

19 OCTOBER 2026

REGISTERED MAIL

Dear Sir/Madam; *Geagte Meneer/Dame*

NOTICE OF LAND USE APPLICATION / KENNISGEWING VAN GRONDGEBRUIKSAANSOEK: PORTION 20 OF THE FARM UITKOMST NO. 23, APPLICANT/APPLIKANT: CK RUMBOLL & PARTNERS: - CONTACT DETAILS/KONTAK BESONDERHEDE: NJ DE KOCK [022 482 1845/ planning2@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) Rezoning, in terms of Section 15(2)(a) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, of Portion 20 of the Farm Uitkomst No. 23 from Undetermined Zone to Residential Zone II to accommodate a group housing development consisting of 33 dwelling units.
- b) Permanent departure, in terms of Section 15(2)(b) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, to allow for a density of 37.09 du/ha in lieu of 30 du/ha.
- c) 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 required open space from 120m² per dwelling unit to $\pm 76.85\text{m}^2$ per dwelling unit i.e. from $\pm 3\,960\text{m}^2$ to $\pm 2\,536.2\text{m}^2$.
- d) Permission required in terms of the Saldanha Bay Municipality Integrated Zoning Scheme By-law, 2021, in terms of Section 15(2)(g) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, to pay a cash amount to the Municipality, in terms of Clause 46(13) of the Saldanha Bay Municipality Integrated Zoning Scheme By-law, 2021, for the shortfall of 41 parking bays for the proposed development.
- e) Approval of a Site Development Plan, in terms of Section 15(2)(u) of the Saldanha Bay Municipality By-law on Land Use Planning, 2022, for Portion 20 of the Farm Uitkomst No. 23.
- f) Deviation from the provisions of the Saldanha Bay Municipal Spatial Development Framework (2025) to allow for a residential development at a density of 37.09 du/ha on Portion 20 of the Farm Uitkomst No. 23 in lieu of 25 du/ha (section 5.4.4.2 of the MSDF, 2025).

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

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

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

- a) Hersonerings, ingevolge Artikel 15(2)(a) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, van Gedeelte 20 van die Plaas Uitkomst Nr. 23 vanaf Onbepaalde Sone na Residensiële Sone II om voorsiening te maak vir 'n groepbehuising-ontwikkeling bestaande uit 33 wooneenhede.
- b) Permanente afwyking, ingevolge Artikel 15(2)(b) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, om voorsiening te maak vir 'n digtheid van 37,09 wooneenhede/ha in plaas van 30 wooneenhede/ha.
- c) Permanente afwyking, ingevolge Artikel 15(2)(b) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir die verslapping van die vereiste oopruimte vanaf 120m² per wooneenheid na ±76,85m² per wooneenheid, d.w.s. vanaf ±3 960m² na ±2 536.2m².
- d) Toestemming, ingevolge die Saldanhabaai Munisipaliteit se Geïntegreerde Soneringskema Verordening, 2021, ingevolge Artikel 15(2)(g) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, om 'n kontantbedrag aan die Munisipaliteit te betaal, ingevolge Klousule 46(13) van die Saldanhabaai Munisipaliteit se Geïntegreerde Soneringskema Verordening, 2021, vir die tekort van 41 parkeerplekke vir die voorgestelde ontwikkeling.
- e) Goedkeuring van 'n Terreinontwikkelingsplan, ingevolge Artikel 15(2)(u) van die Saldanhabaai Munisipale Verordening op Grondgebruikbeplanning, 2022, vir Gedeelte 20 van die Plaas Uitkomst Nr. 23.
- f) Afwyking van die bepalinge van die Saldanhabaai-munisipaliteit se Ruimtelike Ontwikkelingsraamwerk (2025) om voorsiening te maak vir 'n residensiële ontwikkeling teen 'n digtheid van 37,09 wooneenhede/ha op Gedeelte 20 van die Plaas Uitkomst Nr. 23, in plaas van 25 wooneenhede/ha (artikel 5.4.4.2 van die MROR, 2025).

Nadere besonderhede lê ter insae op die webblad van Saldanhabaai 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 of Farm No 23/20 Malmesbury District

Legend



Map Center: Lon: 17°53'42.7"E
Lat: 32°48'28.9"S

Scale: 1:18,056

Date created: 2026/11/06

Google Inc.



t: +27 (21) 914-4945
f: +27 (21) 914-4963
e: accounts@vbba.co.za
w: www.vbba.co.za
a: 74 de bron ave, kenridge
durbanville, 7550
p: po box 4931, tyger valley
7526, south africa

van biljon
barnardo
argitekte • architects

est. 1992







011 914-4945
011 914-4963
info@vbba.co.za
vbba.co.za
1000 ave, kenridge
johannesburg, 7550
0931, tyger valley
south africa

van biljon
barnardo
argitekte • architects

est. 1992

MOTIVATIONAL REPORT

APPLICATION FOR REZONING, DEPARTURE AND APPROVAL OF A SITE DEVELOPMENT PLAN ON PORTION 20 OF FARM UITKOMST NO 23, MALMESBURY DISTRICT

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

Authority:

Saldanha Bay Municipality

Our Reference:

PAT/14831/NJdK

Date:

June 2026

Compiled By:

NJ de Kock for

CK Rumboll & Partners

Town Planners

Professional Surveyors

16 Rainier Street, Malmesbury

Tel: 022-4821845

Fax: 022-4871661

Email:

planning2@rumboll.co.za



INDEX

1. SECTION 1.....	5
INTRODUCTION	5
1.1 PURPOSE.....	5
1.2 RESTRICTIONS	5
1.2.1 Bonds.....	5
1.2.2 Existing Servitudes	6
1.3 Property Description.....	6
2. SECTION 2.....	6
CONTEXTUAL ANALYSIS	6
2.1 LOCALITY	6
2.2 EXISTING ZONING AND SURROUNDING USES	7
2.3 TOPOGRAPHY	7
3. SECTION 3.....	8
DEVELOPMENT PROPOSAL	8
3.1 DEVELOPMENT	8
3.1.1 Rezoning.....	8
3.1.2 Departure from required open space.....	10
3.1.3 Departure from required maximum density of 30 units/gross hectare	12
3.1.4 Permission in terms of the zoning scheme – Parking shortfall.....	12
3.1.5 Site Development Plan.....	13
3.1.6 Phasing.....	15
3.2 SERVICES	15
3.2.1 Civil Services Report.....	15
3.2.2 Electrical Services Report.....	18
3.3 TRAFFIC IMPACT STATEMENT.....	18
3.4 HERITAGE IMPACT	19
3.5 GEOTECHNICAL REPORT	19
4. SECTION 4.....	21
PLANNING LEGISLATION AND POLICIES.....	21
4.1 Saldanha Bay Integrated Zoning Scheme By-Law	21
4.1.1 Zoning Parameters	21
4.2 Provincial Policy Context	25
4.3 Local Policy Context	26

4.3.1	Saldanha Bay Spatial Development Framework (2025).....	26
4.3.2	Departure from the Spatial Development Framework.....	28
4.4	Principles of Land Use Planning.....	29
4.4.1	Spatial justice	29
4.4.2	Spatial sustainability	29
4.4.3	Efficiency	29
4.4.4	Spatial resilience	30
4.4.5	Good administration	30
4.5	National Environmental Management Act (Act 107 of 1998) (NEMA).....	30
4.6	Section 21 of the National Water Act (Act 36 of 1998)	30
4.7	Section 53 of Mineral and Petroleum Resources Development Act (Act 28 of 2002)	30
4.8	Section 38 of the National Heritage Resources Act (Act 25 of 1999) (NHRA)	30
4.9	Subdivision of Agricultural Land Act (Act 70 of 1970)	30
4.10	Civil Aviation Act (Act 13 of 2009)	30
4.11	Roads and Ribbon Development Act (Act 21 of 1940)	30
4.12	National Roads Traffic Act (Act 93 of 1996).....	30
5.	SECTION 5.....	31
	DESIRABILITY	31
6.	SECTION 6.....	31
	ASSESSMENT CRITERIA.....	31
6.1.1	Socio-Economic Impact.....	31
6.1.2	Compatibility with surrounding uses	31
6.1.3	Impact on the external engineering services.....	32
6.1.4	Impact on safety, health and wellbeing of the surrounding community	32
6.1.5	Impact on heritage.....	32
6.1.6	Impact on the biophysical environment.....	32
6.1.7	Traffic impacts, parking, access, and other transport related considerations	32
7.	SECTION 7.....	33
	SUMMARY.....	33
Tables		
	Table 1: Property Details.....	6
	Table 2: Proposed Rezoning.....	9

Annexures

- ❖ Power of Attorney
- ❖ Application Form
- ❖ Title Deed
- ❖ SG Diagrams
- ❖ Bulk Services Report
- ❖ Civil Services Report
- ❖ Traffic Impact Statement
- ❖ Electrical Services Report

Maps & Plans

- ❖ Locality Map
- ❖ Topographical Survey Plan
- ❖ Rezoning Plan
- ❖ Site Development Plan

1. SECTION 1 INTRODUCTION

CK Rumboll and Partners have been approached by Vaalplaas Communal Prop Assoc, the registered owners of Portion 20 of Farm Uitkomst No 23, Malmesbury District, to attend to all town planning and land surveying actions regarding the rezoning and departure on the mentioned property. The development will comprise of medium density residential development, as well as open spaces and private roads. Copy of the **Power of Attorney** is attached.

Background:

In 1998, the Vaalplaas Community lodged a land claim with the Regional Land Claims Commission in terms of the Restitution of Land Rights Act, on behalf of families who were former residents of the dispossessed communal land known as Vaalplaas in Paternoster. Following the successful submission of the claim, a Communal Property Association (CPA) was established and registered to represent the interests of 33 beneficiary families. The intention is now to allocate a residential unit to each of these families through the proposed group house development, thereby contributing to the redress of past injustices.

1.1 PURPOSE

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

- ▶ Section 15 (2) (a) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **rezoning** of Portion 20 of Farm Uitkomst No 23, Malmesbury District, from Undetermined Zone to Residential Zone II to accommodate a group housing development.
- ▶ Section 15 (2) (b) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **departure** of the development parameters on Portion 20 of Farm Uitkomst No 23, Malmesbury for the following:
 - Communal open space required from 3960m² to ±2536.2m²
 - Density (amount of units allowable under this zoning)
- ▶ Section 15 (2) (u) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **Approval of the Site Development Plan** to accommodate a group Housing Scheme on Portion 20 of Farm Uitkomst No 23, Malmesbury District.
- ▶ Section 46 (13) of *Saldanha Bay Municipality: Integrated Zoning Scheme By-Law* for the permission in terms of the zoning scheme for the parking shortfall on the property.

The completed **Application Form** is attached.

1.2 RESTRICTIONS

There are no restrictive conditions listed within the Title Deed of Portion 20 of Farm Uitkomst No 23, Malmesbury District, that will prohibit the proposed development. Copy of the **Title Deed** is attached.

1.2.1 Bonds

Portion 20 of Farm Uitkomst No 23 is not encumbered by a bond.

1.2.2 Existing Servitudes

There are no servitudes registered on the property.

1.3 Property Description

Table 1: Property Details

Portion 20 of Farm Uitkomst No 23, Malmesbury District	
Registered Owner	Vaalplaas Communal Prop Assoc
Extent	8897m ²
Title Deed no.	T1515/2021
Title Deed Restrictions	None
Servitudes	None
Bonds	None
Zoning	Undetermined Zone
Land Use	Vacant

Copies of the **Title Deed** and **SG Diagrams** are attached.

2. SECTION 2 CONTEXTUAL ANALYSIS

2.1 LOCALITY

Paternoster is located approximately 15 kilometers northwest of Vredenburg and is accessible via Main Road 240. The settlement is situated about 90 minutes from Cape Town by road. Historically, its location was selected due to its coastal access, which was essential for the establishment of a small fishing community. Portion 20 of Farm Uitkomst No 23, Malmesbury District is located within the south-western part of Paternoster, adjacent to the existing residential area. Access to the property is obtained from Oestervanger Street that connects to Visvanger Street. Access to the proposed development will therefore be from the north-western side of the property.



Figure 1: Locality of Portion 20 of Farm Uitkomst No 23, Malmesbury District

2.2 EXISTING ZONING AND SURROUNDING USES

According to the Saldanha Bay Integrated Zoning Scheme By-Law, Portion 20 of Farm Uitkomst No. 23 is zoned as an Undetermined Zone (see Figure 2). The property borders a residential development to the north, while the southern, eastern, and western sides are also zoned as Undetermined and are currently vacant. The proposal to establish a group housing development in this area is strongly supported, as it will serve as an extension of the existing residential neighbourhood. This will reinforce and enhance the character of the area.

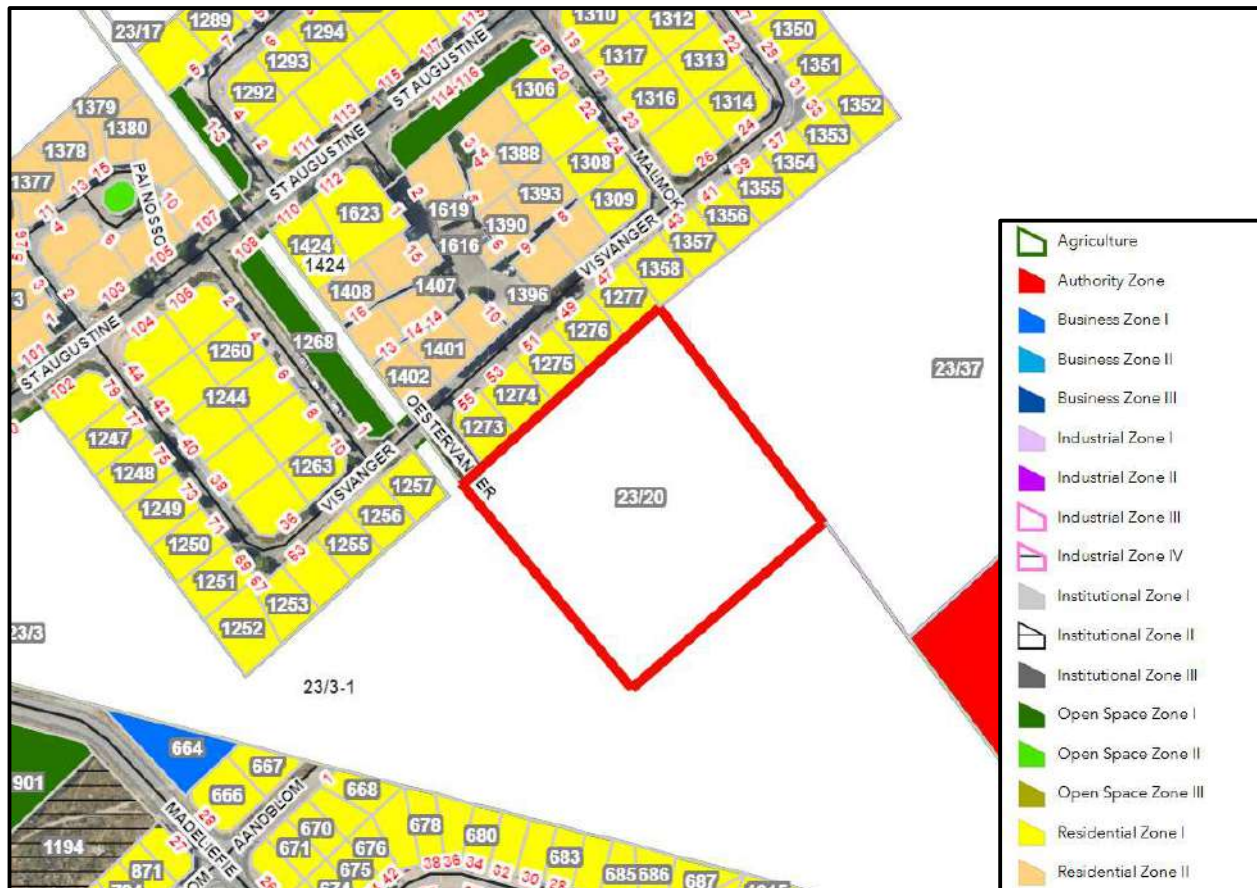


Figure 2: Zoning Map extract

2.3 TOPOGRAPHY

A topographical survey of Portion 20 of Farm Uitkomst No. 23, Malmesbury District, conducted by CK Rumboll & Partners, indicates a gentle slope descending from south to north across the site. The layout of the proposed development has been carefully designed to respond to this natural gradient, ensuring that the fall of the land is effectively incorporated into the planning. This approach will facilitate efficient stormwater management by guiding runoff in a controlled manner and reducing the potential for erosion or localised flooding within the development.

The **Topographical Survey Plan** is attached.



Figure 3: Topographical Survey on Portion 20 of Farm Uitkomst No 23, Malmesbury District

3. SECTION 3 DEVELOPMENT PROPOSAL

3.1 DEVELOPMENT

The purpose of this report is to, primarily, obtain the necessary land use rights to establish a group housing development consisting of 33 units on Portion 20 of Farm Uitkomst No 23, Malmesbury District. This section broadly explains what is being applied for in terms of the *Saldanha Bay Municipality: By-law on Land Use Planning (2022)* and how it complies with the Integrated Zoning Scheme By-Law (2021).

3.1.1 Rezoning

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

- Section 15 (2) (a) of *Saldanha Bay Municipality: By-law on Municipal Land Use Planning* (PG 8679 of 11 November 2022) for the **rezoning** of Portion 20 of Farm Uitkomst No 23, Malmesbury District, from Undetermined Zone to Residential Zone II to accommodate a group housing development.

The rezoning of Portion 20 of Farm No 23 in the Malmesbury District from Undetermined Zone to Residential Zone II to accommodate a group housing development is crucial to rectify historical land dispossessions faced by the Vaalplaas Community. In 1998, the community submitted a land claim under the Restitution of Land Rights Act for the communal land in Paternoster, resulting in the formation of a registered Communal Property Association (CPA) to advocate for 33 beneficiary families. This rezoning enables the development of 33 group housing units on the 8,897 m² site, allocating one unit per family as a form of restitution. By repurposing this underutilized land for residential purposes (group housing development), the initiative advances national goals of land reform, promotes social equity, and facilitates the reintegration of displaced families into stable, community-oriented living environments in the Western Cape.

The proposed Residential Zone II zoning aligns seamlessly with the surrounding land uses, positioning the proposed group housing development as a natural extension of the established residential neighbourhood to the south. Residential Zone II is well-suited for this medium-density housing, as it will reinforce the area's residential character by introducing compatible architecture and scale that complements the existing development to the north and north-west (existing group housing developments). This integration not only optimizes land efficiency but also enhances neighbourhood continuity, fostering a unified community atmosphere in Paternoster. The proposal sets a model for harmonious urban expansion, where new residential development blend with the surrounding area to create a more inclusive and vibrant setting. The **Rezoning Plan** is attached.

Table 2: Proposed Rezoning

Property	Current Zoning:	Proposed zoning:
Portion 20 of Farm Uitkomst No 23, Malmesbury District	Undetermined Zone	Residential Zone II (group housing)

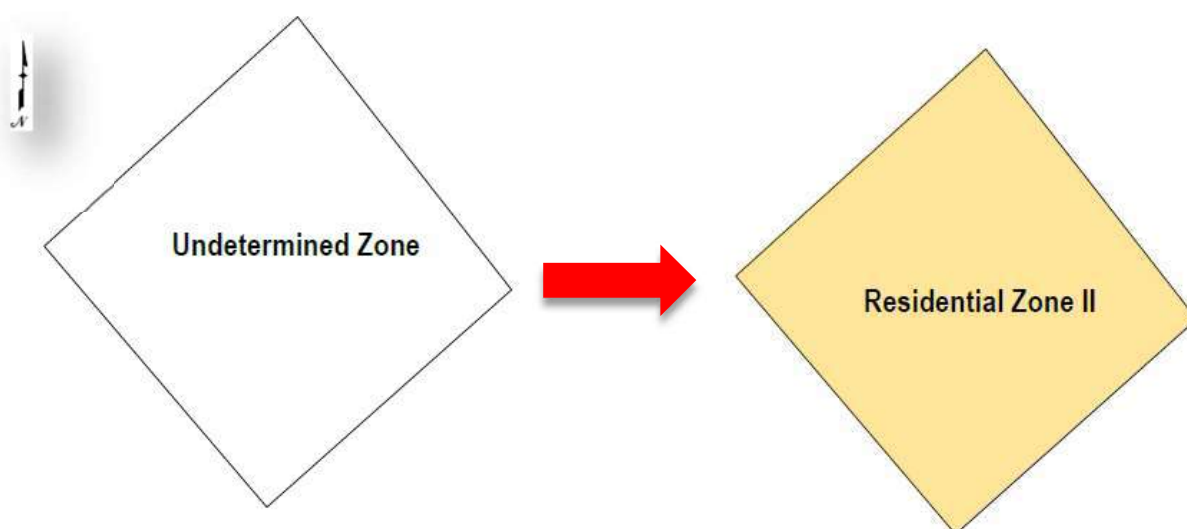


Figure 4: Proposed Rezoning of Portion 20 of Farm Uitkomst No 23, Malmesbury District

3.1.2 Departure from required open space

Prioritizing the delivery of 33 group housing units aligns closely with the core objectives of the Restitution of Land Rights Act 22 of 1994, which aims to restore land or provide equitable redress to communities dispossessed under apartheid-era policies. In this case, the Vaalplaas Community's 1998 land claim underscores the urgency of housing provision for the 33 beneficiary families represented by the Communal Property Association (CPA). By emphasizing the allocation of residential units over inflexible open space requirements, the development ensures that historical injustices are addressed promptly, preventing further delays that could exacerbate social and economic vulnerabilities. This approach not only fulfils the Act's mandate for restitution but also promotes long-term community empowerment, allowing families to rebuild their lives in a secure environment while contributing to broader national goals of reconciliation and equity in land distribution.

The proposed allocation of $\pm 2536.2 \text{ m}^2$ for open space, representing a 35.9% deviation from the required 3960 m^2 , shifts the focus from sheer quantity to superior quality and functionality. This optimized design incorporates versatile multifunctional zones tailored to the residents' needs, including dedicated areas for recreation such as play spaces for children, landscaped gardens with native vegetation to support local biodiversity, and communal gathering spots for social events and relaxation. Such features are strategically planned to maximize usability within the site's 8897 m^2 extent, ensuring that the open space enhances overall resident well-being by fostering physical activity, mental health benefits, and a sense of community. This qualitative emphasis compensates for the reduction, creating a more impactful and sustainable living experience that aligns with modern urban planning principles prioritizing efficient, people-centered spaces.

While the standard requirement calls for 3960 m^2 of open space, the provided $\pm 2536.2 \text{ m}^2$ still accounts for approximately $\pm 28.5\%$ of the total site area, which exceeds typical thresholds for efficient urban development in similar residential zones. This proportion demonstrates a commitment to balanced land use, ensuring that the group housing project remains sustainable without overcrowding or environmental strain. By dedicating such a significant percentage to open areas, the development supports key principles of liveability, including adequate ventilation, natural light penetration, and green buffers that mitigate urban heat effects. This sufficiency enables the creation of a cohesive, eco-friendly neighbourhood that integrates well with Paternoster's coastal context, promoting resource-efficient growth that benefits both residents and the surrounding ecosystem.

Given the site's advantageous proximity to the ocean—approximately 380 meters away—the on-site open space requirement of 3960 m^2 is more than adequately met by the proposed $\pm 2536.2 \text{ m}^2$, as residents will have easy access to vast natural recreational opportunities along the coastline. This location in Paternoster, a renowned coastal town, allows the development to leverage nearby beaches, dunes, and marine environments for leisure and exercise, effectively extending the functional open space beyond the property boundaries. Additionally, the inclusion of a dedicated walkway zone from the site directly to the ocean underscores the intentional design for pedestrian connectivity, enabling safe and convenient access for residents to enjoy seaside walks, fishing, or simply the therapeutic benefits of the Atlantic Ocean. This integration with the natural surroundings not only justifies the departure but also enhances the project's

overall appeal, aligning with sustainable coastal planning that prioritizes harmony between built environments and natural assets.

The proposed allocation of $\pm 2536.2\text{m}^2$ for open space, representing a 35.9% deviation from the required 3960m^2 , shifts the focus from sheer quantity to superior quality and functionality. This optimized design incorporates versatile multifunctional zones tailored to the residents' needs, including dedicated areas for recreation such as play spaces for children, landscaped gardens with native vegetation to support local biodiversity, and communal gathering spots for social events and relaxation. Notably, each of the 33 group housing units is surrounded by open spaces, providing outdoor areas for individual families while contributing to the overall sense of openness. Complementing this is a large central open space of approximately 480m^2 , designed to serve all residents as a shared hub for community activities. Together, these elements create the effect of an open and spacious development, maximizing usability within the site's 8897m^2 extent and ensuring that the open space enhances overall resident well-being by fostering physical activity, mental health benefits, and a sense of community. This qualitative emphasis compensates for the reduction, creating a more impactful and sustainable living experience that aligns with modern urban planning principles prioritizing efficient, people-centered spaces.



Figure 5: Proposed Access to ocean from Farm No 23/20, Malmesbury District

3.1.3 Departure from required maximum density of 30 units/gross hectare

The requested departure to allow a density of 37.09 units per hectare (33 units on the 0.8897 ha property) instead of the zoning scheme maximum of 30 units per gross hectare, which would allow 26.6 units, is primarily motivated by a critical land restitution mandate. Following a successful 1998 land claim lodged under the Restitution of Land Rights Act for dispossessed communal land in Paternoster, a Communal Property Association (CPA) was registered to represent 33 beneficiary families. Accommodating exactly 33 group housing units on the site is essential to allocate one dedicated home per family, directly fulfilling the core objectives of restorative justice, social equity, and permanent housing security.

From a spatial planning policy perspective, the minor density increase aligns directly with the principles of spatial justice and spatial efficiency outlined in SPLUMA and LUPA. By developing an underutilised, vacant site within Paternoster's designated Urban Edge, the project promotes smart growth through compact infill development, curbing urban sprawl while making optimal use of existing municipal infrastructure. Furthermore, because the subject property is situated only 50 metres from a high-density zone (50 du/ha), the proposed density of 37 du/ha facilitates a logical, gradual transition in urban density across the area.

The physical, visual, and service impacts of this marginal density deviation are negligible and well-managed. Civil and electrical engineering evaluations confirm that the local municipal service networks possess sufficient capacity to absorb the additional units. Moreover, the single-storey design maintains a low overall building coverage of ±33.17% (well below the allowable 60% limit) and introduces compatible architecture that serves as a natural extension of the established residential neighbourhood to the north and southwest. The proposed deviation will therefore have a limited impact on the surrounding area.

3.1.4 Permission in terms of the zoning scheme – Parking shortfall

In order to accommodate the development, application is made in terms of:

- Section 46 (13) of *Saldanha Bay Municipality: Integrated Zoning Scheme By-Law* for the permission in terms of the zoning scheme for the parking shortfall on the property.

Notwithstanding the measures set out above to minimise the parking demand associated with the development, a shortfall of 41 parking bays remains against the statutory requirement of 74 bays. Rather than compromising the site layout, or reducing functional open space to accommodate the outstanding bays on site, it is proposed that this shortfall be addressed by way of a financial contribution to the Municipality in terms of Section 46(13) of the Zoning Scheme, in lieu of physical provision.

The requested parking shortfall is both necessary and justifiable based on the following planning considerations:

Firstly, the project is constrained by a fixed site footprint that prioritizes residential unit delivery over vehicular storage. To meet the specific housing mandate for the 33 beneficiary families within a sustainable urban environment, it is necessary to maintain a compact design. Implementing the prescribed parking ratio would require an expansion of the built footprint that is physically impossible given the site boundaries, thereby threatening the overall financial viability and affordability of the project.

Secondly, the provided ratio of 1:1 is considered appropriate for the specific socio-economic profile of the beneficiary community. The standard zoning requirement of 2.25 bays per unit reflects a market-driven expectation of high vehicle ownership that does not align with the realities of this specific restitution housing project. Providing one dedicated parking bay per household is sufficient to accommodate the immediate needs of the families while maintaining the integrity and quality of the environment.

Finally, the development's limited parking will not adversely impact traffic or parking provision within the proposed development, as the site is within 1000m of most local amenities, pedestrian access serves as a primary mode of transport.

3.1.5 Site Development Plan

As part of the application for rezoning and departure, application is also made for the approval of a Site Development Plan. According to the *Saldanha Bay Integrated Zoning Scheme By-Law*, the purpose of this zoning is to make provision for:

- *Low to medium density residential development with a uniform group character where ownership can be freehold or sectional title subject to forming part of an approved home owners' association.*
- *The use of land for the purposes of harmonious architectural development with or without communal areas such as streets and open spaces.*
- *Areas identified by the Municipality for densification, including areas near main streets, areas near business concentrations or commercially related developments, and areas which offer a desirable transition between low intensity and higher intensity development.*
- *Housing development of medium scale, medium fabric and limited height where the dwelling units must be on ground level (separate dwelling units above ground floor is not allowed) and the units may be dwelling houses, semi-detached dwellings and/or double dwellings.*

It is in accordance with the above-mentioned purpose, the development on the proposed Remainder of Portion 20 of Farm Uitkomst No 23 is designed and presented for consideration. It will consist of 33 residential units, forming part of a medium-density residential development. All buildings and structures will be designed and built as a harmonious architectural entity. The property will not be subdivided; instead, the units will be developed under a sectional title scheme, with the Homeowners Association (HOA) assuming responsibility for the maintenance of all roads and open spaces.



Figure 6: Proposed site development plan

The intended purpose of each land use within the group housing complex is explained below:

❖ **Residential units (Group housing)**

As previously noted, the group housing development will comprise 33 residential units, each ranging from 89.4 m² to 91 m² in size. These units are designed to accommodate single families, offering ample indoor and outdoor living space through generous surrounding open areas. All units are single-storey and include three bedrooms, two bathrooms, a kitchen, a living area, and a small outdoor braai space. Each unit also provides sufficient room for one dedicated parking bay. These units are specifically designed to accommodate practical living spaces that directly support the restitution objectives of the 1998 land claim.

❖ **Open Spaces**

The open space within the group housing development totals approximately 2536.2 m², constituting a substantial portion of the 8897 m² site and ensuring a balanced, liveable residential environment. At the core of the layout is a central communal open space of ±480 m², strategically positioned to extend linearly from one access road to the opposite road, forming a continuous green corridor that serves as the development's primary communal spine. This central area provides a shared gathering space for residents and visually connects the two entry points, enhancing both accessibility and the sense of openness across the site.

Complementing this central feature are the interconnected open spaces between the 33 units, which consist of landscaped yards and setbacks that link the individual group houses into a cohesive network of green areas. These distributed spaces separate the single-storey units, allowing for natural light within the development and privacy between dwellings. Together, the central corridor and the surrounding inter-unit open spaces create a layered system of public and semi-public zones promoting community interaction while maintaining residential tranquillity. Although the total open space of ±2536.2 m² is less than the 3960 m² required under the Integrated Zoning Scheme By-Law, it remains more than sufficient to accommodate the functional and environmental needs of the 33-unit development.

❖ **Internal Roads**

The central 6m wide circular roadway will provide comprehensive access to all units within the development, featuring a paved surface and dedicated off-street parking bays for each unit. To support the site's overall stormwater management strategy, these parking bays will be constructed using a permeable, "grass-block" type surface with stone chip infill, allowing for localized water infiltration. Site access will be positioned at the entrance via Oestervanger Street directly onto Visvanger Street, a circular residential collector road. Since this will be a gated development, an access gate is located within the property. A service agreement will be made between the HOA and Saldanha Bay Municipality to provide garbage trucks access to the site.

3.1.6 Phasing

The development will not be phased, as the entire group housing development will be developed synonymously.

3.2 SERVICES**3.2.1 Civil Services Report****i) Water supply**

The proposed water reticulation for the site is detailed on PWCE drawing 584-C-4 (Water and Sanitation Layout), which is attached as to the engineering report. An existing external water reticulation network adjacent to the site in Visvanger Street **has adequate capacity to** meet the development's anticipated

demand, and a bulk water meter meeting Local Authority Standards will be constructed at the entrance to serve the site. While the adjacent reticulation will provide sufficient water supply and pressure, some upgrades to the external network will be required.

The developer will be responsible for installing the entire internal water reticulation system, while its subsequent maintenance will fall under the purview of the Management Body or Home Owners Association. For individual unit connections, each unit must be equipped with a 28mm diameter OD connection and fitted with a dedicated stop valve.

ii) Sewerage

The existing and proposed foul sewer reticulation for the site is detailed on PWCE drawing 584-C-4 (Water and Sanitation Layout), which is attached with the engineering report. Connection to the municipal system will be made via an existing sewer line in Visvanger Street, though this requires the construction of an approximately 30-meter-long section of public sewer within the road reserve. According to the GLS Consulting Engineers Bulk Services Report, the external reticulation possesses **has sufficient immediate capacity** to service the development, despite the potential need for future external network upgrades.

The entire foul sewer reticulation system will operate via gravity flow and must be engineered to strict compliance standards. Furthermore, all manholes within the system are to be 1050mm in diameter and constructed in strict accordance with these City of Cape Town standards.

Technical and material specifications dictate that all main sewer lines must utilize 160mm diameter Heavy Duty uPVC pipe, while individual unit connections are to be 110mm diameter HD uPVC pipe, both conforming to SABS 791/1985. To ensure structural integrity and functional efficiency, all pipeline runs must maintain a minimum earth cover of 1000mm. Additionally, the system must be designed to achieve minimum flow velocities of 0.7m/s when the pipes are flowing full to prevent sediment accumulation.

iii) Stormwater Strategy and proposed reticulation

A preliminary layout of the stormwater management for the site, highlighting the necessary control structures, is detailed on PWCE drawing 240-C-3 (Roads and Stormwater Layout). Because the development is on a "Greenfields" site exceeding 4,000 m² in size, it must comply with the City of Cape Town's 'Management of Urban Stormwater Impacts Policy' (2009), which mandates the source-based attenuation and treatment of runoff prior to downstream discharge. To mimic the natural pre-development scenario where rainfall naturally infiltrates the highly permeable sands, a strategy of localized infiltration was adopted over connecting directly to nearby external infrastructure.

The internal stormwater system will primarily feature bio-retention ponds situated in central, landscaped low points to encourage runoff accumulation, attenuation, and downward percolation into the local aquifer. These pond structures will collect concentrated flows, successfully limiting off-site surface discharge to only

major weather events exceeding a 50-year Average Recurrence Interval (ARI) storm scenario, at which point overland escape will be directed via the entrance into the external road network. To meet the City's policy objectives for water quality treatment, these Best Management Practice (BMP) options must be sized to contain the Water Quality Volume (WQV).

Preliminary calculations confirm that the proposed bio-retention ponds provide sufficient capacity to satisfy these environmental requirements. While the site requires a strict WQV of 99.91 m³, the total accumulated capacity of the planned 350mm deep ponds provides a safer margin at 133 m³. These figures will be formally verified during the final design stage using the Micro Drainage computer program to model the pond network; however, the exceptionally high permeability of the in-situ sands ensures that attenuation standards will be met.

iv) Earthworks

The proposed earthworks levels for the development will be directly informed by the design of the stormwater and road systems, with an overall engineering objective to balance the quantities of cut and fill across the site. Prior to construction, the densities of the in-situ material will be thoroughly tested across all road and fill areas to properly inform both the structural road design and future building foundations. To protect the integrity of the pavement, any clay encountered within 600mm of the road layer surface will be completely excavated and replaced with stable granular material. Additionally, if calcrete is located on-site in reasonable quantities, it may be integrated into the roadworks, ideally as a single homogeneous structural layer.

v) Road construction

The proposed internal road network is outlined on PWCE drawing number 584-C-3 (Stormwater and Roads Layout) and will utilize an existing bellmouth entrance off Visvanger Street. The system features a 6m-wide circular internal access road providing connection to dedicated off-street parking at every unit. While the main roadway will feature a paved surface finished to the architect's specific details, all individual parking bays will be constructed with a permeable "grassblock" type surface containing stone chip infill to assist with localized drainage.

To manage surface water runoff, precast concrete mountable kerbs and channels will line the road edges, transitioning to specialized in-situ concrete "weirs" at designated discharge points to direct stormwater away from the pavement and into the central bio-retention ponds. The road geometry will enforce a 2.5% cross-fall across all surfaces and a minimum 1% longitudinal gradient falling directly toward these collection points. During major, higher-order storm events where the bio-retention ponds surcharge, the road system itself will act as an emergency overland flow path, directing excess runoff through the main entrance way and safely out into the external road reserve.

The structural design of the road layers will be finalized during the detailed design stage to properly align

with traffic usage and the road hierarchy, utilizing a residential traffic design baseline while making explicit structural allowances for heavy construction vehicles. Once completed, these internal roads will remain strictly private, with all ongoing management and maintenance operating under the sole responsibility of the Management Body or Home Owners Association.

i) Refuse Removal

Refuse collection for the proposed development will be handled directly by the local authority (Saldanha Bay Municipality) via the internal road network. Service vehicles will access the property off Visvanger Street via Oestervanger Street, passing through the controlled sliding gate. On-site circulation and maneuvering for municipal trucks are accommodated by a 6 metre wide paved circular access road designed to serve all 33 dwelling units. Each unit will consist of a bin which will be placed in front of their property at the day of collection.

3.2.2 Electrical Services Report

Saldanha Bay municipality **confirmed that there is available capacity** on their medium voltage infrastructure to add additional loads on their system. The municipality requested we utilize the existing 630kVA miniature substation (Crows Nest 1) situated at the corner of St Augustine road and Malmok Street for the developments. The Low Voltage reticulation need to be routed from the existing miniature substation to Portion 20/23. The miniature substation has available Low voltage capacity to add the proposed erven.

For the proposed new residential development, a supply of $\pm 154\text{kVA}$ is required. The development load calculations can be seen below and is in accordance with regulations.

• Portion 20/23 – 34 Erven	: $4500\text{VA} \times 34 = 153\text{kVA}$
• Streetlighting	: 1kVA
Total kVA required	: 154kVA

The supply authority to the erf is Saldanha Bay municipality. Saldanha Bay municipality indicated the 154kVA requirement is available for the new development.

3.3 TRAFFIC IMPACT STATEMENT

The Transport Impact Assessment evaluated the existing and future traffic conditions associated with the development and found that the surrounding road network currently operates at acceptable Levels of service with minimal delays and queue lengths. The assessment further concluded that, even when background traffic growth, approved developments in the area, and the proposed development traffic are taken into account, the surrounding intersections will continue to operate acceptably without requiring any external road upgrades.

Access to the development is proposed via a new southern staggered approach at the existing Visvanger Street/Flamingo Street intersection. The assessment found that sufficient on-site stacking space of

approximately 20 metres will be available to prevent vehicle queues from spilling back into the public road network. However, the available shoulder sight distance is below the recommended standard of 45 metres. To address this constraint, the report recommends the implementation of traffic calming measures, such as a raised intersection, together with appropriate warning signage and road markings to improve driver awareness and safety. The development is expected to generate relatively low traffic volumes, namely approximately 28 vehicle trips during the weekday AM and PM peak hours and 29 trips during the peak holiday season.

The assessment also considered pedestrian movement, parking provision and refuse collection. A minimum 1.5 metre-wide sidewalk is recommended along the internal road network to connect the development to the Visvanger Street/Flamingo Street intersection. While the Saldanha Bay Municipality's zoning provisions require 66 parking bays for the proposed 33 residential units, only 33 bays are proposed, and a departure application is intended to motivate the reduced parking provision. Refuse collection vehicles will be able to enter, circulate within and exit the development in a continuous forward motion, with the internal road network confirmed as suitable through vehicle tracking analysis. Refuse trucks will be able to access the development via the main access gate, which will remain open during the day to allow unrestricted entry and exit. The gate will be closed at night for security purposes. Overall, the study concludes that the transport impacts associated with Portion 20 of Farm 23 will be low and that no additional external road upgrades will be required.

3.4 HERITAGE IMPACT

A Heritage Notice of Intent (NID) has been submitted to Heritage Western Cape (HWC) for comment. Once these comments are received, the NID outcome will be forwarded to the Saldanha Bay Municipality. Should a Heritage Impact Assessment (HIA) be required, it will be conducted as part of the overall project.

3.5 GEOTECHNICAL REPORT

A geotechnical investigation was conducted at Portion 20 of Farm 23, Paternoster, Western Cape, to assess subsurface conditions and determine the NHBRC Site Class Designation for a newly proposed development. At the time of the investigation, the site was vacant; however, it appeared that some informal dumping had taken place across the site. The surface material is characterised by deposits of sand and the area is vegetated by Saldanha Flats Strandveld flora. From a topographical perspective, the site is generally flat with no notable depressions or elevated areas.

The site is characterised by three primary horizons up to a maximum depth of 3.50 mbgl.

1. Transported material and/or Uncontrolled Fill: Mainly defined by slightly moist, loose to medium dense fine-grained sand containing organic material such as plant roots, snail shells and often rubble in the form of plastic and pieces of brick and tile.
2. Transported material: Slightly moist, medium dense, non-cemented to partially cemented, fine-grained sand. May in some cases contain shell fragments, nodular calcrete and calcrete boulder-sized clasts. Pedogenesis encountered at varying depths.

3. Strongly cemented, widely jointed to massive hardpan calcrete. This horizon refuses light earthmoving equipment and is encountered at variable depths, i.e., as shallow as 1.40 mbgl and as deep as 3.50 mbgl.

DCP results indicate that generally speaking, the topmost soil horizon exhibits a loose consistency, while the transported material at depths greater than 0.70 mbgl predominantly has a consistency of medium dense. All horizons, up to the hardpan calcrete horizon/s were successfully excavated using a TLB (light earth-moving equipment); therefore, in accordance with COTO (2019), the subsurface is classified as 'soft excavation'. Hardpan calcrete horizon/s are considered as 'hard excavation' conditions as they likely require heavier earthmoving equipment such as a 30t excavator and/or pneumatic/hydraulic rock-breaking machinery.

The proposed development on Portion 20 of Farm 23 is considered feasible for light structures using conventional strip footings and pad footings targeting improved sandy horizons. These solutions provide an anticipated safe bearing capacity of 150 kPa and 175 kPa, respectively, with total settlements estimated between 5–10 mm. Because pedogenic horizons such as hardpan calcretes can deteriorate with depth and may overlie loose soil (Brink, 1985), the continuity of these horizons must be verified during excavation. To mitigate risks from collapsible fabrics, materials within foundation trenches should be excavated and recompacted to at least 95% Mod AASHTO density to a depth of 1.5 x times B (width of foundation). Furthermore, excavations should be inspected for small-scale karst features or sinkholes, common in weathered calcretes, to prevent localised failures or the risk of structures straddling a sand/hardpan calcrete boundary.

While no groundwater was encountered during the fieldwork component of the assessment, a perched water table may develop atop discontinuous hardpan calcrete during intense rainfall, potentially reducing bearing capacities. Although the subsurface generally exhibits favourable natural drainage, laboratory results show that soils compacted to 100% Mod AASHTO exhibit 'good' to 'poor' drainage characteristics. As moisture will dissipate more slowly in these highly compacted zones, such as beneath engineered fills, consideration should be given to implement sufficient drainage measures at or below the founding level to keep subsurface soils unsaturated and prevent moisture entrapment around foundations and services.

Regarding material reuse, the uppermost 0.70 m of the profile contains organic matter and rubble and is unsuitable for structural use, though it may be sieved for landscaping. Below this depth, the fine- to medium-grained sand is potentially suitable as building SAND, service backfill, or G10 to G9 pavement material. Additionally, hardpan calcrete and calcretised sands may be utilised in road prisms, provided proper drainage is maintained to prevent shear failure. All potential material reuse remains subject to confirmatory laboratory analysis and professional engineering approval.

From an NHBRC Site Class Designation perspective, the topmost transported and/or fill horizon is classified as P due to its variability. The underlying transported sands and hardpan calcrete are classified as C1 due to potential compressibility and/or collapsibility, and R due to their potentially stable nature under light structures.

GEOSS has endeavoured to highlight and characterise all potential geotechnical risks that are presented by the site that has been proposed for development. However, due to the anisotropic (variable) nature of earth materials, each point on the site will present results that differ. For this reason, it is considered of the utmost importance that the foundation trenches be inspected prior to casting to ensure that soil with an adequate bearing capacity is obtained beneath each footing. This site investigation was undertaken on a single day (29 January 2026) during which time five trial pits were dug and profiled to depths of between 2.0 and 2.9 mbgl.

4. SECTION 4 PLANNING LEGISLATION AND POLICIES

4.1 Saldanha Bay Integrated Zoning Scheme By-Law

4.1.1 Zoning Parameters

Portion 20 of Farm Uitkomst No 23, Malmesbury District, is proposed to be zoned as Residential Zone II to accommodate a group housing development. Table 3 outlines the development parameters applicable on the proposed development and how it complies with the requirements.

Table 3: Compliance of the proposed development with development parameters of Residential Zone 2 properties

Development Parameters	Development proposal	Compliance
Primary uses: Group housing, Dwelling house, Town housing, Semi-detached dwelling	Group housing	✓
Density: Town Housing: maximum density of 30 units/gross hectare.	A total of 26.6 units is allowed on site, but only 33 is proposed. Deviation of this parameter is required.	X
Height: No building may exceed a height of 8 metres.	The proposed development will be single storey units and will comply with the 8m height restriction.	✓
Coverage: The maximum coverage for all buildings is 60% of the area of the land unit.	Coverage = size of buildings ÷ erf size x 100 = $\pm 2952\text{m}^2 \div 8897\text{m}^2$ = $\pm 33.17\%$	✓
Open Space: (a) Communal open space:	Combined open space: No distinction can be made between communal and private open space. The	X

At least 80m² must be provided per dwelling unit. (b) Private outdoor space: Aside from the communal open space requirement, at least 40m² of the gross floor area of each unit must be provided as a private outdoor space per dwelling unit. For the purposes of this subsection "private outdoor space" means the area adjoining any dwelling unit in a group/town house complex, including a service yard, which has been set aside for the exclusive use of the occupants of the relevant dwelling unit, to be used for: - private outdoor liveability and recreation, and - drying of washing, storing of refuse bins and other domestic storage and service functions. (c) Combined open space: With permission from the Municipality, a distinction need not be made between communal open space and private outdoor space, provided that in such an event, a combined open space requirement of at least 120m² per dwelling unit will apply.	entire development will therefore consist of communal open space, as no residential erven will be created, only a sectional title scheme. A total of 3 960m² open space is required (33 units x 120m² open space per unit). Only a total of ±2536.2m² can be provided.	
Building lines: (a) Street building lines: (i) External public streets: 3 metres (ii) Internal or private streets:	(a) The proposal complies with the 3m external street building line and 0m internal street building line.	

Nil, provided that the Municipality may require a street building line to ensure safe traffic movement or for any other reasons considered necessary by the Municipality. (b) Side building lines: (i) External boundaries: 3 metres (ii) Internal boundaries: Nil, provided that the Municipality may require a 1m side building line for firefighting purpose (c) Rear building lines: (i) External boundaries: 3 metres (ii) Internal boundaries: 2 metres (in the case of a sectional title development where no internal cadastral boundaries are applicable, the rear of dwelling units must be spaced at least 4 metres apart)	(b) The proposal complies with the 3m external side building line and 0m / 1m internal side building line. (c) All units comply with the external rear building lines.	
Parking: Group and town housing: 2 parking spaces per dwelling unit (including covered bays/garage) plus 0.25 demarcated parking spaces per dwelling unit for visitors.	A total of 33 units is proposed. = 33 x 2.25 parking bays per units = 74.25 parking bays required. Only 33 parking bays can be accommodate on site (one parking bay per unit). Departure from the required parking bays is therefore applied for.	X
Extent: No site for group or town housing development may exceed an area of 2ha.	The proposed site is 0.8897ha in extent.	
Owners' association: (a) An owners' association must be established in accordance	Noted. An Owners association will be established for the proposed town housing development.	

with Section 29 of the Land Use Planning Bylaw for each group housing development. (b) The general provisions for an owners' association are applicable in terms of Chapter 3, section 46 of this Bylaw.		
Site Development Plan: The establishment of a group and town housing development and/or a retirement village must include a site development plan inclusive of unit placements, approved by the Municipality.	The Site Development Plan is included as part of this application.	
Architectural guidelines: The establishment of a group and town housing development and/or a retirement village must include architectural guidelines and/or unit types indicating finishes, colour schemes and material, approved by the Municipality.	Architectural guidelines will be submitted to Saldanha Bay Municipality for approval with the approval of the land use application.	
Landscaping: The Municipality may require that a landscape plan be submitted to its satisfaction with a view to: (a) evaluate landscaping and management measures for the communal open spaces in the development, (b) evaluate landscaping of the public streetscape adjoining the development.	Noted.	

Considering the above, it is evident that the proposed development complies with the *Saldanha Bay Integrated Zoning Scheme By-Law* to some degree when taking into consideration the impact and scale of the development. Where the development does not comply, departure is applied for.

4.2 Provincial Policy Context

The *Western Cape Provincial Spatial Development Framework (PSDF)* is approved and published in March 2014. The main guiding principles on which the *PSDF* is based is spatial justice, sustainability and resilience, spatial efficiency, accessibility, quality and liveability. The Provincial settlement policy objectives are to:

1. *Protect and enhance sense of place and settlement patterns*
2. *Improve accessibility at all scales*
3. *Promote an appropriate land use mix and density in settlements*
4. *Ensure effective and equitable social services and facilities*
5. *Support inclusive and sustainable housing.*

- The *PSDF* supports and contributes to the *National Development Plan (2012) (NDP)* which strives to eliminate poverty and reduce inequality by creating jobs and livelihoods, transform urban spaces, expand infrastructure, provide capable public services, etc. The proposed project will support the *NDP* initiative by creating a medium-density residential settlement in a suitable location and improving the infrastructure increasing the availability to more people in the area.

Growing the economy is the Western Cape Government's number one development priority. The *PSDF*'s role is to open-up opportunities for inclusive economic growth in urban and rural areas. The following aims of the *PSDF* are relevant to and support this application:

- **Policy S1: Protect, manage and enhance the sense of place, cultural and scenic landscape:**
 - *Prevent settlement encroachment into viable agricultural areas, scenic landscapes and biodiversity areas.*
 - *Promote smart growth ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill.*
- **Policy S2: Improve provincial, Inter and Intra-regional accessibility:**
 - *Built environment investment programmes to focus on compacting and connecting urban development (especially along public transport routes), and clustering public facilities along these connections.*
- **Policy S3: Promote compact, mixed use and integrated settlements:**
 - *Promote functional integration and mixed use as a key component of achieving improved levels of settlement liveability and counter apartheid spatial patterns and decentralization through densification and infill development.*
 - *Municipal SDFs to include growth management tools to achieve SPLUMA's spatial principles. These could include: a densification strategy and targets appropriate to the settlement context; an urban edge to protect agricultural land of high potential and contain settlement footprints; and a set of development incentives to promote integration, higher densities and appropriate development typologies.*

- **Policy S5: Promote sustainable, integrated and inclusive housing in formal and informal markets:**
 - *Provide a wide choice of housing typologies and tenure options, based on economic, fiscal, and social affordability. Incremental housing development to be pursued, with phased service provision to accelerate housing provision.*
 - *Ensure that all housing delivery projects are founded on principles of sustainability and based on integrated development planning.*
 - *Increase densities of settlements and dwelling units in new housing projects.*
 - *Promote more mixed-income, mixed-use, inclusionary forms of development through incorporating various scales of economic opportunities within housing projects.*

The proposed group housing development on Portion 20 of Farm 23 in Paternoster fully supports the Western Cape Spatial Development Framework's Policy S1 by protecting the broader cultural and scenic landscape of the West Coast. The site is not located within viable agricultural land or highly sensitive scenic routes, but rather on a vacant, undetermined portion immediately adjacent to an existing residential neighbourhood. By prioritising infill development and extending the established urban fabric rather than allowing outward sprawl, the project promotes efficient land use.

The development also aligns strongly with Policies S2, S3, and S5 of the Provincial SDF. It delivers a compact, medium-density residential scheme (33 units) that increases residential density in an appropriate coastal context, counters historical spatial exclusion, and provides secure, formal housing for the 33 beneficiary families of the Vaalplaas land claim. As a restitution-driven project, it offers a single, consistent housing typology with ownership tenure, while creating an integrated, inclusionary settlement through communal open spaces, pedestrian links, and proximity to the ocean and existing community facilities. By focusing new housing investment within an existing residential area and connecting it internally via roads and walkways, the proposal contributes to more liveable, connected, and sustainable settlements in line with the province's vision for integrated, higher-density, and socially just coastal development.

4.3 Local Policy Context

4.3.1 Saldanha Bay Spatial Development Framework (2025)

The *Saldanha Bay Spatial Development Framework (SDF)* of 2025 determines the strategic policy guidelines for future development in Saldanha Bay region and in this case, in Paternoster. With regard to land use proposals applicable to Paternoster, the SDF identifies the area in which Farm No 23/20 is located as Zone B, which *"represents the higher density residential area of Hopland with identified opportunity for expansion, as well as an approved township establishment area. - Allow for residential development in support of the current character at Hopland expansion areas. - Allow for provision of supportive community uses and functional open space"*.

Figure 7 below illustrates an extract from the Saldanha Bay Spatial Development Framework.

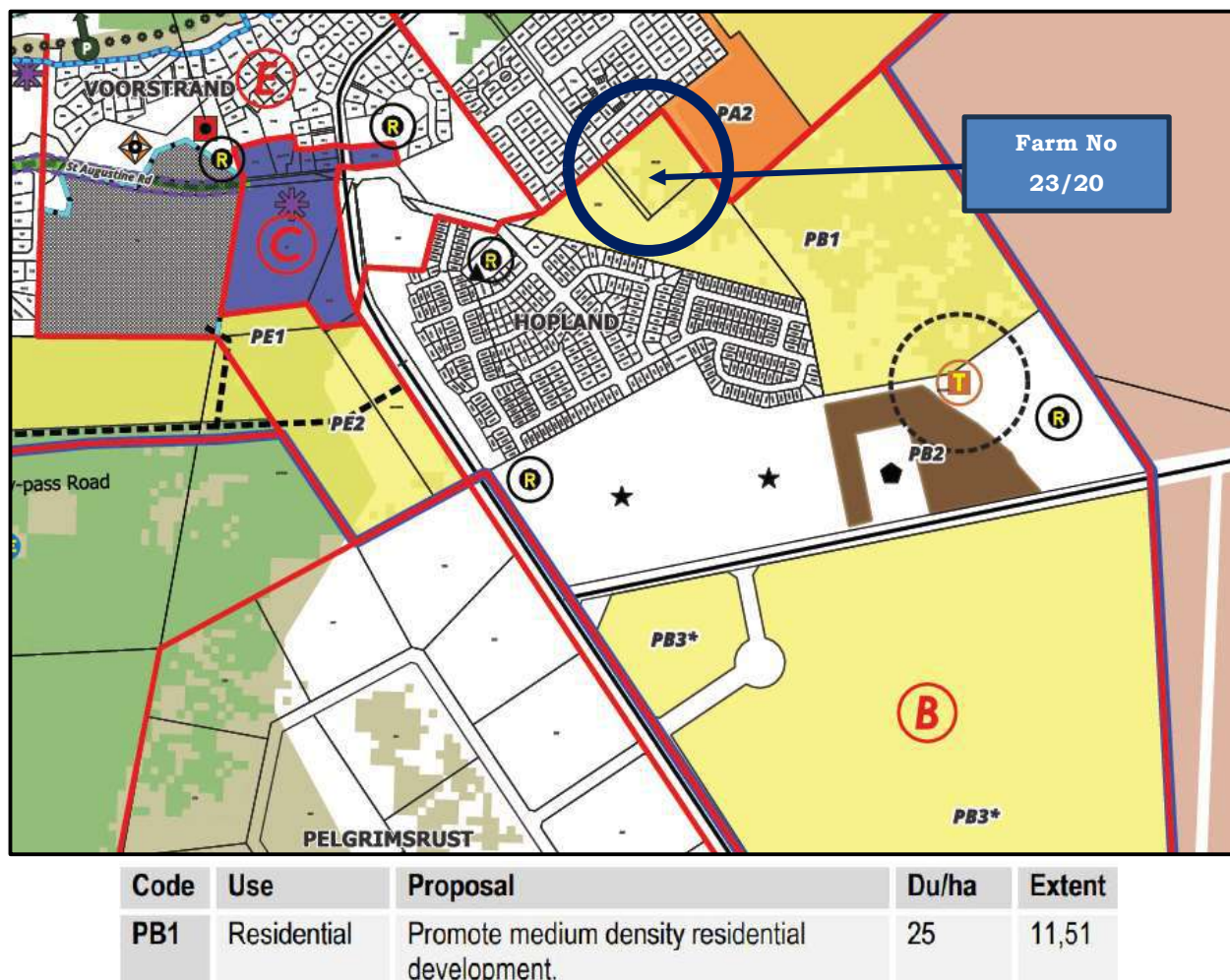


Figure 7: Extract from the Saldanha Bay SDF

Given that the Saldanha Bay Spatial Development Framework explicitly supports higher-density residential development in Zone B and encourages the provision of functional open spaces, the proposed group housing project complies fully with these guidelines and aligns with the future planning vision for the area. The development will reflect the same character and density as the established residential neighbourhood immediately to the north, effectively serving as a natural extension of this existing area. This type of infill expansion is precisely what the SDF promotes for Zone B.

The following are challenges faced in Paternoster:

- **“Rising property prices:** The increasing popularity of the area has led to rising property values, resulting in the displacement of traditional fishing families and facilities, altering the town’s demographic profile.”
- **“Loss of cultural identity:** As Paternoster becomes more commercialized and property values rise, there is a risk of losing the traditional fishing village character and connection to fishing from the sea that defines its heritage.”

The proposed group housing development directly counters the challenges of rising property prices and loss of cultural identity in Paternoster by securing permanent home-ownership for 33 beneficiary families of the historic Vaalplaas fishing community (families who were forcibly removed from the area decades ago). By allocating residential units to each of these traditional fishing families through the registered Communal Property Association under the 1998 land claim settlement, the project re-establishes a critical mass of original residents and their descendants within the village. The presence of these authentic fishing families reinforces the town's traditional fishing-village identity, strengthens cultural continuity, and serves as a tangible restitution outcome that preserves the heritage and social fabric that define Paternoster against the pressures of commercialisation and gentrification.

From the above it is clear that the proposed development is fully supported by the Saldanha Bay SDF for the area in which it is located and will even redress some of the challenges faced in town. The proposal can therefore be favourably considered.

4.3.2 Departure from the Spatial Development Framework

The proposed development entails a density of 37.09 units per hectare (33 units on 0.8897ha of land), which constitutes a deviation from the 25 units per hectare guideline set out in the Saldanha Bay Municipal SDF. This slight increase is necessary to ensure the economic viability of the project while maximizing the utility of a well-located property. The deviation is minimal in scale and is required to facilitate a design that accommodates all 33 beneficiary families of the Vaalplaas CPA, ensuring that the project remains a cohesive, community-focused development that respects the site's potential.

This proposal aligns with the core principles of the Spatial Planning and Land Use Management Act (SPLUMA) by promoting spatial justice and efficient land use. By slightly increasing the density on this specific portion of land, the project facilitates the meaningful restoration of rights to the 33 beneficiary families without necessitating further urban sprawl. This approach promotes a compact urban form, making effective and efficient use of existing municipal infrastructure and services, which aligns with the strategic growth objectives of the Saldanha Bay Municipality. Given that the property is located only 50 meters from a high-density zone (50 du/ha), the proposed 37 du/ha density will not adversely impact the area; rather, it facilitates a gradual transition in density from south to north.

The impact of this deviation on the surrounding area will be negligible. The marginal increase of 12.09 units per hectare will not alter the fundamental character of the neighbourhood; rather, it will provide a high-quality residential environment that integrates seamlessly with the existing housing to the north and south-west. Preliminary assessments indicate that the local civil infrastructure has sufficient capacity to handle this slight increase in units, and the development has been designed to ensure that the density remains in harmony with the surrounding context.

Ultimately, the proposal offers a sustainable housing solution that directly addresses historical injustices while adhering to the spirit of the municipality's planning guidelines. By supporting this minor deviation, the municipality fosters inclusive growth and acknowledges the unique social mandate of the Vaalplaas CPA. For

these reasons, the proposal is desirable, serves the public interest, and warrants the necessary approval to proceed.

4.4 Principles of Land Use Planning

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

4.4.1 Spatial justice

The proposed development complies with spatial justice by providing permanent residential restitution to the 33 beneficiary families of the Vaalplaas Community dispossessed of their land under apartheid policies. This development counters historical exclusion of certain communities from the area, reduces spatial inequality, and ensures that previously disadvantaged individuals gain access to well-located urban opportunities, thereby actively reversing the legacy of apartheid spatial planning. By offering 33 new housing units, the development significantly contributes to addressing housing needs and expanding housing access within the Urban Edge of Paternoster. It ensures that individuals and families have increased opportunities to find appropriate housing. This development is consistent with the principles of inclusivity and equity, promoting a more balanced and integrated community.

4.4.2 Spatial sustainability

The proposed development exemplifies spatial compactness and sustainable resource utilization within the designated Urban Edge of Paternoster. It is designed with long-term viability and sustainability in mind, ensuring its economic and environmental feasibility. By maximizing the use of existing infrastructure and optimizing the site's potential, the development minimizes any financial burden on the Municipality. On the contrary, it serves as an economic boost to the town and the Municipality.

The development prioritizes the equitable use of resources to enhance the quality of life for its residents. The physical footprint of the proposed development aligns with the objective of fostering compact and integrated settlements. This approach encourages a sense of cohesion and inclusivity within the community, ensuring that residents have access to essential amenities and fostering a sense of belonging.

4.4.3 Efficiency

The proposed development aims to enhance the utilization of existing services and spaces, promoting the densification of Paternoster within the designated Urban Edge. By establishing a use that offers more opportunities compared to the current land use, the development seeks to maximize the potential of the property. Currently vacant and underutilised, the relevant property presents an opportunity to increase the efficiency of the land by developing it to its full potential.

The proposed development optimizes the efficiency of both the land and services available, making the most effective use of these resources. By doing so, it contributes to the meaningful utilization of the land for a much-needed and beneficial land use. This approach supports the overarching goal of maximizing the potential of the property while adhering to the principles of sustainable development.

4.4.4 Spatial resilience

The principle of spatial resilience allows more flexibility in spatial plans, policies, and systems. The proposed development will contribute to spatial resilience by creating more flexible and adaptable land use patterns. The development will be resilient in terms of the multiple uses that may be permitted on the erf with council's approval.

4.4.5 Good administration

The application will be taken through the public process by Saldanha Bay Municipality and all relevant departments will be approached. Participation of different relevant departments and the public will ensure an informed decision.

4.5 National Environmental Management Act (Act 107 of 1998) (NEMA)

An Applicability Checklist in terms of the *NEMA* and *EIA Regulations* is in process and comments from DEA&DP will be submitted to Saldanha Bay Municipality upon receipt thereof.

4.6 Section 21 of the National Water Act (Act 36 of 1998)

No water resources will be negatively impacted by the proposed development.

4.7 Section 53 of Mineral and Petroleum Resources Development Act (Act 28 of 2002)

Application in terms of Section 53 of the *Mineral and Petroleum Resources Act (Act 28 of 2002)* is not needed, as the proposed residential use is included in an approved town planning scheme.

4.8 Section 38 of the National Heritage Resources Act (Act 25 of 1999) (NHRA)

A Notice of Intent to Develop (NID) in terms of Section 38 (8) of the *NHRA (Act 25 of 1999)* and the Western Cape Provincial Gazette 6061, Notice 298 of 2003, has been submitted. Comments will be submitted to Saldanha Bay Municipality.

4.9 Subdivision of Agricultural Land Act (Act 70 of 1970)

The repealed *Subdivision of Agricultural Land Act, Act 70 of 1970*, controls the subdivision of agricultural land. Portion 20 of Farm Uitkomst No 23 is exempted from the need for approval in terms of this act.

4.10 Civil Aviation Act (Act 13 of 2009)

Application in terms of the *Civil Aviation Act (Act 13 of 2009)* is not needed, as the proposed development is not located within 5km of an airstrip; nor any objects taller than 8m.

4.11 Roads and Ribbon Development Act (Act 21 of 1940)

Portion 20 of Farm Uitkomst No 23 is not bordered by a provincial road. However, a **Traffic Impact Statement** is conducted and attached.

4.12 National Roads Traffic Act (Act 93 of 1996)

Portion 20 of Farm Uitkomst No 23 is not bordered by a national road.

5. SECTION 5 DESIRABILITY

The need for the proposed group housing development is fundamentally rooted in the socio-economic imperative to address historical land dispossession. Following the successful land claim lodged by the Vaalplaas community in 1998, the Vaalplaas Communal Property Association (CPA) was established to represent the interests of 33 beneficiary families. The current proposal provides a vital mechanism to realize this restitution by delivering secure, formal residential units to these families. This development is not merely a land use change, but a necessary step in the broader restorative justice process, ensuring that the beneficiary families are allocated permanent housing within a planned and sustainable environment.

From a spatial planning perspective, the development is highly desirable as it aligns with the principle of compact urban growth. The subject property is currently zoned as "Undetermined" and represents an underutilized parcel of land. By introducing a medium-density residential scheme, the project serves to optimize the site's potential while preventing urban sprawl. The proposal is a logical extension of the existing residential neighbourhood situated to the north, promoting urban continuity and spatial integration. The integration of 33 residential units into this location ensures that the development benefits from, and contributes to, the existing urban fabric and surrounding infrastructure.

Furthermore, the desirability of the scheme is enhanced by the layout proposed in the Site Development Plan. The development replaces vacant, unused land with a well-planned, managed residential precinct, which will significantly improve the aesthetic and functional quality of the immediate area. While the application includes a departure for the communal open space requirement and required on-site parking bays, this is justified by the proposed quality of the internal environment and the overall contribution the development makes to the social housing landscape. By formalizing this land use, the proposal aligns with sound planning principles, creating a cohesive transition between the established residential zone to the north and the surrounding vacant land parcels, ultimately fostering a more resilient and sustainable community.

6. SECTION 6 ASSESSMENT CRITERIA

6.1.1 Socio-Economic Impact

The development will have a significantly positive socio-economic impact. By delivering 33 residential units to the Vaalplaas beneficiary families, the project provides long-term tenure security and housing dignity to previously dispossessed residents. Beyond the immediate beneficiaries, the construction and ongoing maintenance of the group housing complex will stimulate the local economy, create short-term employment opportunities during the building phase, and contribute to the municipal tax base upon completion.

6.1.2 Compatibility with surrounding uses

The development is highly compatible with the existing residential neighbourhood located to the north. The proposed residential density acts as a logical extension of the current urban fabric. The site's transformation from "Undetermined" to a formal residential precinct ensures that it complements the existing aesthetic and

functional character of the area, preventing the negative externalities often associated with long-term vacant and unmanaged land.

6.1.3 Impact on the external engineering services

The development will be integrated into the existing municipal network. Detailed civil engineering reports confirm that the local capacity for water, sewage, and electricity is sufficient to accommodate the 33 additional units. Any required upgrades to existing municipal service connections will be addressed in accordance with the municipal requirements and formal engineering service agreements to ensure no adverse strain is placed on the local network.

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

The formalization of the site will enhance the safety and wellbeing of the surrounding community. Replacing vacant land with a managed residential development reduces opportunities for illegal dumping (as currently used for), unauthorized access, and other anti-social behaviours often associated with unmanaged "Undetermined" properties. The design prioritizes a safe, secure environment for residents and adheres to established building standards regarding light, ventilation, and communal living space.

6.1.5 Impact on heritage

The site does not contain any known buildings or structures of historical significance. As the development is located within an area already designated for potential urban expansion, the impact on heritage resources is considered minimal. A Notice of Intend to Develop (NID), was submitted to HWC to obtain their comment. Should any archaeological findings occur during the earthwork phase, the contractor will follow the prescribed standard operating procedures for stopping works and notifying the relevant provincial heritage authorities.

6.1.6 Impact on the biophysical environment

The Environmental Checklist is currently underway. We will submit the DEA&DP's comments to the Saldanha Bay Municipality upon receipt. Should a Basic Assessment Report or Environmental Impact Assessment be required by the DEA&DP, the necessary studies will commence immediately.

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

Access points are designed to connect safely with the existing road hierarchy, ensuring smooth traffic flow. By locating the housing in close proximity to existing infrastructure, the project reduces the need for long-distance commuting and reinforces a more efficient, transport-friendly urban design. Even with the proposed departure of required on-site parking bays, it is not anticipated that there will be any negative impact on the flow of traffic in the area.

7. SECTION 7 SUMMARY

The application for the proposed group housing development is considered desirable on the basis of the following;

- The proposed development enhances the principles of *LUPA and SPLUMA*.
- The proposal complies with the *Saldanha Bay SDF (2025)* as the main forward planning documents for Paternoster and the Saldanha Bay region as a whole. The area is earmarked for residential development within the Paternoster Spatial Proposal map.
- The development as envisaged complies with the *Western Cape PSDF* policy initiatives on densification and the optimal utilization of infrastructure and services within the urban context. This development will promote smart growth by ensuring the efficient use of land and infrastructure by containing urban sprawl and prioritising infill development.
- The development proposal will complement the character of the area.
- The implementation of this proposed development will effectively integrate with the existing residential areas to ensure the sustainability of the proposal and contribute to the viability of the town.
- There are no physical restrictions on the property that will negatively affect the proposed development.
- Job opportunities will be created during and after the construction phase, promoting economic growth within the area.
- The optimal utilisation of existing services, as it reduces past expenditure on infrastructure.
- The development is easily accessible and there will be no major negative effects on the surrounding built or natural environment.
- The development area is located within the Urban Edge of Paternoster.
- Former residents of the dispossessed communal land will be provided with long-awaited housing opportunities.

It is clear that in terms of the above, the application for the proposed development on Portion 20 of Farm No 23, Malmesbury District, can be adequately supported. It is, therefore, requested that the application be considered favourably.



NJ de Kock

For CK RUMBOLL AND PARTNERS