

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

CASE NO: 50779/17

In the matter between:

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

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**EIGHTH APPLICANT'S SUPPORTING AND CONFIRMATORY AFFIDAVIT**

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C.T.

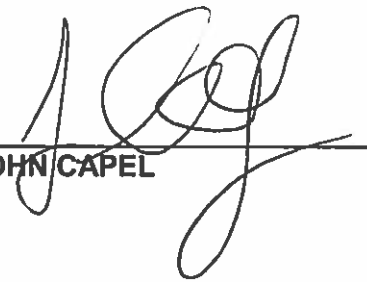
I,

**JOHN CAPEL**

state under oath that:

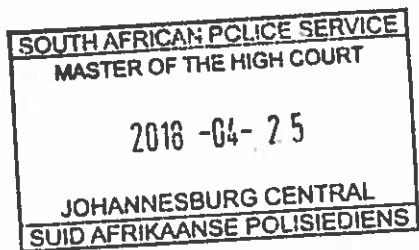
- 1 I am duly authorised to depose to this affidavit on behalf of the Bench Marks Foundation.
- 2 The facts set out in this affidavit fall within my personal knowledge and belief, except where the context indicates otherwise, and are true and correct.
- 3 On 19 June 2017 the Bench Marks Foundation resolved, amongst other aspects, to institute this application. A copy of that resolution appears in the Supplementary Notices File in this application at paginated pages 40 to 41.
- 4 I have read the Founding Affidavit and Replying Affidavit deposed to by Thelma Thandekile Nkosi, and the Supplementary Founding Affidavit and Replying Affidavit deposed to by Sven Eaton Patrick Peek. I agree with the contents thereof and also specifically confirm the allegations that pertain to the Bench Marks Foundation.

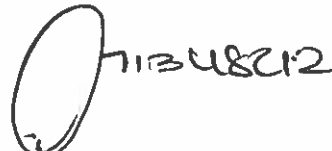


  
JOHN CAPEL

I certify that:

1. the deponent acknowledged to me that –
  - (a) he knows and understands the contents of this declaration;
  - (b) he has no objection to taking the prescribed oath;
  - (c) he considers the prescribed oath to be binding on his conscience;
2. the deponent thereafter uttered the words "I swear that the contents of this declaration are true, so help me God";
3. the deponent signed this declaration in my presence at the address set out hereunder on 25 April 2018.



  
011348212  
COMMISSIONER OF OATHS  
Full names: CT. Legashina  
Address: 66 Marshall Street, master of  
Capacity: Magistrate Court