



**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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**NOTICE OF SET DOWN: SPECIAL MOTION**

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**TAKE NOTICE** that the above matter has been set down for hearing as a special motion in the above Honourable Court on **Tuesday, 16 October 2018, Wednesday, 17 October 2018 and Thursday, 18 October 2018, at 10am** or so soon thereafter as the matter may be heard.

**TAKE NOTICE FURTHER** that a copy of the Honourable Deputy Judge President's directive dated 24 April 2018 is attached hereto.

**DATED at PRETORIA on this 30<sup>TH</sup> day of APRIL 2018.**



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**CENTRE FOR ENVIRONMENTAL RIGHTS**  
Applicants' Attorneys  
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1 Scott Road  
Observatory  
Cape Town  
Tel: 021 447 1647  
Email: chorsfield@cer.org.za; spowell@cer.org.za  
Ref: Catherine Horsfield  
**C/O: DU PLESSIS AND KRUYSHAAR INC.**  
Suite No. 2, Route 21 Corporate Park  
118 Sovereign Drive  
Irene  
Pretoria  
Tel: 0861 000 779  
Fax: 086 548 0837  
Ref: Rentia Kruyshaar

**TO:**

**THE REGISTRAR**  
of the above Honourable Court  
**PRETORIA**

AND TO:

**THE STATE ATTORNEY**

Attorney for the 1<sup>st</sup>, 2<sup>nd</sup> and 5<sup>th</sup> Respondents

SALU Building

316 Thabo Sehume Street

PRETORIA

Tel: 012 309 1500

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Ref: Siphon Mathebula

AND TO:

**GF JOUBERT ATTORNEYS**

Attorney for the 3<sup>rd</sup> Respondent

3 Oak Fields, 67 Portobello Drive

Highveld Ext 7, 0169

PRETORIA

Cell: 083 680 2075

Fax: 086 501 8742

Email: joubert@gfjattorneys.co.za

Ref: Francois Joubert

AND TO:

**THE MABOLA PROTECTED ENVIRONMENT LANDOWNERS ASSOCIATION**

4<sup>th</sup> Respondent

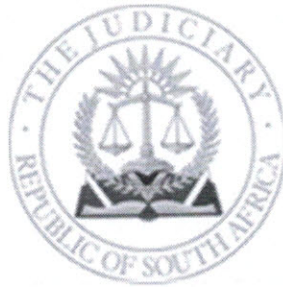
Farm Schoongezicht

VOLKSRUST

Mpumalanga

Tel: 084 3206 071

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**OFFICE OF THE DEPUTY JUDGE PRESIDENT A P LEDWABA  
HIGH COURT OF SOUTH AFRICA, GAUTENG PROVINCIAL DIVISION, PRETORIA**

Gauteng High Court Building, Cnr. Madiba (Vermeulen) & Paul Kruger Str, Room 7.15, Seventh Floor  
Tel. (012) 315 7572– Fax. (012) 315 7600 – Direct Fax. 0864085021 – E-mail: [MTroskie@judiciary.org.za](mailto:MTroskie@judiciary.org.za)

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24 APRIL 2018

TO: **CENTRE FOR ENVIRONMENTAL RIGHTS**  
Email: [chorsfield@cer.org.za](mailto:chorsfield@cer.org.za)  
Your Ref: C Horsfield  
Our Ref: 50779/17/DJP LEDWABA/MT

TO: **G F JOUBERT ATTORNEYS**  
Email: [joubert@gfjattorneys.co.za](mailto:joubert@gfjattorneys.co.za)  
Your Ref: Francois Joubert  
Our Ref: 50779/17/DJP LEDWABA/MT

TO: **THE STATE ATTORNEY**  
Email: [simathebula@justice.gov.za](mailto:simathebula@justice.gov.za)  
Your Ref: Sipho Mathebula  
Our Ref: 50779/17/DJP LEDWABA/MT

TO: **THE MABOLA PROTECTED ENVIRONMENT LANDOWNERS ASS**  
Email: [malansp@vodamail.co.za](mailto:malansp@vodamail.co.za)  
Your Ref:  
Our Ref: 50779/17/DJP LEDWABA/MT

Dear Sir / Madam

**RE: SPECIAL MOTION: MINING AND ENVIRONMENTAL JUSTICE  
COMMUNITY NETWORK OF SA & OTHERS / MINISTER OF  
ENVIRONMENTAL AFFAIRS & OTHERS  
CASE NO: 50779/17**

1. The above matter refers.
2. The matter is hereby set down as a special motion on **16, 17 & 18 OCTOBER 2018**. You are directed to serve and file **the notice of set down together**

**with a copy of this letter attached to it within 7 (seven) days after receipt hereof**, failing which the allocated date(s) of hearing will lapse and the date may be allocated to other litigants who applied for a special motion date. **The notice of set down must be filed at the office of the Deputy Judge President, 7<sup>th</sup> Floor, Room 7.15, High Court Building.**

3. I direct that:

3.1 The respondents should file their answering affidavit by no later than **16 MARCH 2018.**

3.2 The applicants should file their replying affidavit by no later than **6 APRIL 2018.**

3.3 The applicants should file their heads of argument and practice note by no later than **26 APRIL 2018.**

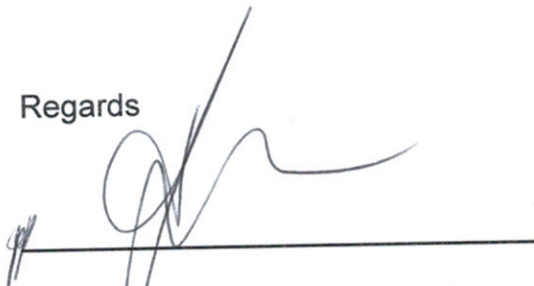
3.4 The respondents should file their heads of argument and practice note by no later than **18 MAY 2018.**

4. For proper administration and allocation of special motions, the Applicant should deliver the court file duly indexed and paginated to my office not later than **3 MAY 2018** and the parties should also send via email ([MTroskie@judiciary.org.za](mailto:MTroskie@judiciary.org.za)) to my office a Joint Practice Note and Chronology of events by no later than **19 JUNE 2018** containing the following:

- Names of the parties and the case number
- Names and telephone numbers of all counsel in the Motion
- Nature of the motion
- Issues to be determined in the application
- Relief sought at the hearing by the party on whose behalf counsel is appearing
- An estimate of the probable duration of the application

- Number of pages in the application and whether or not all papers need to be read and if not, which portion need not be read
5. **All queries and/or communications concerning the hearing of this matter must be directed to my office in writing. All documents and the court file must be filed at the office of the Deputy Judge President on the 7th floor, High Court.**
  6. It remains the duty of the **all legal representatives** to ensure that the court file has been properly indexed and paginated in time and that all documents have been filed accordingly as directed at the office of the Deputy Judge President, High Court Pretoria, 7<sup>th</sup> Floor, Room 7.15.
  7. Should it, for any reasons, transpire that this matter will not proceed on the given date, you are directed to inform the Office of the Deputy Judge President, immediately.
  8. None availability of counsel representing any of the parties shall simply not be allowed as a reason for the matter not to proceed on the date of hearing arranged with my office.
  9. **Should the above directive not be complied with, the matter may not be allocated to a Judge and the allocated dates will be utilized for other deserving cases.**

Regards

A handwritten signature in blue ink, appearing to be 'A P Ledwaba', is written over a horizontal line. The signature is stylized and somewhat cursive.

**A P LEDWABA  
DEPUTY JUDGE PRESIDENT  
HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**