



**REFERENCE:** 19/2/5/4/F2/3/WL0038/18

The Municipal Manager  
Cederberg Local Municipality  
Private Bag X2  
**CLANWILLIAM**  
7320

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**For attention:** Jacob Klaase

**WASTE MANAGEMENT PERMIT FOR THE FURTHER OPERATION OF CITRUSDAL WASTE DISPOSAL FACILITY, PLOT 2369 OF THE FARM PETERSFIELD 455, DIVISION OF CITRUSDAL**

## WASTE MANAGEMENT PERMIT

### A. DECISION

I, Eddie Hanekom, in my capacity as the Director: Waste Management of the Department of Environmental Affairs and Development Planning (hereinafter referred to as "the Department"), in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), as amended (NEM: WA), hereby in terms of the provisions of section 54 (1) a and d of NEM:WA, as amended, replace the existing Permit (Ref.: B33/2/500/18/P59) issued by the then Department of Water Affairs and Forestry (now Department of Water and Sanitation), and issue this Permit (hereafter "the Permit") with effect from the date of expiry of the appeal period set out, or the finalisation of an appeal, as provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) National Appeal Regulations, published as Government Notice (GN) No. R. 993 of 8 December 2014, to the abovementioned Permit Holder, for the continued operation of the Citrusdal Waste Disposal Facility (WDF) on Plot 2369 of the Farm Petersfield 455, Citrusdal (hereinafter referred to as "the Facility").

**B. DESCRIPTION OF THE ACTIVITY:**

The activities for this Facility as per the Minimum Requirements for Waste Disposal by Landfill of the Department of Water Affairs and Forestry, Second Edition (DWAF, 1998) (referred to as "Minimum Requirements"), and the NEM:WA National Norms and Standards for Disposal of Waste to Landfill (Government Notice (GN) No. R 636) of 23 August 2013, will entail but not limited to the following:

- (a) Disposal of general waste
- (b) Composting of general organic waste
- (c) WDF Site Auditing
- (d) Gate or weighbridge recording procedures
- (e) Volume Surveys
- (f) Collection and processing of other data
- (g) Leachate and water quality monitoring
- (h) Gas monitoring
- (i) Air quality monitoring
- (j) Monitoring of rehabilitated areas
- (k) Management of health of workers

The granting of this Permit is subject to compliance with the conditions set out in Section C. In this Permit, "Director" means the Director: Waste Management of the Western Cape Department of Environmental Affairs and Development Planning, who may be contacted at the address below:

Director: Waste Management  
Department of Environmental Affairs and Development Planning  
Private Bag X 9086  
**CAPE TOWN**  
8000

In this Permit, "Director: RPW" means the Director: Resource Protection and Waste of the Department of Water and Sanitation: Western Cape Provincial Operations who may be contacted at the address below:

Director: RPW: Western Cape Provincial Operations  
Department of Water and Sanitation  
Private Bag X16  
**SANLAMHOF**  
7532

**C. PERMIT CONDITIONS**

**PERMIT NUMBER:** 19/2/5/4/F2/3/WL0038/18  
**WASTE APPLICATION:** FURTHER OPERATION OF THE CITRUSDAL WDF  
**FACILITY CLASSIFICATION:** CLASS B/ G:S:B-  
**LOCATION:** PLOT 2369 OF THE FARM PETERSFIELD 455, CITRUSDAL  
**PERMIT HOLDER:** CEDERBERG LOCAL MUNICIPALITY  
**CONTACT PERSON:** THE MUNICIPAL MANAGER OR THE DESIGNATED WASTE  
MANAGER/OFFICER  
**ADDRESS:** PRIVATE BAG X2, CLANWILLIAM, 7320

**1. LOCATION**

1.1. This Permit authorises the establishment, development and operation of a waste disposal site on Plot 2369 of the farm Petersfield 455, Division of Citrusdal (hereinafter referred to as "the Site") according to the report by Watertek (file number 6/423/1), dated 23 March 1992 (hereinafter referred to as "the Report"), submitted by the Permit Holder. The Site will be contained within the boundaries of Plot 2369 of the farm Petersfield 455.

1.2. The location of the entrance to the property, on which the Facility is situated, is as follows:

**Table 1-1:** Footprint of the Facility

Latitude (S)	Longitude (E)
32°34'40.33"S	19° 0'50.83"E

1.3. The boundaries of the Facility must be according to co-ordinates below:

**Table 1-2:** Location of the Facility

Corner Points	Latitude (S)	Longitude (E)
1	32°34'40.80"S	19°00'50.49"E
2	32°34'39.55"S	19°00'55.14"E
3	32°34'41.64"S	19°00'58.85"E
4	32°34'46.20"S	19°00'52.29"E

1.4. The footprint of the Facility and its associated infrastructure is approximately 25 000m<sup>2</sup>.

1.5. The Surveyor General 21 Digit code of the Facility is as follows: C02000000000055500004.

**2. PERMISSIBLE WASTE**

2.1. Any portion of the Facility as demarcated in condition 1.3, may be used for the disposal of general waste. Only waste that is classified as general waste, according to the NEM:WA or any current

and future Norms and Standards developed by the Department Environmental Affairs, is permitted.

- 2.2. If more than 80m<sup>3</sup> of hazardous waste is going to be stored at the Facility, registration in terms of the relevant NEM:WA National Norms and Standards for the Storage of Waste (Government Notice No. 926 of 29 November 2013) must be adhered to.
- 2.3. The Permit Holder shall take all reasonable steps to ensure that:
  - 2.3.1. no hazardous waste; and
  - 2.3.2. no health care waste, including pharmaceutical waste, as defined by the Western Cape Health Care Waste Management Act, 2007, (Act No. 7 of 2007), be disposed of at the Facility.
- 2.4. The Permit Holder must prevent the acceptance of any waste not authorised at the Facility.
- 2.5. All waste loads must be checked at the gate to prevent the disposal of waste not permitted by this Permit.
- 2.6. Organic waste is allowed to be disposed of at the Facility, but must be in accordance with the Organic Waste Diversion Plan, targets and procedures referred to in conditions 17.7.1 and 17.7.2 of the Permit.

### **3. APPOINTMENT OF A WASTE MANAGEMENT CONTROL OFFICER/ENVIRONMENTAL CONTROL OFFICER**

- 3.1. The waste management activities that are authorised by this Permit, must be managed by fit and proper persons who are competent in respect of the responsibilities to be undertaken by them.
- 3.2. A Waste Management Control Officer (WMCO) or Environmental Control Officer (ECO) must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Permit.
- 3.3. The WMCO/ ECO must:
  - 3.3.1. report any non-compliance with any Permit conditions or requirements or provisions of NEM:WA to the Licensing Authority through means reasonably available;
  - 3.3.2. monitor the closure activities and ensure that the closure plans are in accordance with the engineering designs; and
  - 3.3.3. identify and submit potential measures to the Permit Holder and the Director in respect of waste minimisation, including the reduction, recovery, re-use and recycling of waste.

### **4. CONSTRUCTION**

- 4.1. The Facility or any portion thereof may only be used for the disposal of permissible waste if the Facility or any such portion has been constructed or developed according to condition 4 of this Permit.
- 4.2. Construction and further development of the Facility shall be done according to the Report.
- 4.3. Construction and further development of the Facility shall be done under the supervision of a competent person proposed by the Permit Holder and approved by the Director.
- 4.4. After construction of the Facility or any extension thereof, the Permit Holder shall notify the Director before disposal may commence on the Facility. The Facility shall be inspected by an official of the Department and the person referred to in condition 4.3. If the Director is satisfied with the construction of the Facility and has given written permission, the Permit Holder may use the Facility for the disposal of waste.

- 4.5. The Permit Holder shall take all reasonable steps, such as suitable zoning and/or written agreement from current landowners, to establish and maintain an unbuilt area or "buffer zone" of 350 metres between the Site and the nearest residential areas.
- 4.6. Works shall be constructed and maintained on a continuous basis by the Permit Holder to divert and drain from the Facility in a legal manner, all runoff water arising on land adjacent to the Facility, which could be expected as a result of the estimated maximum precipitation during a period of 24 (twenty four) hours with an average frequency of once in fifty years (hereinafter referred to as the "estimated maximum precipitation"). Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.7. Works shall be constructed and maintained on a continuous basis by the Permit Holder to divert and drain from the working face of the Facility, all runoff water arising on the Facility, which could be expected as a result of the estimated maximum precipitation and to prevent such runoff water from coming into contact with leachate from the Facility. Such works shall, under the said rainfall event, maintain a freeboard of half a metre and be lined to the satisfaction of the Director and Director: RPW, to prevent pollution to groundwater.
- 4.8. Runoff water referred to in condition 4.7 shall comply with the quality requirements as prescribed by the Director and Director: RPW which may be determined from time to time and shall be drained from the Facility in a legal manner.
- 4.9. Runoff water referred to in condition 4.7 which does not comply with the quality requirements applicable in terms of condition 4.8 and all sporadic leachate from the Facility shall, by means of works which shall be constructed and maintained on a continuous basis by the Permit Holder:
  - 4.9.1. be discharged into any convenient sewer if accepted by the Authority in control of that sewer,
  - 4.9.2. be treated to comply with the aforementioned standard and discharged in a legal manner; and/or,
  - 4.9.3. with the written approval of the Director be evaporated in dams.
- 4.10. Works constructed in compliance with condition 4.8 shall be of such a capacity as to accommodate all runoff and leachate which could be expected as a result of the estimated maximum precipitation. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.11. Works constructed in compliance with condition 4.9 shall be of a capacity to accommodate all runoff and leachate which could be expected as a result of the estimated maximum precipitation. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.12. The Facility shall be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.
- 4.13. The maximum height of the Facility above ground level shall not exceed 25 metres.
- 4.14. The slope of the sides of the Facility shall be constructed in such a manner that little or no erosion occurs.
- 4.15. The Permit Holder shall make provision for adequate sanitation facilities at the Facility.

## **5. FACILITY SECURITY AND ACCESS CONTROL**

- 5.1. Weatherproof, durable and legible notices in at least 3 (three) official languages applicable to the area, shall be displayed at each entrance to the Facility. These notices shall prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the Permit Holder and the person responsible for the operation of the Facility.

- 5.2. The Licence Holder must prevent unauthorised access to the Facility, by having the Facility enclosed with a fence and a gate with the same height.
- 5.3. The Permit Holder shall ensure effective access control.
- 5.4. The Permit Holder shall ensure that all the entrance gates are manned during the hours of operation and locked outside the hours of operation.
- 5.5. The Permit Holder shall take all reasonable steps to maintain service roads in a condition which ensures unimpeded access to the Facility for vehicles transporting waste and to keep the roads free of waste.

## **6. FACILITY MANAGEMENT AND OPERATIONS**

- 6.1. Waste disposed of on the Facility shall be compacted and covered on a daily basis with a minimum of 150 millimetres of soil or other material approved by the Director.
- 6.2. The Permit Holder shall take all reasonable steps to ensure the Facility is operated in a manner which shall prevent the creation of nuisance conditions or health hazards, such as vectors (flies and vermin), exposed waste, dust, windblown litter, obnoxious odours and noise.
- 6.3. Reclamation of waste may not occur at the Facility
- 6.4. The Permit Holder shall keep a record of the volume and nature of the waste materials which are reclaimed and report this on an annual basis to the Director.
- 6.5. Waste may not be burned at the Facility.
- 6.6. An Emergency Response Plan (ERP) must be developed, and all staff must be trained in the implementation thereof. The ERP should be regularly updated and must include fire evacuations, injury on duty, accidents, and procedures to be followed should unexpected hazardous waste enter the Facility.
- 6.7. The Facility must comply with the Noise Control Regulations P.N. 200/2013, as promulgated under the Environmental Conservation Act, 1989 (Act No. 73 of 1989).
- 6.8. The Permit Holder must ensure that a stockpile of at least 3 (three) weeks of suitable cover material is available at all times.
- 6.9. Areas that will not be used for waste disposal for longer than a year must be covered with a minimum of at least 200 (two-hundred) millimetres of suitable cover material.
- 6.10. A copy of this Permit must be kept at or near the place the Facility where the waste listed activities will be undertaken. The Permit must be produced to any authorised official of the Department who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein, and must be made available for inspection by any employee or agent of the Permit Holder who works or undertakes work at the Facility.

## **7. ENVIRONMENTAL POLLUTION INVESTIGATIONS**

- 7.1. If, in the opinion of the Director, any environmental pollution, nuisances or health risks may be or is occurring on the Facility, the Permit Holder must investigate the cause of the problem and take reasonable steps to alleviate the problem in consultation with the Director.
- 7.2. Should the investigation carried out as per Condition 7.1 above reveal any unacceptable levels of pollution, the Permit Holder must submit a report with mitigation measures to the satisfaction of the Director.

## **8. MONITORING**

### **8.1. WATER MONITORING**

- 8.1.1. A ground water monitoring system must be implemented and maintained by the Permit Holder to the satisfaction of the Director and Director: RPW, so that unobstructed sampling, as required in terms of this Permit, can be undertaken.
- 8.1.2. Monitoring boreholes shall be equipped with lockable caps. The Director and Director: RPW reserves the right to take water samples at any time and to analyse these samples or have them analysed.
- 8.1.3. Surface water monitoring must be performed in all storm water drain outlets that discharges to the natural environment and adjacent to the Facility at locations selected in conjunction with and at such a frequency and at same frequency as prescribed by the Water Quality Monitoring Protocol approved by the Director: RPW through the Western Cape Provincial Government.

### **8.2. DETECTION MONITORING**

- 8.2.1 Monitoring shall be conducted on a biannual (twice per year) basis during late summer and late winter to capture seasonal variation, for the water quality variables as agreed by the Director and the Director: RPW.

### **8.3. INVESTIGATIVE MONITORING**

- 8.3.1. If, in the opinion of the Director and Director: RPW, a water quality variable referred to in condition 8.2, shows an increasing trend, the Permit Holder shall initiate a monthly monitoring programme.

### **8.4. POST-CLOSURE MONITORING**

- 8.4.1. Groundwater monitoring by the Permit Holder, in accordance with condition 8.2 or 8.3, shall commence immediately upon closure of the Facility and be maintained for a period of 30 (thirty) years, or such lesser period as may be determined by the Director and Director: RPW.

### **8.5. FURTHER INVESTIGATIONS**

- 8.5.1. If, in the opinion of the Director and Director: RPW, groundwater, surface water and/or air pollution have occurred or may possibly occur, the Permit Holder shall conduct the necessary investigations and implement additional monitoring and rehabilitation measures, which shall be to the satisfaction of the Director and Director: RPW.

## **9. MONITORING METHODS AND PARAMETERS**

- 9.1. The Permit Holder shall carry out all tests in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act No. 8 of 2008), to analyse the samples taken under the monitoring programmes specified in condition 7.
- 9.2. The Permit Holder may only use another method of analysis if written proof that the method is at least equivalent to the SABS method, is submitted to the Director and the Director: RPW.
- 9.3. The Permit Holder must put in place a monitoring and measurement plan that must inter alia include:
  - 9.3.1. mass (in tonnes or kilograms) received;
  - 9.3.2. waste types and sources;
  - 9.3.3. air quality monitoring; and

- 9.3.4. an annual (once per year) topographical survey submitted to the Director in the form of an Airspace Determination Report, which must estimate the remaining volume of airspace on the Facility and the remaining lifetime for the disposal of waste at the Facility.

## **10. AUDITING**

### **10.1. INTERNAL AUDITS**

- 10.1.1. Internal audits must be conducted quarterly (four times per year) by the Permit Holder and on each audit occasion an official report as per Condition 10.2.6 must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in condition 10.2.1 and the Department (if requested).

### **10.2. EXTERNAL AUDITS**

- 10.2.1. The Permit Holder must appoint an independent external auditor to audit the Facility annually (once a year) and this auditor must compile an audit report as per Condition 10.2.6 documenting the findings of the audit to the Department.
- 10.2.2. The audit report must specifically state whether conditions of this Permit are adhered to and must include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment.
- 10.2.3. The audit report must contain recommendations regarding non-compliance or potential non-compliance with the Permit conditions, and must specify target dates for the implementation of the recommendations by the Permit Holder.
- 10.2.4. The external audit report must be submitted to Environmental Monitoring Committee (hereinafter referred to as the "Monitoring Committee"), provided in condition 10 below, within 3 (three) months, from the date on which the external auditor finalised the report.
- 10.2.5. Each external audit must be submitted to the Director within 30 (thirty) days, from the date on which the external auditor finalised the report.
- 10.2.6. Both the internal and external audit reports must be in accordance with the format as prescribed by the Department.

### **10.3. DEPARTMENTAL AUDITS AND INSPECTIONS**

- 10.3.1. The Department and/or the Director: RPW reserves the right to audit and/or inspect the Facility at any time and at such a frequency as the Director and Director: RPW may decide, or to have the Facility audited or inspected.
- 10.3.2. The Permit Holder must make any records or documentation available to the Director and the Director: RPW upon request, as well as any other information the Director and Director: RPW may require.
- 10.3.3. The findings of these audits or inspections shall be made available to the Permit Holder within 60 (sixty) days of the end of the audit or inspection and shall not be treated as confidential.

## **11. MONITORING COMMITTEE**

- 11.1. The Permit Holder must take the necessary steps to establish, maintain and ensure the continued functioning of a Monitoring Committee for the normal operative lifetime of the Facility and for a period of at least 2 (two) years after the closure of the Facility, or such longer period as may be determined by the Director.



- 11.2. The Monitoring Committee shall be representative of relevant interested and affected persons and may consist of at least 3 (three) of the following representatives:
- 11.2.1. Permit Holder and/or his/her appointed consultant(s) or advisor(s);
  - 11.2.2. representative(s) of the Health, Environment and/or Waste Departments of the relevant local authority;
  - 11.2.3. representative(s) of this Department; and
  - 11.2.4. at least 3 (three) persons/parties, their representatives elected by the local residents, or proof of notification of the invitation to attend the Monitoring Committee to interested and affected parties of each meeting.
- 11.3. The Monitoring Committee shall meet annually (once a year) and no later than 3 (three) months after the finalisation of the external audit report was conducted in terms of condition 9.2, and submitted in terms of condition 10.2.4.
- 11.4. The Permit Holder must keep minutes of all meetings of the Monitoring Committee and distribute these minutes to all members of the Monitoring Committee within 30 (thirty) days after the meeting.

## **12. RECORD KEEPING**

- 12.1. The Permit Holder must keep records of all monitoring results, nuisances and complaints at the Facility.
- 12.2. Accurate records of waste volumes or masses received and recovered must be kept at the Facility and reported to the Department as per condition 12.5.
- 12.3. All records required or resulting from activities required by this Permit must:
- 12.3.1. be legible;
  - 12.3.2. be made available and should form part of any audit report;
  - 12.3.3. if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
  - 12.3.4. be retained in accordance with documented procedures which are approved by the Department; and
  - 12.3.5. be made available upon the request of the Director and/or the Director: RPW.
- 12.4. The Permit Holder shall record all borehole data and chemical analysis in a format agreed upon in writing between the Director and the Director: RPW, the Permit Holder, and a relevant specialist if so required.
- 12.5. The Permit Holder must register and report all waste volumes or masses received, recovered, disposed of or stored to the Department's Integrated Pollutant and Waste Information System (IPWIS), which can be accessed on the URL: <http://ipwis.pgwc.gov.za/ipwis3/public>, as required by the Department.

## **13. REPORTING**

- 13.1. The Permit Holder must, within 24 (twenty-four) hours, notify the Director of the occurrence or detection of any incident at the Facility, which has the potential to cause disruption in the normal operation of the Facility, or has caused water pollution, pollution of the environment, health risks or nuisance conditions.

- 13.2. The Permit Holder must, within 14 (fourteen) days, or a shorter period of time, if specified by the Director, from the occurrence or detection of any incident referred to in condition 13.1, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by management, to the satisfaction of the Director of measures taken to:
  - 13.2.1. correct the impact resulting from the incident;
  - 13.2.2. prevent the incident from causing any further impact; and
  - 13.2.3. prevent a recurrence of a similar incident.
- 13.3. The Permit Holder shall, within 48 (forty eight) hours, notify the Director of any sporadic leachate generated on account of unusual circumstances on the Facility.
- 13.4. In the event that measures have not been implemented within 21 (twenty-one) days of the incident to address impacts caused by the incident referred to in condition 13.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Permit Holder.
- 13.5. The Permit Holder or duly appointed person must keep an incident report and complaints register, which must be made available to both external and Departmental auditors for the purpose of their audits.
- 13.6. The Department must be notified within 7 (seven) days of any changes to the management of the Facility including the name of the incoming person together with evidence that such person has the required technical competence.
- 13.7. The Department must be notified within 14 (fourteen) days of the following changes:
  - 13.7.1. Permit Holder's trading name, registered name or registered office address;
  - 13.7.2. Particulars of the Permit Holder's ultimate holding company (including details of an ultimate holding where a Permit Holder has become a subsidiary); and
  - 13.7.3. Steps taken with a view to the Permit Holder going into bankruptcy, entering into composition or arrangement with creditors.
- 13.8. The Department must be notified without delay in the case of the following:
  - 13.8.1. any malfunction, breakdown of failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
  - 13.8.2. the breach of conditions of this Permit; and
  - 13.8.3. any significant adverse environmental and health effects.
- 13.9. Prior written notification must be given to the Director of the following events and within the specified timeframes:
  - 13.9.1. as soon as practicable prior to the permanent cessation of any operational activities;
  - 13.9.2. partial cessation of the operational activities for a period likely to exceed 3 (three) months; and
  - 13.9.3. full or partial resumption of the operation of all or part of the activities after a cessation notified under conditions 13.9.1 and 13.9.2 above.

#### **14. REHABILITATION AND CLOSURE OF THE FACILITY**

- 14.1. The Permit Holder shall, at least 60 (sixty) days prior to the intended closure of the Facility, notify the Director by registered mail of such closure and submit final rehabilitation plans for his approval as well as further direction to be provide by the Director and Director: RPW for requirements to decommission this waste disposal facility.

- 14.2. Immediately following the cessation of operations, with the intention to close the Facility, the surface of the Facility shall be covered in such a way that:
- 14.2.1. the formation of pools due to rain is prevented;
  - 14.2.2. free surface runoff of rain-water is ensured; and
  - 14.2.3. no objects or materials which may hamper the rehabilitation of the Facility are present.
- 14.3. The Permit Holder shall rehabilitate the Facility in accordance with a rehabilitation plan, which shall be submitted by the Permit Holder and which shall be to the satisfaction of the Director.

## **15. LEASING AND ALIENATION OF THE FACILITY**

- 15.1. Should the Permit Holder want to alienate or lease the Facility, he/she shall notify the Director in writing of such an intention at least 120 (one-hundred and twenty) days prior to the said transaction.

## **16. TRANSFER OF PERMIT**

- 16.1. Should the Permit Holder want to transfer holdership of this Permit, he/she must apply in terms of section 52 of the NEM:WA.
- 16.2. Any subsequent Permit Holder shall be bound by the conditions of this Permit.

## **17. GENERAL**

- 17.1. The Permit Holder shall remain responsible for the Facility, and/or any of the impacts arising from the operations on the environment.
- 17.2. This Permit shall not be construed as exempting the Permit Holder from compliance with the provisions of the Health Act, 2003 (Act No. 61 of 2003), the National Water Act, 1998 (Act No. 36 of 1998) or any applicable act, ordinance, regulation or by-law.
- 17.3. The Permit may be reviewed at any time before the waste disposal airspace capacity is reached. Based on the results of the review, especially compliance to Permit conditions or recommendations from the audit reports and/or changing legislation, the Permit can be amended or withdrawn or the validity thereof be extended.
- 17.4. Transgression of any condition of this Permit could result in the suspension of the Permit by the Licensing Authority and may render the Permit Holder liable for criminal prosecution or other actions provided for in Section 67(1) of the NEM: WA, 2008.
- 17.5. In terms of section 28 and 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), and section 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Permit Holder reads through and understands the legislative requirements pertaining to the project. It is the Permit Holder's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmental acceptable manner.
- 17.6. The Permit Holder must submit an Organic Waste Diversion Plan to the Director 90 (ninety) days after the date of issue of this Permit and annually thereafter.
- 17.7. The information within the Organic Waste Diversion Plan must:

- 17.7.1. provide a status quo of current organic waste sources and volumes disposed of, and current rates and procedures of organic waste diversion from the Facility; and
- 17.7.2. set annual targets and identify procedures from 2018 that will be implemented to meet these targets for the diversion of organic waste from municipal WDFs, in order to reach a 50% diversion by the year 2022 and 100% diversion by the year 2027.

**D. APPEAL OF PERMIT**

1. Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (GN No. 993 of 2014), as amended.
2. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the holder by the Competent Authority:
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the registered I&APs by the holder:
  - 3.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014, as amended to the Appeal Administrator; and
  - 3.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
4. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
5. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
**CAPE TOWN**  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

**E. DISCLAIMER**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of the Permit shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully,



**EDDIE HANEKOM**

**DIRECTOR: WASTE MANAGEMENT**

**DATE OF DECISION:** 28-08-2018

CC: (1) Malise Noe: (DWS: Resource Protection and Waste)  
(2) Wilna Moolman (DWS: Resource Protection and Waste)

E-mail: [NoeM@dws.gov.za](mailto:NoeM@dws.gov.za)  
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**ANNEXURE I**

**A. REASONS FOR THE DECISION (APPEALABLE)**

The reasons for the Permit decision as well as factors affecting the broader development that were considered to ensure the effective implementation of this Permit are explained below:

1. The Department conducted a review of selected Permits/WMLs as per section 53 (1) of the NEM:WA, as amended, which states that: "A licensing authority must review a waste management licence at intervals specified in the licence, or when circumstances demand that a review is necessary". The proposed variation was in line with section 54 (1)(a) and (d) of the NEM:WA, which states that: "(1) A licensing authority may, by written notice to the holder of a waste management licence, vary the licence-  
  
(a) if it is necessary or desirable to prevent pollution; (and)  
  
(d) to make a non-substantive amendment".
2. The review and subsequent non-substantive amendment was conducted in order to align the Citrusdal Permit conditions with current waste legislation and vary the existing Permit (Ref: B33/2/500/18/P59) issued by the then Department of Water Affairs and Forestry (now Department of Water and Sanitation), and issue this Permit.

\_\_\_\_\_END\_\_\_\_\_

