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WATER TRIBUNAL MATTERS

NO	NAMES	NATURE	OFFICE	STATUS OF THE CASE	SUGGESTED SOLUTION
1	H. S Human and 19 Others (Ref. TM)	(Water License) This is an appeal against the Department's refusal of an application for permanent surrender from Zandbuid to Haallus Estate 64. Application failed to meet the requirements of Section 27(1) (b) of the NWA, 1998	Water Use Component	The matter was defended, documents filed. The matter was set down for hearing on 15 March 2012. The Appellants submitted their financials on the date of the hearing. The Department will consider the documents submitted by the Appellants within 30 days with a view to reconsider the Responsible Authority's decision. The matter is pending.	Legal Services and Water Use Component to meet with a view to reconsider the Responsible Authority's decision because the Appellant submitted their financial statements.
2	DRD Gold South Africa Operations (TM)	This is an appeal against a Directive issued in terms of Section 19 (1) of the National Water Act, 1998 by DWA	Gauteng Region	We have forwarded reasons for the Department's decision to the Water Tribunal. The parties agreed to keep the matter in abeyance pending the outcome of the feasibility study to determine liability and apportionment of liability between the parties.	Legal Services and Gauteng Region to meet and discuss the matter and map a way forward.
3	Mintails SA (Pty) Ltd (TM)	This is an appeal against a Directive issued in terms of Section 19 (1) of the National Water Act, 1998 by DWA	Gauteng Region	We have forwarded reasons for the Department's decision to the Water Tribunal. The parties agreed to keep the matter in abeyance pending the outcome of the feasibility study to determine liability and apportionment of liability between the parties.	Legal Services and Gauteng Region to meet and discuss the matter and map a way forward.

4	Rand Uranium (Pty) Ltd (Ref: TM)	This is an appeal against a Directive issued in terms of Section 19 (1) of the National Water Act, 1998 by DWA	Gauteng Region	We have forwarded reasons for the Department's decision to the Water Tribunal. The parties agreed to keep the matter in abeyance pending the outcome of the feasibility study to determine liability and apportionment of liability between the parties.	Legal Services and Gauteng Region to meet and discuss the matter and map a way forward.
5	Mr. CP Cilliers (Ref: TM)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	Gauteng Region	Exchanging pleadings	The parties may come together and exploit settlement possibilities
6	Mithunzine Conservancy (Ref: TM)	(Appeal against DWA decision to grant Exarro an amendment to water license) Appeal against a decision of DWA to grant Exarro KZN Sands (Pty) Ltd and amendment to its water use licence no. 21169147 on October 2011.	Water Use Component	Exchanging pleadings	The parties may come together and exploit settlement possibilities
7	P C Becker (TM)	(Directive) Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	Gauteng Region	Exchanging pleadings	The parties may come together and exploit settlement possibilities.

8	P Nel, PLSP Trust and Lindsay Boerdery CC (TM)	<p>(Water Use License)</p> <p>Appeal against DWA decision not to grant application for permanent surrender of 21,5 ha allocate water use from the remaining extent of Blaubanksdriif 195 to remaining extent of Nootgedacht Minor 119 of the National Water Act, 1998</p>	Water Use Component		<p>Legal Services to meet with client with a view to reconsider the Responsible Authority's decision because the Appellant submitted the financial statements.</p>
9	Farm Doorentfontein (TM)	<p>(Directive)</p> <p>Appeal against a directive in terms of section 53(1) of the National Water Act, 1998</p>	Limpopo	Exchanging pleadings	<p>The Department issued a premature directive. Legal Services and the Limpopo Regional Office to have a meeting with a view of reconsidering the decision when the directive was issued.</p>
10	Van Ransburg (TM)	<p>(Directive)</p> <p>Appeal against a directive in terms of section 35(4) of the National Water Act, 1998</p> <p><u>WATER USE LICENSE</u></p>	Gauteng Region	Exchanging pleadings	<p>The parties may come together and exploit settlement possibilities.</p>
11	Carel Van De Merwe Trust (TS)	<p>Appeal against DWA decision to refuse the license application in terms of section 40 of the National Water Act, 1998</p>	N/A	Case referred to Letsema for reconsideration of the application and Water use License was granted.	<p>Matter pending</p>

12	Leonard Straughair (TM)	(Directive) Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	North West	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
13	Andre Fransie Tonkin N.O (TM)	(Water Use License) Appeal against a directive in terms of section 33 of the National Water Act, 1998	N/A	Exchanging pleadings	
14	P J Van Reenen (TM)	(Directive) Appeal against DWA decision refusing to grant water use licence because the catchment and/or area is water stressed	Water Use Component	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
15	Vierplaas Boerdery BK (TM)	(Water Use License) Appeal against a directive in terms of section 118(3) of the National Water Act, 1998	Water Use Component (Dam Safety Section Pretoria)	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
16	SJO De Villiers (TM)	(Water Use License) Appeal against DWA decision refusing to grant water use licence application in terms of section 25(2) of the National Water Act, 1998.	Water Use Component	Exchanging pleadings	The parties may come together and exploit settlement possibilities.

17	Sandtrap Boerdery CC (TM)	(Decision to object proposed allocation schedule) Appeal against DWA decision in terms of section 45(2)(C) of the National Water Act, 1998	Northern Cape	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
18	Stedma Belegings (Pty) Ltd (TM)	(Water Use License) Appeal against DWA decision refusing to grant water use licence application in terms of section 25(2) of the National Water Act, 1998	Water Use Component	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
19	J A Van Niekerk (TM) HJD Boerdery CC (Ref 27/2/1/C12G/ 20034437/65 1 IR/5-35) (TS)	(Directive) Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	Gauteng Region	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
20	HJD Boerdery .CC (Ref 27/2/1/C12G/ 20034428/65 1 IR/4-35) (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
21	HJD Boerdery .CC (Ref 27/2/1/C12G/ 20034428/65 1 IR/4-35) (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending

22	HJD Boerdery CC (Ref 27/2/1/C12G/ 20034455/65 3 IR/0-35) (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
23	HJD Boerdery CC (Ref 27/2/1/C12G/ 20032590/65 2 IR/4-35) (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
24	HJD Boerdery CC (Ref 27/2/1/C12G/ 20034482/66 2 IR/0-35 (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
25	HJD Boerdery CC (Ref 27/2/1/C12G/ 20032581/65 2 IR/16-36 (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
26	HJD Boerdery CC (Ref 27/2/1/C12G/ 20034491/66 1 IR/0-35 (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
27	HJD Boerdery CC (Ref 27/2/1/C12G/ 20034507/65 3 IR/8-35 (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending

28	HJD Boerdyer CC (Ref 27/21/C12G/ 20034375/10 28FR/0-35 (TS)	Appeal against a directive in terms of section 35(4) of the National Water Act, 1998	N/A	Exchanging pleadings	Matter pending
29	Ibhubesi Ore Exploration (Pty) Ltd (TM)	Appeal against DWA decision refusing to grant water use licence application in terms of section 40 of the National Water Act, 1998	Water Use Component	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
30	Willie De Lange (TM)	Appeal against a directive in terms of section 53(1) of the National Water Act, 1998	Cape Town	Exchanging pleadings	The parties may come together and exploit settlement possibilities.
31	Creditrace (Pty) Ltd (TM)	(Water Use License) Appeal against DWA decision refusing to grant water use licence because the catchment and/or area is water stressed.	Water Use Component	Exchanging pleadings	The parties may by agreement convene a settlement negotiation process.
32	Federation for Sustainable Environment (TM)	(Water Use License) Appeal against DWA decision granting water use licence to Chemwes (Pty) Ltd.	Water Use Component	The matter was set down for hearing on 01 December 2012 to argue whether the Appellant have locus standi to appeal to the Tribunal. The Water Tribunal ruled that the Appellant does not have locus standi. The Appellant appealed the decision of the Tribunal to the High Court. The matter is not set down yet, the	Still waiting for the matter to be set down for hearing

				parties are still exchanging pleadings. DWA filed opposition papers.	
33	Elmansuri Family Trust (TS)	Directive This is an appeal against the section 53(1) Directive issued against the construction of illegal dams	Mpumalanga	The Department is opposing the appeal. The matter was before the Water tribunal on 19 April 2012 and was postponed sine die for the appointment of the Chairperson of the Water tribunal.	The parties may come together and exploit settlement possibilities.
34	Oorgrens Landgoed LTD (TS)	Water license refusal This is an appeal against the department's refusal to grant a Water use License.	Water Use section	We are opposing this appeal which was postponed sine die by the Water Tribunal on 16 December 2011.	The parties may by agreement convene a settlement negotiation process.
35	Mpumalanga Lakes Group and Northern Coal LTD (TS)	Appeal against the Granting of WULA Appeal by Mpumalanga Lakes against the granting of a Water use License to North Coal Mine.	Water Use Section	Water use Section	It's a complicated matter which involves three parties who are at variance with each other and attempt to reach an amicable solution may not yield positive results.
36	LS Du Plessis	Appeal against Water licence refusal Water license	N/A	Water use Section	
37	HC Van Wvk Diamond LTD (TS)	This is an appeal against the refusal to grant a section 40 Water Use License.	Water Use Section	We are opposing the appeal which was postponed sine die on 12 March 2012 for the appointment of the Chairperson of the Water Tribunal.	The parties may meet an exploit a possible amicable settlement.

38	CG Troski and Troski LTD (TS)	<u>Water license</u> Appeal against the refusal of a section 40 Water Use License Application for non compliance with section 27(1) (b). <u>Water license</u> Appeal against the refusal of a section 40 Water Use License as the areas regarded to be water stressed.	Water Use Section	We are opposing this appeal which was postponed sine die in 10 June 2009.	The parties may meet and explore an amicable solution regarding the requirements of section 27(1)(b).
39	Impumelelo Communal Group (TS)	<u>Water license</u> Appeal against the refusal of a section 40 Water Use License as the areas regarded to be water stressed. <u>Directive</u> This is an appeal against a section 53(1) Directive concerning an illegal dam construction.	Water Use Section	We are opposing this appeal due to the fact that the area is water scarce.	The parties may meet to discuss the matter for a possible settlement as the appellant is of the view that they have an existing water use.
40	Northern Ocean Inv.58 (TS)	<u>Directive</u> Appeal against a section 53(1) Directive ordering the appellant to undertake some remedial work for impeding the natural flow of water in a water course. <u>Directive</u> Appeal against a section 53(1) Directive ordering the appellant to undertake some remedial work for impeding the natural flow of water in a water course.	Western Cape Region	We are opposing the appeal as the appellant has no authorization to build the dam	The parties may explore settlement negotiations as they are of the view that their dam is compliant with all legal requirements.
41	Implala Platinum Mine (TS)	<u>Directive</u> Appeal against the illegal dumping of rubbles in a wetland by the Appellants <u>Water Use License</u> Appeal against the Department's refusal to grant a Water use License to the Appellant	North West Region	We are opposing the appeal as the appellant's conduct is in contravention of the NWA in that they did not obtain authorization to impede the flow of water	The parties may explore negotiations for an amicable solution as the appellant's act was for a good cause.
42	Rose and Sons and Ross Demolition (TS)	<u>Directive</u> Appeal against the illegal dumping of rubbles in a wetland by the Appellants <u>Water Use License</u> Appeal against the Department's refusal to grant a Water use License to the Appellant	Western Cape Region	The appeal is opposed due to the fact that the Appellant cannot provide sound reasons as to why the rubbles were dumped in the wetland area.	The parties may explore possible settlement negotiations as the issues are capable of being settled.
43	Dorstronstein Coal Mines (PTY) LTD (TS)	<u>Water Use License</u> Appeal against the Department's refusal to grant a Water use License to the Appellant	Mpumalanga Region	The appeal will be opposed due to the fact that the reasons advanced by the Appellant for the appeal are not persuasive.	The parties may initiate a negotiation process with a view of reaching an amicable solution.

44	Deo Volenti Trust to Willie Pretorius Trust (TS)	<u>Water Use License</u> Appeal against the department's refusal to grant a Water use License to the Appellant	Free state Region	The opposed appeal came before the Water Tribunal on 23 July 2010 and was postponed sine die to allow the parties to engage each other for a possible negotiated solution.	The parties may still engage each other in a bid to reach an amicable solution.
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