

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

**Case No: 12994/2021**

In the matter between:

**OBSERVATORY CIVIC ASSOCIATION**

**First Applicant**

**GORINGHAICONA KHOI KHOIN INDIGENOUS  
TRADITIONAL COUNCIL**

**Second Applicant**

and

**THE TRUSTEES FOR THE TIME BEING OF  
LIESBEEK LEISURE PROPERTIES TRUST**

**First Respondent**

**HERITAGE WESTERN CAPE**

**Second Respondent**

**CITY OF CAPE TOWN**

**Third Respondent**

**THE DIRECTOR: DEVELOPMENT MANAGEMENT  
(REGION 1), LOCAL GOVERNMENT, ENVIRONMENTAL  
AFFAIRS & DEVELOPMENT PLANNING, WESTERN CAPE  
PROVINCIAL GOVERNMENT**

**Fourth Respondent**

**MEC FOR LOCAL GOVERNMENT, ENVIROMENTAL  
AFFAIRS & DEVELOPMENT**

**Fifth Respondent**

**CHAIRPERSON OF THE MUNICIPAL PLANNING  
TRIBUNAL OF THE CITY OF CAPE TOWN**

**Sixth Respondent**

**EXECUTIVE MAYOR, CITY OF CAPE TOWN**

**Seventh Respondent**

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**FILING NOTICE**

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**BE BE PLEASED TO TAKE NOTICE** that the Fourth and Fifth Respondents file herewith:

1. Fourth and Fifth Respondents Answering Affidavit and annexures

**SIGNED AND DATED** at **CAPE TOWN** on this **23<sup>rd</sup>** **DAY OF AUGUST 2021**.



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**OFFICE OF THE STATE ATTORNEY  
PER: M N OWEN  
ATTORNEY FOR THE 4<sup>th</sup> and 5<sup>th</sup>  
RESPONDENTS**

Attorney with rights of Appearance  
In terms of S25(2) read with S114(1)  
of the Legal Practice Act 28 of 2014  
Liberty Life Centre, 5th Floor  
22 Long Street

**CAPE TOWN**

**(REF:1873/21/P7)**

**Email:** [mowen@justice.gov.za](mailto:mowen@justice.gov.za)

**TO:** **THE REGISTRAR**  
Western Cape High Court  
**CAPE TOWN**

**BY HAND**

**AND TO: CULLINAN AND ASSOCIATES** **BY EMAIL**  
Attorneys for the Applicants  
18A Ascot Road  
Kenilworth  
**CAPE TOWN**  
Email: [Hercules@greencounsel.co.za](mailto:Hercules@greencounsel.co.za)

**AND TO: NICHOLAS SMITH AND ASSOCIATES** **BY EMAIL**  
Attorneys for the First Respondent  
2<sup>nd</sup> Floor, 114 Bree Street  
**CAPE TOWN**  
Email: [nicks@nsmithlaw.co.za](mailto:nicks@nsmithlaw.co.za)  
REF: ND SMITH/L38-001

**AND TO: WEBBER WENTZEL** **BY EMAIL**  
Attorneys for the 3<sup>rd</sup>, 6<sup>th</sup> and 7<sup>th</sup> Respondent  
15<sup>th</sup> Floor, Convention Tower  
Heernraght Street, Foreshore  
**CAPE TOWN**  
Email: [Sabrina.defreitas@webberwentzel.co.za](mailto:Sabrina.defreitas@webberwentzel.co.za)  
REF: Sabrina De Frietas

**AND TO: HERITAGE WESTERN CAPE** **BY EMAIL**  
3<sup>rd</sup> Floor, Protea Assurance Building  
Green Market Square  
**CAPE TOWN**  
Email: [Penelope.Meyer@westerncape.gov.za](mailto:Penelope.Meyer@westerncape.gov.za)

**AND TO: BASSON AND PETERSEN ATTORNEYS** **BY EMAIL**  
Suite No 6A, Bellpark Building  
De Lange Street  
**BELVILLE**  
Email: [Bpinc@gmail.com](mailto:Bpinc@gmail.com)