



Centre for Environmental Rights

Advancing Environmental Rights in South Africa

Mr Robert Mabe
Registrar, Water Tribunal
By email: maber@dws.gov.za

And to: Mr Sifiso Mkhize
Director-General (Acting), Department of Water and Sanitation
By email: centralp@dws.gov.za

And to: Mr Puseletso Loselo
Chief Director: Legal Services, Department of Water and Sanitation
By email: loselop@dws.gov.za

And to: Atha-Africa Ventures (Pty) Ltd
By email: morgam.munsamy@athagroup.in

Your ref: Appeal No: WT 03/17/MP
Our ref: Mabola WUL Appeal CH/SP/ZO
1 December 2017

Dear Sirs

APPEAL IN TERMS OF SECTION 148 OF THE NATIONAL WATER ACT, 1998, READ WITH THE WATER TRIBUNAL RULES, BY ENDANGERED WILDLIFE TRUST AND OTHERS AGAINST THE DECISION TO ISSUE A WATER-USE LICENCE TO ATHA- AFRICA VENTURES (PTY) LTD IN RESPECT OF ITS PROPOSED YZERMYN UNDERGROUND COAL MINE

1. We refer to our letter dated 23 November 2017 and now enclose our clients' supplementation of their appeal.
2. For the convenience of the Water Tribunal and the parties, the supplementation has been inserted into the original appeal and substantive amendments to that original appeal are indicated in bold font. Our clients' appeal is therefore contained in the enclosed submission and no cross-referencing to the original appeal is necessary.
3. We again respectfully refer to Rule 5(2) of the Water Tribunal Rules which provides that the matter be set down on notice of at least 21 days before the scheduled hearing. We wish to reserve our expert and Counsel respectively for the hearing of the appeal, and make the necessary flight and accommodation arrangements. We confirm that they are available on 13 to 15 February 2018. We request that the hearing of the appeal is set down on these dates as at this stage, their simultaneous availability is not guaranteed at another time, given other commitments.
4. Thank you for your kind consideration.

Cape Town: 2nd Floor, Springtime Studios, 1 Scott Road, Observatory, 7925, South Africa
Johannesburg: 9th Floor, Southpoint CNR, 87 De Korte Street, Braamfontein, 2001, South Africa
Tel 021 447 1647, Fax 086 730 9098
Email info@cer.org.za, www.cer.org.za

Yours faithfully

CENTRE FOR ENVIRONMENTAL RIGHTS



per:

Catherine Horsfield

Attorney

Programme Head: Mining

Direct email: chorsfield@cer.org.za

