

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

Case No: **11580/22**

In the matter between:

<b>OBSERVATORY CIVIC ASSOCIATION</b>	First Applicant
<b>GORINGHAICONA KHOI KHOIN INDIGENOUS TRADITIONAL COUNCIL</b>	Second Applicant
and	
<b>JODY AUFRICHTIG N.O.</b>	First Respondent
<b>JAMES OTTO TANNEBERGER N.O.</b>	Second Respondent
<b>NICHOLAS SCOTT FERGUSON N.O.</b>	Third Respondent
<b>ALLAN JAMES FLYNN MUNDELL N.O.</b>	Fourth Respondent
<b>ADAM JOHN BLOW N.O.</b>	Fifth Respondent
<b>CITY OF CAPE TOWN</b>	Sixth Respondent
<b>THE MINISTER FOR LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS &amp; DEVELOPMENT PLANNING, WESTERN CAPE PROVINCIAL GOVERNMENT</b>	Seventh Respondent
<b>WESTERN CAPE FIRST NATIONS COLLECTIVE</b>	Eighth Respondent

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**NOTICE OF INTENTION TO OPPOSE**

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**TAKE NOTICE THAT** it is the intention of the First to Fifth Respondents to oppose the above application.

**TAKE NOTICE FURTHER THAT** the First to Fifth Respondents have appointed the address of their attorneys Norton Rose Fulbright South Africa Inc 9<sup>th</sup> floor, 117 on Strand, 117 Strand Street, Cape Town as the address being within 15 (fifteen) kilometres of the office of the Registrar at which they will accept notice and service of all documents in the application.

**AND TAKE NOTICE FURTHER THAT** the First to Fifth Respondents confirm that they are prepared to accept service of all documents and notices in this application by means of email service to the following addresses:

Jeffrey.Kron@nortonrosefulbright.com

and

peter.rogers@nortonrosefulbright.com

**TAKE NOTICE FURTHER** that the First to Fifth Respondents record that the Applicants have delivered consent (in an email dated 7 July 2022) to service on them, by means of email, all documents and notices in this application, to the

email addresses hercules@greencounsel.co.za and

cormac@greencounsel.co.za

**DATED at CAPE TOWN** on this 11<sup>th</sup> day of **JULY 2022**.




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**NORTON ROSE FULBRIGHT SOUTH AFRICA INC**  
**Attorneys for First to Fifth Respondents**  
 9<sup>th</sup> floor, 117 on Strand  
 117 Strand Street  
**CAPE TOWN**

Tel: 021 405 1200

Email: [Jeffrey.Kron@nortonrosefulbright.com](mailto:Jeffrey.Kron@nortonrosefulbright.com)  
[peter.rogers@nortonrosefulbright.com](mailto:peter.rogers@nortonrosefulbright.com)

Ref: LIE68

To: **The Registrar**  
Western Cape  
High Court  
Cape Town

And to: **CULLINAN & ASSOCIATES**  
Attorneys for the Applicants  
18A Ascot Road  
Kenilworth  
CAPE TOWN  
Ref: Hercules Wessels  
Tel: 021 671 7002  
Email: [hercules@greencounsel.co.za](mailto:hercules@greencounsel.co.za)  
[cormac@greencounsel.co.za](mailto:cormac@greencounsel.co.za)  
c/o **Thomson Wilks Attorneys**  
18<sup>th</sup> Floor, Number 2 Long Street  
CAPE TOWN  
Ref: Anel Bestbier / Mbali Zikode  
Email: [mbali@thomsonwilks.co.za](mailto:mbali@thomsonwilks.co.za)

And to: **CITY OF CAPE TOWN**  
Sixth respondent  
c/o **Webber Wentzel Attorneys**  
[sabrina.defreitas@webberwentzel.com](mailto:sabrina.defreitas@webberwentzel.com)

And to: **MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL  
AFFAIRS AND DEVELOPMENT PLANNING IN THE  
WESTERN CAPE PROVINCIAL GOVERNMENT**  
Seventh respondent  
c/o  
**THE STATE ATTORNEY**  
Ref: Mark Owen  
[mowen@justice.gov.za](mailto:mowen@justice.gov.za)  
4<sup>th</sup> floor  
22 long street

CAPE TOWN

And to:

**THE FIRST NATIONS COLLECTIVE**

Eighth Respondent

c/o

**BASSON AND PETERSON ATTORNEYS**

[bpinc.law@gmail.com](mailto:bpinc.law@gmail.com)

36 Long Street

CAPE TOWN