LANGEBERG
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LAND USE PLANNING ASSESSMENT REPORT FOR LANGEBERG MUNICIPAL PLANNING TRIBUNAL
(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

ERVEN 1381, UNREGISTERED ERF 1510, UNREGISTERED ERF 1525 (COMPRISING ERVEN 1505, 1506 AND 1517), UNREGISTERED ERF1526 (COMPRISING ERVEN 1510, 1511 AND 1512) AND UNREGISTERED ERF 1527 (COMPRISING ERVEN 1508 AND 1509):
APPLICATION FOR SUBDIVISION, CONSOLIDATION AND REZONING TO SUBDIVISIONAL AREA

Reference number	15/4/14/2	*Application date*	27/08/2026	*Last comments Received*	12/11/2026	*Date report finalised*	05/11/2026

PART A: AUTHOR DETAILS							
First name(s) & Surname	Tracy Brunings						
Job title	Manager: Town Planning						
SACPLAN registration number	Pr. Pln A/951/1997						
PART B: PROPERTY DETAILS							
Property description (as per Title Deed)	1381(1301m^2), 1510 (1016m^2), 1511 (12m^2), 1512 (1401m^2), 1525 (8767m^2 - comprises 1505, 1506 & 1517), 1526 (2429m^2 – comprises 1510, 1511 & 1512), 1527 (3490m2 – comprises 1508 &1509), all Bonnievale erven						
Physical address	Happy Valley			**Town**	Bonnievale		
Current zoning	Single Residential Zone I	**Extent**		As above	**Are there existing buildings on the property?**	N	Y
Applicable zoning scheme	Langeberg Integrated Zoning Scheme By-law, 2018						
Current land use	Church, dwelling house and public streets				**Title Deed no. & date**	T91427/1997 T17471/1992 T87363/1993	

Any restrictive title conditions applicable	Y	**N**	If yes, list condition number(s)	
Any third-party conditions applicable?	Y	**N**	If yes, specify	
Any unauthorised land use/buildings	Y	**N**	If yes, explain	

PART C: APPLICATION DESCRIPTION

Application has been lodged for the following, in terms of the Langeberg Land Use Planning By-Law, 2015 ("the Bylaw"):

- **Subdivision** of Erf 1381 Bonnievale into erf 1510 Bonnievale (1016m^2 – to be transferred back to the Municipality) and Rem/1381 Bonnievale (285m^2 – to remain in ownership of VGK).
- **Consolidation** of erven 1505, 1506 and 1517 Bonnievale to create erf 1525 Bonnievale (8767m^2)
- **Consolidation** of erven 1510, 1511 and 1512 Bonnievale to create erf 1526 Bonnievale (2429m^2).
- **Consolidation** of erven 1508 and 1509 Bonnievale to create erf 1527 Bonnievale (3490m^2).
- **Rezoning** of erven 1525, 1526 and 1527 Bonnievale to Subdivisional Area.
- **Subdivision** of erven 1525, 1526 and 1527 Bonnievale in accordance with General Plan 2730/1992 as follows:
    - Sheet 1 of GP 2730/1992: Erf 1525 subdivided into 15 Single Residential I erven (erven 1540-1554), 2 Open Space Zone I erven (erven 1539 and 1555), and public streets – Wade St and Franslaan (Transport Zone II).
    - Sheet 2 of GP 2730/1992:
        - Erf 1526 subdivided into seven Single Residential I erven (erven 1556-1562) and public street – Pietersen St (Transport Zone II).

- Erf 1527 subdivided into nine Single Residential I erven (erven 1563-1571), one Open Space Zone I (erf 1572) and public street – Adendorf St (Transport Zone II).

In total the development of erven 1525, 1526 and 1527 comprises: 31 residential erven (Single Residential Zone I); 3 open space erven; and Remainders comprising the following streets, or portions thereof: Wade St, Franslaan, Pietersen St, and Adendorf St (Transport Zone II).

PART D: APPLICANTS MOTIVATION / BACKGROUND

The properties in question fall within the central portion of the residential area of Happy Valley as indicated below.



Erf 1381 (1301m^2) is registered in the name of the VGK Bonnievale, and a church is built on portion of this erf. The other erven (erven 1505, 1506, 1508, 1509, 1511, 1512, 1517 and 1527 Bonnievale) are owned by the Langeberg Municipality and are developed for RDP housing.

Unfortunately, there was an administrative / legal error when portion of erf 1381 was sold to the VGK Church in 1997. Erf 1381 had been subdivided into proposed erf 1510 and Rem/1381. Although only Rem/1381 was purchased by the church, proposed erf 1510 had not yet been registered in the Deeds office. In error, the whole 1301m^2 of erf 1381 was transferred to the church instead of only the Rem/1381 (comprising 285m^2). This error went undetected at that time.

The church developed the portion of the property which they understood they had purchased, and RDP houses were erected on the remainder of the property. Only when the General Plan for the RDP residential erven, which included proposed erf 1510, was lodged for registration in the Deeds Office, was it identified that the General Plan included portion of erf 1381 which was now registered in the church's name. As a result, the GP could not be registered and the transfer of the subsidised residential erven to the beneficiaries could not be concluded. This resulted in the untenable situation where some 31 RDP beneficiaries have been waiting between 20 to 35 years for their houses to be transferred into their names.

This application is therefore long overdue and will rectify this unfortunate error and enable the registration of the General Plan and the transfer of erven to the beneficiaries.

PART E: SUMMARY OF PUBLIC PARTICIPATION				
Public participation required in terms of Sections 45- 49 of the Bylaw?				Y
Where participation is required, state method of advertising	Press: ✓	Notices: ✓	Ward Councilor: ✓	Other

PART F: SUMMARY OF PUBLIC COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

The application was advertised in terms of Section 45 of the Langeberg Municipal Land Use Planning Bylaw, 2015 on 17 September 2026 and **no objections or comments** were received from the public or surrounding property owners. A procedural enquiry was received from a neighbouring property owner and clarification was provided regarding why they had been notified of the application.

PART G: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS (if applicable)

Municipal Departments provided the following comments on the development proposal:

Name	Date received	Comments
Fire and Disaster Management	21/09/2026	No objection, provided that fire safety measures and systems must meet or exceed the standards set by the National Building Regulations, SANS codes and any other applicable legislation to ensure the safety of occupants.
Civil Engineering Services	 05/11/2026	Standard conditions to ensure that each erf has separate connections for water and sewage disposal prior to registration of the erven in private ownership. The Superintendent Works, in Bonnievale confirmed that these erven have water and sewer connections.
Building Control		Standard condition: Before any commencement of building work, alterations to existing buildings and/or usage change of existing buildings, Building Plans must be submitted to and approved by the Building Control Department.
Traffic Department	28/09/2026	No objection.
Electrical Engineering Services	12/10/2026 03/11/2026	No objection, subject to the following conditions: • No new or additional electrical capacity is available for any erven due to Eskom capacity constraints in the Langeberg area. • Any existing electrical cables across erf boundaries must be removed. • No electrical cables may cross any erf boundaries on completion of any erf consolidation. • Local and national legislation prohibits electrical supply to be taken across erf boundaries without a distribution licence. • Local legislation requires all alternative electrical installations (Solar PV, static battery back-up, LV standby generators) to obtain written permission pre-installation. It is confirmed that each residential erf does have separate electrical connection and there are no electrical cables crossing erf boundaries.

PART H: APPLICANT'S RESPONSE TO THE COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

No comments or objections were received from the public and there is, therefore, no response from the applicant in this regard.

PART I: MUNICIPAL PLANNING EVALUATION

When the decisionmaker considers a land use application, the general criteria, in terms of Section 65(1) of the Langeberg By-law on Municipal Land Use Planning, 2015, must be taken into consideration.

1. Legislation/policy/guidelines applicable to the application

1.1. Development principles in terms of section 7 of the Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act 16 of 2013) & section 59 of the Land Use Planning Act, 2014 (LUPA) (Act 3 of 2014):

- Spatial Justice: The approval of the application will rectify the administrative / legal error relating to proposed erf 1510 and facilitate the registration of the General Plan and the long-overdue transfer of RDP houses to the approved beneficiaries. This will enhance tenure security and unlock economic value for homeowners.

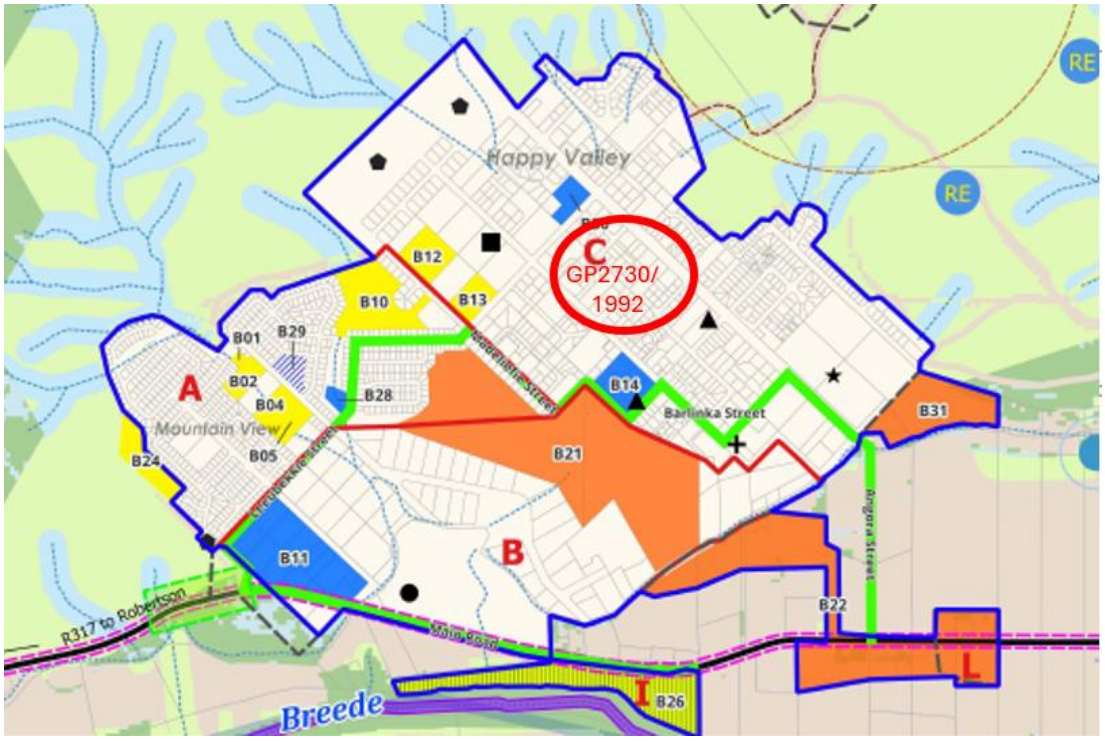
- Spatial Sustainability: The proposed subdivisions will formalise land development in a location that is sustainable, and within the demarcated urban edge. The application does not alter the approved layout of the development - the approved General Plan, including the configuration of the residential erven, public streets and open space remains unchanged.

- Efficiency: The development makes optimal use of existing resources, namely land and infrastructure, and will have a positive socio-economic impact by enabling the transfer of long-established RDP houses to their lawful beneficiaries.

- Good administration: The prescribed administrative and public participation processes have been adhered to. Approval of the application will enable the Municipality to finalise a housing project that has remained incomplete due to an administrative / legal error.

1.2. Langeberg Municipal Spatial Development Framework (MSDF), 2025:

The subject property is situated within precinct C inside the urban edge and is designated for residential development of mixed densities, with opportunities for densification. The development is consistent with Langeberg SDF.



1.3. Langeberg Integrated Zoning Scheme By-law, 2018 (LIZS)

The zoning will remain Single Residential I with provision for the existing streets as Transport Zone II.

1.4. Langeberg By-law on Municipal Land Use Planning, 2015:

The land development application was submitted and processed in compliance with the prescripts of said By-law. With reference to the 2026/27 municipal tariff of fees, this application is exempt from application and advertising fees under the category "facilitate the registration of transfer of state-owned housing".

2. Merits of the development proposal

2.1. The approval of the application will rectify the legal error which has prevented these residential erven from being transferred. There are only positive benefits associated with the approval of this application, with the main positive consequence being the registration of the General Plan and the long overdue transfer of erven to the beneficiaries.

2.2. There will be no impact on heritage resources, the biophysical environment or engineering services, traffic or access.

2.3. The development forms part of the established residential area of Happy Valley and is fully integrated with the surrounding residential fabric and established municipal engineering services.

2.4. The properties are located within the urban edge, where infill development and moderate densification is actively encouraged.

2.5. The proposal is consistent with municipal planning policy that supports compact urban form and sustainable development.

2.6. The approval of this application also supports the broader municipal goals of housing delivery and affordability.

On the balance of all considerations as contemplated in terms of section 65 of the Langeberg Land Use Planning By-Law, 2015, the Relevant Considerations Guideline and the SPLUMA and LUPA principles, the application is determined to be desirable and is fully supported.

PART J: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS

Not Applicable.

PART K: RECOMMENDATION

That the following application, as depicted on the attached Plans marked BON 1381/1525-1527-LBM_LP, OP/ZP1 & OP/ZP2 be approved in terms of Section 60 of the Langeberg Municipal Land Use Bylaw, 2015 (the Bylaw), subject to the conditions of approval below, in terms of Section 66 of the Bylaw:

- **Subdivision** of Erf 1381 Bonnievale into erf 1510 Bonnievale (1016m^2 – to be transferred back to the Municipality) and Rem/1381 Bonnievale (285m^2 – to remain in ownership of VGK).
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  In total the development of 1525, 1526 and 1527 comprises: 31 residential erven (Single Residential Zone I); 3 open space erven; and Remainders comprising the following streets, or portions thereof: Wade Street, Franslaan, Pietersen Street, and Adendorf Street (Transport Zone II).

Conditions of Approval.

1. The zoning is as indicated on the plans marked BON 1381/1525-1527-LBM_OP/ZP1 & OP/ZP2
2. At least one subdivision must be registered separately within 5 years after the date of the approval, failing which the approval will lapse regardless of whether an erf diagram has been approved by the Surveyor-General or not.
3. The subdivision plans and General Plan will only be endorsed in terms of Section 60 of the Bylaw after the diagrams confirming the erf numbers have been submitted by a Land Surveyor to the Municipal Town Planning Department.
4. Conditions 6 and 7 of this approval must be complied with before a Certificate may be issued in terms of Sections 20(6) and 28 of the Bylaw. This certificate must be submitted with the transfer documents before the subdivisions are registered in the Deeds Office.
5. No bulk service levies are payable.
6. Prior to registration, written confirmation must be submitted from the Senior Manager: Civil Engineering that there are separate water and sewer connections to each residential erf, and that any services which may require relocation, have been so relocated.
7. Prior to registration, written confirmation must be submitted from the Manager: Electrical Engineering that there are separate electrical connections to each residential erf, and that there are no existing electrical cables across erf boundaries.
8. Before any commencement of building work, alternations to existing buildings and/or usage change of existing buildings, Building Plans must be submitted to and approved by the Building Control Department. Fire safety measures and systems must meet or exceed the standards set by the National Building Regulations, SANS codes and any other applicable legislation to ensure the safety of occupants.
9. The street addresses remain as allocated by the Municipal Town Planning Department.

Notes:
- Local and national legislation prohibits electrical supply to be taken across erf boundaries without a distribution licence.
- Local legislation requires all alternative electrical installations (Solar PV, static battery back-up, LV standby generators) to obtain written permission pre-installation.

The REASONS for the decision are as follows:

i. The proposed subdivisions will facilitate the long overdue transfer of state housing to beneficiaries.
ii. The proposed subdivisions are consistent with the objectives of the Langeberg MSDF, which supports appropriate densification within the urban edge.
iii. The proposed subdivisions are compatible with the existing character of the surrounding land uses, with comparable erf sizes.

PART L: ANNEXURES

Annexure A: Locality Plan: BON 1381/1525-1527-LBM_LP
Annexure B: Subdivision and Zoning Plans: BON 1381/1525-1527-LBM_OP/ZP1 & OP/ZP2
Annexure C: Survey diagrams – Erven 1381, 1510, 1525, 1526, 1527
Annexure D: General Plan – Sheets 1 and 2

PART M: SIGNATURES FOR DECISIONS BY TRIBUNAL

Author name: Tracy Brunings, Manager: Town Planning

Date: 12 November 2026

Registered planner name :

SACPLAN registration number: Pr. Pln A/951/1997

Date: 12 November 2026

APPROVED	APPROVED CONDITIONALLY	APPROVED IN PART	REFUSED

LANGEBERG MUNICIPAL PLANNING TRIBUNAL

Date: