

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

**Case no. 12994/2021**

In re: the amicus curiae application of

**FOREST PEOPLES PROGRAMME**

In the matter between:

<b>OBSERVATORY CIVIC ASSOCIATION</b>	First Applicant
<b>GORINGHAICONA KHOI KHOIN INDIGENOUS TRADITIONAL COUNCIL</b>	Second Applicant
and	
<b>TRUSTEES FOR THE TIME BEING OF LIESBEEK LEISURE PROPERTIES TRUST</b>	First Respondent
<b>HERITAGE WESTERN CAPE</b>	Second Respondent
<b>CITY OF CAPE TOWN</b>	Third Respondent
<b>THE DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1), LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS &amp; DEVELOPMENT PLANNING, WESTERN CAPE PROVINCIAL GOVERNMENT</b>	Fourth Respondent
<b>THE MINISTER FOR LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS &amp; DEVELOPMENT PLANNING, WESTERN CAPE PROVINCIAL GOVERNMENT</b>	Fifth Respondent
<b>CHAIRPERSON OF THE MUNICIPAL PLANNING TRIBUNAL OF THE CITY OF CAPE TOWN</b>	Sixth Respondent
<b>EXECUTIVE MAYOR, CITY OF CAPE TOWN</b>	Seventh Respondent
<b>WESTERN CAPE FIRST NATIONS COLLECTIVE</b>	Eighth Respondent

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**APPLICATION TO BE ADMITTED AS AMICUS CURIAE**

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**KINDLY TAKE NOTICE** that the **FOREST PEOPLES PROGRAMME** hereby makes application to the above Honourable Court for an order in the following terms:

1. To the extent necessary, condoning any non-compliance with Rule 16A of Uniform Rules of Court.
2. Admitting **Forest Peoples Programme** as an *amicus curiae*.
3. Granting the *amicus curiae* leave to make the written submissions attached to the founding affidavit, and to make oral submissions at the hearing of the matter.
4. Further and/or alternative relief.

**TAKE FURTHER NOTICE** that the affidavit of **GORDON BENNET** will be used in support of this application.

**TAKE FURTHER NOTICE** that the applicant has appointed the address of their attorneys below as the address at which they will accept service of all process in these proceedings.

**TAKE FURTHER NOTICE** that should you intend to oppose this application, you are required to file an answering affidavit by **15 November 2021** setting out clearly and succinctly the grounds of such opposition.

**SIGNED AND DATED AT CAPE TOWN ON THIS 8<sup>th</sup> DAY OF NOVEMBER 2021.**



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**LEGAL RESOURCES CENTRE**

Applicant as Amicus' Attorneys  
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Ref: Lelethu Mgedezi

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

**And to: CULLINAN & ASSOCIATES**  
Attorneys for the Applicants in the Main Application  
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**And to: NICHOLAS SMITH ATTORNEYS**  
First Respondent's Attorneys  
2<sup>nd</sup> Floor  
114 Bree Street  
CAPE TOWN  
Email: [nicks@nsmithlaw.co.za](mailto:nicks@nsmithlaw.co.za)  
Ref: Mr ND Smith/L38-001

**And to: HERITAGE WESTERN CAPE**  
Second Respondent  
c/o  
State Attorney  
4<sup>th</sup> Floor  
22 Long Street  
CAPE TOWN  
Email: [Penelope.meyer@westerncape.gov.za](mailto:Penelope.meyer@westerncape.gov.za)

**And to: WEBBER WENTZEL ATTORNEYS**  
Third, Sixth and Seventh Respondents' Attorneys

15<sup>th</sup> Floor, Convention Tower  
Heerengracht Street, Foreshore  
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**And to:** **THE STATE ATTORNEY**  
Fourth and Fifth Respondents' Attorneys  
Liberty Life Centre, 5th Floor  
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Email: [mowen@justice.gov.za](mailto:mowen@justice.gov.za)  
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**And to:** **BASSON & PETERSEN ATTORNEYS INC**  
Eight Respondent's Attorneys  
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