

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

CASE NO: 11761/2021

In the matter between

MINING AND ENVIRONMENTAL JUSTICE COMMUNITY NETWORK OF SOUTH AFRICA	First Applicant
GROUNDWORK	Second Applicant
BIRDLIFE SOUTH AFRICA	Third Applicant
ENDANGERED WILDLIFE TRUST	Fourth Applicant
FEDERATION FOR A SUSTAINABLE ENVIRONMENT ASSOCIATION FOR WATER AND RURAL DEVELOPMENT	Fifth Applicant
THE BENCH MARKS FOUNDATION	Sixth Applicant
	Seventh Applicant

and

UTHAKA ENERGY (PTY) LTD	First Respondent
MEC FOR AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS, MPUMALANGA	Second Respondent
THE MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES	Third Respondent
THE MINISTER OF MINERAL RESOURCES AND ENERGY	Fourth Respondent
MINISTER OF HUMAN SETTLEMENTS, WATER AND SANITATION	Fifth Respondent
ACTING CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS, DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS, MPUMALANGA	Sixth Respondent
GERT SIBANDE DISTRICT MUNICIPALITY	Seventh Respondent
DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY	Eighth Respondent
THE WATER TRIBUNAL	Ninth Respondent
ESTATE LATE PIERRE WILLIAM BRUWER UYS	Tenth Respondent
OCCUPIER OF PORTION 1 OF THE FARM YZERMYN 96 HT	Eleventh Respondent

THE VOICE COMMUNITY REPRESENTATIVE COUNCIL

Twelfth Respondent

THE MABOLA PROTECTED
LANDOWNERS ASSOCIATION

ENVIRONMENT Thirteenth Respondent

FIRST RESPONDENT'S NOTICE OF INTENTION TO OPPOSE

KINDLY TAKE NOTICE THAT:

1. the First Respondent hereby gives notice of its intention to oppose the whole of the Applicants' review application;
2. the First Respondent hereby appoints **Fasken** (Incorporated in South Africa as Bell Dewar inc) as its attorneys of record;
3. in addition to the physical address referred to below, the First Respondent is prepared to accept service of all subsequent documents and notices at its attorneys' electronic mail address set out below.

Signed at Johannesburg on 8 March 2021

DocuSigned by:

Francois Joubert

796F781254644B8...

Fasken

(incorporated in South Africa as Bell Dewar Inc.)

First Respondent's Attorneys

Building 2

Inanda Greens

54 Wierda Road West

Sandton

Ref: Francois Joubert/Bianca Da
Costa/Catherine

Stark/317015.00001

Tel: (011) 586 6089

e-mail: fjoubert@fasken.com
bdacosta@fasken.com
cstark@fasken.com

Care of: Savage Jooste & Adams 3
Kings Gate
No 5 Tenth Avenue, Menlopark
PRETORIA
Tel: (012) 452-8200
Fax: (012) 452-8201
Email: refiloem@savage.co.za
Ref: R Mntambo/F191

To The Registrar of the above
Honourable Court

And **Centre for Environmental Rights**
to Applicants' Attorneys
Second Floor, Springtime Studios
1 Scott Road
Observatory
Cape Town
Tel: 021 447 1647
Email: chorsfield@cer.org.za /
nmia@cer.org.za/
tmuponde@cer.org.za

C/O: Gildenhuis Malatji Attorneys
Harlequins Office Park
164 Totius Street
Groenkloof
Pretoria
Tel: 012 428 8608 / 073 135 8770
Email: JSmalberger@gminc.co.za
Ref: Johan Smalberger

And **MEC for Agriculture, Rural**
to **Development, Land and**
Environmental Affairs,
Mpumalanga
Second Respondent
Building 6, Second Floor, Riverside
Park
7 Government Boulevard
Nelspruit
Tel: 013 766 6074
Fax: 013 766 8437 / 086 697 8998
Email: uismail@mpg.gov.za;
ndlanya@mpg.gov.za;
sithole@mpg.gov.za;
akoojeeaa@mpg.gov.za
Ref: Honourable Mandla Msibi

And to **The Minister of Environment,
Forestry and Fisheries**
Third Respondent
Environment House
473 Steve Biko Road (Cnr Steve
Biko and Soutpansberg Roads)
Arcadia
Pretoria
Tel: 012 310 3537 / 012 399 9141
Fax 086 593 6526
Email: minister@environment.gov.za;
msipilica@environment.gov.za;
labader@environment.gov.za;
fshaik@environment.gov.za;
mndamase@environment.gov.za
Ref: Honourable Barbara Creecy

And to **The Minister of Mineral Resources
and Energy**
Fourth Respondent
Floor 4, Block 2C
71 Trevenna Campus
Cnr Meintjies and Francis Baard
Streets
Sunnyside
Pretoria
Tel: 012 444 3999 / 012 444 3956
Email: vuyelwa.siyeka@dmr.gov.za;
buang.mokate@dmr.gov.za;
Sheila.maweni@dmr.gov.za;
Pieter.alberts@dmr.gov.za
Ref: Honourable Samson Gwede
Mantashe

And to **The Minister of Human Settlements, Water and Sanitation**
Fifth Respondent
Sedibeng Building
185 Francis Baard Street
Pretoria
Tel: 012 336 7500
Email: francois.hugo@dhs.gov.za;
nenesi@dws.gov.za;
centralp@dws.gov.za;
loselop@dws.gov.za
Ref: Honourable Lindiwe Nonceba Sisulu

And to **Acting Chief Director: Environmental Affairs, Department of Agriculture, Rural Development, Land and Environmental Affairs, Mpumalanga**
Sixth Respondent
Building 6, Second Floor, Riverside Park
7 Government Boulevard
Nelspruit
Tel: 013 766 6020
Cellphone: 082 520 3680
Fax: 013 766 8429
Email: pnntuli@mpg.gov.za
Ref: Pamela Ntuli

And to **Gert Sibande District Municipality**
Seventh Respondent
Cnr Joubert and Oosthuise Streets
Ermelo
Mpumalanga

C/O Mohlala Attorneys
1 Macdonald Street
Ermelo
Mpumalanga
Tel: 017 811 3000
Email: info@mohlalainc.co.za;
habilec@gsibande.gov.za;
centrec@gsibande.gov.za;
info@mohlalainc.co.za
Ref: Mr Mohlala

And
to **Dr Pixley Ka Isaka Seme Local Municipality**
Eighth Respondent
Cnr Dr Nelson Mandela Drive and
Adelaide Thambo Street
Volksrust
Mpumalanga

C/O Mohlala Attorneys
1 Macdonald Street
Ermelo
Mpumalanga
Tel: 017 811 3000
Email: info@mohlalainc.co.za;
mm@pixleykaseme.gov.za
Ref: Mr Mohlala

And
to **The Water Tribunal**
Ninth Respondent
Sedibeng Building
185 Francis Baard Street
Pretoria
Tel: 012 336 7034 / 012 336 7709
Email: maber@dws.gov.za;
madimabes@dws.gov.za
Ref: Robert Mabe (Registrar)

And
to **Estate Late Pierre William Bruwer Uys**
Tenth Respondent

C/O Werksmans Attorneys
The Central
96 Rivonia Road
Sandton
2146
Tel: 011 535 8000
Fax: 011 535 8600
Email: cstevens@werksmans.com
Ref: Chris Stevens

And to **Occupier of Portion 1 of Yzermyn 96 HT**
Eleventh Respondent
Portion 1 of Yzermyn 96 HT
Mpumalanga

And to **The Voice Community Representative Council**
Twelfth Respondent

C/O Ayoob Kaka Attorneys
182 Barry Hertzog Avenue
Greenside
Johannesburg
Tel: 011 726 1710 / 011 726 1711
Email: kakalaw@mweb.co.za;
ebrahim@kakalaw.co.za
Ref: Ebrahim Kaka

And to **Mabola Protected Environment Landowners Association**
Thirteenth Respondent
Farm Schoongezicht
Volsrust
Mpumalanga
Email: pjuys@icloud.com
Ref: Piet Uys

And to **The State Attorney Pretoria**
Old Mutual Centre
Eighth Floor, 167 Andries Street
Pretoria
Tel: 012 309 1627 012 309 1554
Cellphone: 072 219 0627 / 073 841 5056 / 076 144 6762
Fax: 086 517 5732
Email: simathebula@justice.gov.za;
Lnkuna@justice.gov.za
Ref: Siphon Mathebula / Nyiko Lucky Nkuna

And **The State Attorney Nelspruit**
to Mpumalanga High Court Building
R104 Samora Machel Drive
West Acres
Third Floor, Admin Block, West Wing
Tel: 013 101 3722
Email:
stateattorneynelspruit@justice.gov.za
