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Your reference

I Sampson / Kam  
TRAN2988.22

Our reference

O Geldenhuys / N Thema  
3044509

Date

28 January 2021

Dear Madam and Sir

**High Court review - Centre for Environmental Rights / Minister of Environment, Forestry and Fisheries; Minister of Mineral Resources and Energy; Regional Manager: Ministerial Regulation, Western Cape Regional Office & others (WCHC 13446/2020)**

1. We refer to the above matter.
2. We acknowledge receipt on 18 January 2021 of the record of proceedings of the Minister of Mineral Resources and Energy ("DMR") and the Regional Manager: Mineral Regulation, Western Cape Regional Office.
3. Our client also received, on 21 January 2021, a portion of the record of decision of the Deputy Director-General of the DMR (the "**Deputy DG**") in the section 96(1) appeal by our client against the decision of the DMR in terms of section 102 of the MPRDA to consent to the extension of the Tormin mining operations of Mineral Sands Resources (Pty) Ltd on the West Coast. The record of decision of the Deputy DG in the appeal is of relevance to the High Court review.
4. However, the record of the Deputy DG was not supplied timeously and is being made available to us in a piecemeal fashion. We will provide all parties with copies of the Deputy

WW Letter To The State Attorney And SW In Review 280121(16078334 1)

Partners in office at Cape Town: **Office Managing Partner:** G Fitzmaurice **Partners:** RB Africa AE Bennett AR Bowley SJ Chong KM Colman R Cruywagen MA Dlemont HJ du Preez LF Egypt AE Esterhuizen MJR Evans OH Geldenhuys PM Holloway SJ Hutton AV Ismail S Jooste LA Kahn ACR Katzke A Keyser CS Meyer LE Mostert RA Nelson A October K Rew H Samsodien J Smit RS Smith PZ Vanda DM Visagie AWR WestwoodSenior Partner: JC Els **Managing Partner:** SJ Hutton **Partners:** BW Abraham RB Africa NG Alp RL Appelbaum DC Bayman KL Bellings AE Bennett AP Blair DHL Booysen AR Bowley J Braum MS Burger M Bux RI Carrim T Cassim SJ Chong C Collett KL Collier KM Colman KE Coster K Couzyn DB Cron PA Crosland R Cruywagen JH Davies PM Daya L de Bruyn PU Dela M Denenga DW de Villiers BEC Dickinson MA Dlemont DA Dingley G Driver W Drue HJ du Preez CP du Toit SK Edmundson LF Egypt KH Eiser AE Esterhuizen MJR Evans K Fazel AA Felekis G Fitzmaurice JB Forman KL Gawith OH Geldenhuys MM Gibson CI Gouws PD Grealy S Haroun JM Harvey JS Henning KR Hillis Z Hlophe CM Holfeld PM Holloway AV Ismail ME Jarvis CA Jennings JC Jones CM Jonker S Jooste LA Kahn ACR Katzke M Kennedy A Keyser MD Kota JC Kraamwinkel J Lamb E Louw M Mahlangu V Mannar L Marais MC McIntosh SJ McKenzie CS Meyer AJ Mills D Milo NP Mngomezulu M Moloi LE Mostert VM Movshovich RA Nelson G Niven ZN Ntshona M Nxumalo AN Nyatumba A October L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel GR Penfold SE Phajane M Philippides BA Phillips MA Phillips D Ramjattan GI Rapson K Rew SA Ritchie NJA Robb G Sader M Sader H Samsodien JW Scholtz KE Shepherd AJ Simpson N Singh N Singh-Nogueira P Singh S Sithole J Smit RS Smith MP Spalding PS Stein MW Straeuli LJ Swaine Z Swanepoel A Thakor T Theessen TK Thekiso C Theodosiou T Theunissen R Tihavani G Truter PZ Vanda SE van der Meulen JP van der Poel CS Vanmali JE Veeran B Versfeld MG Versfeld TA Versfeld DM Visagie EME Warmingtton J Watson AWR Westwood RH Willson M Yudaken **Chief Operating Officer:** SA Boyd

DG's record of decision once we have received a more comprehensive set of documentation.

5. We are instructed by our client that it will file a supplementary affidavit in the High Court review as soon as it has been placed in a position to peruse all the relevant documentation.

Yours faithfully



**WEBBER WENTZEL**

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