Municipal Application Form
- **Annexure C** : Title Deed & SG Diagram
- **Annexure D** : Locality Plan
- **Annexure E** : Surrounding Land Uses
- **Annexure F** : Previous Approval
- **Annexure G** : Subdivision & Departure Plan

Payment of application- and advertisement fees will be done on receipt of invoice.

Hope the above is to your approval; please contact us if there are any enquiries.

Yours truly

Roeben Pienaar

For CK RUMBOLL AND PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: planning9@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

MOTIVATIONAL REPORT

Proposed Subdivision & Departure: Erf 896, Hopefield

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

Authority:

Saldanha Bay Municipality

Date:

June 2026

Our reference:

HOPE/15260/RP

Compiled By:

CK Rumboll & Partners
Town Planners
Professional Surveyors
16 Rainier Street, Malmesbury
Tel: 022-4821845
Fax: 022-4871661
Email: planning9@rumboll.co.za



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1. SECTION 1

INTRODUCTION

CK Rumboll & Partners have been appointed by Izak van Niekerk, duly authorised representative of NIZ Trust¹, registered owners of Remainder Erf 896, Hopefield², to attend to all town planning and land surveying actions regarding the proposed subdivision of The Property into one Portion and a Remainder.

Background

The owners only recently purchased The Property, following a subdivision of The Property which resulted in establishing of Erf 2890, Hopefield, measuring 1.0197 hectares in extent. Since purchasing The Property in 2024 the owners have received several inquiries with regards to the purchasing of a portion of The Property. Subsequently, this office was appointed to prepare and submit the Land Use Application for the Subdivision of The Property.

1.1 Purpose

It is the purpose of this report to apply in terms of³:

- ▶ Section 15 (2) (d) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **Subdivision** of Remainder Erf 896, Hopefield (2.0703 hectares in extent), into the following:
 - Portion A ($\pm 5723\text{m}^2$); &
 - Remainder Erf 896 (± 1.4980 ha).
- ▶ Section 15 (2) (b) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the Permanent **Departure** from the development parameters of the Zoning Scheme for:
 - The relaxation of the prescribed 30m Western side building line in respect of the proposed Remainder to $\pm 15\text{m}$ in order to accommodate the existing storeroom and workers quarters;
 - The relaxation of the prescribed 30m Eastern Side building line in respect of the proposed Portion A to $\pm 25\text{m}$ in order to accommodate the previously approved dwelling.

¹ **Power of Attorney & Trust Resolution** – Annexure A

² Hereinafter referred to as The Property.

³ **Application Form** – Annexure B

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1.2 Restrictions

From the Title Deed of The Property, it is evident that there are no restrictions that will prohibit the proposed Subdivision or Departure on The Property.

Notably, an application for the subdivision of Erf 896, Hopefield was approved in 2023, resulting in the establishment of Erf 2890, Hopefield. Similarly, an application for departure from the prescribed building line requirements was recently approved in respect of the property.

In light of the above, it may reasonably be inferred that the Title Deed, including the original Title Deed T332/1861 (which is not available online), was previously assessed to determine whether any restrictive conditions exist that could prohibit the proposed subdivision and departure application.

1.3 Property Description

Table 1: Property details⁴

Remainder Erf 896, Hopefield	
Extent	2.0703 ha
Registered Owner	NIZ Trust
Local Authority	Saldanha Bay Municipality
Current Zoning	Agriculture
Current Land Use	Dwelling house & Agriculture
Title Deed	T23660/2024

2. SECTION 2

CONTEXTUAL ANALYSIS

2.1 Locality

The town of Hopefield is located within the Saldanha Bay Municipality of the Western Cape. Hopefield is regarded as a small rural town, with the town comprising of a collection of different sized erven, ranging from small properties to larger plots of land. Hopefield is situated 38 kilometres southeast of the town of Vredenburg, 60 kilometres northwest of the town of Malmesbury and 125 kilometres north of the City of Cape Town. Access to the town is obtained from the R45, which connects the town to the various surrounding towns, such as Vredenburg and Malmesbury.

⁴ Title Deed & SG Diagram – Annexure C

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The Property is situated in the western part of Hopefield, south of the R45 stretching through Hopefield, within an area consisting of large erven with the designated zoning of Agriculture. Access to The Property is obtained from Hoewe Street, which forms the northern boundary of The Property.⁵



Figure 1: Locality plan

2.2 Existing Zoning and Surrounding Uses

The zoning of The Property is Agriculture in terms of the Saldanha Bay Municipal Integrated Zoning Scheme By-Law (2021), and consists of an existing dwelling house, garages, storerooms, & workers quarters. The

⁵ **Locality Plan** – Annexure D

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surrounding properties in close vicinity to The Property, all being designated as Agriculture Zone, consists out of land uses which includes agricultural & residential.⁶

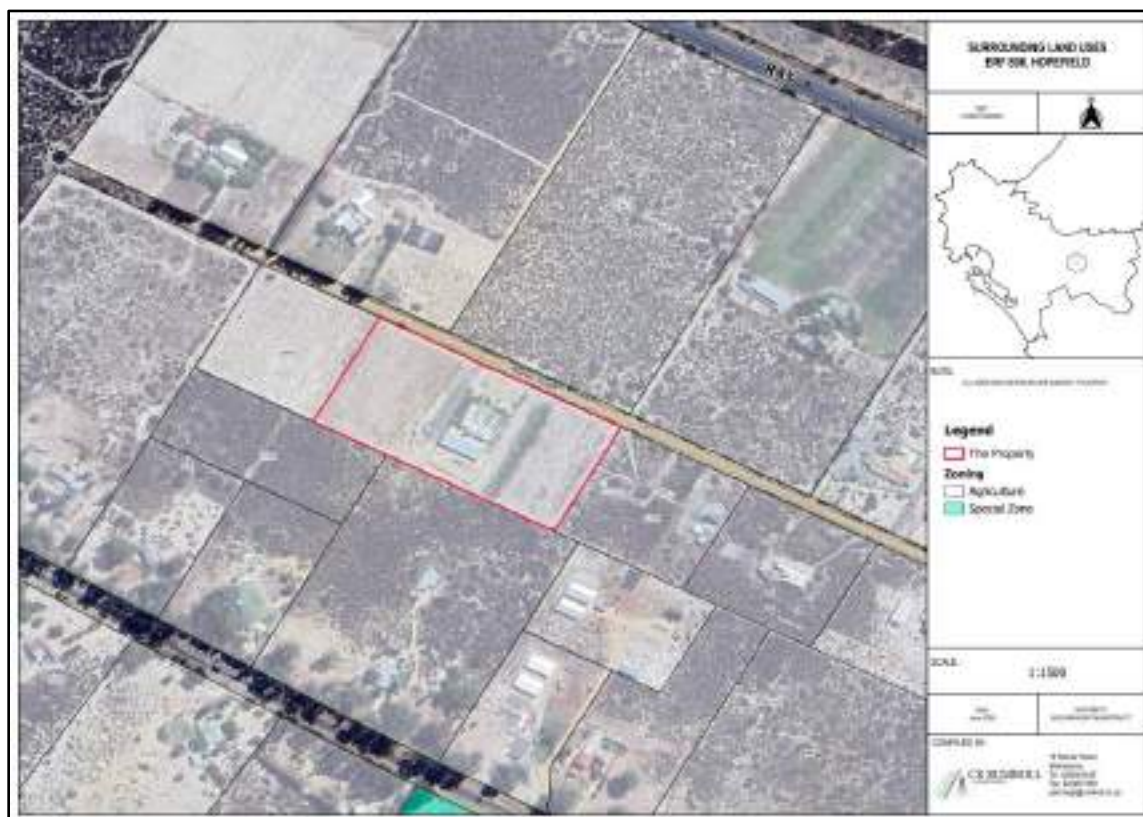


Figure 2: Zoning and surrounding uses Map

2.3 Access and Parking

As previously presented, The Property gains access from Hoewe Street which forms the northern boundary of The Property. The proposed subdivision will result in both Portion A and the Remainder obtaining access from Hoewe Street. Both Portion A & the Remainder is large enough in order to provide on-site parking which is consistent with the parking requirements prescribed in the Saldanha Bay Municipality: Integrated

⁶ **Surrounding Land Uses – Annexure E**

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Zoning Scheme By-law.

2.4 Services

The Property is situated within an established Agricultural residential area with The Property already being connected to the existing Municipal services situated in close proximity to The Property. The proposed Portion A will also connect to the existing service network situated in the area.

3. SECTION 3 DEVELOPMENT PROPOSAL

Erf 896, Hopefield is situated outside the urban edge of Hopefield within an established agricultural area characterised by properties zoned Agricultural. The surrounding development pattern consists primarily of agricultural holdings and rural residential properties, all of which contribute to the low-density rural character of the area.

The Property measures approximately 2.0703 hectares in extent and is presently improved with a dwelling house, garages, storerooms and workers' quarters. In addition, approval has previously been granted for a Second Dwelling on the Property⁷, which is situated within the area proposed as Portion A.

Although zoned Agricultural, the Property is not utilised as a productive agricultural unit to its full potential. The land comprises predominantly sandy soils with limited agricultural capability and does not constitute a highly productive farming resource. The agricultural activities currently undertaken are therefore limited in nature and the subdivision of the Property will not result in the loss of viable agricultural land of high agricultural value.

The registered owners have received numerous enquiries from prospective purchasers seeking smaller agricultural holdings within the Hopefield area. In response to this demonstrated market demand, the owners propose subdividing the Property to create a smaller agricultural erf while retaining the larger remainder. The proceeds generated from the sale of the proposed Portion A will enable further investment in and improvement of the retained agricultural erf, thereby enhancing its functionality and long-term agricultural viability.

⁷ **Approval – Annexure F**

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Importantly, the proposal does not seek to alter the agricultural zoning of the Property. Both resultant portions will remain zoned Agricultural and will continue to be utilised in a manner consistent with the existing land use rights applicable to the area.

3.1 Proposed Subdivision

In order to obtain the necessary land use rights, application is made for the following:

- Section 15 (2) (d) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **Subdivision** of Erf 896, Hopefield (2.0703 hectares in extent), into the following:
 - Portion A ($\pm 5723\text{m}^2$ in extent); &
 - Remainder Erf 896 (± 1.4980 hectares in extent).

The table below illustrates the proposed changes to the land.

Table 2: Proposed subdivision

Property	Zoning	Subdivision
Portion A	Agriculture	$\pm 5723\text{m}^2$
Remainder	Agriculture	$\pm 14980\text{m}^2$
Erf 896	Agriculture	20703m²

The subdivision has been carefully designed around the existing development footprint on the Property and seeks to create a logical and functional land parcel incorporating the approved second dwelling and associated improvements. The proposal represents a practical division of land that will allow for independent ownership while maintaining the agricultural character of both Portion A and the Remainder.

The proposed subdivision is supported from both a land use planning and property rights perspective.

Ownership of land remains one of the fundamental pillars of the South African economy and is protected through constitutional principles relating to property rights. Land use planning legislation recognises that land ownership patterns may evolve over time in response to changing social, economic and market conditions, provided that such changes do not result in unacceptable planning impacts.

The subdivision of land is a recognised planning mechanism through which property owners may respond to market demand while ensuring that development occurs in an orderly and sustainable manner. The proposal represents precisely such a response.

The agricultural smallholding market has evolved considerably in recent years, with increasing demand for manageable rural residential and agricultural properties that offer the benefits of country living without the burden associated with maintaining larger landholdings. Smaller agricultural holdings are often more affordable, more accessible to first-time purchasers and easier to manage than larger properties.

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The proposed Portion A will provide an opportunity for a new entrant into the agricultural property market while retaining a substantial agricultural holding of approximately 1.4980 hectares. The subdivision therefore broadens access to property ownership without undermining the agricultural function of the area.

Importantly, although Portion A will be the smallest property within the immediate agricultural erf development, it remains substantially larger than conventional residential erven and retains a distinctly rural and agricultural character. At approximately 5 723m² in extent, Portion A exceeds the size of a typical residential property by a significant margin and remains capable of accommodating agricultural and small-scale rural activities associated with Agricultural zoning.

The proposed subdivision should therefore not be viewed as the fragmentation of agricultural land into urban-sized residential plots, but rather as the creation of a smaller agricultural holding within an established agricultural smallholding environment.

Furthermore, modern agricultural practices increasingly demonstrate that productive agricultural activities can be successfully undertaken on smaller land parcels through intensive cultivation methods, specialised crops, small-scale livestock operations and other innovative agricultural enterprises. The size of Portion A does not preclude agricultural utilisation and may in fact encourage more intensive and efficient use of the land.

The proposal has been specifically designed to integrate seamlessly with the existing character of the surrounding area.

Although Portion A will constitute the smallest erf within the immediate development area, the difference in size will not be visually apparent from the public realm. The proposed subdivision will retain the low-density rural character that defines the area and will not introduce any development rights beyond those already permitted in terms of the Agricultural zoning.

The surrounding area is characterised by a range of agricultural holding sizes and development patterns. The proposed subdivision will therefore contribute to a greater diversity of agricultural property sizes while remaining consistent with the established rural settlement pattern.

No significant visual, environmental or infrastructural impacts are anticipated as a result of the subdivision. Existing access is available from Hoewe Street and sufficient municipal services are available to accommodate the proposed additional cadastral unit.

The proposal further represents a logical continuation of the historical subdivision pattern within the area, noting that portions of the original agricultural erven have previously been subdivided to create the existing development framework.

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The proposed subdivision is favourably considered for the following reasons:⁸

- There is a demonstrated market demand for agricultural holdings between approximately 5 000m² and 7 500m² within the Hopefield area, as evidenced by enquiries received by the owners and existing purchaser interest in the proposed Portion A.
- The proposal will broaden opportunities for property ownership and provide an additional agricultural holding without compromising the agricultural character of the area.
- Both resultant portions will remain zoned Agricultural, ensuring continued compliance with the existing planning framework and maintaining the rural character of the locality.
- The subdivision will facilitate further investment in the retained Remainder through the capital generated by the sale of Portion A, thereby improving the overall functionality of the agricultural enterprise.
- Existing road infrastructure via Hoewe Street provides adequate access to both resultant portions.
- Existing municipal engineering services are considered sufficient to accommodate the proposed subdivision.
- The proposal will contribute to the Municipality's rates base through the creation of an additional cadastral property.
- No significant adverse impacts on surrounding properties, agricultural activities, environmental resources or municipal infrastructure are anticipated.

The proposed subdivision represents a logical, market-responsive and sustainable form of rural development that remains fully aligned with the existing agricultural character of the area. Although Portion A will constitute the smallest agricultural holding within the immediate development, it remains substantially larger than conventional residential properties and will continue to function as an agricultural erf.

The proposal does not result in the loss of productive agricultural land, does not alter the agricultural zoning of The Property and does not introduce development rights inconsistent with the surrounding area. Rather, it provides an opportunity to diversify the range of agricultural holding sizes available within Hopefield while facilitating reinvestment into the retained agricultural erf.

The application is therefore considered desirable from a planning perspective and is respectfully submitted for Council's favourable consideration.

⁸ **Subdivision & Departure Plan – Annexure G**

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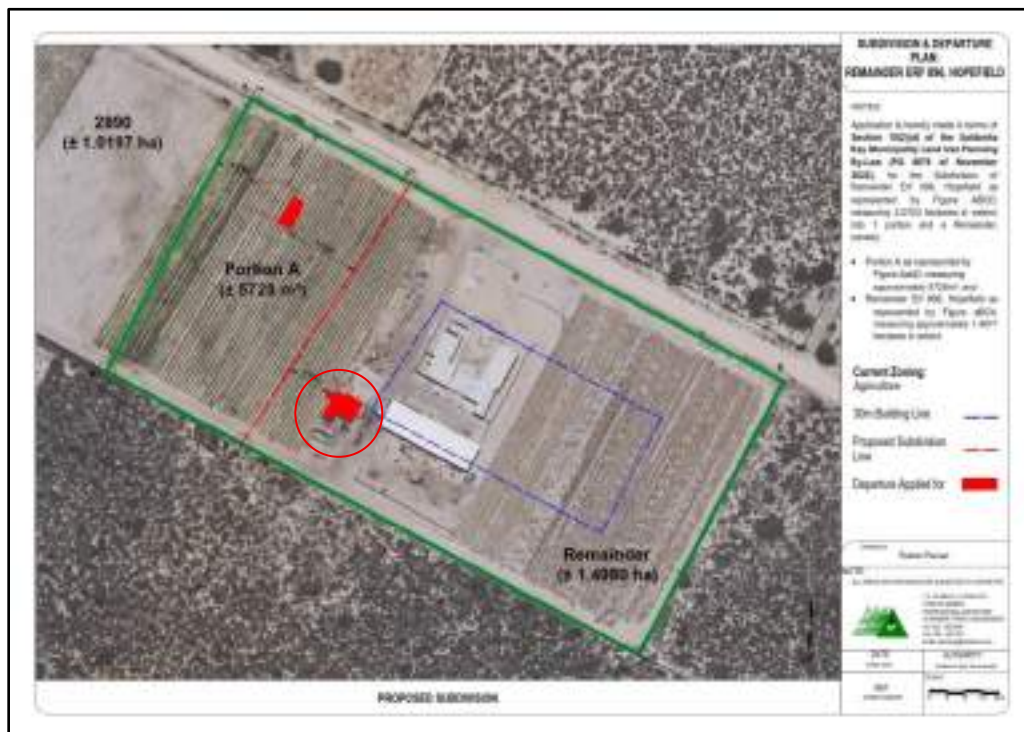
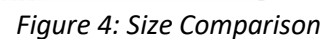


Figure 3: Proposed subdivision Erf 896, Hopefield

Consideration of Portion A in Relation to the Prevailing Spatial Pattern and Rural Character of the Area, as well as Alignment with the Western Cape Rural Area Guidelines

As illustrated in Figure 4 below, the proposed Portion A, measuring approximately 5 723m², falls within the smallest size category of the surrounding properties that form part of the established agricultural development. While Portion A will be smaller than the majority of the surrounding land units, it remains substantially larger than a conventional residential erf and continues to retain the characteristics of a smallholding-type property.



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It is important to note that the broader development area within which The Property is situated comprises predominantly land zoned **Agriculture** and **Special Zone**. Although The Property is formally zoned Agricultural, the area is commonly regarded by residents of Hopefield as a smallholding area due to the relatively small size of the individual properties and the lifestyle-agricultural nature of land use activities occurring therein.

The existing pattern of development is therefore not characteristic of a traditional large-scale farming area comprising extensive agricultural holdings. Rather, it represents an established rural settlement pattern consisting of smaller agricultural properties that accommodate a combination of rural residential, lifestyle farming and limited agricultural activities. In this regard, the proposed subdivision should be viewed within the context of the existing character of the area, rather than against the standards applicable to intensive commercial farming districts.

Furthermore, a comparison with other smallholding developments throughout the Saldanha Bay Municipal area demonstrates that the surrounding properties are generally comparable in size and function. The primary distinction is that the properties within the subject development retain Agricultural zoning, resulting in more restrictive development rights than would typically apply to conventional smallholding zonings elsewhere within the Municipality.

The **Western Cape Rural Area Guidelines** recognise the role of smallholdings as a legitimate component of the rural landscape and indicate that smallholding units generally range between **4 000m² and 3 hectares** in extent. The Guidelines further identify small-scale agricultural activities as being particularly appropriate within the **Urban Fringe**, defined as the transitional zone between urban settlements and the surrounding rural hinterland where both urban and rural land use pressures are present.

The Property is situated adjacent to the urban edge of Hopefield and forms part of this transitional environment. The proposed Portion A, at approximately 5 723m², falls comfortably within the size parameters contemplated by the Guidelines for smallholding-type development. Although it will constitute the smallest individual land unit within the immediate development, it will remain consistent with the broader smallholding / Agricultural character of the area and will not introduce a land use form that is foreign to the existing spatial structure.

Accordingly, it is submitted that the proposed subdivision does not conflict with the prevailing rural character of the area and is aligned with the principles and objectives contained in the Western Cape Rural Area Guidelines.

Intended Future Use of the Proposed Portions

The future use of both resulting portions will remain agricultural in nature and will continue to comply with the objectives of the Agricultural zoning applicable to The Property.

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The proposed **Portion A** is intended to be transferred as a standalone agricultural land unit. Any future owner will be required to utilise Portion A in accordance with the permitted land uses and development parameters applicable to the Agricultural zoning. Although the exact agricultural enterprise to be undertaken by a future owner cannot be predetermined, the size of the property is considered suitable for a range of small-scale agricultural activities, including intensive cultivation, specialised crop production, tunnel farming, small livestock operations, equestrian-related activities or other forms of agricultural utilisation typically associated with smallholding properties.

The **Remainder** will continue to function as an agricultural land unit under the ownership of the current landowner. It remains the intention of the landowner to actively pursue agricultural activities on the remainder of The Property and to improve its productive potential over time.

It is important to note that the reference in the motivation report to the sandy soils and limited agricultural capability of The Property should not be interpreted as an indication that the land possesses no agricultural value. Rather, the statement reflects the fact that The Property is not considered prime or high-potential agricultural land and is therefore less suited to conventional large-scale commercial farming operations. Modern agricultural practices have demonstrated that productive agricultural activities can nevertheless be undertaken on smaller parcels through specialised and intensive farming methods. The proposed subdivision therefore does not result in the fragmentation of a highly productive agricultural resource.

Furthermore, the proceeds derived from the sale of Portion A are intended to be reinvested into the remainder of The Property to improve infrastructure, agricultural productivity and the long-term viability of the retained agricultural holding.

Precedent and Potential Cumulative Impact

It is not considered that approval of the proposed subdivision would create an undesirable planning precedent or lead to widespread fragmentation of agricultural land within the area.

While it is acknowledged that The Property was previously subdivided, resulting in the creation of Erf 2890, Hopefield, the circumstances surrounding the current application are unique to The Property and should be assessed on their own merits. The Property has only recently been acquired by the current owners and, due to its sandy soil conditions and limited agricultural productivity, has not been utilised to the same extent as many of the surrounding agricultural properties.

The application is therefore motivated by specific site-related circumstances and should not be interpreted as establishing an automatic right for similar applications elsewhere. Any future subdivision proposal within the area would remain subject to a separate land use application process and would require independent assessment by the Municipality and relevant authorities against applicable planning legislation, policy and site-specific considerations.

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In considering cumulative impact, it is significant that the proposed subdivision involves only a single additional land unit within an already established smallholding / agricultural environment. The resulting portions will remain agricultural in nature, no residential densification is proposed, and no change in zoning is sought. Consequently, the proposal will not materially alter the spatial structure, development pattern or rural character of the surrounding area.

Moreover, the proposed subdivision will not compromise regional agricultural production, as The Property does not constitute a high-value or strategically important agricultural resource. Both resulting portions will remain capable of supporting agricultural activities appropriate to their size and context.

For these reasons, the cumulative impact of the proposal is considered negligible, while the subdivision simultaneously promotes more efficient land utilisation, supports private property rights, and facilitates continued agricultural use of both resultant land units.

3.2 Proposed Departures

In order to facilitate the proposed subdivision of The Property, and to regularise the position of existing and approved development on the resultant portions, application is made for Permanent Departures from the prescribed building line requirements applicable to Agricultural-zoned properties.

The departures arise solely as a consequence of the proposed subdivision and do not result from any new intensification of land use or expansion of development rights. The proposal seeks to accommodate existing lawful structures and a previously approved dwelling which were originally planned and approved in the context of a single cadastral unit.

In order to accommodate the proposed Subdivision as discussed in detail under Section 3.1 of this report along with all the existing and previously approved structures, application is made for the following:

- ▶ Section 15 (2) (b) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the Permanent **Departure** from the development parameters of the Zoning Scheme for:
 - o The relaxation of the prescribed 30m Western side building line in respect of the proposed Remainder to $\pm 15\text{m}$ in order to accommodate the existing storeroom and workers quarters;
 - o The relaxation of the prescribed 30m Eastern Side building line in respect of the proposed Portion A to $\pm 25\text{m}$ in order to accommodate the previously approved dwelling.

Western Side Building Line Departure – Proposed Remainder

The existing storeroom and workers' quarters are long-established improvements on The Property and form an integral component of the agricultural operation conducted thereon. These structures are utilised for storage purposes directly associated with the functioning of the agricultural holding.

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The proposed subdivision introduces a new cadastral boundary which results in these structures encroaching into the prescribed 30m side building line applicable to the proposed Remainder. Importantly, the structures were not established in conflict with neighbouring properties nor do they create any adverse planning impacts. The need for the departure arises exclusively from the repositioning of the cadastral boundary and not from any physical alteration or expansion of the existing development.

The proposed relaxation to approximately 15m remains substantial in the context of the surrounding rural environment and continues to provide an adequate spatial buffer between buildings and adjoining properties. Given the large size of the resultant agricultural holdings and the low-density nature of development in the area, the reduced setback will not adversely affect privacy, visual amenity, agricultural activities, access, safety or the rural character of the locality.

Furthermore, requiring compliance with the full 30m building line would necessitate either the demolition or relocation of existing structures, which would be unreasonable and disproportionate given the absence of any discernible planning harm.

The departure is therefore considered reasonable, practical and desirable from a land use planning perspective.

Eastern Side Building Line Departure – Portion A

The proposed Portion A contains a dwelling which has already been approved by the Municipality through a valid land use and building plan approval process. Although construction of the dwelling has not yet commenced, the approval remains indicative of the Municipality's previous acceptance of the location, scale and development parameters associated with the proposed building.

As a consequence of the proposed subdivision, the approved dwelling will be situated approximately 25m from the proposed eastern boundary, resulting in a technical encroachment into the prescribed 30m side building line applicable to Agricultural-zoned properties.

It is important to note that the departure does not seek to facilitate additional development rights beyond those already approved. The application merely seeks to retain the approved development envelope in circumstances where a new cadastral boundary is being created.

The proposed setback of approximately 25m remains significant and exceeds building line requirements typically applicable to rural residential and agricultural residential developments (Smallholdings). The reduced setback will continue to ensure adequate separation between neighbouring properties while preserving the open rural character of the area.

The approved dwelling was specifically positioned to optimise the use of the site, respond to existing

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development patterns on The Property and minimise impacts on agricultural activities. Requiring the relocation of the approved building footprint would result in unnecessary costs and planning inefficiencies without generating any meaningful public benefit.

The proposed departure is therefore considered to be both reasonable and justified.

Conclusion

The proposed departures are directly linked to the subdivision of The Property and are required to accommodate existing lawful structures and a previously approved dwellings. The departures do not facilitate any increase in development intensity, do not compromise the agricultural character of the area and do not negatively impact neighbouring properties or municipal infrastructure.

The resultant building line setbacks remain substantial and appropriate within the context of a rural agricultural environment. The proposal represents a practical planning solution that allows for the orderly subdivision of The Property while retaining existing and approved development in a manner that is compatible with the surrounding area.

The proposed departures are therefore considered desirable and should be favourably considered by Council.

4. SECTION 4 PLANNING POLICY

4.1 Municipal Spatial Development Framework

The Saldanha Bay Municipal Spatial Development Framework (MSDF) 2025–2030 serves as the primary spatial policy document guiding future growth and development within the municipal area. The MSDF seeks to promote sustainable development, protect valuable agricultural resources, strengthen rural economies, facilitate responsible land use management and ensure that development occurs in a manner that is consistent with the principles contained in SPLUMA and LUPA.

Erf 896, Hopefield is situated outside the urban edge of Hopefield within an established agricultural area characterised by Agricultural-zoned properties. The Property does not form part of any identified urban expansion area, strategic development area, environmental conservation area or priority growth node identified in the MSDF. The proposal must therefore be assessed in the context of the rural development objectives and broader spatial planning principles contained within the SDF.

The MSDF recognises the importance of protecting agricultural resources while simultaneously supporting a diversified rural economy and facilitating sustainable rural development. The Framework specifically promotes the safeguarding of agricultural resources, the strengthening of rural economies and the sustainable utilisation of land resources.

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The proposed subdivision is considered consistent with these objectives for the following reasons:

- The Agricultural zoning of The Property will remain unchanged. Both Portion A and the Remainder will retain their Agricultural zoning and will continue to form part of the established agricultural smallholding area.
- The proposal does not result in the conversion of agricultural land to urban or non-agricultural land uses. The subdivision merely creates an additional agricultural holding while retaining the rural character and agricultural function of the area.
- The Property is not regarded as a highly productive agricultural unit and consists predominantly of sandy soils with limited agricultural production potential. The subdivision will therefore not compromise a significant agricultural resource.
- The proposed Remainder, measuring approximately 1.4980 hectares, remains of sufficient size to continue functioning as an agricultural smallholding and the proceeds generated through the sale of Portion A will enable reinvestment into the retained agricultural enterprise, thereby enhancing its long-term viability.
- The proposal responds to a demonstrated market demand for smaller agricultural holdings within the Hopefield area and contributes towards diversifying the rural property market while remaining compatible with the existing development pattern.
- The proposed Portion A, although smaller than surrounding agricultural holdings, remains substantial in extent at approximately 5 723m² and is significantly larger than conventional residential erven. The proposed holding will therefore continue to exhibit the characteristics of a rural agricultural property and will integrate seamlessly into the surrounding agricultural smallholding environment.

The MSDF further promotes efficient land use management and discourages unnecessary urban sprawl through the responsible utilisation of existing properties and infrastructure. The proposal aligns with this objective as it utilises an existing developed property without requiring the expansion of the urban edge, the establishment of new infrastructure networks or the conversion of undeveloped agricultural land. The proposal therefore represents a logical and sustainable use of an existing agricultural holding.

With regard to the proposed departures, these arise solely as a consequence of the proposed subdivision and are required to accommodate existing lawful structures and a previously approved dwelling. The departures do not facilitate any increase in development intensity, do not alter the rural character of the area and do not undermine any of the objectives of the SDF. Rather, they represent practical planning mechanisms that allow for the orderly subdivision of The Property while retaining existing and approved development in appropriate locations.

The proposed subdivision and associated departures are therefore considered to be consistent with the overarching objectives of the Saldanha Bay Municipal Spatial Development Framework, particularly those relating to sustainable rural development, the strengthening of rural economies, the efficient utilisation of

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land resources and the responsible management of agricultural properties. The application is accordingly considered desirable from a spatial planning perspective and should be supported.

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;

- **Spatial justice:**

The proposal promotes spatial justice by broadening access to land ownership opportunities within an established agricultural area. The subdivision will create an additional agricultural holding that may be acquired by a new entrant into the property market without altering the existing agricultural zoning of the land.

The proposal does not introduce exclusionary land use patterns nor does it limit access to opportunities available within the area. Rather, it allows for a more diverse range of agricultural holding sizes while retaining the rural character and agricultural function of the locality.

The application further seeks to accommodate existing and previously approved development on The Property through minor building line departures that arise solely as a consequence of the proposed subdivision. No neighbouring property owner will be deprived of any existing rights, nor will any unreasonable impacts be imposed on surrounding landowners.

- **Spatial sustainability:**

The proposal supports spatial sustainability through the continued utilisation of an existing agricultural property within an established agricultural development. Both resultant portions will retain their Agricultural zoning and will remain capable of supporting agricultural and rural residential activities consistent with the surrounding area.

The subdivision does not result in the loss of high-potential agricultural land. The Property consists predominantly of sandy soils and has limited agricultural production potential. Furthermore, the subdivision will not compromise the viability of the remainder agricultural holding, which will retain an extent of approximately 1.4980 hectares.

The proposal represents a sustainable form of rural development as it utilises existing access arrangements, existing infrastructure and existing development footprints without requiring the extension of significant municipal services or infrastructure.

The proceeds generated through the sale of Portion A will further enable reinvestment into the retained

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agricultural holding, thereby enhancing its long-term functionality and sustainability as an agricultural enterprise.

The proposed departures similarly support sustainable land use management by accommodating existing lawful structures and a previously approved dwelling without necessitating demolition, relocation or unnecessary duplication of infrastructure.

- **Efficiency:**

The proposal promotes the efficient utilisation of land by creating an additional agricultural holding within an established agricultural area while retaining the overall agricultural character of the locality.

The subdivision has been designed around existing and approved development on the Property, thereby making optimal use of existing investment, infrastructure and access arrangements. Existing road access from Hoewe Street will serve both resultant portions and no significant additional infrastructure upgrades are required.

The proposed departures further promote efficiency by allowing existing structures and approved development to remain in their current locations. Requiring relocation of these structures to achieve strict compliance with building line requirements would result in unnecessary costs and inefficient use of resources without yielding any corresponding planning benefit.

The proposal therefore represents a practical and efficient land use outcome that balances private property rights with sound planning principles.

- **Spatial resilience:**

The proposal contributes to spatial resilience by maintaining flexibility in the use of agricultural land while preserving the rural character of the area.

Both resultant portions will retain Agricultural zoning and remain capable of accommodating a range of agricultural and rural residential activities permitted by the applicable zoning scheme. The subdivision therefore does not diminish future development opportunities or restrict the long-term use potential of either property.

The creation of a smaller agricultural holding also responds to changing market trends and increasing demand for manageable rural properties, thereby enhancing the adaptability and economic resilience of the local property market.

The proposed departures similarly contribute to resilience by ensuring that existing and approved development can continue to function effectively within the context of the new cadastral configuration.

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- **Administration:**

The application is being processed in accordance with the requirements of the Saldanha Bay Municipality By-law on Municipal Land Use Planning and will be subjected to the prescribed public participation process and review by all relevant municipal departments and external authorities.

The proposal represents a logical and transparent planning outcome that is supported by sound planning principles and practical considerations. The requested departures are directly linked to the subdivision and are required to accommodate existing lawful structures and a previously approved dwelling. The departures do not create undesirable precedents, nor do they result in adverse impacts on neighbouring properties or the broader agricultural area.

The application therefore facilitates orderly and accountable decision-making while ensuring that all interested and affected parties are afforded an opportunity to participate in the process.

The proposed subdivision and associated departures are considered consistent with the development principles contained in SPLUMA and LUPA. The proposal promotes sustainable rural development, efficient utilisation of land, responsible management of existing development rights and continued agricultural use of The Property.

The subdivision will integrate seamlessly with the established agricultural smallholding character of the area, while the proposed departures represent reasonable and practical planning responses to the new cadastral configuration. The proposal is therefore considered desirable from a land use planning perspective and should be supported.

5. SECTION 5 SUMMARY

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

- ▶ Section 15 (2) (d) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **Subdivision** of Remainder Erf 896, Hopefield (2.0703 hectares in extent), into the following:
 - o Portion A ($\pm 5723\text{m}^2$); &
 - o Remainder Erf 896 (± 1.4980 ha).
- ▶ Section 15 (2) (d) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the Permanent **Departure** from the development parameters of the Zoning Scheme for:
 - o The relaxation of the prescribed 30m Western side building line in respect of the proposed Remainder to $\pm 15\text{m}$ in order to accommodate the existing storeroom and workers quarters;

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- o The relaxation of the prescribed 30m Eastern Side building line in respect of the proposed Portion A to $\pm 25\text{m}$ in order to accommodate the previously approved dwelling.

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



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Roeben Pienaar
 For CK RUMBOLL AND PARTNERS