

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

CASE NO: 50779/17

In the matter between:

MINING AND ENVIRONMENTAL JUSTICE COMMUNITY NETWORK OF SOUTH AFRICA	First Applicant
GROUNDWORK	Second Applicant
EARTHLIFE AFRICA, JOHANNESBURG	Third Applicant
BIRDLIFE SOUTH AFRICA	Fourth Applicant
ENDANGERED WILDLIFE TRUST	Fifth Applicant
FEDERATION FOR A SUSTAINABLE ENVIRONMENT	Sixth Applicant
ASSOCIATION FOR WATER AND RURAL DEVELOPMENT	Seventh Applicant
BENCH MARKS FOUNDATION	Eighth Applicant
and	
MINISTER OF ENVIRONMENTAL AFFAIRS	First Respondent
MINISTER OF MINERAL RESOURCES	Second Respondent
ATHA-AFRICA VENTURES (PTY) LTD	Third Respondent
THE MABOLA PROTECTED ENVIRONMENT LANDOWNERS ASSOCIATION	Fourth Respondent
MEC FOR AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS, MPUMALANGA	Fifth Respondent

AFFIDAVIT

I,

ANDREW CLIFFORD JOHNSTONE

state under oath that:

- 1 I am the founder and Managing Director of GCS (Pty) Ltd (GCS), an environmental, water and consulting company based in South Africa.

- 2 I have the following qualifications: a Bachelor of Science (with Honours) in Geography and Geology, and a Master of Science in Hydrogeology, both obtained at Rhodes University. I have more than 30 years' experience in water and environmental consulting in the mining, industrial, waste, oil and agricultural sectors in Africa. I am a Professional Natural Scientist (Reg. No. 400192/87) registered with the South African Council for Natural Scientific Professions (SACNASP).

- 3 In addition, I am a member of the following societies/associations: the International Mine Water Association, the Geological Society of South Africa including its Groundwater Division, the International Association of Hydrogeologists, and the Institute of Waste Management, South Africa.

- 4 My key areas of expertise include mining-related hydrogeology, environmental investigations and waste disposal management. In respect of the first, I have undertaken mining-related hydrology and hydrogeology investigations for coal, gold, platinum, base metal and heavy mineral sand mines in Africa.



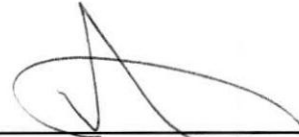
J.W

- 5 The facts set out in this affidavit fall within my personal knowledge and belief, except where the context indicates otherwise, and are true and correct.
- 6 I have read the founding affidavit deposed to by Thelma Thandekile Nkosi and the supplementary founding affidavit deposed to by Sven Eaton Patrick Peek and confirm that both of their contents are true and correct insofar as they pertain to GCS and me.
- 7 In particular, I confirm that GCS drafted the report entitled "*IWULA [integrated water-use licence application], IWUL [integrated WUL] and Specialist Investigation Review of the Yzermyn Colliery Mpumalanga*", dated 18 November 2016, referred to as "the GCS review" in the founding affidavit and as "the original GCS review" in the supplementary founding affidavit, and that GCS undertook the work described in the report. The CER commissioned GCS to update its original review in order to take into account a revised version of a specialist report by Scientific Aquatic Services CC entitled "*Wetland Ecological Assessment as part of the Environmental Assessment and Authorisation Process for the proposed Yzermine (sic) Coal Mining Project*", dated May 2015, referred to as "the SAS 2015 assessment" in the supplementary founding affidavit. I confirm that, pursuant thereto, GCS drafted a revised report dated 1 December 2017, referred to as "the revised GCS review" in the supplementary founding affidavit, and that GCS undertook the work described therein.



J.N

8 I confirm that the statements in the founding affidavit and supplementary founding affidavit regarding the aforesaid GCS reports and their findings are accurate.



ANDREW CLIFFORD JOHNSTONE

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at RIVONIA on this the 14 day of DECEMBER 2017, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.



COMMISSIONER OF OATHS

Full names: JUSTIN ASHLEY JOSE NORRIS

Address: 63 WESSEL ROAD RIVONIA

Capacity: PROFESSIONAL ACCOUNTANT



COMMISSIONER OF OATHS (RSA)

Justin Ashley Jose Norris

Professional Accountant (SA) : 24733

63 Wessel Road, Rivonia

Johannesburg



J.N