



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500166591

Erf 13505, 1 Tambo Street, Gugulethu

Development Management

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ERF 13505 GUGULETHU

Application to Amend Condition of Approval
Application made in terms of the Cape Town Municipal Planning By-Law



July 2026

ERF 13505 GUGULETHU

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Prepared by



July 2026

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1.0 INTRODUCTION

JONO Trust Professional Planners was appointed by the owner of Erf 13505 Gugulethu (refer to **Figure 1.1: Property Concerned**) to prepare the necessary land use applications to amend a condition of approval granted in terms of the By-law.

The subdivision plan included in the conditions of approval under the previous application (Case ID: 70375095) has changed (refer to **Annexure 1: Development Approvals June 2019**). The purpose of this application is to include the latest subdivision plan in the conditions of approval (refer to **Annexure 2: Amended Subdivision Plan**). The amendment of the current subdivision plan is a response to the City's GIS department's request. The City's GIS department found that the street naming process had not been conducted in accordance with the procedures stipulated by the said department.

This triggered the need to amend the previously approved subdivision plan by including street names that are in accordance with the procedures of the GIS Department.

The authority to make application on behalf of the landowner is attached as **Annexure 3: Power of Attorney**.

1.1 Current Approval

In June 2019, the City of Cape Town approved land use applications (Case ID: 70375095) to develop government subsidized housing on Erf 13505 Gugulethu. The approval included:

- Rezoning from Community Zone 1 to Subdivisional Area Overlay zone to permit 14 Single Residential Zone 2 (SR2) properties for Dwelling Houses, 1 Community Zone 1, 1 Transport Zone 2 (TR2) and 2 Utility (UT) properties.
- Subdivision into 18 portions as shown on plan of subdivision plan: ProSub7 dated April 2019 drawn by JONO Trust.

The application for the extension of development rights was submitted on the 26 June 2024 (Case ID: 1500125387).

1.2 Purpose of the Applications

The applications made by JONO Trust therefore seek to:

- Delete the amendment of subdivision application on the extension of validity application which was previously submitted under Case ID :1500125387.

It is proposed to delete the amendment of subdivision application which was included on the extension of validity application under Case ID: 1500125387. The application to amend the street names on the approved plan included on the extension of validity application, will lead to a delay in issuing a decision on the extension of validity since the validity approval can only be from the date of expiration.

- Amend Condition 1.2.1 of approval dated 27 June 2019.

It is proposed to amend Condition 1.2.1 of the Planning Approvals dated 27 June 2019. The City's GIS department found that the street naming process had not been conducted in accordance with the procedures stipulated by the said department. This triggered the need to amend the previously approved subdivision plan by including street names that are in accordance with the procedures of the GIS Department.



Key

- | | | | |
|--|--|---|---|
|  | Site Boundary: Erf 13505 Guguletu (Approx. 3197.39sqm) |  | - |
|  | Surrounding Properties |  | - |
|  | Street Centrelines |  | - |
|  | - |  | - |

Erf 13505 Guguletu

1.1

PROPERTY CONCERNED

SCALE at A3
1:400

JONO TRUST



The street names have been changed as follows:

- Phathiswa Jacobs to **ILanda Street**; and
- Sigonyela to **Ingedle Street**

The revised subdivision plan reflects the new street names (refer to **Annexure 2: Amended Subdivision Plan**). The City's GIS department confirmed that the street names are in order (refer to **Annexure 4: GIS Department Confirmation**).

We propose that Condition 1.2.1 be amended as follows:

Condition 1.2.1: Subdivision of the property into 21 portions as shown on plan PROSUB7 dated April 2019 drawn by Jono Trust.

Be Amended to: Subdivision of the property into 18 portions as shown on plan PROSUB8 dated June 2026 drawn by Jono Trust.

This application is made in terms of Section 42(j) of the Municipal Planning By-Law, 2015.

1.3 Property Details

Property Description:	Erf 13505 Gugulethu (refer to Figure 1.2: Aerial Photo (2025))
Extent:	3197m ² (Refer to Annexure 5: SG Diagram)
Registered Owner:	City of Cape Town (refer to Annexure 6: Ownership Printout)
Title Deed #:	(refer to Annexure 7: Title Deeds)
Current Zoning:	Subdivisional Area Overlay Zone.

1.4 Summary of the Applications

The application to amend Condition 1.2.1 of Annexure A of the June 2019 approval (refer to **Annexure 1**) is made in terms of Section 42(j) of the Municipal Planning By-Law (2015).

The land use application forms are attached as **Annexure 8: Land Use Application Forms**.



Key

-  Site Boundary: Erf 13505 Guguletu (Approx. 3197.39sqm)
-  Surrounding Properties
-  Street Centrelines
-  -

Erf 13505 Guguletu 1.2

AERIAL PHOTO (2025)

SCALE at A3 1:400  Meters

JONO TRUST

Job: 24.288 mxd: Aerial Photo Date: June 2026



2.0 DEVELOPMENT PROPOSALS & APPLICATIONS

2.1 Deletion of Application

It is proposed to delete the amendment of subdivision application which was included on the extension of validity application under Case ID: 1500125387.

The application to amend the street names on the approved plan included on the extension of validity application, will lead to a delay in issuing a decision on the extension of validity since the validity approval can only be from the date of expiration.

2.2 Amendment of Conditions

It is proposed to amend Condition 1.2.1 of the Planning Approvals dated 27 June 2019. The City's GIS department found that the street naming process had not been conducted in accordance with the procedures stipulated by the said department. This triggered the need to amend the previously approved subdivision plan by including street names that are in accordance with the procedures of the GIS Department.

The street names have been changed as follows:

- Phathiswa Jacobs to **ILanda Street**; and
- Sigonyela to **Ingedle Street**

The revised subdivision plan reflects the new street names (refer to **Figure 2.1: Amended Subdivision Plan**). The City's GIS department confirmed that the street names are in order (refer to **Annexure 4: GIS Department Confirmation**).

We propose that Condition 1.2.1 be amended as follows:

Condition 1.2.1: Subdivision of the property into 21 portions as shown on plan PROSUB7 dated April 2019 drawn by Jono Trust.

Be Amended to: Subdivision of the property into 18 portions as shown on plan PROSUB8 dated June 2026 drawn by Jono Trust.

This application is made in terms of Section 42(j) of the Municipal Planning By-Law, 2015.

LAND USE TABLE				
Portion Number	Proposed Use	Proposed Zoning	Area (m ²)	% of Area
1 - 14	Residential	R2	989	30.96
15	Detention Pond	UT	473	14.80
16	Pipeline Servitude	UT	805	25.20
17	Community Zone	CO2	342	10.70
18	Road	TR2	585	18.31
Total			3194	100



Key

-  Site Boundary: Erf 13505 Guguletu (Approx. 3197.39sqm)
-  Surrounding Properties
-  Street Centrelines
-  Proposed Subdivision Lines
-  -
-  -
-  -
-  -

Erf 13505 Guguletu

2.1

Proposed Subdivision

SCALE at A3
1:400

01.53691215

Meters

JONO TRUST



Job: 24.288

mxd: ProSub8

Date: June 2026

3.0 FACTORS THAT SUPPORT THE LAND USE APPLICATIONS

This section will set out the motivation that supports the proposed amendment and is framed in terms of the Bylaw's Section 99.

3.1 Compliance with the Municipal Spatial Development Framework and Planning Policy

The policy statements set out in the 2012 Cape Town Municipal Spatial Development Framework (MSDF) and the development guidelines in the 2012 Cape Flats District Plan, previously motivated the approved land use application. Since then, the Municipal Spatial Development Framework (February 2023) and District Plan (January 2023) has been updated and approved. The amendment proposals do not take away from the extent to which the development complies with the latest Municipal Spatial Development Framework and Cape Flats District Plan.

3.1.1 Cape Town Municipal Spatial Development Framework (2023)

The focus of the framework is on accelerating the implementation of inward growth, highlighting housing as one of the targeted areas.

The MSDF encourages land use intensification, which implies a greater mix of residential and non-residential land use (diversification) through the increased use of space both horizontally and vertically (densification). The framework further encourages land use intensification in locations with public transport accessibility, also at concentrations of employment, commercial development, social amenities and civic functions, to generate the thresholds required to support a sustainable public transport system.

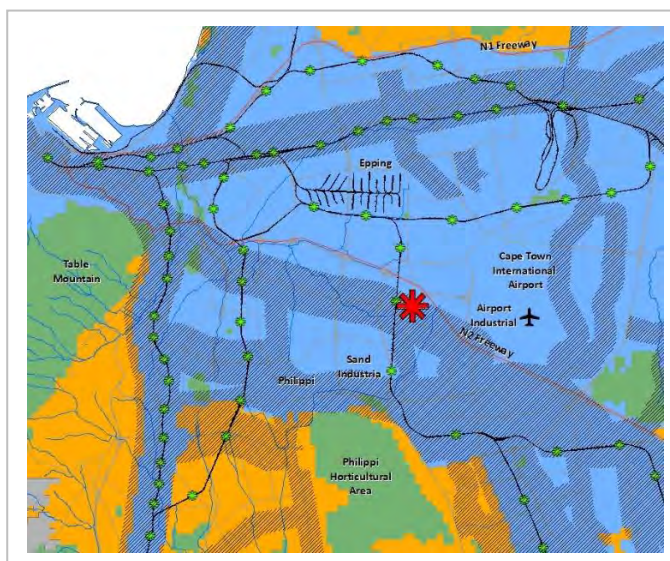


Figure 3.1: Metro Context.

Erf 13505 Gugulethu is located within an area designated as the 'Urban Inner Core'. The Urban Inner Core (UIC) is where the City will focus its support for development in an effort to spatially transform Cape Town by 'creating more opportunities for more people in highly connected areas'. The current MSDF is fundamentally different in that it refocuses growth towards the inner areas and actively discourages the outward expansion of urban areas. This fundamental change is positive in that redevelopment will occur in existing urban areas, especially those that have easy access to public transport or offer easy access to the different parts of the city and have existing engineering infrastructure.

The policy statements below prove that the proposed development of Erf 13505 Gugulethu is in alignment with the updated policies set out in the 2023 CTSDf, these policy statements are:

- Policy 2: Support and encourage investment (public and private) through the uptake of available incentives to encourage and facilitate inclusive economic growth.
 - P2.5: Maximise the impact of fiscal and spatially targeted mechanisms and incentives, such as the urban development zone, to support the City's spatial transformation policy objective underpinning mixed-use models for housing development).
- Policy 9: Plan for incremental land use intensification and diversification in support of inward growth predicated on the public transport infrastructure.

- Policy 16: Direct urban growth away from risk areas and activities.
 - P16.12: Continued engagement between the City and ACSA (especially in the review of the CTIA masterplan) to ensure that the envisioned future role of CTIA is flexible enough to cater for the City's vision to upgrade informal settlements and construct infill housing on land near the airport, as well as other economic and social development projects.
- Policy 23: Support the integrated intensification and diversification of land uses in identified areas, supportive of inward spatial growth, economically and incrementally.
 - P23.2: Ensure urban growth towards a more integrated and accessible city by supporting appropriate urban development and land use intensification within the urban inner core and incremental growth areas.
- Policy 26: Transform and integrate historically marginalised areas and informal settlements into spatially integrated neighborhoods that enable economic and social opportunities for residents.
 - P26.1: Support land development proposals that advance inclusive economic growth and sustainable livelihoods in existing and new townships.

Based on the points above, the proposals comply with the CTSDf (2023).

3.1.2 Cape Flats District Plan (2023)

The District Plan applies the Municipal Spatial Development Framework principles and proposals to the local area.

The site falls within sub-district 2: Manenberg – Gugulethu - Nyanga of the Cape Flats District Plan. The local objectives that apply to Erf 16086 Gugulethu are:

- Promote collaborative approaches between various sectors for the optimization of limited spaces to achieve high density and multifunctional land uses.
- Upgrading of informal settlements and relocation of inhabitants from areas where settlement presents significant risk to health and safety.
- Encourage intensification (and land use change) and densification at intersections of development routes.

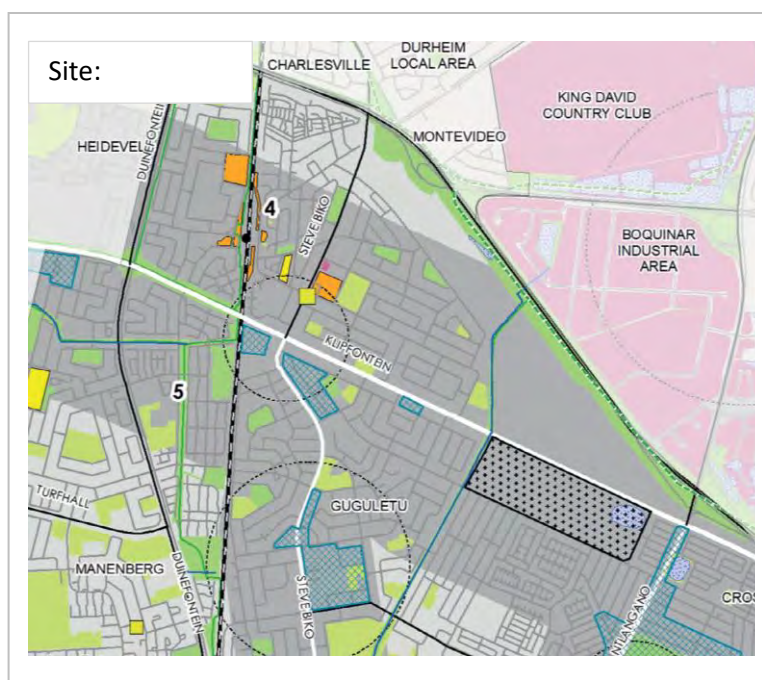


Figure 3.2: Cape Flats District Plan

The site is within 'Existing Urban Development' and 'higher order development corridor' where the intensification is encouraged. This supports residential and mixed-use infill development in accordance with the approved Development Framework.

The policy statements and guidelines that apply to Erf 13505 are:

- Encourage intensification and mixed land uses, including medium high density residential development within the node and along Steve Biko Drive.

- Increase a mix of land uses and opportunities for living and working in the area to activate public spaces and attract private investment.
- Encourage and support community residential units (CRUs) (e.g. hostel redevelopment in Nyanga and Gugulethu), gap and social housing (or any other appropriate housing typology) and live-work units to meet residential market needs of the area (Nyanga, Gugulethu and Manenberg).
- Encourage upgrading of informal settlements in Gugulethu, Nyanga and Crossroads through strategies such as reblocking/upgrading of basic services.

The District Plan supports the development of infill housing on Erf 13505 Gugulethu.

3.2 Desirability: Socio-Economic Impact

The proposals promote and stimulate the effective and equitable functioning of the local area. Encourages land use intensification and economic development in an accessible area, thereby allowing more people to have access to the activities that the local area offers. Specifically, those activities which are of public nature.

3.3 Desirability: Compatibility with Surrounding Uses

The proposal is for a residential development within a residential area, it is therefore compatible with the surrounding uses. More importantly, the design recognises the need to respond to the adjacent residential uses. The amendment of the condition application is merely to swap out the street names reflected on the previous approved subdivision plan as requested by the City's GIS department.

3.4 Desirability: Impact on External Engineering Services

The proposals can be accommodated within the existing municipal services network. There is no need to The proposals can be accommodated within the existing municipal services network. There is no need to upgrade any of the intersections that are likely to be affected by the development.

3.5 Desirability: Impact on Safety, Health and Wellbeing of the Surrounding Community

The proposal is for the formalisation of a residential use. There is no safety, health or risk to wellbeing which will be a result of a residential development. The amended subdivision plan does not pose any negative impact or threat to the safety, health and wellbeing of the surrounding community.

3.6 Desirability: Impact on Heritage

The proposal does not have an impact on heritage resources.

3.7 Desirability: Impact on the Biophysical Environment

There are no biophysical features on site that require to be retained.

3.8 Desirability: Impact on Traffic, Parking and Other Transport Related Considerations

The scale and nature of development does not necessitate a traffic study and the DMS does not require onsite parking for R2 erven that are smaller than 100m².

3.9 Desirability: Conditions of Approval to Mitigate Impact

It is anticipated that the proposed amendment of conditions will not impose any negative impacts that will require mitigation strategies.

3.10 Impact on Existing Rights

The proposal is deemed not to have any negative impact on the existing property rights of the surrounding owners. The proposal to amend Condition 1.2.1 of approval does not interfere with the neighbouring owner's ability to use and enjoy their properties.

3.11 By – Law Compliance

Section 60(1) of the Planning Bylaw states that the City may approve an application for the amendment of an approved plan of subdivision if:

- a subdivision which has not been confirmed; or
- a confirmed subdivision, in relation to land units shown on the general plan in respect of which no transfer has been registered in terms of the Deeds Registries Act.

Erf 13505 complies with the requirements of the Planning Bylaw.

4.0 CONCLUSION AND REASONS FOR APPROVAL

This application to amend the conditions of approval is worthy of support because:

- The application to amend the approved subdivision plan does not introduce any new concepts or increase the impact on surrounding community and municipal services.
- It is an amendment of approval to swap out the street names reflected on approved subdivision plan with the street names approved by the City's GIS Department.

In light of the factors in the above sections, we believe that the application for Erf 13505 Gugulethu is worthy of approval.

JONO Trust Professional Planners

Annexure 1:
Development Approvals June 2019



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

DEVELOPMENT MANAGEMENT

Case ID: 70375095

BLUM022

27 June 2019

FINAL NOTIFICATION LETTER

Dear Sir / Madam

APPLICATION FOR REZONING AND SUBDIVISION: ERF 13505 GUGULETHU AT CORNER OF TAMBO STREET AND TAMBO WALK, GUGULETHU

My previous correspondence dated 18 June 2019 refers.

I wish to advise that the appeal process has now been concluded and that the decision as per the City's previous letter of **approval** is therefore now considered final. Accordingly, the decision may now be acted upon, subject to compliance with the conditions detailed in the letter dated 18 June 2019.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Donald Suttle'.

Donald Suttle
for **DIRECTOR: DEVELOPMENT MANAGEMENT**

cc GIS officer
Director: Valuations
Surveyor General



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

DEVELOPMENT MANAGEMENT

BLUM017

18 June 2019

Dear Sir / Madam

APPLICATION FOR REZONING AND SUBDIVISION: ERF 13505 GUGULETU AT CORNER OF TAMBO STREET AND TAMBO WALK

This letter is addressed to the applicant or to an objector in the case where there has been an objection to the above application.

The application with reference 70375095 in the above regard, accepted on 05 March 2018, refers.

The authorised official on 13 June 2019 **approved** in terms of section 98(b) of the City of Cape Town Municipal Planning By-Law, 2015 (MPBL), the application for:

- Rezoning from Community Zone 1 to Subdivisional Area Overlay zone to permit 14 Single Residential Zone 2 (SR2) properties for Dwelling Houses, 1 Community Zone 1 Transport Zone 2 (TR2) property and 2 Utility (UT) properties,
- Subdivision into 18 portions as shown on plan of subdivision n Plan: PROSUB7 dated April 2019 drawn by Jono Trust.

This approval is subject to the conditions set out in **attached** Annexure A.

Kindly note, this subdivision approval will lapse within 5 years after the effective date of decision (as contemplated in section 105(2) [see footnote] of the MPBL), unless it complies with section 55(1) [see footnote] of the MPBL.

Kindly note, this rezoning approval will lapse within 5 years after the effective date of decision (as contemplated in section 105(2) [see footnote] of the MPBL), unless it complies with section 47(1) [see footnote] of the MPBL.

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Reasons for the above decision are:

1. Complies with Section 99(1) of the Municipal Planning By-Law.
2. Complies with Section 99(3) of the Municipal Planning By-Law.

3. Compliant with the MSDF and other relevant spatial policies.
4. The proposed formalised human settlement development will positively improve living conditions (positive socio-economic impacts) to the community.
5. The proposal should not result in adverse impacts on the rights of surrounding land owners.
6. The necessary engineering infrastructure to accommodate this development is available subject to the necessary upgrading and improvement.

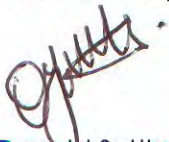
In terms of section 108(1) of the City of Cape Town Municipal Planning By-Law, 2015, you may appeal to the Appeal Authority against the above decision by giving written notice of such appeal and the grounds of appeal.

An appeal, including the written notice and the grounds of appeal (and not only the intention to appeal), must be lodged with the City Manager, c/o the Development Management, Cape Flats District, District Manager, at the following email address: appeals.capeflats@capetown.gov.za within **21 days of the date of notification of the decision**. If the appeal cannot be lodged by email it may be hand delivered to the Development Management, District Secretary, Ledger House, corner of Aden Avenue and George Street, Athlone **within 21 days of the date of notification of the decision**. See definition of notification date in footnote below to determine the closing date for submission. If this letter has been sent to you by registered mail, then it is your responsibility to establish the date stamped upon the receipt for registration issued by the post office when accepting this notice from the City of Cape Town. You will need to contact the post office and use the tracker number on the envelope for this purpose.

Failure to comply with the above requirements and provisions within section 108 of the MPBL will result in the appeal being ruled invalid.

Kindly note that the operation of the approval of this application is suspended until such time as the City gives notice that no appeal has been lodged and the decision is effective or the date that the appeal is decided by the appeal authority. If an appeal is lodged against a condition of approval the City may determine that the operation of the approval of the application is not suspended.

Yours faithfully



Donald Suttle
for **DIRECTOR: DEVELOPMENT MANAGEMENT**

Notes and extracts from sections of the City of Cape Town Municipal Planning By-Law, 2015

55 Confirmation of subdivision

- (1) Within a period of five years after the effective date of decision, the applicant must, in respect of the approved general plan or diagram –
 - (a) meet all of the requirements in section 54(1); and
 - (b) obtain the registration of transfer in terms of the Deeds Registries Act of at least one land unit.

54 Transfer of land unit arising out of approved subdivision

- (1) No person may obtain transfer of a land unit arising out of an approved subdivision or the relevant phase unless –
 - (a) the Surveyor-General has granted the approval contemplated in section 53;
 - (b) the engineering services required by the conditions of approval contemplated in section 52(4) and any other applicable legislation in respect of the area or the relevant phase on the approved general plan or diagram have been completely installed;
 - (c) all other conditions of subdivision or the conditions relating to the relevant phase on the approved general plan or diagram and all conditions precedent to the transfer of the land unit have been met; and
 - (d) where an owners' association is required,
 - (i) the City has certified the constitution of the association (as contemplated in section 62(2));
 - (ii) the association has been or will be established upon transfer of the first land unit (as contemplated in section 61(5)); and
 - (iii) all land designated in terms of the conditions of approval to be transferred to the owners' association including private roads and private open space, arising from the subdivision or relevant phase have been, or together with the transfer of the first land unit, will be transferred to the association, without compensation.

38 General lapsing provision

- (1) Unless otherwise specified in this By-Law, an approval granted or deemed to have been granted in terms of this By-Law to use or develop land lapses two years after the effective date of decision
 - (a) where the land is not used in accordance with the approval; or

- (1) Unless otherwise specified in this By-Law, an approval granted or deemed to have been granted in terms of this By-Law to use or develop land lapses two years after the effective date of decision
- (a) where the land is not used in accordance with the approval; or
 - (b) where an improvement of land is required in order to use the land in accordance with the approval, lawful commencement of construction has not occurred.

47 Lapsing of rezoning, consent use or departure

- (1) A rezoning, other than a rezoning to a subdivisional area zoning, consent use or permanent departure approved or deemed to have been approved in terms of this By-Law lapses five years after the effective date of the decision –
- (a) where the land is not used in accordance with the approval; or
 - (b) where an improvement of land is required in order to use the land in accordance with the approval, lawful commencement of construction has not occurred.

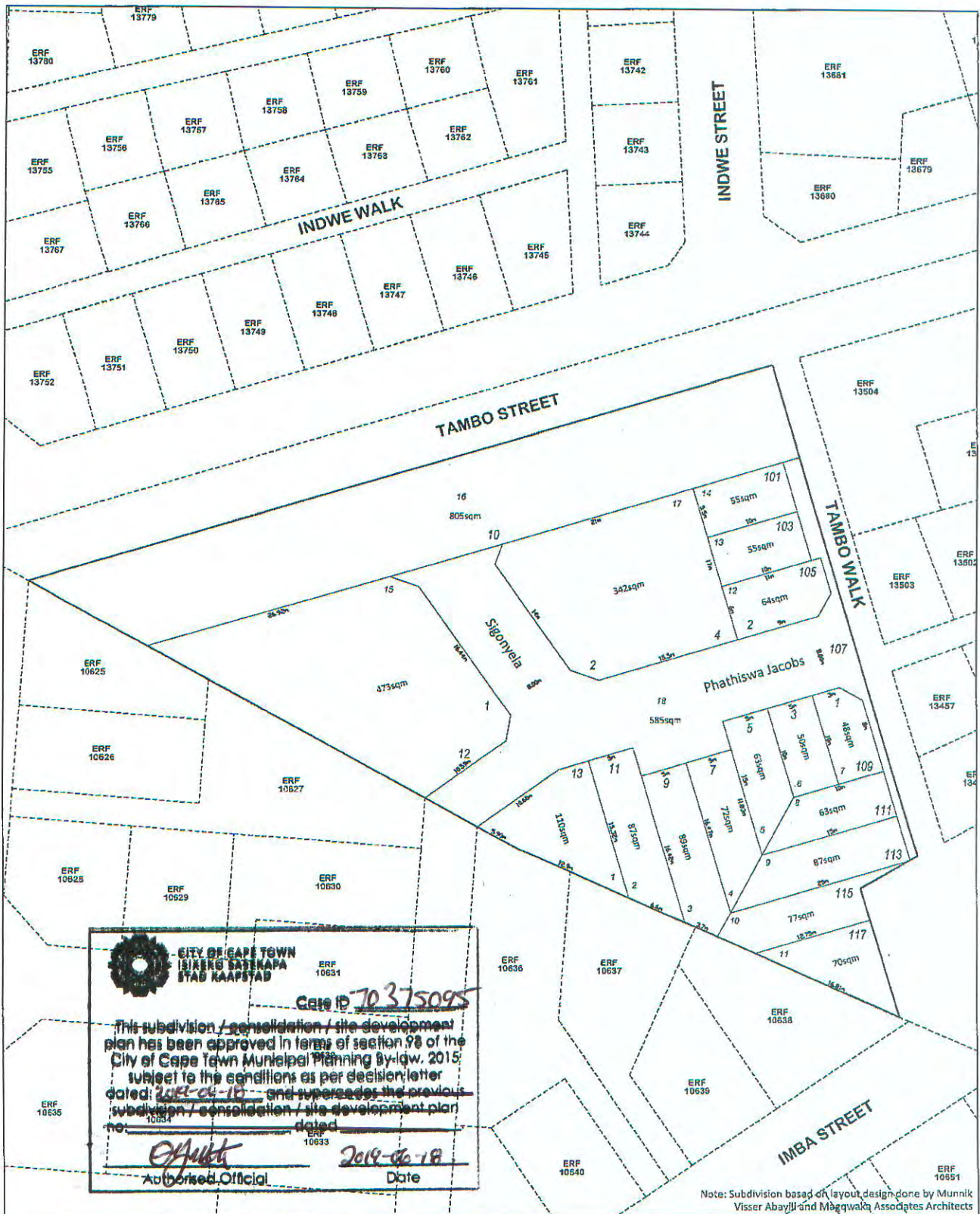
105 Effective date of decision

- (2) The effective date of a decision in terms of this By-Law is –
- (a) the date that the City gives notice that no appeal has been timeously lodged and that the decision is accordingly effective; or
 - (b) subject to subsection (3), if an appeal is timeously lodged, the date that the appeal is decided by the appeal authority.
- (3) If an appeal is lodged only against a condition imposed in terms of section 100, the City may determine that the operation of the approval of the application is not suspended

Method and date of notification

The date of notification is determined as follows:
if the notification is provided –

- (a) orally, it is the date of oral communication;
- (b) by hand, it is the date of delivery or collection;
- (c) by registered post, it is regarded as the fourth day after the date stamped upon the receipt for registration issued by the post office which accepted the notice; or
- (d) by email or fax, it is the date that the email or fax is sent.



KEY:

- Site Boundary
- Proposed Subdivision Lines
- Cadastral Boundaries

LAND USE TABLE

Portion No.	Proposed Use	Proposed Zoning	Area	Percentage of Area
1 - 14	Residential	SR2	989 sqm	30.96%
15	Detention Pond	UT	473 sqm	14.80%
16	Pipeline Servitude	UT	805 sqm	25.20%
17	Community Zone2	CO2	342 sqm	14.2%
18	Road	TR2	585 sqm	18.31%
			3194 sqm	100%

Erf 13505 Gugulethu

5.5

Subdivision Plan

1:400 @ A3

JONO Trust



Job: 17.132 | Draw: PRCSUB7 erf13505 | Date: APRIL 2019

ANNEXURE A

In this annexure:

"City" means the City of Cape Town

"The owner" means the registered owner of the property

"The developer" means the Department of Human Settlements, Western Cape Government

"The property" means Erf 13505 Gugulethu

"Bylaw" and "Development Management Scheme" has the meaning assigned thereto by the City of Cape Town Municipal Planning Bylaw, 2015 (as amended)

"Item" refers to the relevant section in the Development Management Scheme

"Dir: DM" means Director: Development Management or his/her delegatee.

"engineering services" means infrastructure for the provision of water, electricity, sewerage, stormwater management, streets, roads and pedestrian walkways, including all related services and infrastructure;

"external engineering service" means a municipal engineering service situated outside the boundaries of a land area required to serve the use and development of the land area and is either a bulk engineering service or a link engineering service;

"internal engineering service" means an engineering service situated within the boundaries of a land area required for the use and development of the land area and which is to be owned and operated by the City or a service provider or an owners' association and may include a bulk engineering service or a link engineering service; and

"link engineering service" means an engineering service required to connect an engineering service situated within the boundaries of a land area to a bulk engineering service and includes the land required for the link engineering service.

"bulk engineering service" means an engineering service required to provide an engineering service to multiple users in the municipal area and includes the land required for the bulk engineering service;

CASE ID: 70375095

1. APPLICATIONS GRANTED IN TERMS OF SECTION 98 (b) OF THE BYLAW

1.1 Rezoning

1.1.1 Rezoning of the property from Community Zone 2 to Subdivisional Area Overlay Zone for 14 Single Residential Zone 2 properties, 1 Community Zone 1 property, 2 Utility properties and 1 Transport Zone 2 property.

1.2 Subdivision

1.2.1 Subdivision of the property into 21 portions, as shown on plan PROSUB7 3 dated April 2019 drawn by the Jono Trust.

2. CONDITIONS IMPOSED IN TERMS OF SECTION 100 OF THE MUNICIPAL PLANNING BY – LAW, 2015 WHICH MUST BE COMPLIED WITH AT THE COST OF THE DEVELOPER PRIOR TO

**THE TRANSFER OR SEPARATE REGISTRATION IN THE DEEDS REGISTRY OF ANY PORTION
(SEE SECTION 137 OF THE MUNICIPAL PLANNING BY-LAW.)**

2.1 Urban Development

- 2.1.1 A Site Development Plan must be submitted by the developer for the approval of the delegated official. Such a plan to include the following:
- The dwelling unit types and the location of dwelling units on each of the properties.
 - A landscaping plan for the public road area.
- 2.1.2 The approved landscaping plan shall be implemented at the cost of the developer to the satisfaction of the Director Social Services, Recreation and Parks (or his/her delegate).

2.2 Engineering Services

- 2.2.1 The developer shall at its cost provide all the required internal and link engineering services to the satisfaction of Council. Civil engineering plans shall be submitted for approval. All engineering services shall be implemented to the satisfaction and requirements of the relevant engineering services department.
- 2.2.2 The developer shall be responsible for all costs incurred in respect of the upgrading, extension, deviation, connection or removal of any engineering services arising from the development.
- Note: There are constraints in the sewer network and upgrades will have to be implemented before the network can accept the sewerage contribution from the development. The developer will have to engage with the reticulation district head to ascertain the timing of these upgrades.
- 2.2.3 All engineering services shall comply with the standards and policies of Council and services shall be in accordance with approved engineering plans.
- 2.2.4 Where municipal services traverse private properties or fall outside a public road reserve, a 3m wide servitude shall be registered in favour of Council for the developers account.
- 2.2.5 All bulk connection points for services (water, sewer, stormwater and access) shall be provided in the public road reserve.
- 2.2.6 The developer shall be responsible for all costs incurred in respect of the upgrading, extension, deviation, connection or removal of any existing storm water, sewerage, electricity, roads or other service or work arising from the development.
- 2.2.7 All services upgrading, extension, deviation or removal must be done in accordance with engineering design drawings which meet the requirements of and must be approved by the relevant engineering services department.
- 2.2.8 The developer shall be responsible for the reinstatement of all damaged municipal infrastructure after completion of the construction work to full municipal standards.

2.3 TRAFFIC AND TRANSPORT

Note: All road works must be constructed to the minimum standards prescribed by the Transport: Asset Management and Maintenance Branch and must be implemented at the developers cost.

2.4 Water and Sanitation

- 2.4.1 The development shall be linked to the Municipal water and sewer infrastructure, at the cost of the developer.
- 2.4.2 Engineering plans for the property shall be submitted to the Director: Water and Sanitation. These plans shall be to the satisfaction of the Director: Water and Sanitation and shall be implemented to the satisfaction of the Director: Water and Sanitation.

Note: The development shall comply with Council's Water By-law.

2.5 Electricity

- 2.5.1 Any alterations or deviations to electricity services necessary as a consequence of the proposal, or requested by the applicant, will be carried out at the developer's cost.
- 2.5.2 A separate service connection cable, rated to supply the authorized capacity of the erf, must be installed to the point of supply on the boundary of each erf of the subdivision. The cable shall be routed clear of all other private property, typically within the road reserve.
- 2.5.3 In accordance with policy and tariffs approved by Council, a shared –network charge , as published in the standard tariffs, shall be paid before clearance of the subdivision will be granted.
- 2.5.4 In accordance with policy and tariffs approved by Council, a connection fee to provide a separate connection to the property boundary shall be paid before clearance of the subdivision will be granted.
- 2.5.5 A quote for the shared network charge and connection fee, as well as conditions of supply, will be provided upon formal application. Such application must be submitted prior to the application for Section 137 clearance.
- 2.5.6 The applicant shall provide, at the cost to the applicant, the internal electrical reticulation and street lighting networks serving the subdivision. To this end, the applicant shall appoint a consulting engineering practitioner registered with ECSA to carry out the design and to supervise the installation of the internal electrical reticulation and street lighting networks shall be handed over to the Department for operation and maintenance.
- 2.5.7 The design for the electrical reticulation and street lighting networks shall be submitted formally for approval. The design will not be considered without an approved subdivision plan.
- 2.5.8 The electrical network is to be installed in the road reserve within a sidewalk width sufficiently wide to accommodate the electrical network required. Special attention will be required where HV cables are to be accommodated.
- 2.5.9 The developer shall provide and install in an approved manner and at the cost of the developer all pipe ducts required across roads and access ways for electrical cables

for both internal services and future bulk services. The position of each of these duct crossings shall be permanently marked on the kerb edge.

Note: All metering equipment shall be accommodated in a location directly accessible from public road, i.e. on the erf boundary adjacent to the road reserve and at street level, subject to departmental requirements. Metering requirements must be resolved in consultation with the Electricity Services Department, prior to commencing construction

Note Depending on the power requirement, a substation may be required. The substation shall be directly accessible from public road, i.e. on the erf boundary adjacent to the road reserve and at street level, subject to departmental requirements. Depending on requirements this can take the form of:

- outdoor substation on 5 m x 4 m site;
- outdoor substation on 6 m x 4 m site;
- substation building on 20 m x 14 m site; or
- substation contained within the building (dimensions to be determined).

Note: Subdivision of the substation site may be required. Prior to building plan approval, the substation requirements shall be resolved in consultation with the Electricity Services Department.

Note: On completion of the internal electricity distribution infrastructure to the Electricity Department's satisfaction, it shall be handed over formally to the Electricity Department. The developer shall nonetheless remain responsible for securing the infrastructure and for the cost of all repairs resulting from vandalism and theft until such time that the development has been occupied to a level acceptable to the Electricity Department. The Department will release the developer from this responsibility only on formal application by the applicant.

Note: The developer is required to include in the development measures to improve energy efficiency.

2.6 Catchment Management

2.6.1 A detailed stormwater management plan must be submitted for the approval of the Head: Catchment Planning. The approved stormwater management plan shall be implemented to the satisfaction of the Head: Catchment Planning.

GENERAL ADMINISTRATIVE REQUIREMENTS

In addition to the conditions of approval listed in Annexure A, the following further processes and standard administrative requirements are to be noted and complied with in full timeously and where applicable.

Further processes in the case of subdivision (or consolidation) approval

- 1 Generally, the further processes following subdivision / consolidation approval involve the following sequence of events:
 - Actual site surveying and preparation of a survey diagram or General Plan by the owner / applicant's appointed land surveyor
 - Submission to and approval by the Surveyor General (SG) of the diagram or General Plan
 - Once services infrastructure have been installed and all conditions of subdivision have been complied with, upon application, transfer clearance certification issued by City in terms of Section 137(3) of the City of Cape Town Municipal Planning By-law, 2015 (MPBL)
 - Once Section 137(3) transfer clearance issued, upon application, rates clearance certification issued by the Chief Financial Officer in terms of Section 118 of the Municipal Systems Act, No 32 of 2000
 - Supported by the above clearances, conveyancer application to the Registrar of Deeds for separate registration and/or transfer of newly subdivided portions
 - Upon individual registration, building plan approval, followed by construction, subsequent building completion certification by the City and eventual occupation
- 2 Kindly note, the subdivision approval in the accompanying decision letter will lapse unless separate registration of at least one land unit is effected in the Deed's office within 5 years of the date of the City's final notification letter of this approval (which letter will follow in due course), unless extension of the validity thereof has been granted in terms of Section 107 of the MPBL prior to such lapsing.
- 3 After final notification of this subdivision / consolidation approval, the SG will require preparation of a diagram or General Plan (illustrating any servitudes where applicable) of the newly created land unit(s) for its approval. Such diagram or General Plan is to be prepared by a land surveyor appointed by the owner / applicant. The owner / applicant or its surveyor is required to liaise directly with the SG in this regard. Upon approval thereof, the SG will indicate by means of an endorsement the date and reference number of this

subdivision / consolidation approval on the back of the diagram(s) of the newly created erven or on the front of the General Plan, whichever are applicable.

- 4 Upon or prior to submission to the SG office of such diagram(s) or General Plan for approval, an electronic copy thereof must be e-mailed to the Senior GIS technician in the district Planning office where the approval was issued at the relevant address reflected below. Proof of such e-mail transmission must accompany any transfer clearance application or building plan submission to the Planning & Building Development Management Department, whichever may occur first.

District	e-mail address
Table Bay	p&bdev.tablebay@capetown.gov.za
Blaauwberg	p&bdev.blaauwberg@capetown.gov.za
Northern	p&bdev.northern@capetown.gov.za
Tygerberg	p&bdev.tygerberg@capetown.gov.za
Helderberg	p&bdev.east@capetown.gov.za
Mitchell's Plan / Khayelitsha	p&bdev.mitchellsplainkhayelitsha@capetown.gov.za
Cape Flats	p&bdev.capeflats@capetown.gov.za
Southern	p&bdev.southern@capetown.gov.za

- 5 Once the diagram(s) or a General Plan has been approved by the SG and all the conditions of subdivision have been met by the developer, application may be made by the owner (or his appointed conveyancing attorney) to the Director : Planning & Building Development Management at your nearest district Planning office for transfer clearance certification in terms of Section 137 of the (MPBL). Such application must be accompanied by the following:

- Completed and signed application form
- Information sheet (partially completed)
- Draft Power of Attorney (where necessary)
- SG approved General Plan / diagram(s) (original)
- Copy of original approval letter (including conditions of approval and approved plan of subdivision)
- Application fee / payment receipt
- Proof of e-mail transmission of electronic copy of General Plan / diagram to the district Senior GIS technician
- Any other supporting evidence necessary to substantiate condition compliance

Where servitudes are to be created as part of the subdivision / consolidation or there is a requirement for a owners' association to be established of which new owners are required to be members, a copy of the draft power of attorney to pass registration / transfer must be submitted to the Director: Planning & Building Development Management as part of the above application.

- 6 Required to effect registration and/or transfer, a rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 may only be applied for to the Chief Financial Officer once the Director: Planning and

Building Development Management has certified that all conditions of subdivision have been complied with to its satisfaction, as per the foregoing paragraphs. Such applications for rates clearance certificates must therefore be accompanied by the above subdivision clearance (condition compliance) certificate in terms of Section 137 of the (MPBL).

- 7 The Registrar of Deeds will not permit registration of individual portion(s) or servitude area(s) and/or transfer of such new land unit(s) unless the Chief Financial Officer has issued the above rates clearance certificate in terms of Section 118 of the Municipal Systems Act, No 32 of 2000 in respect of such land unit(s).

Geographic Information System (GIS) data capturing standards

- 8 In drawing up the General Plan or diagram(s) relating to this subdivision / consolidation, the land surveyor must create the following separate layers in ESRI .shp or .dxf electronic file format in order for the data to reflect spatially correct:

Layer name	Content
TITLE	Title information, including any endorsements and references
NOTES	All noted information, both from the owner / surveyor and SG
PARENT_PROPLINES	Parent property lines
PARENT_PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET_NAMES	Road centre lines with street names
STREET_NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where gates are)
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

- 9 Such drawing of the approved subdivision / consolidation must include the following information:
 - property boundaries
 - co-ordinates
 - parent erf number(s)
 - newly allocated erf number(s)
 - extent of all erven
 - approved street name(s), including whether public or private
 - approved street number(s) and/or unit numbers (if applicable)
 - complex name (in case of a complex development, eg group housing or flats)

- suburb name (in case of creation of a new suburb / township)

No additional information other than that described above may be included with the different layers / features. Should it be necessary to include any additional information with the diagram / General Plan, such information may not be included with any of the layers described above, but should rather be included in any other separately named layer.

- 10 It is important that each portion / servitude boundary is complete and forms a closed polygon, ie the line endpoints must touch each other (eg no undershoots or overshoots). In addition, each property number anchor must be located within the respective property's boundaries. Kindly also note, split remainders are not permitted and except for a single remainder, each cadastral unit should have a separate erf number.

In addition to being geo-referenced and in WGS 1984 Geographic Coordinate System, the drawing must be completed using real world coordinates based on the City of Cape Town Standard as follows:

- Datum: Hartebeeshoek WGS 84
- Projection: Transverse Mercator
- False easting: 0.00000000
- False northing: 0.00000000
- Central meridian: 19.00000000
- Scale factor: 1.00000000
- Origin latitude: 0.00000000
- Linear unit: Metre

- 11 The following is to be noted in respect of all public roads and places resulting from the subdivision:

- All newly created public roads (including road splays where relevant) and places to vest in the City in terms of Section 58(1) of the MPBL must be clearly defined, be provided with separate portion / erf numbers (and not indicated as remainders) and be indicated as such on the SG approved diagram or General Plan.
- All such public roads and places are to be registered as individual portions and transferred to the City upon transfer of the first unit / erf in the subdivision or phase concerned, the cost of surveying, registration and transfer of which shall be borne by the applicant.

- 12 The above electronic data must be delivered (preferably by e-mail to the address supplied above) to the Senior GIS technician in the district Planning office where the subdivision / consolidation approval was issued in standard dxf or shapefile format. If the data is to be supplied in shapefile format, then separate shapefiles are required for street names and numbers.

Building plan applications

- 13 Kindly note, building plan applications will not be accepted by the Planning & Building Development Management Department (Building Control office) if

the above electronic data has not been submitted to the SG office and such office approved the new or amended diagrams. The City's cadastre layer is only updated after the SG office approved the diagram and provided it to the City.

- 14 Except where construction of buildings on unregistered land units for good reason are specifically provided for in the conditions of approval, it is to be noted that building plan applications will not be approved before:
- a Site Development Plan (SDP) if required, was approved,
 - all applicable conditions of approval have been complied with in full prior to subdivision clearance,
 - a hard and electronic copy of the approved diagram or General Plan has been submitted to the Senior GIS technician at the relevant district Planning office and
 - the transfer attorney / owner has submitted proof that the subdivision concerned has been confirmed (in that the first erf / unit in the subdivision has been registered and/or transferred) and the relevant subject premises has been registered in the Deed's office.
- 15 Notwithstanding the above and upon proper motivation, application may be made in terms of Section 55(4)(b) of the MPBL to the Director : Planning & Building Development Management for the commencement of construction on unregistered subdivided portions prior to confirmation of a subdivision or registration of individual portions (eg development of show units), if the conditions of approval made specific allowance for this (but subject to submission of an approved SG diagram or General Plan in the case of show units).

General standard requirements

- 16 Your attention is drawn to Section 59 of the MPBL, which provides for a general servitude over property in respect of services arising from a subdivision and which requires that the person who at any time is the owner of any land unit resulting from such subdivision, without compensation
- allow any service relating to the approval of the subdivision to be conveyed across or installed on the land unit in the manner and position that the City or organs of state from time to time reasonably requires. The services include gas mains, electricity infrastructure, telephone cables, television cables, internet cables, other electronic infrastructure, main and other water pipes, sewers, stormwater pipes, ditches and channels, and surface installations such as mini-substations, meter kiosks and service pillars; and
 - allow access to the works and infrastructure contemplated above on the land unit at any reasonable time including for the purpose of constructing, altering, repairing, maintaining, removing or inspecting the works; and
 - receive such material or permit such excavation on the land unit as may be required to allow use of the full width of an abutting street and provide a safe and proper slope to its bank necessitated by differences between the level of the street as finally constructed and the level of the land unit, unless the

owner elects to build retaining walls to the satisfaction of and within a period determined by the City.

- 17 Where the City of Cape Town is not the electricity service provider, it remains the duty of the developer / owner to timeously liaise directly with the relevant service provider for connection to the power grid.
- 18 Should it be required, provision and installation of telecommunication services to individual units is to be arranged timeously by the developer / owner with a relevant service provider at his/her own expense.

Annexure 2:
Amended Subdivision Plan

LAND USE TABLE				
Portion Number	Proposed Use	Proposed Zoning	Area (m ²)	% of Area
1 - 14	Residential	R2	989	30.96
15	Detention Pond	UT	473	14.80
16	Pipeline Servitude	UT	805	25.20
17	Community Zone	CO2	342	10.70
18	Road	TR2	585	18.31
Total			3194	100



Key

Site Boundary: Erf 13505 Guguletu
(Approx. 3197.39sqm)

Surrounding Properties

Street Centrelines

Proposed Subdivision Lines

-

-

-

-

Erf 13505 Guguletu

Proposed Subdivision

SCALE at A3
1:400

0

1.5

3

6

9

12

15

Meters

JONO TRUST

Job: 24.288

mxd: ProSub8

Date: June 2026