

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION, JOHANNESBURG**

CASE NUMBER:  
2018/14778

In the matter between:

**EZULWINI MINING COMPANY (PTY) LTD**

**Applicant**

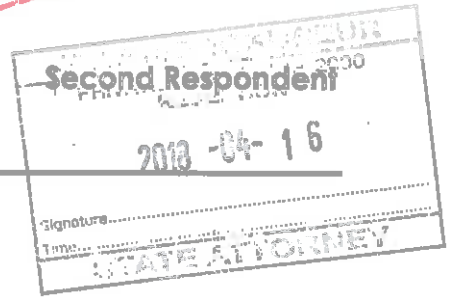
and

**REGIONAL MANAGER: MINERAL REGULATION  
GAUTENG REGION,  
DEPARTMENT OF MINERAL RESOURCES**



**First Respondent**

**MINISTER OF MINERAL RESOURCES**



**Second Respondent**

**NOTICE OF MOTION**

**KINDLY TAKE NOTICE** that the Applicant intends to make application to the above Honourable Court on Wednesday, 2 May 2018 at 10h00 or as soon thereafter as counsel may be heard for an order in the following terms:

1. directing that this matter is heard as one of urgency in accordance with the provisions of Uniform Rule 6(12) and condoning the failure of the Applicant to comply with the forms and service provided for in the Uniform Rules of Court;
2. directing the First Respondent, within 14 days of the grant of this order, to grant or to refuse environmental authorisation for the cessation of

pumping and associated decommissioning of the underground workings of the Applicant's Ezulwini mine situated on the following farms: Farm Jachtfontein Number 344, Farm Klipgat Number 700, Farm Modderfontein Number 345 and Farm Waterpan Number 292, Registration Division IQ, situated in the Rand West City Local Municipality, within the West Rand District Municipality;

3. granting the Applicant leave to apply on the same papers, duly supplemented, for further relief in the event that the First Respondent does not comply with any order granted by the above Honourable Court in this application;
4. ordering the First Respondent to pay the costs of this application and, in the event that Second Respondent opposes this application, ordering the Second Respondent to pay the costs of this application jointly and severally, the one paying the other to be absolved;
5. further and/or alternative relief.

**KINDLY TAKE NOTICE FURTHER** that the affidavit of **GRANT MICHAEL STUART** will be used in support of this application.

**TAKE NOTICE FURTHER** that the Applicant has appointed the address of its attorneys below as the address at which it will accept notice and service of all process in these proceedings.

**TAKE NOTICE FURTHER** that if you intend opposing the relief sought you are required:

- (a) to notify the Applicant's attorneys in writing on or before **16 April 2018**;

- (b) to appoint in such notification an address referred to in Rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings; and
- (c) to file your answering affidavits, if any, on or before **20 April 2018**.

**KINDLY** place the matter on the roll for hearing accordingly.

DATED AT Parkwood ON THIS THE 12<sup>th</sup> DAY OF APRIL 2018.



**WARBURTON ATTORNEYS**

**Applicant's Attorneys**

53 Dudley Road

Corner Bolton Avenue

Parkwood

JOHANNESBURG

Tel: 011 447 6848

Fax: 011 447 6868

Cell: 082 890 6459

Email: [catherine@warburtons.co.za](mailto:catherine@warburtons.co.za)

Ref: Ezulwini


TO:

The Registrar of the above Honourable Court  
JOHANNESBURG

AND TO:

**REGIONAL MANAGER: MINERAL REGULATION  
 GAUTENG REGION  
 DEPARTMENT OF MINERAL RESOURCES**  
 First Respondent  
 78 De Korte Street  
 Corner of De Beer Street  
 Mineralia Building  
 Braamfontein  
 JOHANNESBURG

**Kindly acknowledge receipt of documentation:**  
 Name: Machel Michan  
 Position: Registry Clerk  
 Date received: 13 | 04 | 2015  
 Stamp:



AND TO:

**MINISTER OF MINERAL RESOURCES**  
 Second Respondent  
 2nd Floor, Block 2B  
 Trevenna Campus  
 75 Meintjies Street  
 Corner of Meintjies and Francis Baard Streets  
 Sunnyside  
 PRETORIA  
 c/o **THE STATE ATTORNEY**  
 Salu Building  
 316 Thabo Sehume Street  
 Corner Francis Baard Street  
 PRETORIA

**Kindly acknowledge receipt of documentation:**  
 Name: \_\_\_\_\_  
 Position: \_\_\_\_\_  
 Date received: \_\_\_\_\_  
 Stamp:

**STATE ATTORNEY**  
 RECEPTION  
 2018 -04- 13  
 PRIVATE BAG/PRIVAATSAK X91  
 PRETORIA 0001 (3)  
**STAATSPROKUREUR**

**STATE ATTORNEY**  
 RECEPTION  
 2018 -04- 16  
 1130  
**STAATSPROKUREUR**