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IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Case No. _____

In the matter between:

**THOZAMA ANGELA ADONISI
AND OTHERS**

First Applicant

and

**MINISTER FOR TRANSPORT AND PUBLIC WORKS:
WESTERN CAPE
AND OTHERS**

First Respondent

SUPPORTING AFFIDAVIT OF ATHENKOSI NKAMPULE

I, the undersigned,

ATHENKOSI NKAMPULE

do hereby make oath and say:

1. I am 26 year old adult male currently residing 59, 170 Dondonga Maseka Street, Kuyasa in Khayelitsha, Cape Town. I work as an organiser for Inkululeko in Mind, a youth organisation based in Khayelitsha.

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2. The facts set out herein are within my personal knowledge, unless the context indicates otherwise, and are true and correct. Where I refer to information conveyed to me by others, I believe it to be true and correct. All legal submissions are made with the advice of the applicants' legal representatives.
3. I have read the draft of the Founding Affidavit in this application and confirm those aspects of the Founding Affidavit that pertain to me. I also ask the Above Honourable Court to grant the relief as set out in the Founding Affidavit of Ms Adonisi and in the Notice of Motion in this application.

PERSONAL BACKGROUND

4. I was born in 1990 in Site C, an informal settlement in Khayelitsha where I lived with my family until 2006 when we relocated to Kuyasa, Khayelitsha in 2006. I live with my mother and father, Nosizwe, and Zanemvula and three siblings.
5. My mother is a domestic worker in the City of Cape Town ("the City"). My father is not formally employed and works as a construction worker when work is available. My brother is a taxi driver and both my sisters are students.
6. I attended Isikhokelo Primary School and Intlanganiso High School, where I matriculated. Both schools are in Site C, Khayelitsha. My experiences of growing up and living in Khayelitsha, which I describe below, stirred in me my activist spirit, which led me to join Inkululeko in Mind in 2012.

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7. Inkululeko in Mind is an organisation that provides a platform for young people to empower themselves through activist education and self-development. I am a founder of the organisation and currently work as a community organiser of Inkululeko in Mind. On Sunday afternoons, we host weekly seminars in Kuyasa with book readings, poetry sessions, documentary screening and discussions about current affairs and motivational talks, and we documentaries. We have also organised site visits around Cape Town to create a sense of belonging in the City.
8. Through the organisation, I have been exposed to learning and understanding the basis for the social ills and challenges that people living in places such as Khayelitsha face on a daily basis.
9. I am acutely aware of the spatial challenges that residents from Khayelitsha endure on a daily basis. Thousands of Khayelitsha's residents, including gardeners, domestic workers, restaurant staff, cleaning staff or security guards undertake long trips of up to one hour in and out of the City's CBDs and suburbs in various modes of transport including overcrowded and often unreliable trains, buses and taxis. My mother travels to her various employers from Khayelitsha to Cape Town's suburbs every day. She has been doing for as long as I can remember.
10. She is 50 years old now and often complains about the tiring and arduous journey. The trains are often overcrowded with people streaming out of train doors, hanging onto the side rails of the train or in between the carriages. She also has to be aware of "tsotsis" who rob passengers, especially vulnerable women such as my

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mother. We often read in the newspapers and hear from people, about how people travelling by train to the townships have been robbed and thrown from moving trains, injuring or killing them.

INTEREST IN LAND JUSTICE IN CAPE TOWN

11. Although my family and I live in a government subsidised house in Kuyasa, I believe that these dormitory styled homes are not a perfect, nor only solution. While upgrading and improving access to housing and services in the townships is necessary and important, my hope is that today's generation of young people will be able to truly access and claim spaces in, or closer to the City as our homes.
12. Growing up in places such as Khayelitsha can leave one with a sense of hopelessness and dejection. Being a part of the City, would provide us with a sense of freedom, especially mental freedom from the continual stress, anxiety and dangerous conditions of the townships.
13. I took an interest in the campaign for urban land justice through Inkululeko in Mind's association with Ndifuna Ukwazi ("NU"). Between 2014 and 2015, I was enrolled in NU's fellowship programme where I undertook various courses, including politics, law and society, the history of struggle and a course in leadership training. During and after this programme, myself and other Inkululeko in Mind members regularly used NU's offices as a place from which to work in the CBD. Through my interactions with the organisation, I became increasingly interested in NU's mission to improve access to affordable housing in and around the City.

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14. I have learnt and am advised that a publication of notice of any proposed disposal of provincial state land must take place in the provincial gazette and in an Afrikaans and English and isiXhosa newspaper circulating in the province in terms of section 3(2) of the Western Cape Land Administration Act 6 of 1998.
15. I have been an avid reader of *The Vukani*, an isiXhosa community newspaper, for over a decade. *The Vukani* is distributed weekly, on a Thursday, and in my opinion is one of the most widely read isiXhosa newspapers in Cape Town's townships with a readership of approximately 325 000. The newspaper is available publicly, including in shops and clinics.
16. To the best of my knowledge, I do not recall seeing any notices of the disposal of the Tafelberg property or any other state owned properties in *The Vukani* newspaper. Had I seen the advert in *the Vukani*, and had it indicated clearly that the Tafelberg Property was to be sold, I would, at the very least, have advised my organisation Inkululeko in Mind or another organisation such as Ndifuna Ukwazi to make a representation objecting to this sale.



ATHENKOSI NKAMPULE

The Deponent has acknowledged to me that he knows and understands the contents of this affidavit, which affidavit was signed and sworn to or before me at 10 April Harare on this 10 day of April 2016 the

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regulations contained in Government Notice No. R1258 of 21 July 1972, having been complied with.

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W.W.
Benjamin
COMMISSIONER OF OATHS

AMAPOLINA OMBUDSMAN OFFICE
FINDING FRONT OFFICE
7 U APR 2016
SUD-APRIL KANGSE POLISREGENS

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