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**RESOLUTION**  
**OF THE**  
**OBSERVATORY CIVIC ASSOCIATION**

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1. **WHEREAS** the Constitution of the Observatory Civic Association (OCA) states that the OCA's objectives are (*inter alia*):
  - to identify, express and address the concerns of the community within the boundaries of the Association;
  - to represent the interests of the community in civic matters; and
  - to promote an active interest in, and to consider the policies and affairs of the City of Cape Town and of the sub-council of which Observatory is part; and
  
2. **WHEREAS** on 20 August 2020 the Department of Environmental Affairs and Development Planning (DEADP) granted an environmental authorisation for the proposed River Club Development on erf 151832, Liesbeeck Parkway, which is bounded by Liesbeeck Parkway and Observatory roads, (DEA&DP Reference Number: 16/3/3/1/A7/17/3001/20); and
  
3. **WHEREAS** on 18 September 2020 the City of Cape Town's North Western Municipal Planning Tribunal (MPT) resolved to approve the application for rezoning, approval of council and deviations from City policies in terms of the Municipal Planning By-law, 2015, to enable the proposed River Club Development to proceed (case number 70396369); and
  
4. **WHEREAS** the OCA views the River Club development as harmful to the interests of the members of the OCA and consequently:
  - (a) lodged an appeal against the environmental authorisation on 9 September 2020; and
  - (b) instructed attorneys (Cullinan and Associates Incorporated) to lodge an appeal against the MPT's decision, on behalf of the OCA, to the City of Cape Town Planning Appeals Panel, which appeal was lodged on the 26<sup>th</sup> October; and
  
5. **WHEREAS** the OCA is aware that if these appeals are unsuccessful, it will be necessary to institute a High Court review to prevent the River Club Development from going ahead as soon as reasonably possible, and that it may be necessary to instruct attorneys urgently to take the necessary action to safeguard the interests of the OCA; and

6. **WHEREAS** the Management Committee will ensure that funding to support any such legal action will have been secured or is likely to have been secured by the time court action begins;
7. **NOW THEREFORE** this AGM of the OCA on 24<sup>th</sup> November 2020 resolves:
- a. to reaffirm the OCA's opposition to the River Club development as damaging to the environment, destructive of the heritage significance of the site and a violation of civic democracy; and
  - b. to authorise the Management Committee of the OCA:
    - i. to engage the paid services of attorneys to advise on the prospects of succeeding in any proposed High Court Review of the MPT's decision to approve the rezoning application for the River Club Development and/or, the DEADP Environmental Authorisation for the River Club Development; and
    - ii. to institute any legal proceedings to stop the River Club Development as may, in the opinion of the Management Committee, be expedient and desirable, and to continue with that litigation until it is finally concluded; and
    - iii. to grant any power of attorney and sign any documents on behalf of the OCA as may be necessary or desirable to give effect to this resolution.

Proposed: Leslie London

Seconded: Sheila Barsel

14<sup>th</sup> November 2020