OFFICE OF THE CHIEF JUSTICE
PRIVATE BAG X9020
CAPE TOWN 8000
2022 -06- 09
GENERAL OFFICE
WESTERN CAPE HIGH COURT

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9769/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI POLICE STATION	Seventh Respondent

C & A Friedlander Inc
Filed by: J.A. Williams
(021) 674 2083
e-mail: jaw@caf.co.za

NOTICE OF MOTION:

BE PLEASED TO TAKE NOTICE THAT the above-named applicant will apply to the above Honourable Court on **Monday, 13 June 2022 at 10h00,** or as soon as counsel for the applicant may be heard, for an order in the following terms:

1. That the applicant's non-compliance with the time periods, forms, service and processes set out in the Uniform Rules of Court be condoned in terms of Uniform Rule 6(12) and that this matter be adjudicated as an urgent application as contemplated in the said rule.

2. That a rule *nisi* be issued calling on the respondents to show cause at **10h00 on 08 August 2022** as to why a final order should not be granted in the following terms:

    2.1. Interdicting and restraining the first to fifth respondents together with any of their assigns, agents and/or associates acting under their instructions from: -

        2.1.1. unlawfully intimidating, threatening, interrogating and/or harming in any way whatsoever, any construction workers, employees and/or sub-contractors employed by the applicant and/or their agent and any of the applicant's service providers situated at the construction sites, namely ERF 8293, on the

Corner of Speyer Street and Nooiensfontein Road, also known as Seckenheim Drive, Blue Downs, Cape Town and on ERF 20733 , on the corner of Batley Road and Nooiensfontein Road, Blue Downs, Cape Town ("**the Construction Sites**").

2.1.2. unlawfully obstructing any entrances or exits to the construction site by inter alia, locking gates, placing any obstruction of any kind in the road leading to such construction sites or gathering outside of such gate leading to the Construction Sites.

2.1.3. unlawfully preventing or restricting freedom of movement of the applicant's employees, sub-contractors and representatives or any person/s visiting the Construction Sites in any manner whatsoever.

2.1.4. damaging any property of the applicant, its sub-contractors, employees and/or representatives or any other person/s visiting the Construction Sites.

2.1.5. Inciting any violence or harm against any of the applicant's staff, employees and/or sub-contractors present on the Construction Sites.

2.1.6. unlawfully threatening the applicant with the closure of its contractor's business activities at the Construction Sites.

2.1.7. unlawfully enticing, organising and/or mobilising any community members, staff of the applicant and/or its sub-contractors to unlawfully disrupt the construction works at the Construction Sites.

2.1.8. Preventing any employee and/or subcontractor of the applicant from accessing or remaining on the applicant's Construction Sites;

2.1.9. Destroying or damaging any of the property at the applicant's Construction Sites; and

2.1.10. Carrying any weapons onto the applicants Construction Sites, including but not limited to sticks, whips, rocks and firearms.

2.2 Ordering the First to Fourth Respondents to pay the Applicant's costs of this application, on a scale as between attorney and own client.

3. That paragraphs 2.1 above shall operate as an interim interdict with immediate effect until the final determination of this matter.

4. Authorising the South African Police Service and local law enforcement to forthwith assist the applicant, should it be necessary, with the enforcement of the interim order.

5. That service of this order shall be effected on the First to Fourth Respondents by the sheriff, and on the First, Second and Fourth Respondent by email.

6. That service of this order shall be effected on the fifth respondent by the applicant:

   6.1. publishing copies thereof on the applicant's website and Facebook page;

   6.2. appending a copy to the entrances of the construction sites; and

   6.3. via email to sethudangisa@gmail.com.

7. That the respondent may anticipate the return date hereof on 48 hours' written notice to the applicant's attorney of record, **Mr Jonathan Williams** at C&A Friedlander Incorporated, 2nd Floor, Protea Place, Cnr Protea Road & Dreyer Street, Claremont and can do so by e-mail to james@caf.co.za.

8. Costs, as sought in paragraph 2.2, to stand over for determination on the return date.

9. Granting such further and alternative relief as may be necessary.

TAKE FURTHER NOTICE that the founding affidavit of **CHARLES WITBOOI** and the annexures thereto, and the confirmatory affidavit of **JONATHAN ALI, MARK WHITMAN, KAPITAN NDAVA and SARAH LUDICK** will be used in support of this application.

TAKE FURTHER NOTICE that the applicant will accept service of all proceedings in this matter at the address of the offices of the applicant's representative which is set out below.

TAKE NOTICE FURTHER that if you intend on opposing the interim relief sought on **Monday 13 June 2022**, you are required to:

a) Notify the Applicant's attorney and the Registrar of the above Honourable Court, in writing, of your intention to do so, on or before **Thursday 9 June 2022**;

b) Deliver your opposing affidavit, if any, on or before **Friday 10 June 2022, at 16:00**;

c) Appoint in such notice an address within 15 kilometres of the office of the registrar of the above Honourable Court, referred to in rule 6(5)(b) at which you will accept notice and service of all processes in these proceedings.

TAKE NOTICE FURTHER that the applicant has appointed the offices of C&A Friedlander Incorporated, 2nd Floor, Protea Place, Cnr Protea Road & Dreyer Street, Claremont as an address referred to in rule 6(5)(b) at which it will accept notice and service of all notice and documents filed by the respondent in these proceedings.

DATED AT **CAPE TOWN** ON THIS 9th DAY OF June 2022.

C & A FRIEDLANDER INC
Per: Jonathan Williams
Attorneys for the Applicant
2nd Floor, Protea Place
Cnr Protea Road & Dreyer Street
CLAREMONT
Ref: JAW/JG/mo/WJ1827

TO: **THE REGISTRAR**
Cape High Court
35 Keerom Street
CAPE TOWN

AND TO: **SANDILE MBANZI**
THE FIRST RESPONDENT
7429 Ntlongonane Close
Lower Crossroads
Phillipe East
7785
Cape Town

AND TO: **NOZUKO MANTSHINTSHANA**
THE SECOND RESPONDENT
8883 Hartbees Street, Extension 6
Mfuleni

Cape Town

AND TO: **TAMARA BUYISELWA BOMANE**
THE THIRD RESPONDENT
23377 Minister Street
Bardale, Mfuleni
Cape Town

AND TO: **SIMON SISEKO PLAATJIE**
THE FOURTH RESPONDENT
13 Sir Walter Street
Avalon Park
Kuils River
Cape Town

AND TO: **THE FIFTH RESPONDENT**

AND TO: **CITY OF CAPE TOWN**
THE SIXTH RESPONDENT
Civic Centre
12 Hertzog Boulevard
Cape Town

AND TO: **STATION COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE**
THE SEVENTH RESPONDENT
1 Eersteriver
Blue Downs
Cape Town

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9765/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI POLICE STATION	Seventh Respondent

FOUNDING AFFIDAVIT

I, the undersigned,

CHARLES WITBOOI

do hereby make oath and state that:

1. I am an adult male and managing director of the applicant and am duly authorised to depose to this affidavit on its behalf. A copy of the redacted Lexis Windeed report confirming my appointment is annexed hereto marked '***CW1***'.

2. The facts deposed to herein are within my personal knowledge unless the contrary is stated or otherwise appears from the context, and are to the best of my belief true and correct.

3. Where I have relied on information conveyed to me or procured from others, I verily believe such information to be true.

4. As far as I may further make any legal submissions, I confirm that I do that on the advice of my legal representatives and that I verily believe that such submissions are correct.

THE PARTIES

5. The applicant is **BARDALE VILLAGE DEVELOPMENT (PTY) LTD**, a company with limited liability, duly registered and incorporated in terms of the company laws of Republic of South Africa, registration number: 2002/004841/07, with its registered office at 2 Rusthof Street, Bardale Village, Kuils River, Cape Town, 7580. A copy of a redacted Lexis Windeed report reflecting the applicant's company information is attached, marked "***CW1***".

6. The first respondent is **SANDILE MBANZI**, an adult male with identity number: 7203096071082, who resides at 7429 Ntlongonane Close, Lower Crossroads, Phillipe East, 7785 Cape Town, the full and further particulars of whom are not known to me.

7. The second respondent is **NOZUKO MANTSHINTSHANA**, an adult female with identity number: 8012290869087, who resides at 8883 Hartbees Street, Extension 6, Mfuleni, Cape Town, the full and further particulars of whom are not known to me.

8. The third respondent is **TAMARA BUYISELWA BOMANE**, an adult female with identity number: 8408281216082, who resides at 23377 Minister Street, Bardale, Mfuleni, Cape Town, the full and further particulars of whom are not known to me.

9. The fourth respondent is **SIMON SISEKO PLAATJIE** an adult male with identity number: 7108075379085, who resides at 13 Sir Walter Street, Avalon Park, Kuils River, Cape Town, the full and further particulars of whom are not known to me.

10. The fifth respondent is **ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'.**

11. The sixth respondent is the **CITY OF CAPE TOWN**, a municipality established in terms of the Local Government: Municipal Systems Act 32 of 2000, with its principal offices situate at Civic Centre, 12 Hertzog Boulevard, Cape Town.

12. The seventh respondent is the **STATION COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE**, known as the Mfuleni Police station, being the police station in the vicinity of the Development, situated at 1 Eersteriver, Blue Downs, Cape Town ("*SAPS*").

13. No relief is sought against the sixth and seventh respondents, who have been cited due to the interest they may have in this matter.

INTERDICTING THE UNLAWFUL AND VIOLENT DISRUPTION OF APPLICANT'S BUILDING WORKS

14. The applicant has no alternative but to seek interdictory relief to protect its employees, contractors, constructions sites and business, because of continued acts of intimidation, violence and disruption being committed by the first to fourth Respondents and several other parties, in their attempts to unlawfully coerce the applicant to their own gain. Their acts are committed in group context and under the veneer of being members of a 'business forum' or group, the sole purpose of which appears to be achieving financial gain through unlawful action.

15. As will be shown, the first to fifth respondents have illustrated a disregard of both the law and the South Africa Police Service. The applicant has no alternative but to seek the Court's assistance to allow.

16. The Fifth respondent has been cited as such because, save for the first to fourth respondents, the unlawful conduct has been and continues to be committed by groups of individuals who cannot reasonably be identified and who are variously constituted during each of the occasions that the first to fifth respondents disrupt the building works and the applicant's construction sites.

17. Because of the implications of seeking interdictory relief against unnamed persons, I have been advised that the applicant's representatives will address the citation of the Fifth respondent at the hearing before the Honourable Court at the outset, in an attempt to ensure that the relief sought in this regard has been framed with due care.

18. The applicant's position in that respect, in summary, is that an interdict against only the first to fourth respondents will not stop the ongoing unlawful disruptions, because the first to fourth respondents, if interdicted in isolation, could simply incite other parties to continue to do so, in furtherance of their unlawful common aims. Due to the circumstances of this matter, the applicant is not in a position to identify and cite all the other parties acting unlawfully by name.

19. The citation of the fifth respondent is also not aimed at preventing any form of lawful protest action; the conduct underpinning this application is violent, unlawful and unprotectable at its core.

20. The applicant therefore seeks the relief set out fully in the Notice of Motion to interdict and restraint the ongoing unlawful conduct. The substantive relief sought in this application is an interdict in the following terms:

JURISDICTION

21. Both the construction sites that the applicant seeks to protect, where the unlawful conduct is taking place, and the respondents' addresses are within the Court's jurisdiction.

THE APPLICANT'S BUSINESS AND CONSTRUCTION SITES

22. The applicant is a property development company that primarily constructs residential developments in the greater Cape Town area.

23. Two of its current projects are in Blue Downs, Cape Town.

24. The "Speyer Site", situated on ERF 8293, is at the Corner of Speyer Street and Nooiensfontein Road, also known as Seckenhein Drive, Blue Downs, Cape Town ("*the Speyer construction site*").

25. The "Batley Site", situated on ERF 20733, is at the corner of Batley Road and Nooiensfontein Road, Blue Downs, Cape Town ("*the Batley construction site*").

26. Images depicting the Speyer construction site and the Batley construction site (collectively, "*the construction sites*") are annexed hereto marked "***CW2***" and "***CW3***" respectively.

27. The applicant is the owner, developer and its own contractor/builder in respect of both construction sites and the land on which the developments are being built. I attach hereto copies of the Deeds Office Property Report in respect of ERF 8293 and ERF 20733, respectively confirming the applicant's ownership, marked "***CW4***" and ***CW5***".

28. The applicant has obtained the necessary Municipal Approvals to commence the work. I annex hereto copies of the building plans, approved by the City of Cape Town, and correspondence from the relevant conveyancing attorneys, marked "***CW6***".

29. The applicant is currently the developer and main contractor for the Development and on Tuesday, 3 May 2022, the applicant lawfully commenced with the construction of the Development at the construction sites ("*the commencement date*"), in terms of the above-mentioned Municipal Approvals, which entitle it to proceed with the construction.

30. The applicant further mandated the services of various sub-contractors to commence the necessary construction and site work required for the requisite phase of construction at the construction sites.

31. Subsequent to the commencement of the Development, the applicant has been faced with various unlawful acts of obstruction instigated by the first to fifth respondents which have halted its Development, as outlined below.

The First Unlawful Disruption - 19 May 2022: Batley Site

32. The first instance of unlawful obstruction occurred on Thursday, 19 May 2022, at the Batley construction site, the events of which are further described below:

    32.1. Construction commenced at 08h00.

    32.2. The applicant ordinarily has 3 of its own employees on the construction site, as well as various sub-contractors who are responsible for different aspects of the work and who come and go from the construction sites.

32.3. The applicant ensures that at least approximately 80% of its workers in any given project, much like this particular Development, is sourced from local labour, including the local community and/or surrounding areas.

32.4. Notwithstanding the above, and at approximately 11h00 the first to fifth respondents, including 11 individuals in total, arrived at the site and immediately demanded a meeting with the senior management of the applicant at the site.

32.5. The first to fifth respondents are often referred to, both by themselves, and amongst members of the community, as a group called "*Ikapalethu*".

32.6. Although I do not have any express knowledge of the group, and the full extent of their intentions or 'members' in the area, I am aware that they are well renowned for disruptions similar to the present set of facts.

32.7. This was the first instance that the first to fifth respondents gained access to one of the applicant's construction sites, without permission, in order to demand discussions with the applicant.

32.8. The fencing around the construction site is a combination of permanent fencing and temporary wire fencing; more particularly, beta fencing, precast walling and block walling.

32.9. This is the ordinary fencing that one can expect for a construction site of this nature. A picture of the beta fencing, precast walling and block walling for the Batley construction site is annexed marked "***CW7***".

32.10. Notwithstanding the fact that the first to fifth respondents were trespassing on the construction site without authorisation from the applicant, and that the applicant had no obligation to hold a meeting with the first to fifth respondents, the applicant's construction manager, Mr Jonathan Ali ("*Ali*"), who was present throughout, along with Mr Mark Whitman ("*Whitman*"), another employee of the applicant, agreed to convene an unscheduled meeting, whereat the first to fifth respondents made various unfounded demands which included, *inter alia*, (i) that all the local labour which the applicant had employed to assist in the construction of the Development at the construction sites be removed and (ii) that the applicant appoint sub-contractors vetted and approved by the first to fifth respondents, presumably sub-contractors approved by "*Ikapalethu*", to undertake certain, if not all of the works taking place at the Development.

32.11. The first to fifth respondents also stated that the Development would not be allowed to continue unless the applicant adhered to their demands.

32.12. The meeting was plagued with threats of violence and further intimidation. On account of the first to fifth respondents' unruly and unlawful behaviour, Ali and Whitman refused to engage with the first to

fifth respondents any further and rejected the demands made by the first to fifth respondents and the meeting was accordingly adjourned.

32.13. Once the meeting was adjourned, Ali, Whitman, and the remaining workers left the site as the first to fifth respondents had continued to intimidate and threaten them.

The Second Unlawful Disruption – 20 May 2022: Speyer Site

33. On the morning of Friday 20 May 2022, the second incident of unlawful obstruction by the first to fifth respondents occurred at the Speyer construction site:

33.1. Construction commenced at 08h00.

33.2. The fencing around the site is very similar to that which is used at the Batley construction site – being a combination of permanent fencing and temporary wire fencing; more particularly, beta fencing, precast walling and block walling. A picture of the beta fencing, precast walling and block walling for the Speyer construction site is annexed marked "***CW8***".

33.3. At 09h00 the applicant's workers were once again interrupted by the first to fifth respondents, on this occasion totalling 14 members associated with *"Ikapalethu"*, four of which were recognisable by Ali as the first to fourth respondents, trespassed onto the site, and requested a further

meeting with the applicant, which request Ali denied. Ali and Whitman were again, present throughout.

33.4. The first to fifth respondents then proceeded to threaten and intimidate the applicant's workers from close proximity, through the use of verbal threats and firearm/s.

33.5. At least one unidentifiable person unknown to the applicant and Ali, was carrying a handgun by their hip, which was revealed to the applicant's workers when the person moved their jacket and threatened to use same. The unidentifiable person made it clear that they were carrying a handgun and motioned that they were prepared to draw same.

33.6. Despite my requests that the workers who bore witness to the handgun place their version before this Honourable Court, the respective workers have refused to be named out of fear of victimisation, as is common in instances such as this.

33.7. I annex hereto a web article posted in the Cape Argus, marked "***CW9***", detailing another similar instance of an interrupted housing developments in the Blue Downs and Kuils River areas. This serves to indicate the ongoing extortion, threats and physical assault that often results from instances such as this, and further highlights that the community member in the article also refused to be named out of fear of such victimisation.

33.8. The actions of the first to fifth respondents, during the second disruption, were clearly an intimidation tactic to place fear in the applicant's workers, and their actions achieved its intended purpose and instilled great fear into the applicant's workers of the applicant.

33.9. I am informed that the first to fifth respondents violated the constitutional rights of the applicant's workers which included, *inter alia*, the right to human dignity (section 10 of the bill of rights) and the right to freedom and security of person (section 12 of the bill of rights), as the first to fifth respondents were unlawfully disrupting, intimidating and threatening the applicant's workers.

33.10. In fear of their own lives, the applicant's workers were forced to leave the site which, by then, had become a hostile and nervy environment.

33.11. As a result of the first to fifth respondents' unlawful actions, the applicant was forced to shut down the site at some time between 12h00 and 13h00 which remained closed until Monday, 23 May 2022.

33.12. The first to fifth respondents only left the site after the applicant had been forced to shut down same, whereafter the first to fifth respondents walked off and left the site in their own vehicles.

Identities of the First to Fourth Respondents

34. Prior to departing from the Speyer construction site, the first to fourth respondents handed a copy of their identification and contact documentation to Ali, and requested that they were seeking trade opportunities on the applicant's construction sites. A copy of the identification and contact documentation is annexed hereto marked "***CW10***". In order to not burden the above Honourable Court with voluminous papers included, I only attach the documentation deemed necessary for purposes of this Application. The full bundle will be made available at the hearing of this matter, should the above Honourable Court require it.

35. Furthermore, at 12h47 an e-mail correspondence was sent to the applicant from Mr Siposethu Dangisa ("*Dangisa*") wherein Mr Dangisa confirmed that he was representing "*Ikapalethu Business Chamber*" and requested that a meeting be held between the members of Ikapalethu and the applicant, as the former were "*seeking trade opportunities*". A copy of the e-mail correspondence is annexed hereto marked "***CW11***".

The Third Unlawful Disruption – 23 May 2022: Speyer Site

36. On the morning of Monday 23 May 2022, the third instance of unlawful obstruction, by the first to fifth respondents, occurred at the Speyer construction site:

36.1. The applicant briefly resumed operations at 08h00.

36.2. However, once the applicant's workers had returned to the site and resumed the construction of the Development, the first to fifth respondents, again totalling 14 members, four of which were recognisable by Ali as the first to fourth respondents, again gained access to the applicant's Development at the site.

36.3. The first to fifth respondents, at approximately 09h00, proceeded to threaten and intimidate the applicant's workers through the use of tools and, *inter alia*, firearm/s.

36.4. I was personally on site and personally witnessed at least one of the applicant's workers being physically assaulted by an unidentifiable assailant associated with the 14 "*Ikapalethu*" members . The worker who got attacked was a site supervisor named Kapitan Ndava ("*Ndava*"). The man first tried to hit Ndava on the chest with his fist and as Ndava tried to run away, struck him on the back. I viewed the altercation from a distance, and I am therefore not able to identify the perpetrator.

36.5. In fear of their own lives, the applicant's workers had no alternative but to again leave the site.

36.6. As a result of the first to fifth respondents' unlawful actions, the applicant was forced to shut down the site.

Mfuleni Police Station – 23 May 2022: Police Meeting Disrupted

37. At approximately 12h30 on Monday, 23 May 2022, after the first to fifth respondents forced the applicant's workers to leave the Speyer construction site, three of the applicant's representatives namely, Ali, Whitman and myself attended Mfuleni police station to file a police report. Whilst in the process of filing the report, further disruptions unfolded at the police station:

37.1. Between 20 to 30 minutes after we arrived, and while we were filing a police report against the first to fifth respondents in the main foyer area of the police station, the first to fourth respondents, along with a few other unidentifiable members of "*Ikapalethu*", arrived at the Mfuleni police station. I am not sure how they knew that we were at the Mfuleni police station.

37.2. Notwithstanding the fact we were inside the Mfuleni police station and within the presence of police officers, the first to fifth respondents continued, unreservedly, with their unlawful actions and disrupted our meeting with the respective police officer.

37.3. In an attempt to get away from the first to fifth respondents, we proceeded to move behind the police counter, where the police officers were.

37.4. However, some of the first to fifth respondents followed us behind the counter and continued to make their demands in a persistent manner.

37.5. We were, as such, forced to leave the police station.

37.6. Due to the disruptions, a case was never formally opened at Mfuleni police station.

Kleinvlei Police Station – 25 May 2022: Case opened

38. On Wednesday, 25 May 2022, Ali attended Kleinvlei police station in order to open a case, which was duly done under case number 446/5/2022, and filed a police report. Although Kleinvlei was not the nearest police station, and Ali would ordinarily have opened the case at Mfuleni police station, he had feared that the first to fifth respondents would return to the Mfuleni police station in order to disrupt the meeting and prevent the applicant from lodging a case against the first to fifth respondents.

39. In the police report, Ali confirmed instances of intimidation and trespassing at the Speyer construction site, as set out above. A copy of Ali's police report is annexed hereto marked "***CW12***".

40. In light of the aforesaid disruptions, the fear instilled in the applicant's workers and the safety and well-being concerns of the applicant's workers, meant that I

had no alternative but to suspend the ongoing construction and close down the construction sites for the remainder of the week.

Speyer Site Temporarily reopened – 30 May 2022

41. On Monday, 30 May 2022, the applicant resumed its Development at the Speyer construction site, although operations at the Batley construction site remained closed.

42. Furthermore, and in a further attempt to ensure that operations were not disrupted by the first to fifth respondents, the applicant lobbied the support of certain key members of the local community including, *inter alia*, Sister Sarah Ludick, school bus walkers and child protection community volunteers. The community leaders were specifically invited by the applicant to the Speyer construction site on 30 May 2022 in order to engage with the applicant and assist with the smooth reopening of the site.

43. The Speyer construction site continued operation without disturbance, and it appeared that the police and community intervention had momentarily ceased the first to fifth respondents' unlawful conduct.

The Fourth Unlawful Disruption – Speyer Site: 3 June 2022

44. However, after only 4 days, on the morning of Friday 3 June 2022, the fourth instance of unlawful obstruction, by the first to fifth respondents, occurred at the Speyer construction site:

44.1. The applicant briefly resumed operations at 09h00.

44.2. The first to fifth respondents, which consisted of a larger group than before, and who were accompanied by persons associated with the "Bu*siness Forum of Ward 108*", unlawfully returned to the Speyer construction site at approximately 10h00, and once again threatened and attempted to intimidate the applicant's workers.

44.3. Despite conducting a diligent search to find reference to such a "Business Forum", I could not find any further information. I have however seen references that these so called "Business Forums" often associate themselves with unrest such as this.

44.4. I once again refer to the article published in the Cape Argus, as alluded to earlier, and highlight that it is not uncommon for members of so called "*Business Forums*" to make demands to emerging contractors and/or developers.

44.5. I further attach hereto a copy of a news article published the Mail and Guardian, which highlights the rise of the so called "*construction mafia*",

and the role of the so called "*Business Forums*", which is marked "***CW13***".

44.6. I was present throughout this occasion, along with Ali and Whitman, and personally saw the first to fourth respondents and their unknown accomplices. In my presence, the Police officers from Mfuleni police station soon thereafter arrived and assisted in de-escalating the unlawful disruption action that had erupted on site. I attach hereto a photograph that I took of the first to fifth respondents engaging with the Mfuleni police, marked "***CW14***".

The Fifth Unlawful Disruption - Friday 3 June 2022: Batley Site

45. On the afternoon on Friday 3 June 2022, the fifth instance of an unlawful obstruction, by the first to fifth respondents, occurred at the Batley construction site.

45.1. The site had re-opened that same morning at 09h00.

45.2. However, once the first to fifth respondents had disrupted the operations at the Speyer construction site, they proceeded to move to the Batley construction site in an attempt to shut down that site too.

45.3. Due to the security risks that were posed to the applicant's workers, the workers were forced to leave the site.

46. It has become evidently clear that the first to fifth respondents will not allow the applicant to continue with its Development. It is further evident that the measures taken will continue to escalate, despite all attempts made by the applicant, the police as well as community leaders to diffuse the situation.

47. There is further little doubt that the unlawful behaviour will continue into the foreseeable future. The first to fifth respondents' unlawful conduct is likely to become more profound and violent, considering the applicant's unwavering towards the first to fifth respondents' unlawful demands and criminal actions.

48. It bears repeating that this matter is not only concerned with protecting the financial well-being of the applicant but, and significantly so, the safety and well-being of its workers who have experienced endless events of intimidation and threats at the construction sites by the first to fifth respondents. I am informed that the rule of law cannot condone this.

49. I was further informed by the police officials present at the construction site on 3 June 2022 that once the applicant has obtained a court interdict against the first to fifth respondents, SAPS would be in a better position to assist the applicant in exercising and enforcing its rights pursuant to the order.

50. It is therefore clear to the applicant that it has no alternative but to proceed with the current application.

51. The first to fifth respondents have illustrated a complete disregard for the law, the applicant, its employees and even the police. No legal basis exists to warrant the unlawful conduct by the first to fifth respondents in the completion of the Development at the construction sites, who are clearly acting illegally and taking the law into their own hands.

52. The present situation has now escalated to such an extent that, absent court intervention, the circumstances on the construction sites will not be brought under control.

THE APPLICANT'S ENTITLEMENT TO INTERDICTORY RELIEF

The Applicant's clear rights

53. The applicant's rights are pursuant to its ownership of the land on which the Development is taking place and further emanate from the fact that that it is the sole developer and its own contractor of the Development, and has obtained the necessary Municipal Approvals to commence the work.

54. I submit that the applicant has accordingly established that it is clearly entitled in terms thereof to construct the Development at the construction sites.

55. Upon no basis are the first to fifth respondents entitled to threaten and disrupt with the applicant's Development and its workers in the manner in which they have and in which they have made clear they will continue to do.

56. The applicant and its workers in particular also have certain rights under the Constitution which includes the right to:

56.1. dignity, life, personal security and freedom of movement;

56.2. the right to be free from all forms of violence and not to be treated in a cruel, inhuman and degrading way;

56.3. the right to bodily and psychological integrity;

56.4. the right to trade and to practice an occupation; and

56.5. the upholding of the rule of law.

Harm already suffered and the Applicant's reasonable apprehension of further harm

57. It is clear from the aforementioned that harm to the applicant's Development and its workers is imminent if construction were to continue intermittently absent the interdictory relief claimed. In any event, as I have indicated, the applicant's rights and those of its workers have already been harmed.

58. The unlawful conduct of the first to fifth respondents is undoubtedly unlawful and infringes upon the rights of the applicant as set out above.

59. Presently, the applicant has been prevented from exercising its rights in relation to the Development due to the unlawful conduct of the first to fifth respondents.

60. Moreover, the applicant's Development has intermittently halted as a consequence of the unlawful conduct by the first to fifth respondents who are effectively taking the law into their own hands and who clearly have no legal right to act in the manner that they are doing.

61. The unlawful conduct of the first to fifth respondents alluded to above, in no uncertain terms illustrate that they intend to persist in their unlawful conduct and that they will not desist from their unlawful conduct absent court intervention.

62. Despite the applicant's best attempts to diffuse the situation without court intervention, the most recent occurrence on Friday 3 June 2022 has reinforced the urgency of the situation and highlights the inability of alternative methods to sufficiently offer the workers protection at the construction sites.

63. A delay in the completion of the Development has a commensurate effect on the profitability of the applicant's business activities. A further delay would result in an injustice.

64. The applicant has invested significant capital in the Development and, as the developer and main contractor, stands to incur financial losses for delays occasioned by the first to fifth respondents' unlawful conduct.

65. The financial losses already sustained and to be suffered as a consequence of the first to fifth respondents' unlawful conduct is, from a practical perspective, incapable of being recovered by way of an action against them for a variety of reasons. These reasons specifically, but not exclusively, pertain to the fact that:

65.1. The identities of some of the individuals associating with the first to fifth respondents are unknown to the applicant.

65.2. The consequential losses that the applicant has suffered and which it stands to suffer (absent urgent intervention by the court) will likely be substantial and more likely not recoverable from the first to fifth respondents or the individual members, even if an action to claim damages is successfully prosecuted against them.

66. I respectfully submit that under no circumstances can the unlawful conduct of the first to fifth respondents, by taking the law into their own hands, be countenanced.

67. Moreover, the applicant desperately wants to do what needs to be done to render the construction sites safe and particularly to safeguard it, so as to ensure that no one is injured thereon and to regulate access to same.

68. I therefore submit that the applicant and its workers have already, at the hands of the first to fifth respondents, suffered irreparable harm. The applicant reasonably apprehends that it and its workers, most of whom do not get paid

unless they can work, will continue to suffer further irreparable harm and damages at the hands of the first to fifth respondents if the court's urgent intervention in the present circumstances is not procured.

69. The applicant moreover has had to incur substantial legal costs in the preparation of this application which I submit it is highly unlikely to recover.

70. The applicant, apart from the financial losses, also stands to suffer reputation damage should it not be able to timeously complete its Development.

No alternative adequate legal remedy

71. There is no alternative legal remedy available to the applicant to pursue an order for it to obtain adequate redress and an adequate resolution of the circumstances prevalent as set out hereinabove.

72. It is clear from the unlawful conduct of the first to fifth respondents that they will not desist from their unlawful conduct, but rather persist with same, unless the court urgently intervenes. No level of further participation with the local leaders or SAPS will stop the first to fifth respondents, and I submit that they simply want the applicant's local workers to be removed from the construction sites and for the first to fifth respondents to be sub-contracted to undertake a portion, or all, of the Development, and will stop at nothing, even if illegal, to prevent that from happening.

BALANCE OF CONVENIENCE

73. Insofar as it is necessary to state, in respect of the *rule nisi*, I respectfully submit that the balance of convenience favours the applicant.

74. The invasion of its rights coupled with the very nature of the unlawful conduct warrant the protection of the applicants' rights and the safety of its employees and contractors.

75. Furthermore, most of the workers on the construction sites do not get paid unless they are able to work at the construction sites. As a result, the workers themselves are further being financially prejudiced.

76. I respectfully submit that none of the respondents can assert any prejudice to them, whatsoever, if they are simply ordered to leave the applicant to continue with its activities and to not continue to act unlawfully.

URGENCY

77. I submit that:

77.1. it is clear from the facts that the application is sufficiently urgent to warrant an expedited hearing, as sought;

77.2. a hearing in the normal course will not afford the applicant suitable redress;

77.3. further delays will threaten the applicant financially, the Development and, at the very least, the ongoing employment of its direct employees and the engagement of sub-contractors;

77.4. The delays in construction has brought the Development to a standstill, and has a drastic impact on the applicant's viability and profits.

77.5. If an applicant cannot be afforded substantial redress at a hearing in due course, then the matter qualifies to be enrolled and heard as an urgent application.

78. The first to fifth respondents have forcibly shut down the applicant's construction sites which is causing ongoing financial prejudice to the applicant.

79. They have threatened the applicant's workers with tools and, *inter alia*, firearms and the safety and well-being of the applicant's workers is becoming of increasing concern. Not even attempted police intervention made a difference.

80. I respectfully submit that the abridged time periods whereby the application has been brought is warranted and respectfully ask that the matter be treated as urgent.

SERVICE

77. The situation at the construction sites is haphazard and the first to fifth respondents appear at the sites intermittently. I am not in possession of the full and further details of the first to fifth respondents, and as a result submit that the normal forms and processes prescribed for service will not suffice.

78. The unlawful conduct itself, as well as the first to fifth respondents taking part in such unlawful conduct, is fluid in nature, with no fixed shape or form, so as to make the identification of all of the people who participate in, and who precipitate such unlawful conduct, very difficult to ascertain. Identified and unidentifiable persons come and go with inconsistency, further ensuring that a refined list of perpetrators cannot be held accountable. Further, the construction sites are easy to access and it is difficult to prevent trespass by persons who are not workers of the applicant and whose sole purpose is to obstruct and frustrate the construction of the applicant's development at the construction sites.

79. For these reasons, it is not possible to identify all of the persons who are engaged in the unlawful conduct and to obtain their full and further details.

80. Furthermore, given the inherent urgency of the matter, it will not be possible to identify all of the respondents prior to moving the application.

81. I have managed to obtain certain information pertaining to the first to fourth respondents, including their respective residential addresses which I set out earlier.

82. I am further aware of the e-mail address of the representative of "*Ikapalethu*", as previously mentioned, as well as the e-mail addresses of the first, second and fourth respondents which were provided in the identification and contact documentation handed to Ali on Friday, 20 May 2022.

83. I respectfully ask that the Court accepts service on the fifth respondent by attachment of the Notice of Motion, Founding Affidavit and Annexures at the entrances to both construction sites and by publication on the applicant's website and Facebook page, as well as by way of e-mail correspondence to Dangisa's e-mail address, sethudangisa@gmail.com, being the e-mail address of the self-stated representative above.

84. Service on the remaining respondents will take place through the Sheriff and via e-mail addresses provided for in annexure "***CW10***", in respect of which a full service affidavit will be presented to the above Honourable Court prior to or at the hearing of the application.

85. I submit that given the intimate nature of the surrounding community, service as mentioned above will result in all the respondents being made aware and receiving a copy of this application.

86. I further submit that the first to fourth respondents, who as alluded to above and much like the fifth respondent, profess to be members of "*Ikapalethu*", and will be served with the application at their respective residential addresses, will accordingly be able to provide a copy of the application to the fifth respondents.

COSTS

87. The applicant submits that costs should stand over for determination to the return date of this application.

CONCLUSION

The relief sought is aimed at the cessation of an unlawful course of ongoing conduct and state of affairs occasioned by the first to fifth respondents. For all of these reasons, the applicant respectfully seeks an order in terms of the accompanying notice of motion.

CHARLES WITBOOI

I certify that:

the deponent has acknowledged that:

1.1. he knows and understands the contents of this declaration;

1.2. he has no objection to taking the prescribed oath;

1.3. he considers the oath binding on his conscience.

2. the deponent thereafter uttered the words 'I swear that the contents of this declaration are true, so help me God'.

3. the deponent signed this declaration in my presence at the address set out hereunder on this 9th day of JUNE 2022.

~~CERTIFIED COPY OF THE ORIGINAL~~

SANJIDA ISAACS - Commissioner Of Oaths
PRACTISING ATTORNEY R.S.A
15 SYRINGA STR, KUILS RIVER, 7580
LE KEUR VASQUEZ ATTORNEYS

COMMISSIONER OF OATHS

CW1

Company
BARDALE VILLAGE DEVELOPMENT, M2002/004841/07

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SEARCH CRITERIA			
Search Date	2022/06/06 11:44	Company Name	BARDALE VILLAGE
Reference	WJ1827	Company Name Search Type	Starts with
Report Print Date	2022/06/06 11:45	Information Source	COMPANIES AND INTELLECTUAL PROPERTY COMMISSION

COMPANY SUMMARY			
Name	BARDALE VILLAGE DEVELOPMENT	Status	IN BUSINESS
Registration Number	2002/004841/07	Registration Date	2002/03/01

DIRECTORS AND OTHER SUMMARY (12)

ACTIVE

Name	ID/Reg. Number	Type	Status
WITBOOI, CHARLES	7208225087081	DIRECTOR	ACTIVE

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AUDITOR SUMMARY (1)
MAZARS

COMPANY INFORMATION			
Enterprise Name	BARDALE VILLAGE DEVELOPMENT	Status	IN BUSINESS
Registration Number	2002/004841/07	Enterprise Type	PRIVATE COMPANY
Tax Number	9097416144	Business Start Date	2002/03/01
Short Name	IHD	Registration Date	2002/03/01
Translated Name	-	Financial Year End	12
Old Registration Number	-	Financial Effective Date	2019/12/31
Conv. Enterprise Number	-	CK Date Received	-
Region	WESTERN CAPE	CK Date	-
Country	-	Date of Type	2002/03/01
Country of Origin	-		
Issued Shares	-		
Issued Capital	-		
Authorized Shares	2 000		
Authorized Capital	-		
Industry Code	84		
Industry	REAL ESTATE ACTIVITIES		
Principal Business	PROPERTY OWNING AND PROPERTY DEVELOPMENT		
Registered Address	2 RUSTHOF STREET BARDALE VILLAGE KUILSRIVER WESTERN CAPE 7580	Postal Address	P O BOX 1212 KUILSRIVER KUILSRIVER WESTERN CAPE 7579

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"CW2"

"CW3"

"CW4"

Deeds Office Property

BLUE DOWNS. 8293, 0, CAPE TOWN

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SEARCH CRITERIA			
Search Date	2022/06/08 13:07	Erf Number	8293
Reference	BARDALE	Portion Number	-
Report Print Date	2022/06/08 13:07	Township Remaining Extent	NO
Township	BLUE DOWNS	Search Source	Deeds Office
Deeds Office	Cape Town		

PROPERTY INFORMATION			
Property Type	ERF	Diagram Deed Number	T43402/1991
Township	BLUE DOWNS	Local Authority	CITY OF CAPE TOWN
Erf Number	8293	Province	WESTERN CAPE
Portion Number	0 (REMAINING EXTENT)	Remaining Extent	YES
Registration Division	NOT AVAILABLE	Extent	9391.0000SQM
Previous Description	PTN OF 1926	LPI Code	C06700240000829300000
Suburb / Town**	-	Co-ordinates (Lat/Long)**	-33.978175 / 18.676951

OWNER INFORMATION (1)			
BARDALE VILLAGE DEVELOPMENT PTY LTD			Owner 1 of 1
Company Type**	COMPANY	Document	T1364/2003
Registration Number	200200484107	Microfilm / Scanned Date	-
Name	BARDALE VILLAGE DEVELOPMENT PTY LTD	Purchase Price (R)	9 500 000
Multiple Owners**	NO	Purchase Date	2002/08/23
Multiple Properties**	NO	Registration Date	2003/01/09
Share (%)	-		

ENDORSEMENTS (8)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	BC39426/1991	GP2182-(ERVEN 7349-7373)	-	1991 114 5 :24:60
2	I-1907/2018LG	-	-	-
3	I-13684/2002LG	-	-	-

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ENDORSEMENTS (8)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
4	I-1070/2019LG	-	-	-
5	I-1090/2019LG	-	-	-
6	I-1142/2019LG	-	-	-
7	VA213/2019	BARDALE VILLAGE DEVELOPMENT PTY LTD	-	-
8	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 42269 ,PRTN 0	-	-

HISTORIC DOCUMENTS (4)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	T9035/1988	SILVERSANDS DEV CORP PTY LTD	Unknown	2003 017 8 :56:73
2	T43402/1991	SILVERSANDS DEVELOPMENT CORP PTY LTD	CRST	2003 017 8 :57:01
3	T1364/2003	SNAILSSNOW PROP 10 PTY LTD	9 500 000	-
4	T1364/2003	INTEGRATED HOUSING DEVELOPMENT PTY LTD	9 500 000	-

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"CW5"

Deeds Office Property

BLUE DOWNS, 20733, 0, CAPE TOWN

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SEARCH CRITERIA

Search Date	2022/06/08 10:22	Erf Number	20733
Reference	W51079	Portion Number	-
Report Print Date	2022/06/08 10:22	Township Remaining Extent	NO
Township	BLUE DOWNS	Search Source	Deeds Office
Deeds Office	Cape Town		

PROPERTY INFORMATION

Property Type	ERF	Diagram Deed Number	T31057/2010
Township	BLUE DOWNS	Local Authority	STELLENBOSCH MUN
Erf Number	20733	Province	WESTERN CAPE
Portion Number	0 (REMAINING EXTENT)	Remaining Extent	YES
Registration Division	STELLENBOSCH RD	Extent	40.8796H
Previous Description	-	LPI Code	C0670024000207330000
Suburb / Town**	-	Co-ordinates (Lat/Long)**	-33.974533 / 18.677695

OWNER INFORMATION (1)

BARDALE VILLAGE DEVELOPMENT PTY LTD — Owner 1 of 1

Company Type**	COMPANY	Document	T31057/2010
Registration Number	200200484107	Microfilm / Scanned Date	-
Name	BARDALE VILLAGE DEVELOPMENT PTY LTD	Purchase Price (R)	CCT
Multiple Owners**	NO	Purchase Date	-
Multiple Properties**	NO	Registration Date	2010/06/21
Share (%)	-		

ENDORSEMENTS (14)

#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	K573/2010S	-	-	-
2	VA7603/2015	BARDALE VILLAGE DEVELOPMENT PTY LTD	-	-
3	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF	-	-

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ENDORSEMENTS (14)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
		20729 ,PRTN 0		
4	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 20730 ,PRTN 0	-	-
5	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 20731 ,PRTN 0	-	-
6	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 20732 ,PRTN 0	-	-
7	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 7580 ,PRTN 0	-	-
8	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 7581 ,PRTN 0	-	-
9	CONSOLIDATE FROM	TOWN BLUE DOWNS ,ERF 7585 ,PRTN 0	-	-
10	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 26470 ,PRTN 0	-	-
11	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 35590 ,PRTN 0	-	-
12	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 35970 ,PRTN 0	-	-
13	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 42298 ,PRTN 0	-	-
14	NOW SUBDIVISION	TOWN BLUE DOWNS ,ERF 42299 ,PRTN 0	-	-

HISTORIC DOCUMENTS (1)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	T31057/2010	INTEGRATED HOUSING DEVELOPMENT PTY LTD	CCT	-

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"CW 6"

CITY OF CAPE TOWN
DEVELOPMENT MANAGEMENT

Recommended for Approval

Building Control Officer / Delegatee

This application has been approved in terms of Section 7 (1) (a) of Act 103 of 1977, subject to the condition made attached letter of approval.

8 Mar 2022

Development Management

Window Schedule

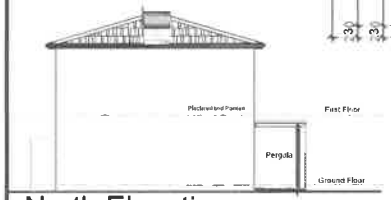
Windows to be AAAMSA approved AL and made to size stated. Glass to be 4mm safety glass except bathroom window to be obscured.

Window No.	Window Size (width x height)
W1	915 x 1500
W2	1160 x 900
W3	600 x 1000

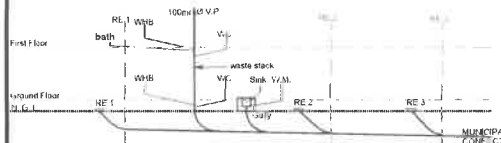
Door Schedule

Windows to be AAAMSA approved AL and made to size stated. Glass to be 4mm safety glass.

Door no.	Door size (width x height)	Glass area (GA)	Fenestration area-door and frame
D1	813 X 2032	0m2	1.84m2

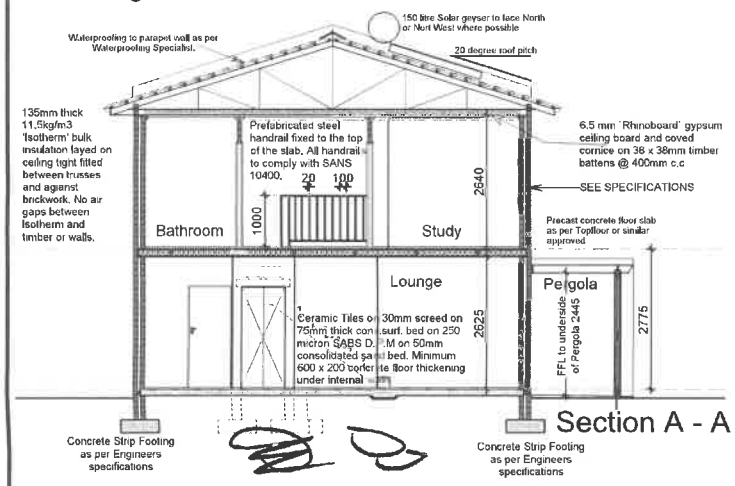


North Elevation

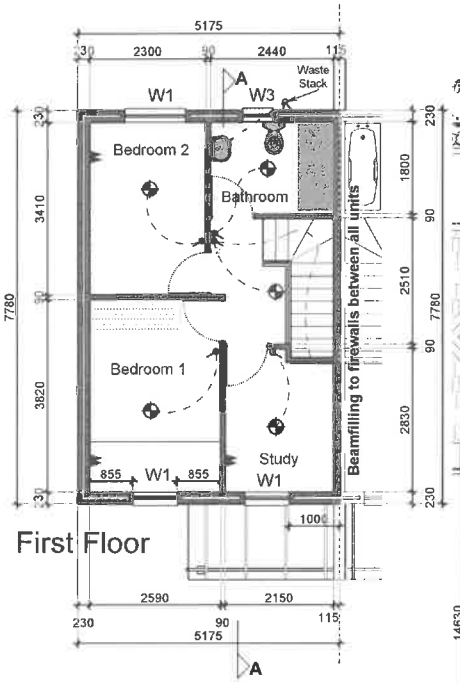


COVER LEVEL	100.000	100.000	100.000
INVERT LEVEL	99.550	99.463	99.155
DEPTH	1.450	1.535	1.844
DISTANCE	5200	18.460	
FALL	1:60	1:60	

Drainage Section



Section A - A



First Floor

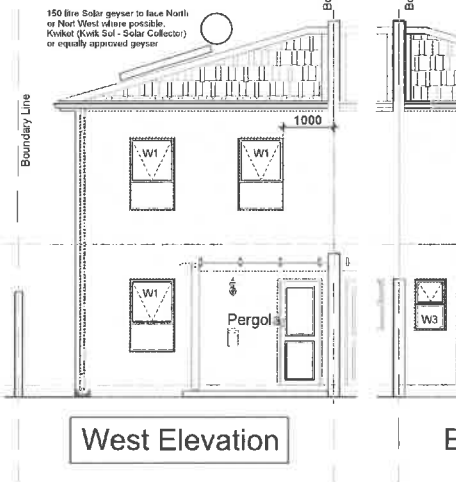
SITE INFORMATION	
ERF AREA	168m²
GROUND FLOOR	40m²
FIRST FLOOR	37m²
	77m²
GARAGE	18m²
TOTAL	95m²
CLASS OF OCCUPANCY	GR1

Timber Pergola
152 x 50mm SAPine rafter fixed to the wall with 2x 12mm steel rods. Epoxy fixed to the wall.
Other end to have a notch of 50mm wide x 38mm deep and nail fixed to the cross beam.
Cross beam to bolted to the composite post.
Post to be formed of 2 lengths of 38 x 152, with 2 x 50 x 152 x 152mm timber pieces between. Pieces to be glue fixed with a waterproofing glue and nailed into position.
All to be secured to a galv. bracket post anchor epoxy secured into a 300 x 300 x 300mm concrete base.

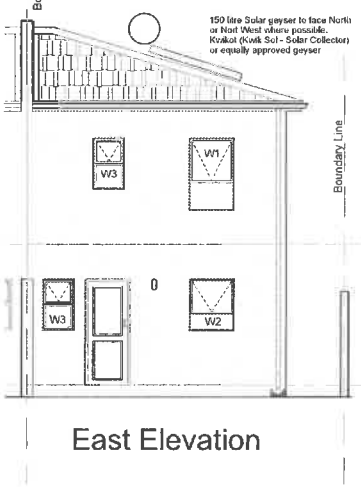
Fire Protection Notes:
Semi- detached house' common wall to be taken to underside of roof tiles. Roof truss penetrations through common wall to be sealed off with brickwork mortar.

Fire proof Party wall: Fire Stability required for Occupancy Classification: H3 (Domestic Residence) = 30 min, Cavity wall 230mm wall fire rating = min. 60 minutes

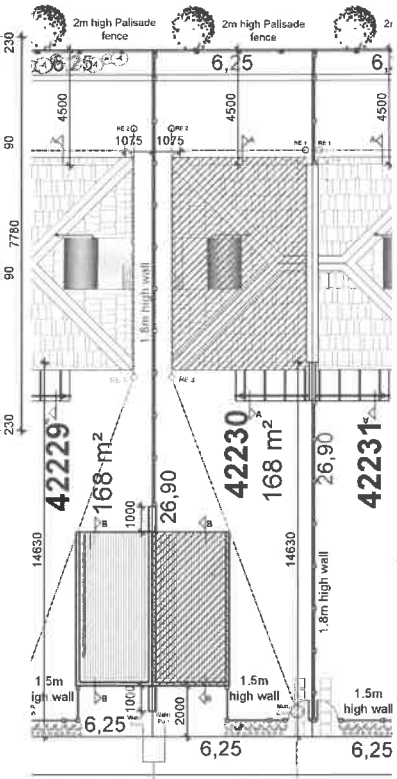
Protection of the sewer pipe to be in accordance with Part P 4.22.5 of Sans 10400.
A drain shall have
a) a soil cover over the outside of the drain of not less than 300 mm, or
b) precast or cast-in-situ concrete slabs placed over the drain, isolated from the crown of the pipe by a soil cushion not less than 100 mm thick and the slabs shall be wide enough and strong enough to prevent excessive superimposed loads being transferred directly to the pipes.



West Elevation



East Elevation



Wein Road
Site Plan
Scale 1:200

SPECIFICATIONS

SABS approved 'Double Roman' slate grey concrete roofing tiles at 20 degree pitch, on 38 x 38 mm SABS SAPine battens at 320mm cts. and 38 x 50 tilting batten, tiled to SANS 062, on trusses complying with SANS 10400 as per notes for 'Roof truss structure' Nail each tile in lowest 3 rows with min. 75mm ring shanked galv. roofing nails, and 3rd tile in all other rows. Line valley with galv.m.s. valley flashing as supplied by 'Marley Roofing' or similar approved.

'Sisilation 405' d/ sided AL foil insulation as VAPOUR BARRIER and RADIENT BARRIER, layed over truss rafters with min. sag, and with min. 150mm overlaps taped entire length with d/ sided AL foil tape. Cut to straight line at outer top edge of penultimate 38 x 38mm batten. Take external wall plaster to u/s of this batten. 2 layers 5 ply Malthoid dpc under ridge tiles. Mortar under ridge: mix in ochre to match colour of roof tiles.
Plaster and paint to intl and extl walls
Ceramic wall tiles in Bathroom to 1.25m height
Ceramic Tiles on 30mm screed on 75mm thick conc.surf. bed on 250 micron SABS D.P.M on 50mm consolidated sand bed.
110mm dia uPVC sewer pipe to min. 1 in 60 fall as per Drainage schedule
Sewer piping passing under buildings to be encased in conc. 300mm under foundations and 150mm under slab
Walls plastered & painted
Wire butterfly wall ties @ 5 per m2 of walling.
230mm Cavity extl walls and 90mm intl walls to be built of min. 7Mpa cement Maxi bricks to SABS 1215, size 220 x 115 x 90 to used for the first floor super structure.
14mpa cement maxi bricks to used for ground floor super structure
75mm "Brickforce" in both skins every 4 courses
Weepholes 10mm by 115mm every ±900mm
375 mic. Dpc laid to detail
FFL min. 150 above n.g.l.
Min 750mm from n.g.l to u/s of conc.
All levels and dimensions to be verified on site by contractor. Discrepencies found to be reported to architect immediately.
Finishes to I.H.D specifications. Building work and materials to comply with SANS 10400 & NHBRC regulations & SABS standards listed.
Roof: Prefabricated Trusses by specialist.
Rainwater goods: 125 x 85mm Aluminium Ogee gutters with intl concealed brackets, and 75mm dia Upve downpipes and shoes.
Fascias: 10 x 150 Medium density Nutec, painted.
Ceilings: Refer Section.
Walls: Refer section.
Lintols: Prestressed conc. to SABS 1504 over openings less than 3m, incl 'Brickforce' wire reinf. to min. 4 courses brickwork over.
Glazing to comply with SANS 10400 Part N
Windows: Bronze Powder Coated Aluminium Casement Windows to conform with AAAMSA standards, and with dpc all round.
Window cills: Brick and plaster as per section. Plaster to finish under bottom edge of window
Floors: Refer section.
Waterproofing: SABS grade 375mic in walls and 250mic under floors.
Door frames: Internal: pressed steel to SABS 1129, projecting not less than 20mm into floor finish. External: Refer Door schedule.
Ironmongery: Mortice locks and furniture to SABS 4
Precast Concrete fencing to SABS 1372
Expansion Joints: as per floor plan: Build vertical joint in brickwork using 90mm wide strips cut from 10mm thick 'Jointex' sheets. Take 'Brickforce' wire reinforcing thru joint. Plaster to straight plumb 10mm wide slot. Seal slot flush with plaster using 'Jointex' backing cord and polyurethane sealant, on extl and intl faces of walls. Paint over sealant to match and blend in with wall paint.

CATEGORY 1 BUILDING (Part C: Dimensions)

Architectural Technician: Mr M. Arendse

Architect Technician Signature:

NEW DWELLING on ERF 42230

Client: Bardale Village Integrated Housing Development (Pty) Ltd

Owner's Representative Signature:

Project Status: council submission

Drawings: **Site & Roof Plan, Floor Plans, Locality Plan, Drainage Sections**

Drawing No.: 42230/01/22	Size: A3	Page No: 1 of 2
Date: 17 January 2022	Scale: As shown	

CITY OF CAPE TOWN
DEVELOPMENT MANAGEMENT

Glazing Calculator for naturally-ventilated buildings

Submitted for Approval

Climate Zone	Zone 4 Temperate coastal
Floor	1,4
Nett	508 m² 0,13

Conductance Allowance | Solar heat gain allowance

Achieved	Target	
6,26 m²	1,2%	Nett glazed area
6,2	66,0	Solar Heat Gain
49,4	711,2	Conductance

ID	Window Description	Area Width (m)	Area Height (m)	Shading	Category	Glass Description	Select frame material	Glazing Element Area Total (m²)	P/H	Solar exposure factor (E)	Glazing system SHGC	SHGC of proposed glazing	Glazing total U-value	Conductance of proposed glazing
1 W1	Approval Number: 97607593	1,4		West	Single-glazed	4 mm ClearVue	Aluminium/Steel	1,251 m²	-	1,30	0,81	1,32	7,90	9,88
2 W2					Single-glazed	4 mm ClearVue	Aluminium/Steel	0,9 m²	-	1,19	0,81	0,87	7,90	7,11
3 W3	Application Number: 00007587593	0,8	1,0	East	Single-glazed	4 mm ClearVue	Aluminium/Steel	0,6 m²	-	1,19	0,81	0,58	7,90	4,74
4 D1		0,9	2,0	East	Single-glazed	6,38mm Intruderprufe Clear NS	Aluminium/Steel	1,855 m²	-	1,19	0,78	1,72	7,90	14,65
5 D1		0,8	2,0	West	Single-glazed	6,38mm Intruderprufe Clear NS	Aluminium/Steel	1,662 m²	-	1,30	0,78	1,68	7,90	13,05

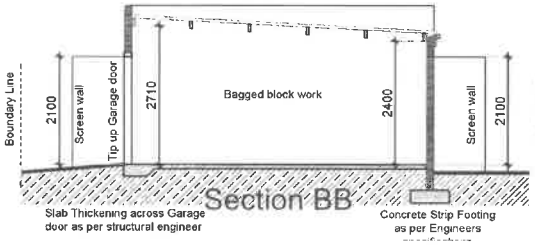
Nett glazed area	6,26 m²	Achieved SHGC	6,2
Nett glazed area to floor area ratio	1,2%	Target SHGC	66,0
		Achieved U-Value	49,4
		Target U-Value	711,2

nett Floor area of 1st Storey = 32.4m²
15% = 4.86m²

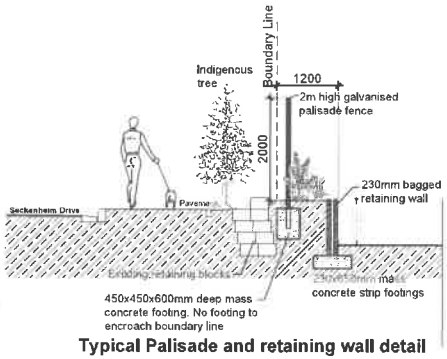
Total Proposed windows area = 4.35m²

Total area of the glazing elements of 1st Storey do not exceed 15% of the nett floor area of the storey, the minimum energy performance requirements for this storey is deemed satisfied.

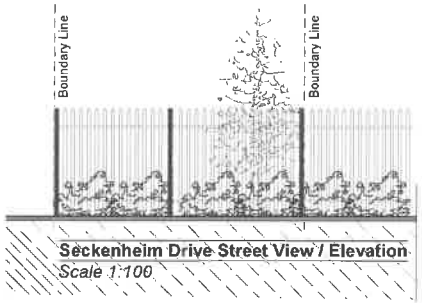
Garage Roof
3° Pre painted metal sheet on 50x152mm Rafter purlins @ maximum 1,2m c/c's. Rafter purlins fixed to garage block walls with Teco rafter hangers. All timber to be Grade 5. All flashing to be metal flashing



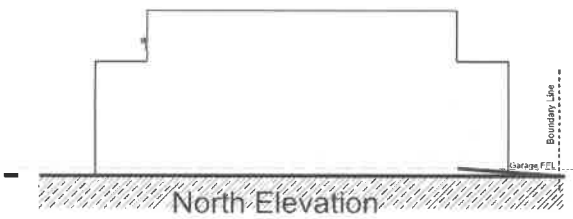
Section BB
Slab Thickening across Garage door as per structural engineer
Concrete Strip Footing as per Engineers



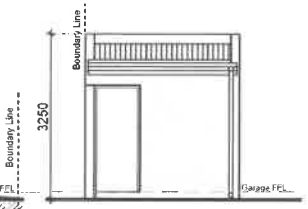
Typical Palisade and retaining wall detail
Scale1:100



Seckenheim Drive Street View / Elevation
Scale 1:100

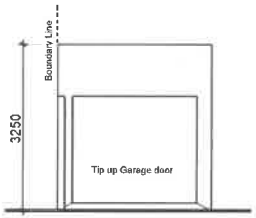


North Elevation

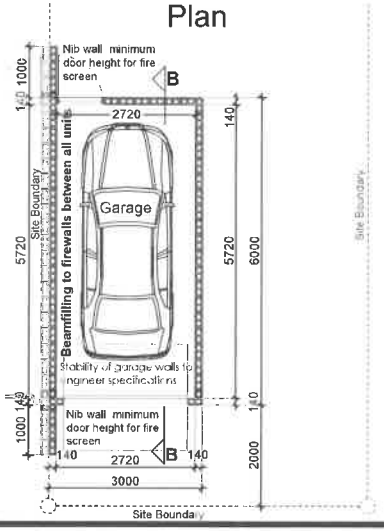


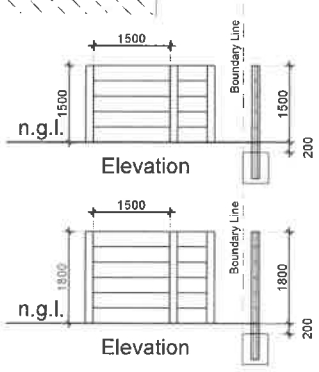
West Elevation

South Elevation



West Elevation





Precast boundary wall

Lintel or 75mm concrete pavers over sewer line, protection from load

110 dia sewer pipe under building

Compacted sand

Sewer Line Bridging Detail

Used where applicable

All exposed pipes to and from the hot water cylinders and central heating systems shall be insulated with pipe insulation material (< *80mm = R-value 1,00*) in accordance with table 13 of SANS 10400 Part XA.

- Insulation shall
  - a) be protected against the effects of weather and sunlight,
  - b) be able to withstand the temperatures within the piping, and achieve the minimum total R-value given in table 13.

CATEGORY 1 BUILDING (Part C: Dimensions)

Architectural Technician: Mr M. Arendse	Architect Technician Signature:
NEW DWELLING on ERF 42230	
Client: Bardale Village Integrated Housing Development (Pty) Ltd	
Owner's Representative Signature:	
Project Status: council submission	
Drawings: Site & Roof Plan, Floor Plans, Locality Plan, Drainage Sections	
Drawing No.: 42230/01/22	Size: A3 Page No: 2 of 2
Date: 17 January 2022	Scale: As shown

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Development Management

Conditions of Approval of Plans

Plan No: BP/000070587570/2022 Date: 12 March 2022

Approved By: GERRIT SAULS

1. GENERAL

1.1 Proper notice, in terms of Regulation No. A22 shall be given to the relevant Building Inspector before work is commenced, and before any excavation, or drainage is covered up. Notice should also be given promptly to the relevant Building Inspector on completion of the work.

1.2 All work shall be carried out in strict accordance with the National Building Regulations and Building Standards Act No 103 of 1977, the SANS 10400 and all relevant Ordinances, as amended from time to time, and all relevant resolutions of the Council, and any other law administered by the Council, whether thus shown on the plan application or not. A copy of the approved plan shall be available at all times on the site.

1.3 All work shall be kept within the confines of the site and the footway/roadway may not be utilised for storing any building materials, waste material of any kind or of any rubble without the prior written consent of Council.

1.4 Approval of the plans does not absolve the owner nor the contractor from compliance with any condition in the title deeds of the property, design guidelines, or any other legal provisions applicable to the property to which these plans relate.

1.5 Approval of the plans in no way affects any question of ownership and does not relieve the owner or contractor from responsibility in regard to any damage or expenditure which may arise during or after the execution of the work.

1.6 All necessary steps, to the satisfaction of the responsible authorities concerned, shall be taken to safeguard any underground or over ground Municipal or service authority services traversing the property, and approval of the plans in no way absolves the owner or contractor from taking such steps; and if such services are discovered only after the work commences the Council reserves the right to require the plans to be amended in such manner as it deems necessary to ensure that such services are safeguarded.

1.7 The private boundary pegs of the property are to be pointed out to a representative of Building Development Management prior to the commencement of the work, if required: Regulation No. A11.

1.8 The work shall be executed to the building lines shown upon the plans. Floor and drainage levels must conform to back of footway levels.

1.9 No projection, obstruction, or encroachment of any description shall be erected on Council land.

2. SANITARY CONVENIENCES

2.1 Proper sanitary accommodation is to be provided for employees during building operation. Sanitary conveniences are to be screened from public view: Regulation No. F11.

2.2 Adequate refuse storage area to be provided on site.

3. WATER SERVICES REQUIREMENTS

3.1 To avoid delay it is advisable to apply immediately for a water connection before the commencement of any building work.

3.2 No pipes used in connection with the supply for water from the Council's mains on private property shall be laid in foundations. Where however, this is unavoidable, the pipes shall be passed through suitable ducts or sleeves.

3.3 Attention is drawn to the requirements of The Water By Law and The Waste Water By Law PG 6378 promulgated on 1st September 2006.

3.4 Water Installations: Installations shall conform to SANS 1052/1 and SANS 1054.

3.5 Maximum Flow Rates: The maximum permissible flow rate for shower heads used in any water installation is 10 litres per minute. The maximum permissible flow rate for basin taps used in any water installation is 6 litres per minute.

3.6 A vacuum breaker is to be installed in the inlet pipe at a minimum height of 300mm above the unit or the highest draw off point for bidets, laboratory taps, fonts, washing machines or dishwashers where installed.

3.7 Water Storage Tanks: 1) Storage tanks for WCs; urinals, and production processes to be provided for in accordance with the City's Water By Law.

2) Storage Tanks from which water may be drawn for food preparation or drinking purposes or medical treatment or practical use in medical facilities shall be contamination proof, all inspection panels (min dia 600mm) shall be located in the side wall of the tank. All vents and overflow pipes shall be adequately screened against the ingress of vermin and grit.

3.8 Automatic sprinkler installations for fire-fighting purposes to be in accordance with SANS 10287. A separate application is to be made for a connection for automatic sprinkler installations; the consulting engineer to determine the required size.

3.9 The Water supply to the Fire Installation must conform to the requirements of the City Water Manager and SANS 10252-1:2004 and SANS 10287:2000.

4. ROADS ENGINEER

4.1 Permits are required for storage/hoarding on Council property/footways.

5. FUEL PUMPS

5.1.1 The approval of this plan (unless it is a plan for a petrol pump installation only) does not include the right to erect any fuel pumps or install any tanks upon the premises or site to which the plans refers.

6. ELECTRICAL SUPPLIER'S REQUIREMENTS

6.1.1 Before building work is commenced either the owner or his legal representative shall consult the City's Electrical Director regarding:

(a) The position and type of accommodation to be provided for the electricity supply equipment.

(b) The position and length of a suitable cable entry duct or pipe which shall be provided, installed and maintained by the owner of the building; and

(c) Whether in the case of a private dwelling the proposed building will be in an area where joint electricity/any other service provider service will apply. In such a case an approved two sectioned connector box with lid and a 25mm diameter plastic conduit duct for the electricity supply cable.

6.2 Any alteration to the existing service connection/s rendered necessary by these works shall be done by the Council at the owner's expense.

WARNING

6.3 The owner or his legal representative are hereby warned that electric cables whether above or below ground are dangerous, and should they be likely to interfere with the new construction or addition nor to workmen employed thereon, application in writing shall be made to the City's Electrical Director, to have the cables moved to another and safer position, the cost of such work to be borne by the owner. Such application shall be made at least seven days before it is required that the cables be removed.

6.4 Unless specifically granted permission in writing by the Department of Manpower or the City's Electrical Director, no persons shall provide, alter or extend an electrical installation without being registered with the Electricity Department as electrical contractors who must receive authority in writing from the City Electrical Engineer before any installation work is connected to the supply mains.

7. PENALTY

7.1 Attention is drawn to Regulation No. A25 of the National Building Regulations with regard to the fact that it is an offence to, inter alia, deviate from an approved plan both in respect of building work and the use for which the building plan was approved.

8. VALIDITY OF PLANS

8.1 **The Council's approval given under Section 7 (1) (a) of Act 103 of 1977 shall lapse after the expiry of a period of twelve months from the date on which it was granted, unless the erection of the building concerned is commenced within this period or an extension of validity is applied for.**

8.2 The Council's authorisation granted under Section 13 (1) (b) of Act 103 of 1977 shall lapse after the expiry of a period of six months from the date on which it was granted, unless the erection of the building concerned is commenced within this period or an extension of validity is applied for.

8.3 Approval of this plan does not in any way imply approval of or sanction the retention of any unauthorised building work on the site whether indicated on the plan or not.

9. NAMING AND NUMBERING OF BUILDINGS

9.1.1 Every dwelling is to be provided with a street number.

9.1.2 All other buildings must be named and units numbered. All lettering minimum 150mm high and name sign must be illuminated.

10. OCCUPANCY

10.1 The owner is advised that occupation and/or use of the building depicted on the approved plan without a certificate of occupancy is unlawful.

10.2.1 An application for a certificate of occupancy must be accompanied by the following certificates certifying (where applicable) that

- ·The electrical wiring and electrical installation is in accordance with the provisions of all applicable laws and,
- ·the structural system ;
- ·the mechanical ventilation system;
- ·the fire protection system;
- ·the fire installation system

are in accordance with the application in respect of which approval was granted.

11. MISCELLANEOUS:

11.1No trees on Council property may be removed without written permission from Council. Attention is drawn to the By Law Relating to Streets, Public Places and the Prevention of Noise Nuisances, PG 6469 promulgated on 28th September 2007.

11.2.1 All drainage to be constructed so as to prevent stormwater from entering the sewerage system.

11.2.2 The development of the property shall be such that there shall be no danger of stormwater (from whatever source) flooding any surrounding property. Council will not be liable for any flooding, damage or additional costs if this condition is not complied with.

11.2.3 Actual position and depth of sewerage and underground stormwater connections to be ascertained on site before commencing private sewerage and stormwater drains.

11.2.4 The overflow level of any trapped gully to be not less than 150mm above the surrounding finished ground level.

11.2.5 No work may commence on site until the requirements of the Occupational Health and Safety Act (Act 85 of 1993) and Section 141(1) of the Municipal Ordinance have been complied with.

12. DISTRICT BUILDING INSPECTOR:

12.1 The District Building Inspector is: Vuyani Mhlambiso

Comments 009 In order.

Development Management
Land Management

Cape Town has experienced serious water shortages due to insufficient rainfall and fast declining dam levels. With the co-operation of many Capetonians we were able to avoid Day Zero. This has been a cumulative effort of reassessing and readjusting attitudes towards this precious resource and impacts individuals and business at all levels.

Development Management has a legal responsibility to process development applications as and when they are submitted. It is equally committed to promoting and facilitating sustainable development. During this time of crisis this means ensuring the responsible use of a dwindling resource. Water is a critical component in the development process, whether you are installing a swimming pool, extending your living space, or designing a large scale development, water is a resource you will undoubtedly need access to.

There is a host of information available on the City of Cape Town's website that is helping to preserve and extend access to this resource. In light of your recent application approval and to support all water saving efforts, please find information on alternative water sources below.

Building plans with swimming pools:

Your recent application may have included the approval of a swimming pool. You are reminded that this approval is valid for a period of 12 months and you may apply for an extension of a further 12 months if you do not commence with building work during the first approval period. Alternative water sources for construction are discussed later on.

Should you proceed with the construction of your swimming pool, you are reminded to consult with Water By-Law that regulates permissions in affect at the time and how this will impact on the filling of swimming pools during the various levels of restriction.

Currently, filling of, or topping up swimming pools with municipal water is not allowed, and alternative water sources must be used. Sensible management of a swimming pool includes minimizing evaporation, re-use of cleaned backwash and topping up from alternative sources.

Treated Effluent:

The construction industry is currently the biggest user of treated effluent in the City. Research has been conducted to verify the use of treated effluent from Potsdam Waste Water Treatment Works that is currently also suitable for structural concrete. Water quality testing in conjunction with concrete cube strength tests are recommended to ascertain potential applications of treated effluent.

Whilst this effluent or municipal wastewater is treated to a safe standard, it is not potable, and therefore not fit for human consumption. It is however recognized as a suitable alternative for business and industry, but you must apply for access.

Please find information relating to the collection points for treated effluent or recycled water here.
For more information on accessing treated effluent, please see this link.

CITY OF CAPE TOWN: PLANNING AND BUILDING DEVELOPMENT MANAGEMENT

BDM 05

1

Date of inspection D D M M Y Y Y Y Time

NOTICE OF INTENTION TO COMMENCE WORK

Erf no. Plan no

Site address

Suburb

I hereby give notice, in terms of National Building Regulation A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(NOTE: Submission of notice to be made two working days before the inspection is required.)

Signature of owner or builder

Contact number

Date D D M M Y Y Y Y

CITY OF CAPE TOWN: PLANNING AND BUILDING DEVELOPMENT MANAGEMENT

BDM 05

2

Date of inspection D D M M Y Y Y Y Time

NOTICE FOR THE TEST INSPECTION OF SEWER INSTALLATION IN ACCORDANCE WITH THE APPROVED PLAN

Erf no. Plan no

Site address

Suburb

I hereby give notice, in terms of National Building Regulation A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(NOTE: Submission of notice to be made two working days before the inspection is required.)

Signature of owner or builder

Contact number

Date D D M M Y Y Y Y

CITY OF CAPE TOWN: PLANNING AND BUILDING DEVELOPMENT MANAGEMENT

BDM 05

3

Date of inspection D D M M Y Y Y Y Time

NOTICE OF COMPLETION OF WORK IN ACCORDANCE WITH THE APPROVED PLAN. APPLICATION FOR ISSUING OF OCCUPANCY CERTIFICATE

Erf no. Plan no

Site address

Suburb

I hereby give notice, in terms of National Building Regulation A22, that the building work as described above is now ready for inspection and hereby confirm that I am compliant with the Occupational Health and Safety Act, Act No 83 of 1993.
(NOTE: Submission of notice to be made two working days before the inspection is required.)

Signature of owner or builder

Contact number

Date D D M M Y Y Y Y

C&A FRIEDLANDER
attorneys

C&A Friedlander Inc,
3rd Floor 42 Keerom Street
Cape Town 8001
PO Box 1581 Cape Town 8000
Docex 96 Cape Town
tel +2721 487 7900 fax +2721 426 5650
Conveyancing fax +2721 426 5653
www.cafriedlander.co.za

TO WHOM IT MAY CONCERN

our ref Apr

your ref

date 29 September 2020

Dear Sir

BARDALE VILLAGE RELAYOUT OF ERVEN 7349-7355 INTO 14 ERVEN (42228-42241) PARENT ERF 8293 BLUE DOWNS

We confirm that we are attending to the transfers relating to the abovementioned development. The abovementioned mother erf is subdivided in terms of General plan 2182/1991. Few of the erven on the said General Plan being erven 7349-7355 has been relayed out into the following 14 erven. The property is registered in the name of the developer, INTEGRATED HOUSING DEVELOPMENT (PROPRIETARY) LIMITED:

42228,42229,42230,42231,42232,42233,42234,42235,42236,42237,42238,42239,42240 ,42241.

Please do not hesitate to contact me should you require any additional information

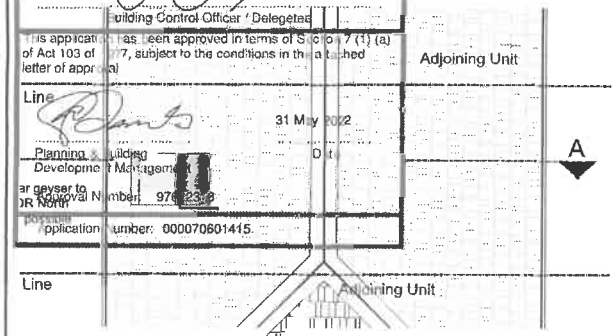
Kind Regards

C&A FRIEDLANDER

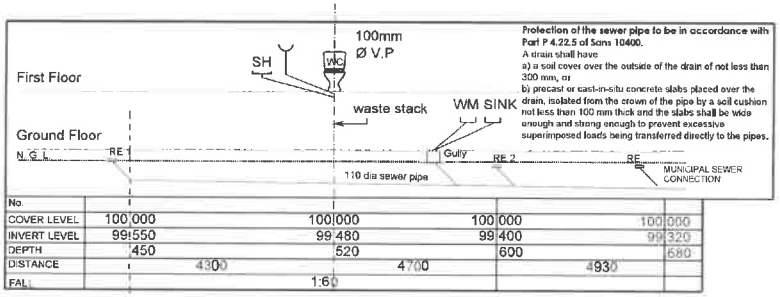
Per

A P RANCHOD (MS)
anita@caf.co.za
Telephone: 021 487 7900
Direct fax: 021 426 5653

CITY OF CAPE TOWN
DEVELOPMENT MANAGEMENT
Recommended for Approval
Building Control Officer / Delegated
This application has been approved in terms of Section 7 (1) (a) of Act 103 of 1977, subject to the conditions in the attached letter of approval
31 May 2022
Planning & Building Development Management
Approval Number: 976/2328
Application number: 000070601415



Roof Plan

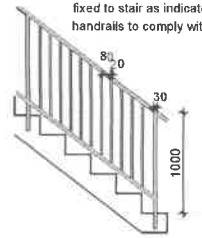


No.				
COVER LEVEL	100,000	100,000	100,000	100,000
INVERT LEVEL	99,550	99,480	99,400	99,320
DEPTH	450	520	600	680
DISTANCE	4300	4700	4930	
FALL	1:60			

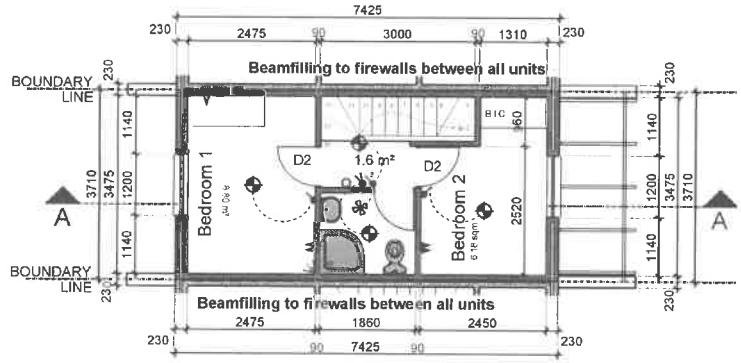
Drainage Section *nts*

SITE INFORMATION	
ERF AREA	91m²
GROUND FLOOR	27.5m²
FIRST FLOOR	27.5m²
TOTAL	55m²
CLASS OF OCCUPANCY	GR1

Steel handrail prefabricated and fixed to stair as indicated. All handrails to comply with NBR.

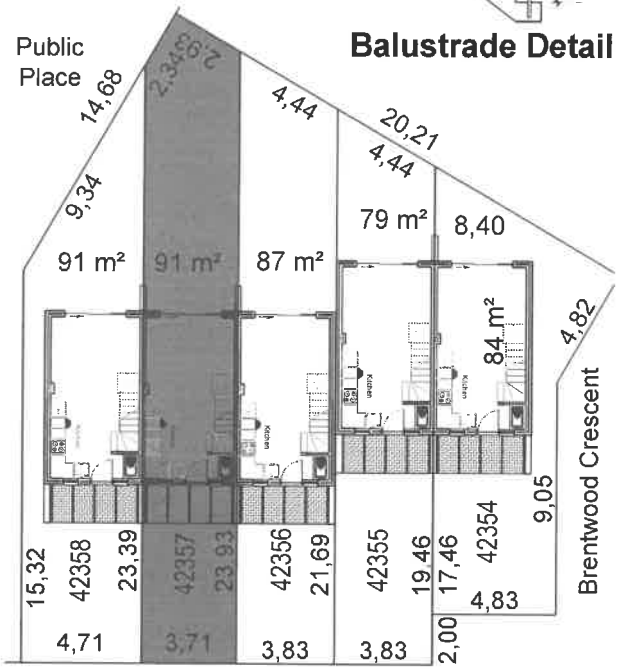


Balustrade Detail



First Floor Plan

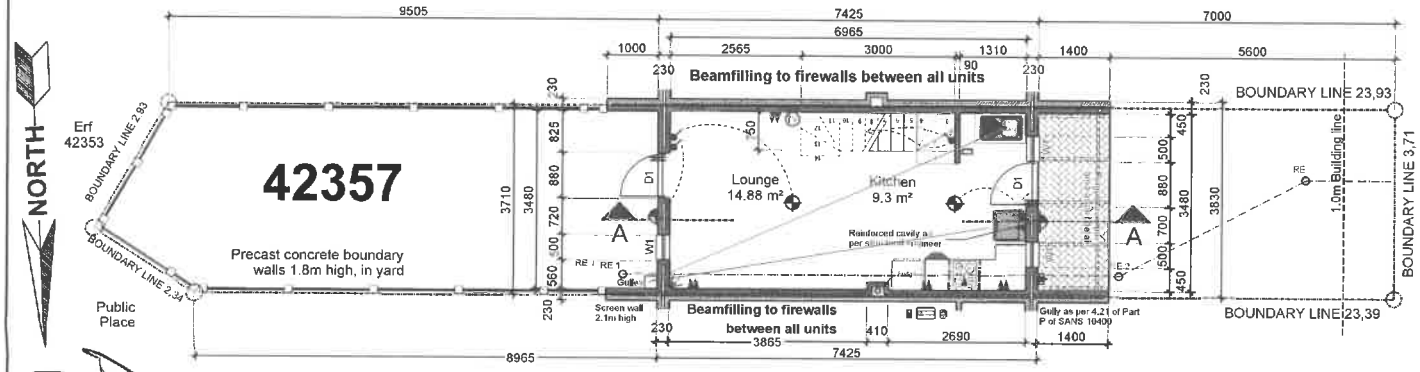
ELECTRICAL LEGEND			
CEILING LIGHT		ENERGY DISPENSER	ED
LIGHT SWITCH 1100mm AFFL.		OOSTERZEE BOX	
2 WAY LIGHT SWITCH		STOVE POINT	
EXT. WALL-MOUNTED LIGHT		TV POINT 300MM AFFL	TV
To be fitted fitted to roof truss. Dedicated for alrm system only.	Alarm	CEILING MOUNTED FAN	
SINGLE PLUG 300mm AFFL.		**ALARM LEGEND**	
DOUBLE PLUG 300mm AFFL.			
Isolator switch for geyser only.		MOTION DETECTOR	
30AMP PLUG		KEYPAD	KP
DISTRIBUTION BOARD		PANIC BUTTON	PB
		DOOR / WINDOW MAGNET	



Fire Protection Notes:

Semi- detached house: common wall to be taken to underside of roof tiles. Roof truss penetrations through common wall to be sealed off with brickwork mortar. Fire proof Party wall: Fire Stability required for Occupancy Classification: H3 (Domestic Residence) = 30 min. Cavity wall 230mm wall fire rating = min. 60 minutes

If distance from nearest opening to neighbors nearest opening is less than 1m a 1m long by 2.1m high wall to be built.



Site Plan, Ground Floor Plan

CATEGORY 1 BUILDING (Part C: Dimensions)

Architectural Technician: Mr M. Arendse

Architectural Technician Signature:

NEW DWELLING on ERF 42357

LOCATION: Phase 5C

Client: **NEW DWELLING ON ERF 42357**
BLUE DOWNS

Owner's Representative Signature:

Project Status: **council submission**

Drawings: **Site & Roof Plan, Floor Plans, Locality Plan, Drainage Sections**

Drawing No.: 42357/21/10/001	Size: A3	Page No: 001
Date: 10 October 2021	Scale: As shown	

CITY OF CAPE TOWN
DEVELOPMENT MANAGEMENT

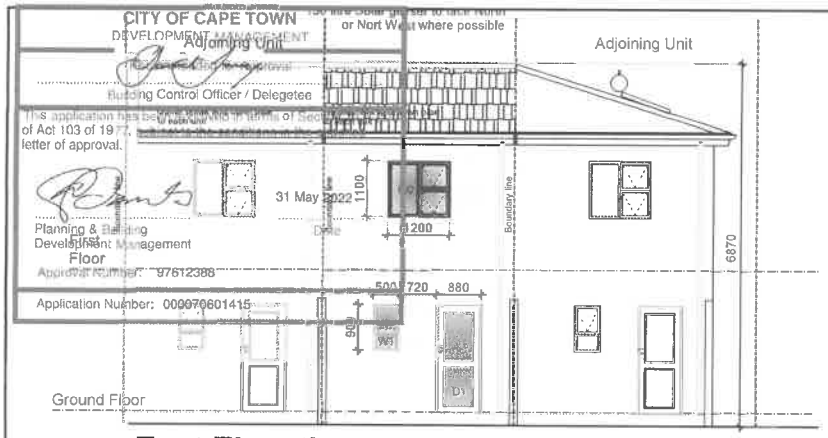
Building Control Officer / Delegatee

This application has been approved in terms of Section [illegible] of Act 103 of 1977, subject to the conditions set out in the letter of approval.

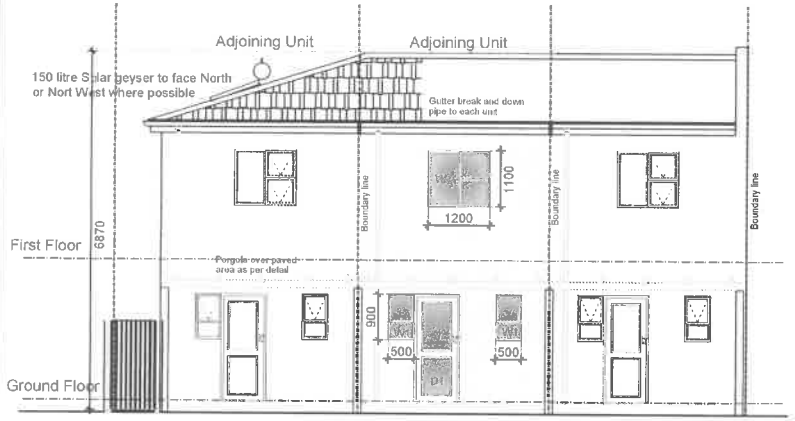
31 May 2022

Planning & Building Development Management
Scanned
Floor

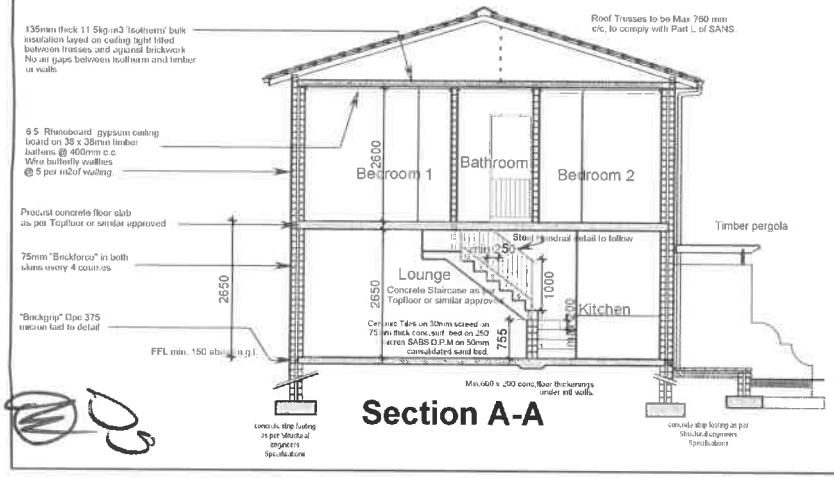
Application Number: 00007601415



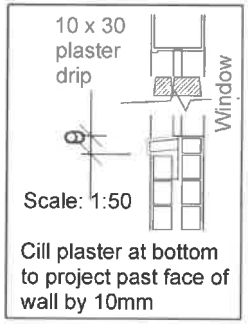
East Elevation



West Elevation



Section A-A



Cill plaster at bottom to project past face of wall by 10mm

Sewer Line Bridging Detail

Used where applicable

Window No.	Window Size (width x height)
W1	500 X 1 000
W2	1200 X 1100

Window schedule

Windows to be AAAMSA approved AL and made to size stated. Glass to be 4mm clear, except bathroom window to be 4mm obscure

Door schedule (external)

Doors to be Swartland 'Blue doors" and 'Blue frames', or equal and approved.

Door no.	Door size (width x height)	Fenestration area-door and frame	Type of frame	Sill
D1	813 X 2032	1.65m2	Aluminium	Open Out
D2	760 X 2032	/	Wood	as in-dictated

Specification

SABS approved 'Double Roman' slate grey concrete roofing tiles at 20 degree pitch, on 38 x 38 mm SABS SAPine battens at 320mm cts. and 38 x 50 tilting batten, tiled to SANS 062, on trusses complying with SANS 10400 as per notes for 'Roof truss structure' Nail each tile in lowest 3 rows with min. 75mm ring shanked galv. roofing nails, and 3rd tile in all other rows Line valley with galv.m.s. valley flashing as supplied by 'Youngman Roofing.'

'Sisilation 405' d/ sided AL foil insulation as VAPOUR BARRIER and RADIENT BARRIER, layed over truss rafters with min. sag, and with min. 150mm overlaps taped entire length with d/ sided AL foil tape. Cut to straight line at outer top edge of penultimate 38 x 38mm batten Take external wall plaster to u/s of this batten. 2 layers 5 ply Malthoid dpc under ridge tiles. Mortar under ridge: mix in ochre to match colour of roof tiles

Plaster and paint to intl and extl walls

6.5 mm 'Rhinoboard' gypsum ceiling board and coved cornice on 38 x 38mm timber battens @ 400mm c.c

Ceramic wall tiles in Bathroom to 1.25m height

Ceramic Tiles on 30mm screed on 75mm thick conc surf. bed on 250 micron SABS D.P.M on 50mm consolidated sand bed.

110mm dia uPVC sewer pipe to min 1 in 60 fall as per Drainage schedule

Sewer piping passing under buildings to be encased in conc. 300mm under foundations and 150mm under slab

135mm thick 11 5kg/m3 'Isotherm' bulk insulation layed on ceiling tight fitted between trusses and agianst brickwork. No air gaps between Isotherm and timber or walls to occur.

Walls plastered & painted

Wire butterfly wall ties @ 5 per m2 of walling.

230mm Cavity extl walls and 90mm intl walls to be built of min. 7Mpa concrete Maxi bricks to SABS 1215, size 220 x 115 x 90

57mm NHBRC approved "Brickforce" in both skins every 4 courses

Weepholes 10mm by 115mm every ±900mm

375 mic Dpc laid to detail

FFL min 200 above n.g.l

Min 750mm from n.g.l to u/s of conc.

All levels and dimensions to be verified on site by contractor. Discrepencies found to be to be reported to architect immediately

Finishes to I.H.D specifications. Building work and materials to comply with SANS 10400 & NHBRC regulations & SABS standards listed.

Roof: Prefabricated Trusses by specialist.

Rainwater goods: 125 x 86mm Aluminium Ogee gutters with intl concealed brackets, and 75mm dia Upve downpipes and shoes.

Fascias: 10 x 150 Medium density Nutec, painted

Ceilings: Refer Section.

Walls: Refer section

Lintols: Prestressed conc. to SABS 1504 over openings less than 3m, incl 'Brickforce' wire reinf. to min. 4 courses brickwork over.

Glazing to comply with SANS 10400 Part N

Windows: White Powder Coated Aluminium Casement Windows to conform with AAAMSA standards, and with dpc all round.

Window cills: Brick and plaster as per section. Plaster to finish under bottom edge of window

Floors: Refer section.

Underlay: SABS grade 375mic dpc in walls and 250mic dpm under floors.

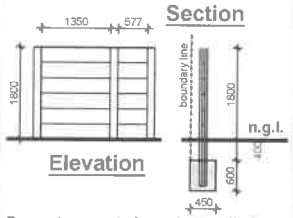
Door frames: Internal: pressed steel to SABS 1129, projecting not less than 20mm into floor finish.

External: Refer Door schedule.

Ironmongery: Mortice locks and furniture to SABS 4

Precast Concrete fencing to SABS 1372

Expansion Joints: as per floor plan: Build vertical joint in brickwork using 90mm wide strips cut from 10mm thick 'Jointex' sheets Take 'Brickforce' wire reinforcing thru joint. Plaster to straight plumb 10mm wide slot. Seal slot flush with plaster using 'Jointex' backing cord and polyurethane sealant, on extl and intl faces of walls. Paint over sealant to match and blend in with wall paint



Precast concrete boundary walling between erven

Precast conc. posts sunk into ground with min. 450 x 450mm wide x 600mm deep conc. Top of conc. min. 400 mm below n.g.l. 300mm precast conc. panels slotted and cement mortar grouted into precast posts. Top of panels and posts to be level, and with smooth even finish, and painted to spec.

Vibracrete Fence

BATHROOM LIGHT AND VENTILATION
Bathroom to be artificially lit

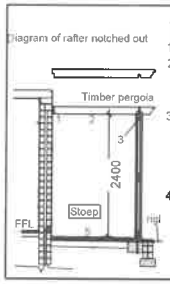
Bathroom to be mechanically extracted with extractor fans.
Artificial ventilation system must comply with the following
- Ventilation may draw air from the other rooms at a rate of 25 litres/sec/person
- The system may not discharge into the ceiling space (which means it must discharge to the outside not to neighbours property)
- It may not be connected to any artificial lighting system for the purpose of on/off control
- The system must remain on for period after the room has been vacated
- The ducting must be constructed of non-combustible material in accordance with SANS 10177-5

LIGHT AND VENTILATION

nett Floor area of Ground Storey = 24m²
20% = 4.8m²
Total Proposed windows area = 4.7m²
Total area of the glazing elements of Ground Storey do not exceed 20% of the nett floor area of the storey, the minimum energy performance requirements for this storey is deemed satisfied.

nett Floor area of First Storey = 24m²
20% = 4.8m²
Total Proposed windows area = 2.64m²
Total area of the glazing elements of Ground Storey do not exceed 20% of the nett floor area of the storey, the minimum energy performance requirements for this storey is deemed satisfied.

XA FENESTRATION CALCULATION



Timber pergola: all timbers to be Grade V4 SApine, as supplied fine sawn, lightly sanded on site, coated 3 coats oil based extl wood sealer, colour 'Imbuia'

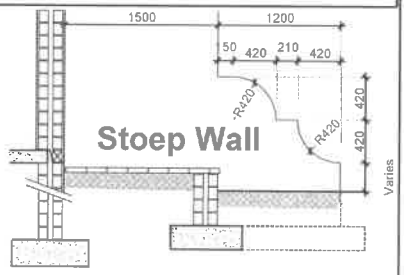
1 38 x 152 bolted to wall.

2 50 x 152 rafters notched out 38mm wide x 50 deep over cross beam and 38 x 76 on cleat. Fix to top of cross beam and cleat with galv brackets size 5 x 30 x 50 x 75. Fix galv coach screws thru brackets into beam and cleat, and galv cuphead bolt and nuts to sides of rafters.

3 Cross beam: 50 x 152 bolted one end to top of stoep dividing wall with galv bracket size 5 x 50 x 75 x 100 and galv exp. bolts, with bracket on inside of beam, and with galv cuphead bolts and nuts thru face of cross beam, and other end thru slot in beam with min 130mm long galv. cuphead bolts and nuts into wall and thru beam. Cupheads to be on street side of beam. Level plaster to top of stoep dividing wall to be min. 10mm below u/s of cross beam.

4 50mm Pavers to min. 2% fall on 50mm consolidated sand bed on 250 micron SABS D.P.M on consolidated in-situ earth fill, contained with 190mm thick wall, plastered on outer face. Front edge of paving to overhang plastered wall by 10mm

Pergola Detail



CATEGORY 1 BUILDING (Part C: Dimensions)

Architectural Technician: Mr M. Arendse

Architect Technician Signature:

NEW DWELLING on ERF 42357

LOCATION: Phase 5C

Client: NEW DWELLING ON ERF 42357 BLUE DOWNS

Owner's Representative Signature:

Project Status: council submission

Drawings: Section, Elevations ,Window Schedule and Details

Drawing No.: 42357/21/10/001 | Size: A3 | Page No: 002

Date: 10 October 2021 | Scale: As shown

C&A FRIEDLANDER
attorneys

C&A Friedlander Inc.
2nd Floor, PROTEA PLACE
Cnr Protea Road and Dreyer Street
Claremont 7708
Docex 96 Cape Town
tel +2721 674 2083
www.cafriedlander.co.za

NHBRC
To whom it may concern

Our ref APR/ Your ref Date 04 May 2022

Dear Sir/Madam

Re: BARDALE VILLAGE PHASE 5C

PARENT ERF 42311 (portion of Erf 20733) BLUE DOWNS

GENERAL PLAN NUMBER 2328/2020

We confirm that we are attending to the transfers of the various erven forming part of the phase 5C development of Bardale Village. The property is currently registered in the name of our client, BARDALE VILLAGE DEVELOPMENT(PROPRIETARY) LIMITED.

The erven which are currently being attended to are: 42314 – 42389 BLUE DOWNS.

Please do not hesitate to contact me should you have any questions.

Yours faithfully
C&A FRIEDLANDER

Per:

AP RANCHOD(MS)
DIRECTOR
anita@caf.co.za

Established 1899

Level 1 BBBEE contributor

directors P. Katzeff (Chairman) J.J. Fourie (Managing Partner) L.E. Bell A.P. Ranchod B. Cotterell J.A. Williams L.S. Ward S. Gorton C.J. Wiggett G.A. Meinking F.W. Visagie senior associates D. Weithofer E. Pieterse N. Thoppay M.B. Manning K.E. Cameron-Dow associates C.C. Daly J.C. Newdigate C.A. Hamman S. Lagkar L.L. Singh R. Maharaje T. Strauss R. Warrin G. Meyers consultants S.A. Epstein A. Schipper F.W. Muggleston C.D. Middlebrook

cape town (021) 487 7900 claremont (021) 674 2083 noordhoek (021) 785 5945 tygervalley (021) 914 5511

C&A Friedlander Inc. Reg No 1993/003442/21 Attorneys Notaries Conveyancers

"CW 7"

MENU SIGN IN

CAPEARGUS NEWS

Gangsters hinder housing developments in Blue Downs, Kuils River and Forest Village

Housing developments in Blue Downs, Kuils River and Forest Village have been allegedly hindered and delayed due to reports of extortion, threats and physical assault against contractors. Picture: Courtney Africa/African News Agency(ANA)

Published Jan 19, 2021

Written by

Sisonke Mlamla

Multimedia Journalist, Cape Argus

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Cape Town – Housing developments in Blue Downs, Kuils River and Forest Village, set to deliver homes for more than 4 000 in the Western Cape, have been allegedly hindered and delayed due to reports of extortion, threats and physical assault against construction contractors and government officials working on the sites.

One of the community leaders from Blue Downs, who did not want to be named for fear of victimisation, said he was aware of the alleged extortion happening in the area.

Story continues below Advertisement

He said there were a lot of things happening in those areas, which included the province's lack of engagement with the community before starting housing developments.

He also alleged that gang members were at first involved and were part of those contracted by the province, before their contracts were stopped, "that is why they are fighting".

Human Settlements standing committee chairperson in the Western Cape Legislature, Matlhodi Maseko, said gang members as well as so-called "Business Forums" have demanded money from emerging contractors.

More on this

- **Spike in Covid-19 infections forces City of Cape Town's rent payments online**
- **PICS: Temporary housing for Masiphumelele fire victims**
- **More than 16 000 housing opportunities delivered in the Western Cape**
- **R25.9m to be spent on Conradie housing project in Pinelands**

Maseko said that led to the construction being halted, placing financial strain on businesses and in some cases led to attacks on contractors and officials.

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"These delays in creating safe and dignified homes for beneficiaries by racketeers harm not only their communities but also the livelihoods of all workers and businesses involved," she said.

Story continues below Advertisement

Maseko said criminals could not be allowed to hijack the work of housing developments in the Western Cape, and the vulnerable deserved access to safe housing opportunities.

Human Settlements Mayco member Malusi Booi said it was a common occurrence and it was to the detriment of the community at large and to earmarked beneficiaries.

Booi said the City and/or its contractors (who are responsible for their staff's safety) implemented various measures, including law enforcement escorts, private security or the suspension of projects and services where the danger to life was pronounced.

Story continues below Advertisement

"This impacts communities at large and beneficiaries and residents in particular."

Booi said such claims must be reported to the police, the leading crime-fighting authority.

Human Settlements MEC Tertius Simmers's spokesperson Marcellino Martin said Simmers has requested the officials and contractors to be vigilant and to report any threats or intimidation to the law enforcement agencies.

Story continues below Advertisement

"As the department, we work closely with the sub-council chairperson, managers and councillors. Regular contact with the police, public order policing and extensive contracts with

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CCW10

NOTICE OF PERSONAL PARTICULARS

1. Any changes to the personal particulars in your ID Book must be communicated to all relevant parties.

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2. Hand in at or post to the nearest regional/district office of the DEPARTMENT OF HOME AFFAIRS

1

I.D. No. 720309 6071 082

S.A.CITIZEN

SURNAME
MBANZI

FORENAMES
SANDILE

COUNTRY OF BIRTH
SOUTH AFRICA

DATE OF BIRTH
1972-03-09

DATE ISSUED
2014-04-09

ISSUED BY AUTHORITY OF
THE DIRECTOR-GENERAL
HOME AFFAIRS

CENTRAL SUPPLIER DATABASE

Report Date:
04 Nov 2021 10:22:21 AM

Report Ran By:
zdennis2013@icloud.com

CSD REGISTRATION SUMMARY REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA1023735	Government breakdown	Close Corporations (CC)
Is supplier active?	Yes	Business status	In Business
Allow associates?	Yes	Country of origin	South Africa
Supplier type	CIPC Company	South African company CC registration number	2005/000726/23
Supplier sub-type	Close Corporation	Have Bank Account	Yes
Legal name	ABAPHUMELELI TRADING 459	Registration date	29 Jun 2005 00:00:00.000
Trading name	Ingomso Security Service	Restricted Supplier	No
Identification type	South African Company Close Corporation Registration Number	Restriction Last Verification Date	04 Nov 2021 10:22:04.937

PREFERRED CONTACT

Contact type	Biz Office	Prefer communication via email	Yes
Name(s)	Sandile Mbanzi	Email address	ingomsossi@gmail.com
Identification type	South African Identification Number	Cellphone number	073 631 9631

PREFERRED ADDRESS

Address type	Physical	Municipality	City of Cape Town
Address line 1	7429 Nilongwane Close	City	Philippi
Address line 2	Philip East	Postal code	7785
Suburb	Philippi East	Ward Number	33
Province	Western Cape	Country	South Africa

PREFERRED ACCOUNT

Account type	Current Accounts	Account holder	ABAPHUMELELI TRADING 459 CC
Bank	STANDARD BANK OF SOUTH AFRICA	Bank Verification Status	Verification Succeeded
Branch number	051001	Is this a preferred account?	Yes
Branch name	STANDARD BANK SOUTH AFRICA	Edit date	04 Feb 2021 11:00:15.507
Account number	270728060	Is the identifier linked at the bank	Yes

TAX

Overall Tax Status	Tax Compliant	PAYE number	7150766585
IncomeTaxNumber	9006044177	Is this supplier a VAT vendor?	Yes
VAT number	4650276437	Last validation date	04 Nov 2021 10:22:10.000

Department: National Treasury
REPUBLIC OF SOUTH AFRICA

EK SERTIFISEER DAT HIERDIE DOKUMENT 'N WARE AFDRUK (AFSKRIF) IS VAN DIE OORSPRONKLIKE DOKUMENT WAT AAN MY VIR WAARNEMING VOORGELÊ IS. EK SERTIFISEER VERDER DAT, VOLGENS MY WAARNEMINGS, DAAR NIE 'N WYSIGING OF VERANDERING OP DIE OORSPRONKLIKE DOKUMENT AANGEBRING IS NIE.

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FOR GOVERNMENT

Report Date
20 Jan 2022 09:16:33 AM
Report Ran By
nozuko.80@gmail.com

CSD REGISTRATION SUMMARY REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA0026430	Business status	In Business
Is supplier active?	Yes	Country of origin	South Africa
Supplier type	CIPC Company	South African company/CC registration number	2010/113078/23
Supplier sub-type	Close Corporation	Have Bank Account	Yes
Legal name	NOFUNGILE CONSTRUCTION	Registration date	28 Jul 2010 00:00:00:000
Identification type	South African Company/Close Corporation Registration Number	Restricted Supplier	No
Government breakdown	Close Corporations (CC)	Restriction Last Verification Date	20 Jan 2022 09:16:15:230

PREFERRED CONTACT

Contact type	Bid Office	Email address	nozuko.80@gmail.com
Name(s)	Nozuko Mantshintshana	Telephone number	0736536383
Identification type	South African Identification Number	Cellphone number	073 653 6383
Prefer communication via cellphone	Yes	Fax number	0736536383
Prefer communication via email	Yes		

PREFERRED ADDRESS

Address type	Physical	Municipality	City of Cape Town
Address line 1	8883 hartbees street	City	Mfuleni
Address line 2	Extension 6	Postal code	7100
Suburb	Mfuleni SP	Ward Number	108
Province	Western Cape	Country	South Africa

PREFERRED ACCOUNT

Account type	Current Accounts	Account holder	NOFUNGILE CONSTRUCTION CC
Bank	FIRST NATIONAL BANK	Bank Verification Status	Verification Succeeded
Branch number	250655	Is this a preferred account?	Yes
Branch name	REMOTE BANKING SERVICE 560	Edit date	22 Apr 2016 17:57:33:043
Account number	62534492294	Is the identifier linked at the bank	Yes

TAX

Overall Tax Status	Tax Compliant	Is this supplier a VAT vendor?	No
IncomeTaxNumber	9452907166	Last validation date	20 Jan 2022 09:16:00:000

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewys van u GEREGISTREERDE WOON- EN POSADRES in hierdie sakkie.

2. Indien u van adres verander, het, of indien besonderhede van u huidige adres, bv. straatnaam en/of nommer, ens. verander, het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakkie agter in die identiteitsdokument is, gebruik word om die verandering aan te meldien moet dit ingedien word by of gepos word aan die naaste streek-/distriktkantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

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2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number/etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change and it must be handed in at or posted to the nearest regional/district office of the DEPARTMENT OF HOME AFFAIRS.

I.D.No. 840828 1216 08 2

S.A.BURGER/S.A.CITIZEN

VAN/SURNAME
BOMANE

VOORNAME/FORENAMES
BUYISELWA TAMARA

GEBOORTEDISTRIK OF LAND/
DISTRICT OR COUNTRY OF BIRTH
SOUTH AFRICA

GEBOORTEDATUM/
DATE OF BIRTH
1984-08-28

DATUM UITGEREIK
DATE ISSUED
2008-12-22

UITGEREIK OP GEBAG VAN DIE
DIREKTEUR-GENERAAL
BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL
HOME AFFAIRS

SIJAJI
HOLDING
Construction Company

BUSINESS PROFILE

Organisational Details

Name of the Company: Sijaji Holding

Company Registration Number:

Line of Business: Registered as Construction Company Incorporating Painting, Brick Laying, Plastering, Paving, Building, Alterations and Cleaning; Block Work, Sealant

Responsible Persons: Ms Tamara Bomane

Company Contacts Address: No. 6974 Itsomo Street
Extension 6
Mfuleni
7100

Company Contact Number 083 334 8531 / 073 605 2803 ~~083 510 5748~~

E-Mail: _____

About Us

The Company was formed by Tamara Bomane in 2019. The company specialises in Building and Construction (industrial, commercial and domestic. The company directorship consists of a professional and experienced lady individual that possess a good track record of workmanship and competency.

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewijs van u GEREGISTREERDE WOON- EN POSADRES in hierdie sakkie.

2. Indien u van aanvs verander het, of indien besonderhede van u huidige adres, bv. straatnaam en/of -nommer, ens. verander het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakkie agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of gepos word aan die naaste streek, distrikkantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this pocket.

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1

I.D.No. 710807 5379 08 5

S.A.BURGER/S.A.CITIZEN

VAN/SURNAME
PLAATJIE

VOORNAME/FORENAMES
SISEKO SIMON

GEBOORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH
SOUTH AFRICA

GEBOORTEDATUM/
DATE OF BIRTH
1971-08-07

DATUM UITGEREIK
DATE ISSUED
2010-02-09

UITGEREIK OP GESAG VAN DIE
DIREKTEUR-GENERAAL:
BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL:
HOME AFFAIRS

SUID-AFRIKAANSE POLISIEDIENS
Gemeeenskapsdienssentrum
Community Service Centre
15 MAR 2022
REKENPLIGTIG / ACCOUNTING
KUILS RIVER
SOUTH AFRICA POLICE SERVICE

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RM. SCHROEDER 5002 34-1

CENTRAL SUPPLIER DATABASE
FOR GOVERNMENT

Report Date
05 May 2022 02:33:28 PM
Report Ran By:
sisekoplaatjie@gmail.com

CSD REGISTRATION SUMMARY REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA1136490	Business status	In Business
Is supplier active?	Yes	Country of origin	South Africa
Allow associates?	Yes	South African company/CC registration number	2013/174741/07
Supplier type	CIPC Company	Have Bank Account	Yes
Supplier sub-type	Private Company (Pty)(Ltd)	Registration date	20 Sep 2013 00:00:00.000
Legal name	SYAKHA WULEZA ELECTRICAL	Restricted Supplier	No
Identification type	South African Company/Close Corporation Registration Number	Restriction Last Verification Date	05 May 2022 14:33:09.120
Government breakdown	Private Companies (Pty) (Ltd)		

PREFERRED CONTACT

Contact type	Bid Office	Prefer communication via email	Yes
Name(s)	Siseko Simon Plaatjie	Email address	sisekoplaatjie@gmail.com
Identification type	South African Identification Number	Cellphone number	076 165 1153

PREFERRED ADDRESS

Address type	Physical	Municipality	Lukanji
Address line 1	Dlakavu Village	City	Queenstown
Address line 2	Queenstown	Postal code	5319
Suburb	Zakhele	Ward Number	20
Province	Eastern Cape	Country	South Africa

PREFERRED ACCOUNT

Account type	Current Accounts	Account holder	SYAKHA WULEZA ELECTRICAL
Bank	FIRST NATIONAL BANK	Bank Verification Status	Verification Succeeded
Branch number	210920	Is this a preferred account?	Yes
Branch name	QUEENSTOWN. C.P. 353	Edit date	13 Oct 2021 16:02:44:747
Account number	62911253780	Is the identifier linked at the bank	Yes

TAX

Overall Tax Status	Tax Compliant	Is this supplier a VAT vendor?	No
IncomeTaxNumber	9908579155	Last validation date	05 May 2022 14:33:00:000

'CW 11'

From: Siphosethu Dangisa <sethudangisa@gmail.com>
Sent: Monday, May 23, 2022 2:19 PM
To: Info | Bardale Village <info@bardalevillage.co.za>
Subject: Re: Requesting a meeting

Good Day,

Can we have a meeting with you for clarity with regards to what you have just mentioned.

Looking forward to hearing from you.

Kind regards,
Sethu

On Mon, 23 May 2022, 1:44 pm Info | Bardale Village, <info@bardalevillage.co.za> wrote:

Dear Siposethu Dangisa

Thank you for contacting us. Our response to your requests is as follows. We are a private entity and strive to do business with local companies to uplift small businesses in and around our community.

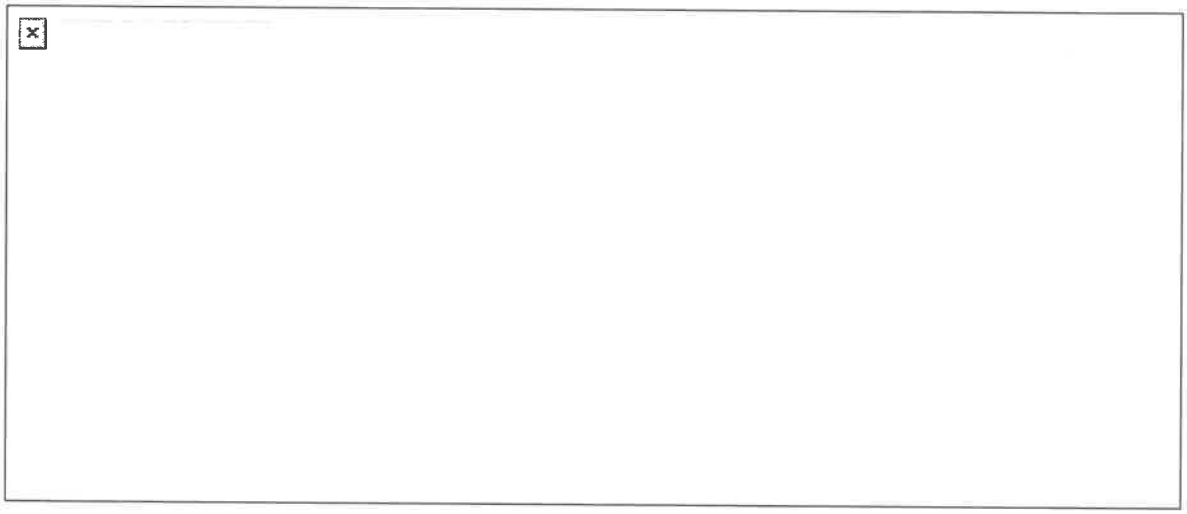
We do our best procure sub-contractors and labour from the surrounding communities. We went through the company profiles provided by you and noticed that three of the companies have the same "About us", "objective", "mission" statement and vision. Two of the companies were recently registered: Gqumathela (Pty) Ltd Reg. 25/04/2022 and Lindi Tebe Fasi and Sons (Pty) – Reg 23/03/2022.

What is most disturbing is that none of the profiles provided are from the immediate surrounding communities. We are therefore unable to assist you at this moment as our focus is to work with the local community.

We wish you well in your future endeavours.

Regards

Administrator



From: Siphosethu Dangisa <sethudangisa@gmail.com>
Sent: Friday, 20 May 2022 12:47
To: Info | Bardale Village <info@bardalevillage.co.za>
Subject: Requesting a meeting

Good Day,

I trust this email finds you well. I am Sethu representing IkapaLethu Business Chamber, we would like to request a meeting with your management as we are seeking trade opportunities on your sites. We went to your sites in Bardale Village and we were instructed to send an email for meeting then we take it from there.

Looking forward to hearing from you soon.

Kind regards,

Sethu

'CW12'

SOUTH AFRICAN POLICE SERVICE — SUID-AFRIKAANSE POLISIEDIENS

Part / Deel A 1

STATEMENT * VERKLARING

Station / Stasie: Mamelodi — CAS no / MAS no: 05, 2022

The following particulars in respect of the offence / incident is supplied:
Die volgende gegewens met betrekking tot die misdryf / voorval word verstrek:

PARTICULARS OF OFFENCE/INCIDENT * BESONDERHEDE VAN MISDRYF/VOORVAL

Date and time of offence/incident / Datum en tyd van misdryf/voorval: C C Y Y M M D D — H H M M — Or / Of — Period: Between / Tydperk: Tussen: H H M M 0900 on / op

20220520 and / en H H M M 0900 on / op 20220525 — Day of week / Dag van week: Su / So M D W D V S

Description of Offence/Incident / Beskrywing van Misdryf/Voorval: Intimidation, Trespassing

Method used/Entrance gained / Metode gebruik/Toegang verkry: Threatening, enter

Type of instrument used / Tipe instrument gebruik: Mouth Body

SCENE OF CRIME * TONEEL VAN MISDAAD

Between: Name of place / Tussen: Pleknaam

and: Name of place / en: Pleknaam

Or / Of

Street name / Straatnaam: Old Rooiersfontein Road c/o Betley Road

Building/farm/plot/place / Gebou/plaas/plot/plek

Suburb/Extension/Area / Voorstad/Uitbreiding/Gebied: Bardalo Village

Town/City / Dorp/Stad: Bulo Downs — Postal Code / Poskode: 7100

Geographical block no / Geografiese blok no — Type of premises / Tipe perseel

2022-05-25
Date/Datum

Signature/Handtekening

In a case of theft of a vehicle the statement must be continued on form SAPS 3M(c).
In a case of theft of a firearm the statement must be continued on form SAPS 3M(d).
In all other cases the statement must be continued on blank folio paper.

In die geval van diefstal van 'n motorvoertuig moet die verklaring op vorm SAPD 3M(c) voortgesit word.
In die geval van diefstal van 'n vuurwapen moet die verklaring op vorm SAPD 3M(d) voortgesit word.
In alle ander sake moet die verklaring op 'n blanko foliopapier voorgesit word.

Revision 1.0 Dated 2006-10-24

SUIDAFRIKAANSE POLISIEDIENS

Ten A 1
Deel

PREAMBLE TO STATEMENT * AANHEF TOT VERKLARING

Station / Stasie: Kleinmond

CAS no / MAS no: , 05, 2022

PERSONAL PARTICULARS * PERSOONLIKE BESONDERHEDE

Title / Titel: MNR

Initials / Voorletters:

Surname / Van: Alie

First names / Voorname: Jonathan

Identity number / Identiteitsnommer: 7111095056089

Race / Ras: A / A; Br / Br; Bl / Sw; W / W

Passport number / Paspoortnommer:

Country of issue / Land van uitreiking: R.S.A

Date of Birth / Geboortedatum: 1991 11 09

Age / Ouderdom: 050

Gender / Geslag: M / M; F / V

Nationality / Nasionaliteit: R.S.A

I am/am not a member of the SAPS with PERSAL no * Ek is lid/nie lid van die SAPD met PERSAL no

RESIDENTIAL ADDRESS * WOONADRES

Street name / Straatnaam: 276 Old Cape Road

Building/farm/plot/place / Gebou/plaas/plot/plek:

Suburb/Extension/Area / Voorstad/Uitbreiding/Gebied: Grabouw

Town/City / Dorp/Stad:

Postal Code / Poskode:

Telephone number / Telefoonnommer: Home / Huis Code No; Work / Werk Code No

Cellphone number / Sellulêre foonnommer: 072 590 9290

Fax / Faks Code No

ADDRESS--WORK/BUSINESS/INSTITUTION/ORGANISATION *ADRES--WERK/BESIGHEID/INSTANSIE/ORGANISASIE

Name of Institution/Organisation / Naam van Instansie/Organisasie: Bardale Villalle Developerty

Street name / Straatnaam: 2 Rusthof Street

Building/farm/plot/place / Gebou/plaas/plot/plek:

Suburb/Extension/Area / Voorstad/Uitbreiding/Gebied: Kleinmond

Town/City / Dorp/Stad:

Postal Code / Poskode:

Telephone number / Telefoonnommer: Home / Huis Code No; Work / Werk Code 072 No 5909290

Cellphone number / Sellulêre foonnommer:

Fax / Faks Code No

CONTACT PERSON (IF APPLICABLE) * KONTAK PERSOON (INDIEN VAN TOEPASSING)

Title / Title:

Initials / Voorletters:

Surname / Van:

Telephone number / Telefoonnommer: Home / Huis Code No; Work / Werk Code No

2022-05-25
Date/Datum

X [signature]
Signature/Handtekening

Revision 1.0 Dated 2006-10-24

A-1

Mohlei Cas /05/2022

G.P.-S. 01/02 P. 21 (81/143198)

(1)

I Jonathan Ali states under oath in English.

(2)

I am an adult male with Jb number 711109 5056 089 and 50 years old and residing at 276 Old Cape Road, Grahstown, with contact number 072 590 9290.

(3)

On Friday 2022-05-20 at around 09:00 an organization named Ikapalethu came to our work sites in Old Rodiensfontein Road c/o Betley Road, Bardale Village, Blue Downs and threaten our workers who then eventually was scared and stop working and left the site. They also went to another site of us at c/o Speyer Road and Rodiensfontein Road and did the same.

(4)

On Monday 2022-05-23 at around 09:00 this organization named Ikapalethu again came to our work site in Old Rodiensfontein Road c/o Betley Road, Bardale Village, Blue Downs and then to another site in Speyer Road c/o Rodiensfontein Road and threaten our workers who eventually became scared and left the site, because of fear for their lives. There was also word going around that this people are having firearms and showed it to our worker threatening them. They also assault some of our workers, physically.

x [signature]

Mamei Gas /05/2022 A-1 "

G.P.-S. 01/02 P. 21 (81/143198)

(5)

I Jonathan Ali states further under oath in English.

(5)

This Ikapalethu organisation just came without any permission onto our sites threatening our workers and assaulting them.

(6)

I didn't give anyone permission to do this. My co-worker Charles Witsool also witness all this. I want police investigation.

(7)

I know and understand the content of this statement. I have no objection in taking the prescribed oath. I consider the prescribed oath to be binding on my conscience so help me God.

x [signature]

Mamei 2022-05-25 15:48

[signature] Zoltan Toolbaar

Gregory Hoolbaar

Albert Philander

Road, Mamei

Sut

[stamp]

'CW13'

BUSINESS

Rise of the new construction 'mafia'

Lynley Donnelly 12 Apr 2019

Deconstruction: The Sanral site in Stutterheim and WBHO s Saldanha Project illustrates the type of intimidation being meted out by disruptors demanding a stake in projects.

They have been dubbed criminal, and labelled the construction mafia. Their proponents believe they are legitimate agents of "radical economic transformation". It is often unclear where the line between armed violence and genuine demands for access to economic opportunities falls.

What is certain is that about 183 infrastructure and construction projects nationwide, valued at more than R63-billion according to one industry body, have been hindered — often by violent disruptions led by entities claiming to be local community or business forums, demanding a stake, typically 30%,in projects.

The phenomenon emerged in the Durban area of KwaZulu-Natal and began hitting the headlines in 2016. It has since spread across the country at a time when the construction sector is in dire straits — a series of major players have filed for business rescue or have reported depressing financials.

State infrastructure projects have been the worst hit with the likes of the South African National Roads Agency (Sanral) seeing more than 60 projects affected to a varying extent, including its R1.6-billion Mtentu bridge project, expected to be the highest bridge in Africa, and a road contract near Stutterheim. Both are in the Eastern Cape.

But private sector projects are not immune from destructive actions by people demanding work. A R2.4-billion German oil storage investment, being built by Wilson Bayly Holmes-Ovcon (WBHO) in Saldanha Bay in the Western Cape was halted in early March after "armed gangs" demanded a stake.

Rise of the 'business forum'

Roy Mnisi,executive director of Master Builders South Africa (MBSA), said that although the phenomenon started in KwaZulu-Natal, it has spread into other provinces, including the Eastern Cape, Gauteng and Mpumalanga. He spoke to *Mail & Guardian* en route from Mbombela (Nelspruit), where the construction of a fresh-produce market has ground to a halt because the contractor "cannot work". "It's happening everywhere," he said.

Mnisi explained that, typically, a business forum will arrive on a site to demand a 30% stake in a project. Occasionally, they may represent legitimate local emerging contractors who can offer services to a project.

Butin many cases, he said, they demand what amounts to "protection fees" — essentially, 30% of the total contract value in cash to prevent other, similar forums from arriving on site and stopping work altogether.

In other instances, he said, a main contractor may already have sub-contracted 30% of the work, sometimes more, to black emerging contractors in an area.

"But as long as [those local contractors are not] them, they are not interested," Mnisi said. "The manner in which this has been allowed to happen is purely criminal."

As far back as 2016, MBSA began holding discussions with forums in KwaZulu-Natal. But so many similar bodies have emerged, in so many different areas, that talks with them achieve little. When consultations with one forum end, another will arrive on site and the process has to begin all over again, he said.

Mnisi is careful to distinguish between legitimate efforts by people or groups wanting to participate in major development projects in their area, and criminality.

He believes that the demands for a 30% cut in projects come from a misunderstanding of the Preferential Procurement Policy Framework Act and its associated regulations, promulgated in 2017.

The regulations were aimed at promoting the inclusion of designated groups in state contracts, including black South Africans, women and people with disabilities, through subcontracting on government tenders.

The regulations also require organs of state to outline the extent to which a tender will be awarded on the basis of functionality — or the ability of a company tendering to provide

the specified goods and services. The qualifying criteria for functionality may not be so low that it jeopardises the quality of goods or services provided or so high that it is "unreasonably restrictive".

Late last year the treasury condemned the "abuse in certain provinces and municipalities" of the regulations to extort contractors under threat of work stoppages.

But Mnisi argued that the efforts aimed at truly transforming the economy are being misused. "We know we have a long way to go towards the transformation of our economy ... but it seems, in this country, we have let thugs take advantage of that and use it to their own narrow interest."

An industry under siege

A common industry complaint has been the failure of law enforcement and government agencies to adequately deal with these events when they happen. And although public infrastructure is damaged or projects delayed for months, ramping up their costs, small black businesses are suffering too.

Webster Mfebe, the chief executive of the South African Forum of Civil Engineering Contractors (SAFCEC), wrote a letter to President Cyril Ramaphosa last month pleading for government intervention. He cited the example of the 2016 killing of a Durban construction company owner who was shot when he refused "disrupters" a stake in a tender he was awarded. Mfebe told the *M&G* this week that there has been no progress in the case, despite the police force's knowledge of the incident.

In his letter, Mfebe describes two recent incidents — Sanral's Stutterheim project and WBHO's Saldanha Bay project — as a "war zone". Images of the Saldanha Bay project reveal a scorched landscape, with rows of vehicles roiling in flames, and torched buildings. The letter includes a description of how contractors fled into the veld to escape "armed gangs".

According to SAFCEC's data,more than 183 projects, valued at R63.4-billion, have been disrupted or halted by such acts, the majority of which are state schemes.

"Violence begets violence. When people have seen that extortion methods yield results, they mimic the same tactics and strategies," Mfebe said, referring to the spread of similar incidents across the country.

This is happening in the context of a construction industry that is in "an accelerated state

of decline". Over the past decade, the value of JSE-listed construction firms has declined by 71.8%.

The JSE's construction and materials indexhas shrunk to just four constituents. Since 2012, firms such as Basil Read, Group Five and Aveng's market caps shrank to levels where they were automatically excluded from the JSE's All Share Index and thus the sector index. Both Basil Read and Group Five are in business rescue.

Public infrastructure budgets have been slashed,Mfebenoted, going from R947.2-billion in 2017-2018 to R834.1-billion in 2018-2019. There are almost 100 000 construction businesses in the sector,87% of which are entry-level businesses, Mfebe said. The ever-shrinking pool of available construction work, he said, has become fertile ground for gangsterism, state capture and a ruthless "survival of the fittest" mentality.

Industry bodies have encouraged their members to interdict groups that violently disrupt work on construction sites. But, despite SAFCEC members having launched some 51 court interdicts, to his knowledge, not a single person has been charged and the message being conveyed is that legal instruments carry no meaning, Mfebe said.

Apart from legal means, the alternative is for construction firms to pull out as their costs spiral and their losses are compounded. Many public entities, typically the clients in these cases, simply charge penalties for standing time and delays on projects as contractors take responsibility for the security of a site.

Contractors are simply not equipped to deal with these kinds of disruptions, Mfebe said. "They are trained to build infrastructure, not [for] warfare." Allegations of armed gangs brandishing automatic weapons is a key reason this requires the intervention of a multi-disciplinary task team, which is intelligence driven,he added.

Other construction industry participants have attributed the government's perceived lack of action to its greater inability to effectively deal with social and service delivery protests. But Mfebe believes there are more sinister reasons at play, citing allegations that some of the business forums are used as "mobilisation instruments for certain politicians at local, provincial and national level".

But, he said, there are genuine entrepreneurs and groups of residents in an area where a project is taking place who want to get involved."We can't paint everyone who wants to be involved as gangsters and thugs."

Transparency is key

It appears that the emergence of formal, recognisable structures has coincided with claims of declines in violent site disruptions. Two formal bodies routinely come up in reports of violent disruptions on sites, notably in KwaZulu-Natal —the Delangokubona Business Forum and the Federation For Radical Economic Transformation (FFRET), which established itself as a national representative body for business forums. The

federation denied allegations of violence and criminality and dismissed the characterisation of its members as "mafia"(See "FFRET: We are transforming as we transform"). Requests for comment from Delangokubona were not answered by the time of going to print.

The federation established itself in late 2016.According to Mfebe, since it has formalised its operations and established itself as a recognisable body, there has been better communication with the industry and a marked reduction in site disruptions in the province. What is more, where there has been a resurgence of site disruptions, the federation has played a role in diffusing tensions.

But as business forums have appeared on construction sites around the country, it is difficult to separate out the legitimate from the unlawful. Ronnie Siphika, an academic and the chief executive of the Construction Management Foundation, attributes the spread of business forums to the growth of FFRET.

"There is no system in place to determine exactly who their members are," he said.

It is very difficult to understand how their forums are formed and the informal nature of what they do. This contributes to why they are spreading "so quickly".

Desperation

Sanral has keenly felt the effects of protests and violence on its projects.

Spokesperson Vusi Mona said it is deeply concerned about the threat to the safety of staff, its contractors' staff and its buildings and equipment. Buthe denied that Sanral is unduly punishing contractors faced with these violent invasions. Penalties are dealt "with as per the contract on the merits of each case".

In Sanral's experiences, the sheer desperation for jobs, some income or some opportunities, lies at the heart of much of the "mafia-like" behaviour.

"It remains a challenge for us that on many of our construction sites, previously disadvantaged South Africans appear and demand a piece of the cake," said Mona.

Although some "go outside the rules" when making demands, said Mona, Sanral is at pains not to label "stakeholders in a derogatory manner" by using terms like the "construction mafia".

Nevertheless, it condemned "criminality which [tends] to divert genuine calls for proper,broad-based participation".

"The lessons that we, as Sanral,and other state bodies should take from this is that open and transparent dialogue is key," said Mona

FFRET: We are transforming as we transform

Two organisations are often mentioned in the same breath as allegations of a construction mafia.

The Delangokubona Business Forum and the Federation For Radical Economic Transformation (FFRET), which has established itself as a national representative body of business forums, have routinely been associated with past violent disruptions of construction work in KwaZulu-Natal.

Both have been linked in media reports to, among others, a halt in construction on controversial businessman Vivian Reddy's multibillion-rand Oceans development in Umhlanga last year. And both have reportedly been the subject of an interdict by the KwaZulu-Natal provincial treasury and its finance MEC, Belinda Scott.

The federation is headquartered in Durban's plush suburb of Mount Edgecombe and its social media pages are peppered with the hashtag #RETManje (radical economic transformation now), and demands for greater inclusion in South Africa's economy.

But FFRET secretary general Robert Ndlelathis week distanced the federation and its members from the moniker "construction mafia" and the spate of violent site invasions that have spread across the country.

Ndlela said the federation was created to fight economic exclusion and act as an umbrella body for the numerous business forums that represent emerging entrepreneurs. Through the federation, forums now have a co-ordinated way of approaching economic opportunities on contracts.

Ndlela said that since the formation of FFRET, there has been a reduction in site invasions in the Durban area and the methods employed by the federation in the region should be looked atas a model for encouraging broader participation in projects and stemming disruptions.

These include the formation of project steering committees that comprise representatives of developers, main contractors, business forums, ward councillors and other stakeholders. Where these exist, Ndlela says "chances of interruption are almost zero".

The federation is closely tied to Delangokubona, sharing a number of leaders,but the latter is not what it used to be, Ndlela said.

There are, however, "copycats"who employ the tactics previously associated with Delangokubona and other forums that existed before FFRET and which "our members are no longer doing". He maintains, however, that there is no proof the Delangokubona and other federation members have employed violence.

It's only now, he says, that shocking pictures have surfaced from, for instance, the Western Cape, and accounts of violence have emerged, "which we as FFRET seriously, seriously condemn". Economic participation must happen, he said,"but within the confines of the law".

Industry players, however, believe the failure by authorities to act on site invasions in KwaZulu-Natal has contributed to the use of similar tactics nationwide —they were shown to work and there have been no repercussions. Ndlela said that some of the allegations are "simply not true".

Ndlela labels extortion by forums demanding protection fees to the value of 30% of projects as "daylight robbery". But, equally, he dismisses allegations that where forums are included on contracts they do shoddy work or lack skills. He says the federation's extensive network of members —which he claims is now at 4620 around the country — have the requisite skills.

To promote and emphasise the rule of law,the federationis hosting asocioeconomic justice dialogue which will include the chief justice, the public protector and the national director of public prosecutions. Ndlela said the aim is to bring people together to discuss how to transform at the same time as "we protect our democratic institutions".

Delangokubona did not respond to requests for comment.

'CW14'

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9765/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI	Seventh Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

MARK WHITMAN

do hereby make oath and say that:

1. I am an adult male project manager of the applicant.

2. I am duly authorised to depose to this Affidavit in these proceedings.

3. The facts herein contained, save where it clearly appears otherwise from the context, fall within my personal knowledge and are, to the best of knowledge and belief, both true and correct.

4. I confirm that I have read the Founding Affidavit of Charles Witbooi in respect of the above matter and confirm the correctness thereof insofar as the averments contained therein specifically relate to me.

MARK WHITMAN

I certify that:

the deponent has acknowledged that:

1.1. he knows and understands the contents of this declaration;

1.2. he has no objection to taking the prescribed oath;

1.3. he considers the oath binding on his conscience.

2. the deponent thereafter uttered the words 'I swear that the contents of this declaration are true, so help me God'.

3. the deponent signed this declaration in my presence at the address set out hereunder on this 9th day of JUNE 2022.

~~CERTIFIED COPY OF THE ORIGINAL~~

SANJIDA ISAACS - Commissioner Of Oaths
PRACTISING ATTORNEY R.S.A
15 SYRINGA STR, KUILS RIVER, 7580
LE KEUR VASQUEZ ATTORNEYS

COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9765/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI	Seventh Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

JONATHAN ALI

do hereby make oath and say that:

1. I am an adult male construction manager of the applicant.

2. I am duly authorised to depose to this Affidavit in these proceedings.

3. The facts herein contained, save where it clearly appears otherwise from the context, fall within my personal knowledge and are, to the best of knowledge and belief, both true and correct.

4. I confirm that I have read the Founding Affidavit of Charles Witbooi in respect of the above matter and confirm the correctness thereof insofar as the averments contained therein specifically relate to me.

JONATHAN ALI

I certify that:

the deponent has acknowledged that:

1.1. he knows and understands the contents of this declaration;

1.2. he has no objection to taking the prescribed oath;

1.3. he considers the oath binding on his conscience.

2. the deponent thereafter uttered the words 'I swear that the contents of this declaration are true, so help me God'.

3. the deponent signed this declaration in my presence at the address set out hereunder on this 6th day of JUNE 2022.

~~CERTIFIED COPY OF THE ORIGINAL~~

.....

SANJIDA ISAACS - Commissioner Of Oaths
PRACTISING ATTORNEY R.S.A
15 SYRINGA STR, KUILS RIVER, 7580
LE KEUR VASQUEZ ATTORNEYS

COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9765/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI	Seventh Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

SARAH LUDICK

do hereby make oath and say that:

1. I am an adult female church sister of the applicant.

2. I am duly authorised to depose to this Affidavit in these proceedings.

3. The facts herein contained, save where it clearly appears otherwise from the context, fall within my personal knowledge and are, to the best of knowledge and belief, both true and correct.

4. I confirm that I have read the Founding Affidavit of Charles Witbooi in respect of the above matter and confirm the correctness thereof insofar as the averments contained therein specifically relate to me.

SARAH LUDICK

I certify that:

the deponent has acknowledged that:

1.1. he knows and understands the contents of this declaration;

1.2. he has no objection to taking the prescribed oath;

1.3. he considers the oath binding on his conscience.

2. the deponent thereafter uttered the words 'I swear that the contents of this declaration are true, so help me God'.

3. the deponent signed this declaration in my presence at the address set out hereunder on this 9th day of JUNE 2022.

~~CERTIFIED COPY OF THE ORIGINAL~~

SANJIDA ISAACS - Commissioner Of Oaths
PRACTISING ATTORNEY R.S.A
15 SYRINGA STR, KUILS RIVER, 7580
LE KEUR VASQUEZ ATTORNEYS

COMMISSIONER OF OATHS

IN THE HIGH COURT OF SOUTH AFRICA

WESTERN CAPE DIVISION, CAPE TOWN

Case number: 9765/22

In the matter between:

BARDALE VILLAGE DEVELOPMENT (PTY) LTD	Applicant
and	
SANDILE MBANZI	First Respondent
NOZUKO MANTSHINTSHANA	Second Respondent
TAMARA BUYISELWA BOMANE	Third Respondent
SIMON SISEKO PLAATJIE	Fourth Respondent
ALL THOSE PERSONS PARTICIPATING IN OR INTENDING TO TRESPASS, UNLAWFULLY DISRUPT AND/OR INTIMIDATE AT THE SPEYER AND BATLEY CONSTRUCTION SITES AND/OR IDENTIFYING AS MEMBERS OF THE 'IKAPALETHU'	Fifth Respondent
THE MUNICIPAL MANAGER: THE CITY OF CAPE TOWN	Sixth Respondent
STATION COMMISSIONER OF THE MFULENI	Seventh Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

KAPITAN NDAVA

do hereby make oath and say that:

1. I am an adult male site supervisor of the applicant.

2. I am duly authorised to depose to this Affidavit in these proceedings.

3. The facts herein contained, save where it clearly appears otherwise from the context, fall within my personal knowledge and are, to the best of knowledge and belief, both true and correct.

4. I confirm that I have read the Founding Affidavit of Charles Witbooi in respect of the above matter and confirm the correctness thereof insofar as the averments contained therein specifically relate to me.

KAPITAN

KAPITAN

KAPITAN NDAVA

I certify that:

the deponent has acknowledged that:

1.1. he knows and understands the contents of this declaration;

1.2. he has no objection to taking the prescribed oath;

1.3. he considers the oath binding on his conscience.

2. the deponent thereafter uttered the words 'I swear that the contents of this declaration are true, so help me God'.

3. the deponent signed this declaration in my presence at the address set out hereunder on this 9th day of JUNE 2022.

~~CERTIFIED COPY OF THE ORIGINAL~~

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SANJIDA ISAACS - Commissioner Of Oaths
PRACTISING ATTORNEY R.S.A
15 SYRINGA STR, KUILS RIVER, 7580
LE KEUR VASQUEZ ATTORNEYS

COMMISSIONER OF OATHS