

IN THE WATER TRIBUNAL

Appeal No: WT 01/19/MP

In the appeal between:

BLACK GOLD COAL ESTATES (PTY) LTD

APPELLANT

AND

THE DEPARTMENT OF WATER AND SANITATION

FIRST RESPONDENT

DIRECTOR GENERAL: SPECIAL PROJECTS

SECOND RESPONDENT

ORDER BY CONSENT

By agreement between the parties, confirmed at the hearing of the Water Tribunal by respective counsel for all the parties, it is ordered that:

1. The decision of the Deputy Director-General: Special Projects of the Department of Water and Sanitation of 9 November 2018 (Dept. Reference 16/2/7/W511/C/2), refusing the Appellant's application for an integrated water use licence for the Lusthof Colliery be, and is hereby set aside.
2. The First Respondent undertakes, and is directed, to advise the Appellant on or before 31 January 2022 what, if any, additional information and/or designs and/or studies it requires from the Appellant to enable it to reconsider the Appellant's application.

3. The Second Respondent undertakes, and is directed, to reconsider the Appellant's application and notify the Appellant of its decision in regard thereto, within 120 days of the receipt of such additional information and/or designs and/or studies requested in terms of paragraph 2 above, such notification to be in writing accompanied by reasons for the decision.

DATED AT PRETORIA ON THIS 29th DAY OF NOVEMBER 2021.



TUMAI MUROMBO

Additional Member, Water Tribunal (Panel Chairperson)



UNATHI MBEKI

Additional Member, Water Tribunal.