

DU PLESSIS &
KRUYSHAAR

55 A

TEL 086 100 0779

"original"

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

CASE NO: 61561/17

In the matter between:

**THE TRUSTEES FOR THE TIME-BEING
OF GROUNDWORK TRUST**

Applicant

and

THE MINISTER OF ENVIRONMENTAL AFFAIRS

First Respondent

**CHIEF DIRECTOR:
INTEGRATED ENVIRONMENTAL AUTHORISATIONS
DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

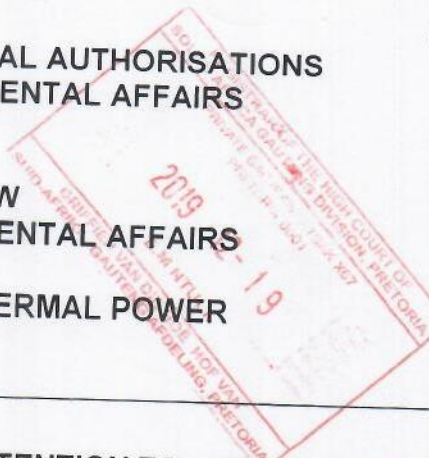
Second Respondent

**THE DIRECTOR:
APPEALS AND LEGAL REVIEW
DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

Third Respondent

**ACWA POWER KHANYISA THERMAL POWER
STATION (RF) (PTY) LIMITED**

Fourth Respondent



APPLICANT'S NOTICE OF INTENTION TO AMEND IN TERMS OF RULE 28(1)

BE PLEASED TO TAKE NOTICE that the Applicant intends amending its notice of motion as follows:

1. By inserting the following paragraph before the current paragraph 1:

"1. *It is declared that the environmental authorisation with reference number 12/12/20/2067 expired on or about 31 October 2018 and has no force and effect.*"
2. By inserting the following line above the current paragraph 1:

“ 2. In the alternative to paragraph 1 above:”

3. By renumbering paragraph 1 as paragraph 2.1, and by replacing the numbers and characters “12112/20/2067” with “12/12/20/2067” in the same paragraph.
4. By renumbering paragraph 2 as paragraph 2.2.
5. By renumbering paragraph 3 as paragraph 2.3.
6. By renumbering paragraph 4 as paragraph 2.4.
7. By replacing paragraph 5 with the following:

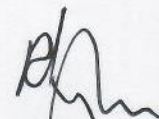
“3. In the alternative to paragraphs 2.1 to 2.4 above:”

8. By renumbering paragraph 5.1 as paragraph 3.1.
9. By renumbering paragraph 5.2 as paragraph 3.2.
10. By renumbering paragraph 5.2.1 as paragraph 3.2.1 and by replacing the numbers and characters “12112/20/2067” with “12/12/20/2067” in the same paragraph;
11. By renumbering paragraph 5.2.2 as paragraph 3.2.2.

12. By renumbering paragraph 5.2.3 as paragraph 3.2.3.
13. By renumbering paragraph 6 as paragraph 4.
14. By renumbering paragraph 7 as paragraph 5.

TAKE FURTHER NOTICE that unless written objection to the proposed amendment is delivered within 10 days of the delivery of this notice, the applicants will amend the notice of motion accordingly.

SIGNED at **PRETORIA** on this 17th DAY OF **DECEMBER 2019**.



(sgd) P J KRUYSHAAR

CENTRE FOR ENVIRONMENTAL RIGHTS

Applicant's Attorney

1 Scott Road

Observatory

Cape Town

Tel: 021 447 1647

Email: rhugo@cer.org.za

mkoyama@cer.org.za

Ref: CER 54.1/RH/NL/MMK

C/O DU PLESSIS & KRUYSHAAR

Office No. 2

Sovereign Drive

118 Route 21

Corporate Park Irene

Pretoria

Tel: 086 100 0779

Fax: 086 548 0837

Email: Kruyshaar@dupkruys.co.za

Ref: RK0050

**TO: THE REGISTRAR OF HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

AND TO: THE STATE ATTORNEY
 Attorney for the First, Second and Third Respondents
 Mr. Eben Snyman
 Old Mutual Centre, 8th Floor
 167 Andries Street
 Pretoria
 0001
 012 309 1628
 Email: Ebsnyman@justice.gov.za
 Ref: 6833/2017/Z46

STATE ATTORNEY	
RECEPTION	
2019-12-19	
PRIVATE BAG / PRIVAATSAK X91 (10) PRETORIA 0001	
STAATSPROKUREUR	

AND TO: FASKEN MARTINEAU
 Attorney for the Fourth respondent
 Office No.2, Building 2
 54 Wierda Road West
 Sandton
 Johannesburg
 2196
 South Africa
 Phone: +27 11 586 6000
 Email: rbhoora@fasken.com; lbezuidenhoudt@fasken.com
mwerner@fasken.com; jrushton@fasken.com
 Ref: Rakhee Bhoora/ Lara Bezuidenhoudt/ Julia Rushton/
 Margo Ann Werner/ 300231.00003
C/O SAVAGE JOOSTE ADAMS
 King's gate 5, 10th Street
 (Corner of Brooklyn Road & Justice Mohamed Street)
 Menlo Park,
 Pretoria,
 0081
 Tel: 012 452 8200
 Ref: Florette Storm
 Email: florettes@savage.co.za
 Ref: F168

SAVAGE JOOSTE ADAMS	
Accepted Without Prejudice Ontvang Sonder benadeling van regte	
2019-12-19	
Signature:	