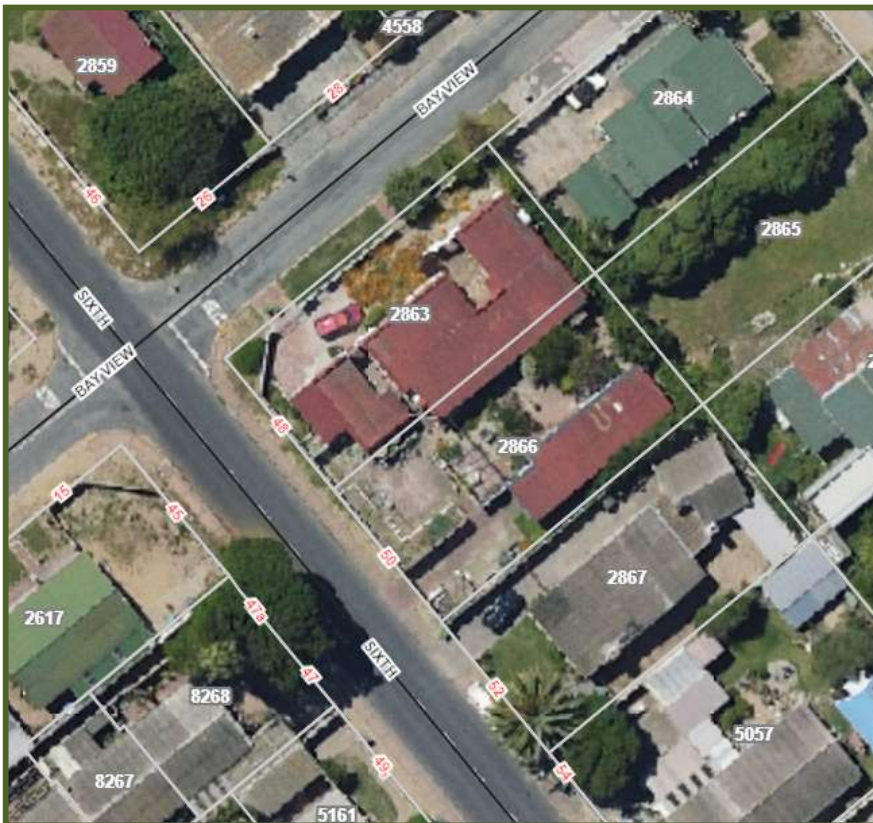


MOTIVATIONAL REPORT

Proposed Consolidation & Departures - Erven 2863 & 2866, Saldanha

Application in terms of the Saldanha Bay Municipal By-Law on Land Use Planning (PG 7468 of 13 August 2015)



Authority:
Saldanha Bay Municipality

Date:
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Our reference:
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Section 1 Purpose of Application

1.1 Introduction

CK Rumboll and Partners have been appointed by Mr Quentin Hurt, acting on behalf of Skyside Properties (Pty) Ltd, the registered owner of Erven 2863 and 2866, Saldanha (hereinafter referred to as "the properties"), to prepare and submit the necessary town planning applications for the proposed consolidation of the properties, together with applications for a permanent departure (building lines) and temporary departure (business) applicable to the resultant consolidated property.

The Power of Attorney Letter and Company Resolution Letter are attached as **Annexure A**.

1.2 Purpose

The purpose of this motivational report is to apply in terms of:

- Section 15 (2) (e) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Consolidation** of Erf 2863 (496 m²), and Erf 2866 (496 m²), Saldanha.
- Section 15 (2) (b) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Permanent Departures** (Building Lines) on the resultant consolidated property.
- Section 15 (2) (c) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Temporary Departure** on the resultant consolidated property, in order to accommodate temporary business.

The Municipal Application Form is attached as **Annexure B**.

1.3 Property Description

Table 1 below, provides an overview of both Erven 2863 and 2866, Saldanha's property details.

Table 1: Property Details

Property	Erf 2863, Saldanha	Erf 2866, Saldanha
Extent	496 m ²	496 m ²
Registered Owner	Skyside Properties (Pty) Ltd	Skyside Properties (Pty) Ltd
Current Zoning	Residential Zone I	Residential Zone I
Current Land Use	Dwelling	Dwelling
Physical Address	Corner Bay View Road & Sixth Avenue, Saldanha	Sixth Avenue, Saldanha
Title Deed	T 40320 / 2025	T 40320 / 2025
Borders: North	Bay View Road	Erf 2863
East	Erf 2864	Erf 2865
South	Erf 2866	Erf 2867
West	Sixth Avenue	Sixth Avenue

The Title Deed, Property Enquiries, SG Diagrams and General Plan are attached as **Annexure C**.

1.4 Servitudes

A review of the relevant Title Deeds, SG Diagrams, and General Plan confirms that there are no registered servitudes affecting Erven 2863 and 2866, Saldanha, that would prohibit or restrict the proposed land use application.

1.5 Restrictions

A review of the Title Deed of Erven 2863 and 2866, Saldanha, has confirmed that there are no restrictive conditions that would preclude or adversely affect the proposed land use application. The properties are, however, subject to mortgage bonds, and the requisite consent from the bondholder(s) will be furnished to the Saldanha Bay Municipality should such consent be required as part of the land use application process.

Section 2 Property Characteristics

2.1 Locality

Erven 2863 and 2866, Saldanha, are centrally located within the established urban area of Saldanha. Erf 2863, Saldanha, is situated on the corner of Bayview Road and Sixth Street, while Erf 2866, Saldanha, is located along Sixth Street. The properties are well positioned within the existing urban fabric and benefit from convenient access to surrounding amenities, services, and established municipal infrastructure.

Saldanha is a coastal town situated along the shores of Saldanha Bay in the Western Cape Province of South Africa, approximately 140 kilometres north of Cape Town. The town is centred around one of South Africa's largest natural deep-water harbours and functions as an important industrial, commercial, and logistical node within the West Coast region. The surrounding area is characterised by a mix of industrial, commercial, residential, and recreational land uses, with established road networks providing connectivity to neighbouring towns and the broader West Coast region.

Figure 1 below, indicates the location of Erven 2863 and 2866, Saldanha.



Figure 1: Locality of Erven 2863 and 2866, Saldanha

The Locality Map of Erven 2863 and 2866, Saldanha, is attached as **Annexure D**.

2.2 Existing Zoning and Surrounding Land Uses

In accordance with the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015),

Erven 2863 and 2866, Saldanha, are zoned Residential Zone I (Low-Density Housing). The properties are currently utilised in accordance with their intended zoning and primary residential purpose.

Erf 2863, Saldanha, comprises a residential dwelling, single garage, and carport. The existing residential dwelling extends over the common boundary onto Erf 2866, Saldanha. Erf 2866, Saldanha, accommodates a portion of the residential dwelling situated on Erf 2863, Saldanha, as well as an additional structure currently utilised as a smaller residential dwelling.

The surrounding land uses comprise predominantly residential properties, including several Residential Zone II (Medium-Density Housing) properties, as well as Open Space Zone I (Public Open Space) erven. Furthermore, Saldanha Bay is located to the south of the properties, contributing to the area's coastal character and enhancing the locality's amenity value.

Figure 2 below, indicates the zoning of Erven 2863 and 2866, Saldanha.



Figure 2: Zoning and Surrounding Land Uses of Erven 2863 and 2866, Saldanha

2.3 Available Services

Erven 2863 and 2866, Saldanha, are located within an established residential area with access to existing municipal services and infrastructure. The proposed land use application is not anticipated to result in any significant additional demand on the existing service infrastructure. Should any upgrades or additional services be required, it is anticipated that sufficient capacity exists within the surrounding municipal networks to accommodate the proposed land use application outcome.

2.4 Access

Access to Erf 2863, Saldanha, is currently obtained via a single access point from Bay View Road, while Erf 2866, Saldanha, is accessed via a single access point from Sixth Street. These existing access arrangements are considered adequate and will remain unchanged as part of the proposed land use application outcome.

Section 3 Development Proposals

3.1 Proposed Consolidation

The purpose of this motivational report is to apply in terms of:

- Section 15 (2) (e) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Consolidation** of Erf 2863 (496 m²), and Erf 2866 (496 m²), Saldanha.

Table 2 below, provides an overview of the proposed consolidation of Erven 2863 and 2866, Saldanha.

Table 2: Proposed Consolidation of Erven 2863 and 2866, Saldanha

Property	Size	Zoning
Erf 2863, Saldanha	496 m ²	Residential Zone I
Erf 2866, Saldanha	496 m ²	Residential Zone I
Consolidated Erf	992 m ²	Residential Zone I

Figure 3 below, indicates the proposed consolidation of Erven 2863 and 2866, Saldanha.

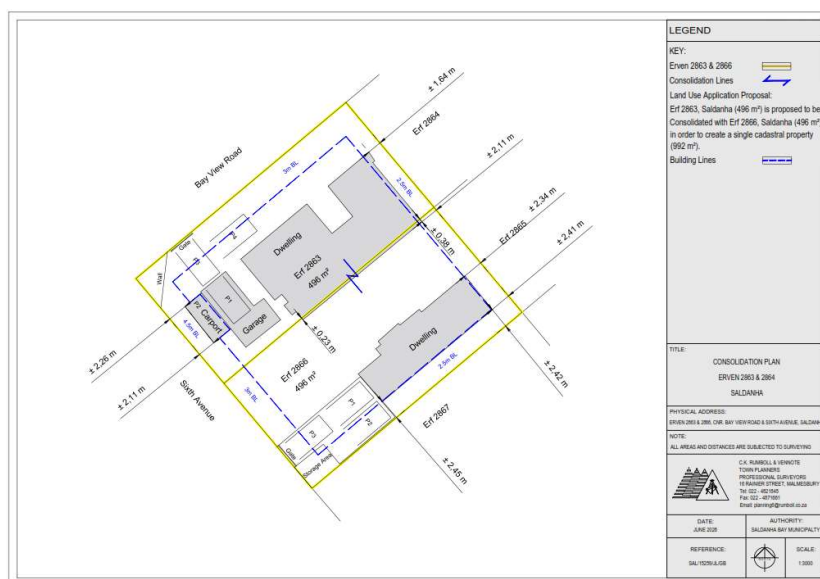


Figure 3: Proposed Consolidation Plan of Erven 2863 and 2866, Saldanha

The Proposed Consolidation Plan of Erven 2863 and 2866, Saldanha, is attached as **Annexure E**.

As previously mentioned, Erf 2863, Saldanha, is developed with a residential dwelling, single garage, and carport. The existing residential dwelling extends across the common boundary onto Erf 2866, Saldanha. Erf 2866, Saldanha, accommodates the remaining portion of the residential dwelling, together with an additional structure currently utilised as a smaller residential dwelling.

The primary motivation for the proposed consolidation of Erven 2863 and 2866, Saldanha, is to regularise this long standing encroachment by consolidating the two erven into a single cadastral unit. As both properties are owned by the same registered owner, the proposed consolidation represents the most practical, logical, and permanent solution to eliminate the existing property boundary encroachment and the legal and administrative complications associated therewith. Upon consolidation, the existing residential dwelling will be situated entirely on a single property, thereby improving cadastral accuracy, simplifying future property administration, and creating a landholding that accurately reflects the existing development on the ground.

The proposed consolidation also represents a logical planning outcome by aligning the cadastral boundaries with the existing built form. Rather than maintaining two separate erven for a single integrated

residential development, the proposal will create one functional residential property, thereby improving the overall efficiency and management of the site without altering its residential character or increasing the intensity of land use.

Erf 2863 and Erf 2866, Saldanha, each measure approximately 496 m², resulting in a consolidated property of approximately 992 m². Although the resultant erf will be larger than some of the surrounding residential properties, it remains consistent with the established development pattern of the area. Several nearby Residential Zone I properties are substantially larger, such as Erf 4570, Saldanha (approximately 992 m²), Erf 4373, Saldanha, (approximately 1500 m²) and Erf 11917, Saldanha, (approximately 1250 m²), demonstrating that larger residential erven already form part of the existing urban fabric. The proposed consolidation will therefore not create an anomaly in terms of erf size or adversely affect the character of the surrounding neighbourhood.

Furthermore, CK Rumboll and Partners recently facilitated the successful consolidation of Erven 3597 and 3599, Saldanha, which was subsequently approved by the Saldanha Bay Municipality under similar circumstances where an existing residential dwelling extended over two separate properties. The relevant land use approval demonstrates that the proposed consolidation of Erven 2863 and 2866, Saldanha, is consistent with established municipal planning practice and previous decision making within the area.

The proposed consolidation will not alter the residential character of the properties or introduce any additional development rights. The resultant consolidated property will remain zoned Residential Zone I and will continue to be predominantly utilised for residential purposes. The proposed consolidation will therefore not constitute an intensification of land use and is not expected to have any adverse impact on neighbouring properties or the surrounding residential environment.

From a development perspective, the larger proposed consolidated property will provide a more practical and efficient site layout while improving future development management and planning flexibility. The existing structures will constitute approximately 30 % coverage of the consolidated property, which is well below the maximum permissible coverage of 40 % applicable to Residential Zone I properties measuring between 750 m² and 1 500 m². The proposal therefore remains fully consistent with the intent of the relevant zoning scheme.

The proposed consolidation will further promote orderly spatial planning by removing an unnecessary internal cadastral boundary that currently bisects an existing residential dwelling. This represents sound planning practice and supports the principles of efficient land use management, improved cadastral administration, and sustainable urban development.

From an economic perspective, the proposal will enhance the utility, functionality, and marketability of the property by creating a single, coherent residential holding that accurately reflects the existing development. This will preserve the property's long term value while eliminating the practical and legal complexities associated with the existing property boundary encroachment.

Overall, the proposed consolidation represents a logical and desirable planning outcome. It resolves an existing cadastral anomaly, creates a more functional and efficient residential property, aligns with the established character of the surrounding area, and will not adversely affect neighbouring properties or municipal infrastructure. The proposed consolidation of Erven 2863 and 2866, Saldanha, is therefore

submitted to the Saldanha Bay Municipality for favourable consideration and is respectfully recommended for approval.

Note: Certain existing building line encroachments are already present on the properties, while others arise as a direct consequence of the proposed consolidation. Accordingly, land use applications for the necessary building line departures form part of this land use application to regularise these encroachments, and are addressed in Section 3.2 of this report.

3.2 Proposed Permanent Departures

The purpose of this motivational report is to apply in terms of:

- Section 15 (2) (b) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Permanent Departures** (Building Lines) on the resultant consolidated property.

As previously mentioned, certain existing building line encroachments are already present on the properties, while additional encroachments arise as a direct consequence of the proposed consolidation. The proposed consolidation of Erven 2863 and 2866, Saldanha, results in a larger, reconfigured property with revised property boundaries, thereby introducing more restrictive building line requirements along certain boundaries. Consequently, applications for the necessary building line departures are submitted as part of this land use application to regularise both the existing encroachments and those resulting from the proposed consolidation.

The relevant proposed building line departure measurements are indicated on the Proposed Consolidation Plan for Erven 2863 and 2866, Saldanha, attached as **Annexure E**.

The resultant consolidated property will be subject to a 3 m northern street building line along Bayview Road, 2.5 m side building lines along the eastern and southern property boundaries, and a 3 m western street building line along Sixth Street, along with a 4.5 m western street building line applicable to the existing carport in accordance with the building line requirements for outbuildings and carports contained within the relevant municipal by-law.

The existing residential dwelling encroaches over the 2.5 m eastern side building line, being situated approximately 1.64 m from the eastern property boundary. In addition, the existing smaller residential dwelling (discussed further in Section 3.3 of this report) encroaches marginally over the 2.5 m eastern side building line, being located approximately 2.34 m from the eastern property boundary, as well as over the 2.5 m southern side building line, being situated approximately 2.42 m from the southern property boundary. The existing carport similarly encroaches over the 4.5 m western street building line, being located approximately 2.11 m from the western property boundary.

The proposed building line departures are considered minor in nature and are required solely to regularise existing lawful structures that have been established on the properties for many years. No extensions or additions to these existing structures are proposed as part of this land use application. Accordingly, the proposed building line permanent departures do not facilitate any increase in the scale or intensity of development, but merely acknowledge the existing built form.

The proposed building line departure from the 2.5 m eastern side building line to ± 1.64 m for the existing residential dwelling is considered reasonable and appropriate. The residential dwelling is a permanent,

well constructed residential dwelling that has existed for many years without creating any known adverse impacts on neighbouring properties or the surrounding residential environment. The reduced setback has not compromised privacy, access to light, ventilation, or the general amenity of the adjoining properties, and the encroachment is therefore regarded as minor and acceptable from a planning perspective.

Similarly, the proposed building line departures from the 2.5 m eastern side building line to ± 2.34 m and from the 2.5 m southern side building line to ± 2.42 m for the existing smaller residential dwelling are regarded as minor, amounting to encroachments of only ± 0.16 m and ± 0.08 m respectively. These deviations are negligible, have existed for an extended period, and have not resulted in any complaints or detrimental impacts on the adjacent properties. Given their minimal nature, the proposed building line departures are considered both reasonable and desirable.

The proposed building line departure from the 4.5 m street building line to ± 2.11 m in order to accommodate the existing carport is likewise considered appropriate. The existing carport is a formal, permanent structure that has been constructed in keeping with the architectural character of the existing residential dwellings and garage. It continues to serve a practical function by providing covered parking and does not detract from the visual quality of the streetscape along Sixth Avenue. Furthermore, the existing carport does not obstruct visibility, interfere with pedestrian or vehicular movement, or compromise public safety. The proposed building line departure therefore represents a technical non-compliance rather than a significant planning concern.

Collectively, the proposed building line departures will not result in any adverse impacts on the neighbouring properties, municipal infrastructure, traffic movement, public safety, or the character of the surrounding residential area. The existing structures are compatible with the established built form of the neighbourhood and have co-existed harmoniously with surrounding development for many years. The proposed building line departures are minor, relate exclusively to existing development, and will simply regularise the current situation without creating any undesirable planning precedent.

It should further be noted that the property owner is currently in the process of preparing updated as-built building plans, accurately reflecting all existing structures on the property. These plans will be submitted to the Saldanha Bay Municipality for consideration and approval through the appropriate building control processes, thereby ensuring that both the planning and building records accurately reflect the existing development on the resultant consolidated property.

The As-Built Survey Plan of Erven 2863 and 2866, Saldanha, is attached as **Annexure F**.

In view of the above, the proposed building line departures are considered to be justified, reasonable, and desirable. They represent the most practical planning solution to regularise minor existing encroachments, facilitate the proposed consolidation, and promote orderly and lawful development without causing any prejudice to neighbouring landowners or the broader public interest. The proposed building line departures are therefore submitted to the Saldanha Bay Municipality for favourable consideration and is respectfully recommended for approval.

Note: The property owner proposes to utilise the existing smaller residential dwelling on the resultant consolidated property for small scale business purposes by means of a temporary departure for a period of five (5) years. This proposal is discussed in detail in Section 3.3 of this report.

3.3 Proposed Temporary Departure

The purpose of this motivational report is to apply in terms of:

- Section 15 (2) (c) of the Saldanha Bay Municipal Land Use Planning By-Law (PG 7468 of 13 August 2015), for the proposed **Temporary Departure** on the resultant consolidated property, in order to accommodate temporary business.

As previously mentioned, the property owner proposes to utilise the existing smaller residential dwelling situated on the resultant consolidated property for small scale business purposes by means of a temporary departure for a period of five (5) years, as is not a primary land use permitted within Residential Zone I.

Skyside Properties (Pty) Ltd purchased the properties with the intention of accommodating its Regional Manager and his/her family within the primary residential dwelling, thereby establishing a local operational presence in the Greater Vredenburg and Saldanha area. The proposed small scale business component will support the company's environmental monitoring services and will operate from the existing smaller residential dwelling situated on the property.

The proposed business activities will primarily comprise of the processing and analysis of environmental air and dust samples, as well as the measurement of trace air pollutants in local air (in support of similar air monitoring being undertaken by municipalities to protect public health). The existing smaller residential building, measuring approximately 80 m², will be converted and utilised without any external alterations or extensions and will consist of the following functional areas:

- A dust laboratory where dust samples collected from the surrounding area are filtered and weighed;
- A testing room for the calibration and testing of electronic air quality monitoring equipment; and
- An office incorporating administrative workspace together with a small meeting area for internal operational purposes (office space component).

The proposed operation is of a specialised technical nature and does not involve manufacturing, industrial production, retail sales, or activities that generate noise, vibration, fumes, odours, hazardous waste, or other environmental impacts. The processing of samples is undertaken to monitor and assess air quality and environmental conditions and therefore supports environmental management and the protection of public health. The proposed small scale business activities are entirely compatible with the surrounding residential environment and will be conducted within an enclosed existing building.

The office space component will primarily serve the Regional Manager and support staff responsible for servicing clients throughout the region. Customer visits will be infrequent, generally occurring only once every two to three months, with the facility functioning predominantly as an internal operational and technical support facility rather than a customer facing business. Consequently, the proposal will generate negligible additional traffic and is not expected to increase congestion within the surrounding road network. Parking requirements can be comfortably accommodated on the consolidated property. Based on the applicable parking standard of one parking bay per 25 m² of business floor area, the approximately 80 m² building requires four parking bays. The property provides a total of seven on-site parking bays, two of which serve the residential dwelling, leaving five parking bays available for the proposed business use.

Adequate on-site parking is therefore available, ensuring that no parking demand will spill over onto surrounding public streets.

Importantly, the proposal does not alter the residential character of the property or surrounding neighbourhood. The existing building will remain substantially unchanged in appearance, and no additional building work, signage of a commercial nature, or external storage is proposed. The scale of the operation is modest, staffing levels will remain limited, and all activities will be conducted within the existing building during normal business hours.

The temporary departure is requested for a period of five (5) years. This will allow the Saldanha Bay Municipality to monitor the operation and assess its compatibility with the surrounding residential area over time. Should any unforeseen impacts arise, the municipality retains the ability to review the operation upon expiry of the temporary approval. The temporary nature of the relevant application therefore provides an appropriate planning mechanism that balances the operational needs of the property owner with the interests of the surrounding community.

From a planning perspective, the proposal represents a low-impact business activity that makes efficient use of an existing building without compromising the amenity, character, or functioning of the surrounding residential area. The proposed use will not adversely affect neighbouring properties, municipal services, traffic movement, parking provision, or public safety. Instead, it will provide a local operational base for a company delivering specialised environmental monitoring services that contribute to improved environmental management and the protection of public health within the region.

Accordingly, the proposed temporary departure is considered reasonable, desirable, and compatible with the objectives of sound land use planning. It is therefore respectfully recommended that the temporary departure for a period of five (5) years be favourably considered and approved by the Saldanha Bay Municipality.

3.4 Zoning Parameters

Table 3 below, indicates the compliance of the proposed consolidation of Erven 2863 and 2866, Saldanha, with the requirements specified in Saldanha Bay Municipality: Integrated Zoning Scheme By-Law for Residential Zone I zoned properties.

Table 3: Development Parameters on Residential Zone I (Low-Density Housing) properties

Land Use Determination	Proposal	Compliance
Primary use: Dwelling house, Occupational practice, Home childcare, Additional dwelling unit.	Dwelling house	Compliant
Building Lines: Street: 3 m & 4.5 m (Carport) Side: 2.5 m	Applications for the required permanent building line departures form part of this land use application. Refer to Section 3.2 of this report for the detailed motivation.	Non-Compliant

Height: No building may exceed a height of 8 metres.	All existing buildings adhere to the relevant height restrictions.	Compliant
Coverage: Maximum coverage of 40 % for erven with a size between 750 m ² and 1500 m ² .	The proposed consolidated property will comprise of an overall coverage of $\pm$ 30 %.	Compliant
Parking: Two parking spaces are required per dwelling (including covered bays / garage).	The proposed consolidated property will comprise a garage, a carport, and five additional on-site parking bays. Two of the parking bays will be allocated to the residential use, leaving five parkings available to accommodate visitors and the proposed temporary small scale business use.	Compliant
Open Space: Open space is to be provided in accordance with the requirements of Section 41.	With a building coverage of approximately 30 %, the proposed consolidated property provides ample open space to accommodate the existing development while maintaining an appropriate balance between built form and landscaped areas.	Compliant
Lodging: Lodging is allowed inside a dwelling house with a family subject to numerous land use management provisions.	Not applicable for this proposed land use application.	Compliant

As indicated in Table 3, the proposed consolidation of Erven 2863 and 2866, Saldanha, together with the associated permanent building line departures applicable to the resultant consolidated property, generally complies with the relevant development parameters prescribed by the Saldanha Bay Municipality: Integrated Zoning Scheme By-Law for Residential Zone I properties. The only development parameters requiring departure are the applicable building line setbacks, which are comprehensively motivated and addressed in Section 3.2 of this report.

In addition, the proposed small scale business (low-impact environmental monitoring and analytical service) is not a primary land use permitted within Residential Zone I. Accordingly, additional application is made for a temporary departure for a period of five (5) years to permit the proposed business, as fully motivated in Section 3.3 of this report. The proposed use will operate from an existing building without any external alterations, will generate minimal traffic, parking demand, noise, or other external impacts, and is not anticipated to adversely affect the character or amenity of the surrounding residential area. Furthermore, adequate on-site parking is available, and the proposed use will remain compatible with the existing residential nature of the property and surrounding neighbourhood.

Moreover, the proposal is supported by the relevant spatial planning and land use policy framework, which provides sufficient guidance and support for the proposed development. Accordingly, the proposed consolidation, associated permanent building line departures, and temporary departure are considered appropriate, desirable, and consistent with the applicable planning framework, and are therefore respectfully recommended for favourable consideration and approval by the Saldanha Bay Municipality.

Section 4 **Planning Considerations**

4.1 Municipal Spatial Development Framework (MSDF)

The proposed land use application, comprising the consolidation of Erven 2863 and 2866, Saldanha, the associated permanent building line departures, and a temporary departure to permit a business (low-impact environmental monitoring and analytical service), is consistent with the vision, objectives, and spatial planning principles contained in the Saldanha Bay MSDF.

A fundamental objective of the MSDF is to promote efficient, sustainable, and orderly land use within the existing urban footprint through the optimal utilisation of land and municipal infrastructure. The proposed consolidation directly supports this objective by combining two adjoining residential erven into a single cadastral unit that accurately reflects the existing pattern of development. The proposal makes more efficient use of an already developed and fully serviced property without requiring the extension of municipal infrastructure or contributing to urban sprawl. The proposed consolidation further promotes sound land use management by regularising the existing situation where the primary residential dwelling extends across two separate erven. Consolidating the properties will eliminate the unnecessary internal cadastral boundary, improve cadastral accuracy, simplify future property administration, and create a logical and functional residential landholding. These outcomes are consistent with the MSDF's objective of promoting orderly and sustainable urban development.

The MSDF further encourages development that is compatible with the existing character of established neighbourhoods. The proposed consolidated property will remain Residential Zone I and will continue to function primarily as a residential property. Although the resultant property will measure approximately 992 m², this remains compatible with the surrounding urban fabric, where several Residential Zone I properties of comparable or larger size already exist. Consequently, the proposal will not introduce an anomaly in terms of erf size, land use, or development pattern, nor will it adversely affect the character or amenity of the surrounding residential area.

The associated permanent building line departures are required to regularise existing structures and those encroachments arising from the proposed consolidation. These departures are minor in nature, relate primarily to long established buildings, and do not facilitate any increase in development intensity. Their approval will promote legal compliance while ensuring that the existing built form can be appropriately accommodated within the resultant consolidated property, thereby supporting the MSDF's objective of orderly and well managed urban development.

The proposed temporary departure similarly aligns with the objectives of the MSDF by making productive use of an existing building without altering the residential character of the property. The proposed business (low-impact environmental monitoring and analytical service) will operate entirely within the

existing smaller residential dwelling and will generate minimal traffic, parking demand, noise, or other external impacts. The proposal therefore represents an appropriate mixed-use activity of a scale that is compatible with the surrounding residential environment while supporting local economic activity and employment within the municipality.

Furthermore, the proposal contributes to investment certainty by enabling the lawful and efficient use of privately owned land while ensuring that the property's cadastral boundaries, planning approvals, and existing development are appropriately aligned and permitted. This promotes long-term property management, enhances the functionality and marketability of the property, and supports the broader objectives of sustainable economic development promoted by the MSDF. Overall, the proposed land use application represents a logical, sustainable, and contextually appropriate planning intervention. It promotes the efficient use of existing urban land and infrastructure, regularises existing development, preserves the established character of the surrounding neighbourhood, and supports appropriate economic activity without compromising residential amenity. The proposal is therefore considered to be fully consistent with the planning principles and strategic objectives of the Saldanha Bay Municipal Spatial Development Framework and is thus respectfully submitted for favourable consideration and approval.

4.2 Principles of Land Use Planning

The proposed land use application, comprising the consolidation of Erven 2863 and 2866, Saldanha, the associated permanent building line departures, and the temporary departure to permit a business use, supports and is consistent with the five development principles for spatial planning and land use management contained in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).

4.2.1 Spatial Justice

The proposal promotes spatial justice by enabling the lawful and efficient utilisation of privately owned land within an established urban area. The land use application regularises an existing cadastral anomaly through the consolidation of the properties and facilitates the appropriate use of existing development without limiting access to opportunities or negatively affecting neighbouring landowners. The proposal will not compromise the rights or amenity of adjoining properties and promotes equitable and fair land use management.

4.2.2 Spatial Sustainability

The proposal promotes spatial sustainability by making efficient use of existing developed land and municipal infrastructure within the urban edge. No additional municipal infrastructure or services are required to accommodate the proposal, and the land use application does not contribute to urban sprawl or inefficient land consumption. The proposed temporary departure makes productive use of an existing building without requiring additional development, thereby supporting the sustainable utilisation of existing resources while maintaining the residential character of the area.

4.2.3 Efficiency

The proposal gives effect to the principle of efficiency by consolidating two adjoining erven into a single functional cadastral unit that accurately reflects the existing development on the ground. This eliminates

an unnecessary internal property boundary, improves cadastral administration, simplifies future property management, and promotes more efficient land use. The proposal further utilises existing municipal services, road infrastructure, and on-site parking without placing undue demand on public resources.

4.2.4 Spatial Resilience

The proposal promotes spatial resilience by allowing the property to respond to changing operational and economic requirements while remaining compatible with the surrounding residential environment. The temporary departure provides flexibility for a low-impact environmental monitoring and analytical service that supports environmental management and economic activity within the region without compromising the long-term residential function of the property. The temporary nature of the approval also allows the municipality to review the use after five years, ensuring that the proposal does not affect the surrounding area as well as remains appropriate over time.

4.2.5 Good administration

The proposal supports the principle of good administration by regularising existing development and ensuring that the property complies with the applicable planning framework. The proposed consolidation, permanent building line departures, and temporary departure are being processed through the prescribed statutory procedures, thereby promoting transparency, legal certainty, and sound land use management. Furthermore, the property owner is in the process of preparing updated as-built building plans, which will be submitted to the Saldanha Bay Municipality for consideration, ensuring that the Municipality's planning and building records accurately reflect the existing development.

In conclusion, the proposed land use application gives effect to the development principles contained in SPLUMA and LUPA by promoting orderly, efficient, sustainable, and well-managed development within an established urban area. The proposal represents sound planning practice, will not adversely affect the surrounding neighbourhood or municipal infrastructure, and is therefore considered to be consistent with the objectives of both SPLUMA and LUPA.

Section 5 Summary

The proposed land use application, comprising the consolidation of Erven 2863 and 2866, Saldanha, the associated permanent building line departures, and the temporary departure to permit a small scale business use, is considered to represent a logical, appropriate, and desirable planning outcome.

The land use application can be favourably supported on the basis of the following:

- The proposed consolidation complies with and supports the vision, objectives, and spatial planning principles of the Saldanha Bay Municipal Spatial Development Framework.
- The proposal gives effect to the development principles contained in the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA).
- The proposed consolidation and resultant development generally comply with the development parameters prescribed by the Saldanha Bay Municipal Integrated Zoning Scheme By-Law for Residential Zone I properties.

- The proposed permanent building line departures are minor in nature, relate primarily to existing lawful structures and those resulting from the proposed consolidation, and are required to regularise the existing development. The proposed departures will not adversely affect neighbouring properties, the streetscape, or the character of the surrounding residential area.
- The proposed temporary departure will enable an existing building to be utilised for a small scale business use (low-impact environmental monitoring and analytical service) for a period of five (5) years. The proposed business activity will operate on a limited scale, generate minimal traffic and parking demand, and will not create noise, pollution, visual intrusion, or any other nuisance that could negatively impact the surrounding residential neighbourhood.
- The proposal makes efficient use of an existing, fully serviced urban property without requiring additional municipal infrastructure or services and therefore promotes the efficient utilisation of existing resources.
- The proposed development will not adversely affect the surrounding neighbourhood, municipal services, traffic movement, environmental quality, or the general amenity of the area.

The land use application further regularises an existing cadastral anomaly, aligns the cadastral boundaries with the existing built form, improves the functionality and long-term management of the property, and facilitates an appropriate temporary business use that is compatible with the surrounding residential environment. Collectively, these outcomes promote orderly and sustainable land use management while protecting the character and integrity of the surrounding neighbourhood.

Accordingly, it is respectfully submitted that the proposed consolidation of Erven 2863 and 2866, Saldanha, together with the associated permanent building line departures and the temporary departure for a period of five (5) years, satisfies the applicable planning legislation, municipal policy framework, and sound planning principles. The land use application is therefore submitted for favourable consideration and respectfully recommended for approval by the Saldanha Bay Municipality.

Yours sincerely,



Jolandie Linnemann / Grant Baartman

For CK RUMBOLL AND PARTNERS