

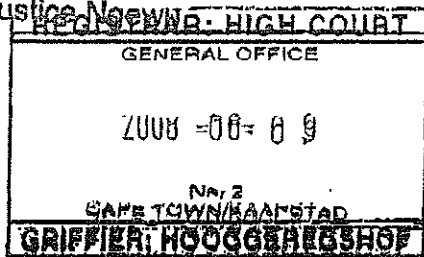
Draft Order Modl Cont Order

2008/10

IN THE HIGH COURT OF SOUTH AFRICA
(CAPE OF GOOD HOPE PROVINCIAL DIVISION)

Before the Honourable Mrs Justice Noewen
Monday, 9 June 2008

Case No: 9247/08



In the matter between:

THE PREMIER OF THE WESTERN CAPE PROVINCE

Applicant

and

THE CITY OF CAPE TOWN

Respondent

DRAFT ORDER

Having heard counsel for the applicant,

IT IS ORDERED THAT:

1. That a rule nisi do issue calling upon the respondent to show cause to this honourable court on 18 June 2008 at 10h00 or so soon thereafter as the matter may be heard as to why a final order should not be granted in the following terms:

Filed by: The State Attorney
Ref: Ms M Luter
Tel: 021 441 9200

1.1 That the respondent makes available all community halls falling under its control, including those identified on annexure "X" to the notice of motion, for purposes of temporarily accommodating displaced foreigners until such time as the respondent can settle them in a temporary settlement area;

1.2 Interdicting and restraining the Metro Police from preventing displaced foreigners from leaving the Soetwater camp or any other camp where they may be presently accommodated;

1.3 That the respondent pays the costs of this application, including the costs attendant upon the employment of two counsel.

2. That pending the return day hereof:

2.1. the community halls identified on annexure "X" to the notice of motion shall be made immediately available to temporarily accommodate the foreigners; and

2.2. the Metro Police are interdicted and restrained from preventing any foreigner from leaving any of the camps under the control of the respondent;

3. That the applicant is granted leave to supplement these papers and to amplify the relief sought in the notice of motion, if necessary, by 15h00 on

13 June 2008;

4. That the registrar of the High Court is authorised to serve this order by giving telephonic notice thereof to any official of the respondent for purposes of gaining access to the Municipal halls tonight;

5. That the application, supporting affidavits and court order be served upon the respondent by the sheriff;

6. *The respondent is entitled to anticipate the return day heretofore. It is with notice to applicant's attorney as per record.*

BY ORDER OF COURT

REGISTRAR: HIGH COURT
GENERAL OFFICE
2008 -06- 09
No. 2
CAPE TOWN/KAAPSTAD
GIBBER: H0066R0000

COURT REGISTRAR

TEMPORARY ACCOMODATION SITES

A DISCUSSION WAS HELD BETWEEN THE PDMC AND THE DEPARTMENTS SOCIAL DEVELOPMENT AND COMMUNITY SAFETY REGARDING THE RELOCATI OF PEOPLE FROM SOETWATER TO THE VARIOUS COMMUNITY HALLS IN THE CI THESE INCLUDE:

1.	Scotsdene Youth Centre, Municipal Hall in Kraaifontein	700 / 2
2.	Bothasig Community Hall, Du Noon	300 / 150
3.	Khayalitsha Resource Centre, Municipal Hall, Khayalitsha	350 / 57
4.	Leibrandt Van Niekerk, Municipal Hall	300 / 0
5.	Masibambane Hall, Municipal Hall	300 / 70
6.	Phillipi East, Municipal Hall	300 / 64
7.	KTC Centre, Municipal Hall	300 / 71
8.	Sarepta Multi Purpose Centre, Kuilsriver	600 / 90
9.	Richwood Community Centre, Du Noon	200 / 110
10.	Scarborough Municipal Hall	300 / 0
11.	Summergreens Municipal Hall, Du Noon	150 / 273
12.	Zolani Centre, Municipal Hall	300 / 85
13.	Tableview Community Hall	300 / 76
14.	Soloman Mhlangu, Municipal Hall, Khayalitsha	250 / 120
15.	Site B, Community Hall	300 / 140
16.	Belville Civic Centre	250 / 107
17.	Andile Msisi Hall, Khayalitsha	200 / 80
18.	Retreat Civic Centre	300 / 0
TOTAL		5 700 / 1 495