

**IN THE HIGH COURT OF SOUTH AFRICA**  
**MPUMALANGA DIVISION, MBOMBELA (MAIN SEAT)**

**CASE NO: 1322/2021**

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** Fifth Applicant

**ASSOCIATION FOR WATER AND RURAL DEVELOPMENT** Sixth Applicant

**BENCHMARKS FOUNDATION** Seventh Application

And

**MEC FOR AGRICULTURE, RURAL DEVELOPMENT, LAND  
AND ENVIRONMENTAL AFFAIRS, MPUMALANGA** First Respondent

**UTHAKA ENERGY (PTY) LTD** Second Respondent

**MINISTER OF FORESTRY, FISHERIES AND THE  
ENVIRONMENT** Third Respondent

**MINISTER OF MINERAL RESOURCES AND ENERGY** Fourth Respondent

**THE MABOLA PROTECTED ENVIRONMENT** Fifth Respondent  
**LANDOWNERS ASSOCIATION**

**THE VOICE COMMUNITY REPRESENTATIVE COUNCIL** Sixth Respondent

**THE OCCUPIERS OF THE EXCLUDED PROPERTIES** Seventh Respondent

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**NOTICE OF INTENTION TO OPPOSE**

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**TAKE NOTICE** that the Second Respondent hereby gives notice of its intention to oppose the Applicant's application issued on 16 April 2021.

**TAKE FURTHER NOTICE THAT:**

1. The Second Respondent hereby appoints FASKEN (incorporated in South Africa as Bell Dewar Inc.) as their attorneys of record;
2. The Second Respondent hereby appoints the address of their attorneys as set out below as the address at which it will accept notice and service of all documents and pleadings in these proceedings; and
3. In addition to the physical address set out below, the Second Respondent is prepared to accept service of all notices, pleadings and documents in these proceedings at their attorneys' electronic mail addresses set out below.

Signed at Johannesburg on 11 May 2021.

DocuSigned by:  
*Abigail Butcher*  
945187BCE2424D6...

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**Fasken**  
(incorporated in South Africa as Bell Dewar Inc.)  
Second Respondents' Attorneys  
Building 2

Inanda Greens  
54 Wierda Road West  
Sandton

Ref: Francois Joubert / Bianca da  
Costa

Tel: 082 614 5717

Fax: (011) 586 6146

e-mail: [fjoubert@fasken.com](mailto:fjoubert@fasken.com)  
[bdacosta@fasken.com](mailto:bdacosta@fasken.com)

**C/O**

**Cronje, De Waal Skhosana Inc.**

Office Block 3 Mabuza House

1 Jakaranda Street

West Acres, Mbombela

Tel: 013 7551280

Fax: 013 7527079

Email: [schalk@cdwlaw.co.za](mailto:schalk@cdwlaw.co.za)

To: **THE REGISTRAR OF THE ABOVE  
HONOURABLE COURT**

And to: **CENTRE FOR ENVIRONMENTAL  
RIGHTS**

**Applicant's Attorneys**

2<sup>nd</sup> Floor, Springtime Studios

1 Scott Road

Observatory

Cape Town

Tel: (021) 447 1647

Email: [chorsfield@cer.org.za](mailto:chorsfield@cer.org.za) /

[nmia@cer.org.za](mailto:nmia@cer.org.za) /

[tmuponde@cer.org.za](mailto:tmuponde@cer.org.za)

Ref: Catherin Horsfield / Nabeelah  
Mia

By email

**C/O: DU TOIT-SMUTS AND  
PARTNERS**

Law Chambers, Van Niekerk Street,  
Mbombela

Tel: (013) 745 3200

Email: [stownsend@dtssmp.co.za](mailto:stownsend@dtssmp.co.za)

Ref: S TOWNSEND/mg/M6/21  
(CEN22/3)

And to: **MEC FOR AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS, MPUMALANGA**  
**First Respondent**

By email

Building 6, 2nd floor, Riverside Park  
7 Government Boulevard  
Neispruit  
Tel: (013) 766 6074  
Fax: (013) 766 8437 / 086 697 8998  
Email: mhlaboko@mpg.gov.za,  
pnntuli@mpg.gov.za,  
dagadamc@gmail.com,  
nontobekomashaba@gmail.com  
Ref: Honourable MEC Mandla Msibi

And to: **UTHAKA ENERGY (PTY) LTD**  
**Second Respondent**

By email

30B French Lane  
Morningside Ext 98  
Sandton  
2196  
Tel: (011) 883 1750  
Email:  
morgam.munsamy@athagroup.in  
Praveer.tripathi@athagroup.in  
Ref: Mr Morgam Munsamy

And to: **MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**  
**Third Respondent**

By email

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;  
fshaik@environment.gov.za;  
mndamase@environment.gov.za  
Ref: Honourable Minister Barbara Creecy

And to: **MINISTER OF MINERAL RESOURCES AND ENERGY**  
**Fourth Respondent**

By email

Floor 4, Block 20  
71 Trevenna Campus  
Cnr Meintjies and Francis Baard Streets  
Sunnyside  
Pretoria

Tel: (012) 444 3999/3956  
Fax: (012) 444 3145  
Email: [maizvuyelwa.siyeka@dmr.gov.za](mailto:maizvuyelwa.siyeka@dmr.gov.za);  
[sheila.maweni@dmr.gov.za](mailto:sheila.maweni@dmr.gov.za);  
Ref: Honourable Minister Gwede Mantashe

And to: **THE MABOLA PROTECTED ENVIRONMENT LANDOWNERS ASSOCIATION**  
**Fifth Respondent**

By email

Hospital Street 2U  
Volksrust  
Email: [pjuys@icloud.com](mailto:pjuys@icloud.com)  
Ref: Piet Uys

And to: **THE VOICE COMMUNITY REPRESENTATIVE COUNCIL**  
**Sixth Respondent**

By hand

1534 Phumuia Location,  
Vukuzakhe  
Volksrust  
Ref: Mr Thabiso Nene

And to: **THE OCCUPIERS OF THE EXCLUDED PROPERTIES**  
**Seventh Respondent**

By hand

Occupiers of Portion 1 of Kroemhoek  
93 HT  
Mpumalanga

And to: **THE OCCUPIERS OF THE EXCLUDED PROPERTIES** Seventh Respondent By hand

Occupiers of Remainder of Kroemhoek 93 HT Mpumalanga

And to: **THE OCCUPIERS OF THE EXCLUDED PROPERTIES** Seventh Respondent By hand

Occupiers of Remainder of Yzermyn 96 HT Mpumalanga

And to: **THE OCCUPIERS OF THE EXCLUDED PROPERTIES** Seventh Respondent By hand

Occupiers of Goedgevonden 95HT Mpumalanga

And to: **THE STATE ATTORNEY NELSPRUIT** By email

Mpumalanga High Court Building  
R104 Samora Machel Drive  
West Acres  
3<sup>rd</sup> Floor, Admin Block, West Wing  
Nelspruit  
Tel: (013) 101 3722  
Email:  
Stateattomeynelspruit@justice.gov.z  
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