



Reference: 19/2/5/4/A2/1/WL0091/22

The Director/s
New Horizons Energy (Pty) Ltd.
17 - 31 Silica Road
ATHLONE INDUSTRIA
7764

Tel: (082) 302 8425

Cell: 082 789 2786

Email: jurgens@nhenergy.co.za

For attention: Mr. Jurgens Theron

RENEWAL WASTE MANAGEMENT LICENCE ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008), AS AMENDED, FOR THE EXISTING NEW HORIZONS ENERGY (PTY) LTD., REFUSE DERIVED FUEL ENERGY RECOVERY FACILITY AT ERF 166376, SILICA ROAD, ATHLONE INDUSTRIA.

WASTE MANAGEMENT LICENCE

A. DECISION

I, Saliem Haider, in my capacity as the Director: Waste Management of the Department of Environmental Affairs and Development Planning (hereafter "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) (d) & (e) of the NEM:WA, replace the existing Licence (Ref.: 19/2/5/2/A2/1/WL0102/16) issued by the Department of Environmental Affairs and Development Planning with this Waste Management Licence ("hereafter "the Licence"), 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), as amended (NEMA), National Appeal Regulations, published as Government Notice (GN) No. R. 993 of 8 December 2014, to the abovementioned Licence Holder, for the operation of the existing New Horizons Energy (Pty) Ltd., Refuse Derived Energy Recovery Facility at Erf 166376, Silica Road, Athlone Industria.

B. DESCRIPTION OF THE ACTIVITY:

The Facility will receive suitable organic and inorganic waste from the neighbouring New Horizons Energy (Pty) Ltd., Material Recovery Facility (hereafter referred to as "the MRF"), that will be utilised as Refuse Derived Fuel (RDF) at the Facility. The RDF will be moist, will consist of a wide range of compositions and sizes, and will be separated further into various waste streams at the Facility. Some of the streams will require shredding and/or thermal drying to acquire the required particle size and moisture content needed for further processing. A storage bunker, consisting of a concrete floor, push walls and a roof, will also be constructed to store excess RDF to provide a buffer for the weekend periods when waste is not received from the MRF, But the Facility is operational. The Facility will utilise up to 400 tons of RDF per day. **Pyrolysis** will be used for the recovery of plastic rich streams to char, oils and syngas, while **gasification** will be used for either the generation of electricity and heat through the combustion of syngas in a heat engine or compressed for sale to third parties.

The following activities have been identified in Government Notice (GN) No. 921 - Category B of 29 November 2013 of the NEM:WA, and are hereby authorised:

Category B

- 4 (3): The recovery of waste including the refining, utilisation, or co-processing of the waste at a facility that processes in excess of 100 tons of general waste per day or in excess of 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.
- 4 (6): The treatment of general waste in excess of 100 tons per day calculated as a monthly average, using any form of treatment.
- 4 (10): The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity).

The storage of waste at a facility that has the capacity to store in excess of 100m³ of general waste and/or that has the capacity to store in excess of 80m³ of hazardous waste, excluding the storage of waste in lagoons or temporary storage of such waste, would require the applicant to comply with the GN No. 926 of 29 November 2013 NEM:WA "*National Norms and Standards for Storage of Waste*", and register on the Departments Integrated Pollutant and Waste Information System (IPWIS) as per Condition 12.7 of this Licence. Please be advised that although the temporary storage of hazardous waste of less than 80m³ it should comply with, section 28 (Duty of Care and Remediation of Environmental Damage) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended (NEMA), would apply.

Please note that the original WML issued for the New Horizons Energy (Pty) Ltd., was issued with the GN No. 921 activity 3 (2): "*The sorting, shredding, grinding, crushing, screening or bailing of general waste at a facility that has an operational area in excess of 1000m²*". It must be noted that this is no longer a listed activity under GN No. 921, but now resides under the NEM:WA "*National Norms and Standards for the sorting, shredding, grinding, screening or bailing of general waste*", as contained in GN No. 1093 of 11 October 2017.

The Facility must now register under the NEM:WA "*National Norms and Standards for the sorting, shredding, grinding, screening or bailing of general waste*", as contained in GN No. 1093.

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

Director: Resource Protection and Waste

Department of Water and Sanitation

Private Bag X16

SANLAMHOF

7532

The granting of this Waste Management Licence is subject to compliance with the conditions set out in Section C below.

C. LICENCE CONDITIONS

LICENCE NUMBER: 19/2/5/4/A2/1/WL0091/22
WASTE APPLICATION: PROPOSED REFUSED DERIVED FUEL ENERGY RECOVERY FACILITY, ERF 166376, SILICA ROAD, ATHLONE INDUSTRIA, CAPE TOWN
LOCATION: ERF 166376, SILICA ROAD, ATHLONE INDUSTRIA, CAPE TOWN
LICENCE HOLDER: NEW HORIZONS ENERGY (PTY) LTD.
CONTACT PERSON: JURGENS THERON
ADDRESS: 17 - 31 SILICA ROAD, ATHLONE INDUSTRIA

1. LOCATION

1.1. The location of the Facility must be according to co-ordinates indicated in the Waste Management Licence Application (Appendix 3: Locality Map "Alternative Location") received by the Department on 15 September 2016, which are defined as follows:

Table 1: Boundaries of the Facility:

corner	Latitude	Longitude
1	33° 59' 33.26"	18° 32' 22.30"
2	33° 59' 32.80"	18° 32' 24.59"
3	33° 59' 33.43"	18° 32' 24.37"
4	33° 59' 36.06"	18° 32' 24.17"
5	33° 59' 36.26"	18° 32' 22.85"

1.2. Location of the property on which the Facility is situated:

Table 1: Location of the entrance of the Facility:

Latitude (S)	Longitude (E)
33° 59' 33 .98"	18° 32' 23.44"

1.3. The footprint of the Facility and its associated infrastructure is anticipated to cover an area of less than 10 000m²

1.4. The Surveyor General SG21 digit code is C01600020016637600000.

2. APPOINTMENT OF A WASTE MANAGEMENT CONTROL OFFICER/ENVIRONMENTAL CONTROL OFFICER

2.1 A Waste Management Control Officer (WMCO)/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 Licence and Environmental Management Programme (EMPr). The WMCO/ECO must:

- 2.1.1 Report any non-compliance with any Licence conditions or requirements or provisions of NEM:WA to the Director through means reasonably available; and
- 2.1.2 Monitor any future construction activities and ensure that the construction plans are in accordance with the approved engineering design.

3 PERMISSIBLE WASTE

- 3.1 The Licence Holder must prevent the acceptance of any waste not authorised at the Facility.
- 3.2 Any portion of the Facility as demarcated in Condition 1.1 may be used for the activities listed under Category B above, and as described under "Description of Activity."
- 3.3 Please note that only waste defined as general waste, according to the NEM:WA and any norms and standards, are permitted.

4 GENERAL MANAGEMENT

- 4.1 The EMPr dated April 2017, submitted as part of the Final Environmental Impact Assessment (hereafter referred to as the "EIA"), is hereby approved and must be implemented, together with all the conditions of this Licence.
- 4.2 An application for the amendment to the EMPr may be submitted to the Director if any further amendments are to be made to the EMPr and such amendments may only be implemented if the amended EMPr has been approved by the Director.
- 4.3 The EMPr must be included in all contract documentation for all phases of implementation.
- 4.4 A copy of this Licence and EMPr must be kept at the Facility where the activity will be undertaken. These documents must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the Licence who works or undertakes work at the Facility.
- 4.5 The Facility must be managed by fit and proper persons who are competent in respect of the responsibilities to be undertaken by them.
- 4.6 The Licence Holder shall remain responsible for the Facility, and any of its impacts on the environment.
- 4.7 The health and safety of workers and employees at the Facility must be catered for in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 4.8 Staff should receive a basic level of environmental awareness training that is tailored to suit their working environment and job requirements.
- 4.9 An Emergency Response Plan (ERP) should be developed, and all staff should be trained in the implementation thereof. The ERP should be regularly updated and must include fire evacuations, injury on duty, flooding, and civil unrest among others.
- 4.10 The Facility must comply with the Noise Control Regulations P.N. 200/2013, as promulgated under the Environment Conservation Act, 1989 (Act No. 73 of 1989), and relevant municipal bylaws.

5 COMMISSIONING OF THE ACTIVITY

- 5.1 This Licence must be made binding to the main contractor, as well as individual contractors, and should be included in tender documentation for the construction contract.
- 5.2 The Facility construction must be carried out under the supervision of a WMCO/ECO who must submit a declaration to the Director upon completion that all possible mitigation measures have been put in place and highlight likely deficiencies before commencement of the listed activities.
- 5.3 Construction of the Facility must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South Africa Act, 2000 (Act No. 46 of 2000).
- 5.4 During the construction phase, mitigation measures must be put in place to manage the generation of dust if it occurs.

6 IMPACT MANAGEMENT

6.1 Facility security and access control

- 6.1.1 The Licence Holder must prevent unauthorised entry to the Facility, by having the Facility enclosed and providing adequate access control. The Facility should be manned during the hours of operation and locked outside the hours of operation.
- 6.1.2 Weatherproof, durable, and legible notices must be displayed at the entrance to the Facility in at least two (2) official languages applicable in the area. This notice must prohibit unauthorised entry, state the hours of operation, include the types of waste permissible, and the contact details of the person responsible for the operation of the Facility.
- 6.1.3 The Licence Holder must prevent the acceptance of any unauthorised waste at the Facility, as per Condition 3.

6.2 General

- 6.2.1 All waste management activities should be conducted within an enclosed and roofed structure and must be conducted on impermeable surfaces.
- 6.2.2 No waste may be stored outside of the storage bunker.
- 6.2.3 Undesirable and/or non-recyclable waste received from the MRF must be stored in leak proof, weatherproof bins and removed to an appropriately licenced waste disposal facility (WDF) on a weekly basis.
- 6.2.4 Waste must be kept in such a way as not to cause any nuisance conditions to the surrounding area. If stored waste is causing nuisance, such waste must immediately be removed to an appropriately licenced WDF.
- 6.2.5 The presence of any nuisance conditions, including, but not limited to emissions, vectors (flies and vermin), windblown litter, offensive odours, etc., must be prevented and monitored.
- 6.2.6 The Licence Holder must take all reasonable and practical steps to alleviate the cause of complaints within a reasonable timeframe to the satisfaction of the Department and record it in terms of Condition 11.
- 6.2.7 Any wind-blown litter must be removed daily.
- 6.2.8 An area must be demarcated for fuelling and workshop services where applicable.

- 6.2.9 Hazardous materials and fuel must be stored in secure, well ventilated, bunded areas, with bunds designed to accommodate 110% of the stored volume, and spill kits must be available at the Facility to clean up potential spills.
- 6.2.10 Contaminated spill clean-up material must be disposed of at a facility licenced to receive such waste.
- 6.2.11 No burning of waste may take place at the Facility.
- 6.2.12 Residual waste, resulting from the pyrolysis and gasification processes, must be disposed at an appropriately licenced WDF, should disposal be the preferred option.
- 6.2.13 The Licence Holder shall make provision for adequate sanitation facilities at the Facility.
- 6.2.14 The Licence Holder shall provide all employees that handle waste with the appropriate personal protection equipment (PPE).

6.3 **Stormwater Management**

- 6.3.1 A stormwater management system must be implemented to ensure that surface water runoff is properly drained from the Facility to avoid flooding and/or pooling.
- 6.3.2 Runoff water arising at the Facility must not come into contact with waste. The stormwater generated at the Facility must be diverted away from areas where wastes are handled.
- 6.3.3 Clean stormwater must be separated from contaminated stormwater, and the contaminated stormwater must be properly and safely disposed of.
- 6.3.4 No stormwater generated within the construction site may be discharged into stormwater or sewer systems unless it complies with the City of Cape Town's wastewater discharge standards and/or stormwater by-laws.
- 6.3.5 During the construction phase, storage areas must be well maintained and construction materials such as sand, cement, paint, etc. must be covered to prevent contamination of the stormwater.
- 6.3.6 All wastewater arising from the Facility must be passed through a system of oil, litter and silt traps before being discharged into the municipal sewerage reticulation system.
- 6.3.7 Oil spillages from onsite vehicles must be controlled to prevent pollution of water resources.

7 **INVESTIGATIONS**

- 7.1.1 If, in the opinion of the Director, any environmental pollution, nuisances or health risks may be or is occurring at the Facility, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Director. Should the investigation reveal any unacceptable levels of pollution, the Licence Holder must submit a report with mitigation measures to the satisfaction of the Director.

8 **AUDITING**

8.1 **INTERNAL AUDITS**

- 8.1.1 Internal audits must be conducted quarterly (four times per year) by the Licence Holder and on each audit occasion an official report must be compiled by the relevant internal auditor to report

the findings of the audits, which must be submitted by the Licence Holder to the Director within 30 (thirty) days of the completion of the audit report and must be made available to the external auditor and to all relevant authorities if requested. The records kept in terms of Condition 11 must also be included in the audit report. Furthermore, the Licence Holder must hold discussions with the Department regarding the planned audit reports to ensure compliance with Condition 8.1.2.

8.1.2 The internal audit report must:

8.1.2.1 Prescribe to the Department's Audit Protocol;

8.1.2.2 Specifically state whether conditions of this Licence are adhered to (0=Non-Compliance; 1=Partial-Compliance; 2=Compliance) and provide relevant comments for each condition;

8.1.2.3 Include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment;

8.1.2.4 Specify target dates for the implementation of the recommendations to achieve compliance;

8.1.2.5 Specify whether corrective action which was taken for the previous audit's non-conformities was adequate;

8.1.2.6 Inter alia, address the issues raised in the audit report and provide an indication of the budget/financial allocation, as well as indicate the timeframes and responsible person(s) to address the issues; and

8.1.2.7 Include appendices containing all records kept as required in terms of Condition 11.

8.2 **EXTERNAL AUDITS**

8.2.1 The Licence Holder must appoint an independent external auditor to audit the Facility annually (once a year). This auditor must compile an audit report documenting the findings of the audit in line with Condition 8.2.2 below, which must be submitted by the Licence Holder to the Director within 30 (thirty) days of the completion of the audit report. Furthermore, the Licence Holder must hold discussions with the Department regarding the planned audit reports to ensure compliance with Condition 8.2.2.

8.2.2 The external audit report must:

8.2.2.1 Prescribe to the Department's Audit Protocol;

8.2.2.2 Specifically state whether conditions of this Licence are adhered to (0=Non-Compliance; 1=Partial-Compliance; 2=Compliance) and provide relevant comments for each condition.

8.2.2.3 Include all actions taken by the Licence Holder in response to partial and non-compliances identified in previous audits;

8.2.2.4 State whether conditions of this licence are adhered to;

8.2.2.5 Include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment;

8.2.2.6 Contain recommendations regarding non-compliances and/or partial compliance and specify time frames for the implementation of the recommendations by the Licence Holder to achieve

compliance. In addition, the audit report must state whether corrective action taken for the previous audit non-compliance and/or partial compliance was adequate;

8.2.2.7 Show monitoring results graphically and conduct trend analysis; and

8.2.3 The Facility must submit the first annual external audit report to this Department within 12 (twelve) months from the commencement of the Activity.

9 DEPARTMENTAL AUDITS AND INSPECTIONS

9.1 The Department reserves the right to audit or inspect the Facility without prior notification at any time and frequency as may be determined by the Director.

9.2 The findings of these audits or inspections must be made available to the Licence Holder and Residents Monitoring Committee within 60 (sixty) days of the end of the audit or inspection. Information from the audits must be treated in accordance with the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

9.3 The Licence Holder must make any records or documentation available to the Director upon request, as well as any other information the Director may require.

10 MONITORING COMMITTEE

10.1 The Licence Holder must take all reasonable steps to establish a Monitoring Committee for the operative lifetime of the Facility.

10.2 The Monitoring Committee shall be representative of relevant interested and affected persons and may consist of at least the following persons:

10.2.1 Licence Holder and/or his appointed consultant(s) or advisor(s);

10.2.2 representative(s) of the Health, Environment and/or Waste Departments of the relevant local authority;

10.2.3 representative(s) of this Department; and

10.2.4 at least 1 (one) persons/parties, their representatives elected by the local residents.

10.3 The Monitoring Committee shall meet at least once every 6 (six) months and not later than 30 (thirty) days after the yearly external audit report specified in condition 8.2 has been submitted according to condition 8.2.1.

10.4 The Licence Holder must keep minutes of all meetings of the Monitoring Committee and must ensure the distribution of these minutes to all members of the Monitoring Committee within 14 (fourteen) days after the meeting.

11 RECORD KEEPING

11.1 The Licence Holder must keep records of all monitoring results, nuisances, and complaints at the Facility.

11.2 Accurate records of waste volumes received, recovered, and transferred must be kept at the Facility and reported to the Department as per Condition 12.7.

11.3 All records required or resulting from activities required by this Licence must:

11.3.1 be legible;

11.3.2 be made available to anyone who may request them and should form part of any audit report;

- 11.3.3 if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
- 11.3.4 be retained in accordance with documented procedures which are approved by the Department; and
- 11.3.5 be made available to the Department upon the request of the Director.

12 REPORTING

- 12.1 The Licence 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, or has caused any pollution.
- 12.2 The Licence Holder must within 14 (fourteen) days, or such time specified by the Director, from the occurrence or detection of any incident referred to in condition 12.1 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:
 - 12.2.1 correct the impact resulting from the incident;
 - 12.2.2 prevent the incident from causing any further impact; and
 - 12.2.3 prevent a recurrence of a similar incident.
- 12.3 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 12.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.
- 12.4 The Licence Holder must keep and maintain an incident and complaints register, which must be available at the request of the Director.
- 12.5 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.
- 12.6 The Department must be notified within 14 (fourteen) days of the following changes:
 - 12.6.1 Licence Holder's trading name, registered name or registered office address;
 - 12.6.2 particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary); and
 - 12.6.3 steps taken with a view to the Licence Holder going into bankruptcy, entering into composition or arrangement with creditors.
- 12.7 The Licence Holder must register and report quantities of waste 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>. Reporting on IPWIS must be done on a quarterly basis.
- 12.8 The Department must be notified without delay in the case of the following:
 - 12.8.1 Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - 12.8.2 The breach of conditions of this Licence; and
 - 12.8.3 Any significant adverse environmental and health effects.

- 12.9 Prior written notification must be given to the Director of the following events and in the specified timeframes:
- 12.9.1 As soon as practicable prior to the permanent cessation of any operational activities;
 - 12.9.2 Full or partial cessation of the operational activities for a period likely to exceed 3 months; and
 - 12.9.3 Full or partial resumption of the operation of all or part of the activities after a cessation notified under Condition 12.9.2 above.

13 LEASING AND ALIENATION OF THE FACILITY

- 13.1 Should the Licence Holder want to alienate or lease the Facility, he/she must notify the Director in writing of such an intention at least 120 (one hundred and twenty) days prior to the said transaction. Should the approval be granted, the Licence Holder shall remain liable to compliance with all Licence conditions.

14 TRANSFER OF THE LICENCE

- 14.1 Should the Licence Holder want to transfer holdership of this Licence, he/she must apply in terms of section 52 of the NEM: WA, 2008.
- 14.2 Any subsequent Licence Holder shall be bound by the conditions of this Licence.

15 REHABILITATION AND CLOSURE OF THE FACILITY

- 15.1 In accordance with GN No. 921 or any amendments thereto, a waste management licence is required for decommissioning of the Facility, and a waste management licence application should be submitted by the Licence Holder prior to commencing with the decommissioning process.
- 15.2 The Licence Holder shall remain responsible for the Facility, and/or any of its impacts on the environment, after operations at the Facility have ceased.

16 COMMENCEMENT

- 16.1 The Listed activity/ies, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered Interested and Affected Parties (I&AP's). In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.
- 16.2 After the appeal period has expired and no good cause to extend the appeal period has been submitted, a written notice must be given to the Department that the Activity will commence.
- 16.3 This activity must commence within a period of 5 (five) years from the date of issue. If commencement of the activity does not occur within that period, the validity of this Licence lapses and a new application for waste management Licence must be made in order for the activity to be undertaken.
- 16.4 If the applicant anticipates that commencement of the activity would not occur within 5 (five) year period, he/she must apply and show good cause for an extension of the Licence 6 (six) months prior to its expiry date.

17 GENERAL

- 17.1 This Licence shall not be transferable unless such transfer is subject to condition 14 above.
- 17.2 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of any National and Provincial Legislation and relevant Ordinance, Regulation, By-law and relevant National Norms and Standards.
- 17.3 Transgression of any condition of this Licence could result in the suspension of the Licence by this Department.
- 17.4 This Licence is valid for a period of 10 (ten) years from the date of issue of this Licence. The Licence may be reviewed at any time before that date. Based on the results of the review, especially compliance to Licence conditions or recommendations from the audit reports and or changing legislation, the Licence can be amended or withdrawn or the validity thereof extended.
- 17.5 Should the Licence Holder want to conduct the waste management activity beyond the 10 (ten) years, the Licence Holder must apply for a review of the Licence 1 (one) year before the expiry date.
- 17.6 Non-compliance with a condition of this Licence may result in criminal prosecution or other actions provided for in section 67 (1) of the NEM:WA.
- 17.7 In terms of sections 28 and 30 of the NEMA, and sections 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 Licence Holder reads through and understands the legislative requirements pertaining to the project. It is the Licence 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 environmentally acceptable manner.

D. APPEAL OF LICENCE

- 1.1 Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (GN No. 993 of 2014), as amended.
- 1.2 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:
 - 1.2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2.2 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.
- 1.3 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:
 - 1.3.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014, as amended to the Appeal Administrator; and
 - 1.3.2 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.
- 1.4 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.
- 1.5 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: Marius Venter (Tel: 021 483 3721)

Room 809, 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By email: DEADP.Appeals@westerncape.gov.za

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 DEADP.Appeals@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 Marius.Venter@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 Licence 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,

SALIEM HAIDER
DIRECTOR: WASTE MANAGEMENT

Cc: (1) Mr. Sam Leyde (EScience Associates (Pty) Ltd.)

Email: sam@escience.co.za

ANNEXURE

A. REASONS FOR THE DECISION (APPEALABLE)

The reasons for this decision, as well as the factors affecting the broader development that were considered in the variation application to ensure the effective implementation of this decision, are explained below. All the following information that was available to the Department was taken into account in the Department's consideration of the application:

- a) The information contained in the non-substantive Variation/Renewal Application Form for a Waste Management Licence, received by the Department on 30 June 2022, to apply for the renewal of the existing New Horizons WML.
- b) The objectives and requirements of relevant legislation, applicable policies and guidelines, including Section 2 of NEMA.

B. REASONS FOR THE ORIGINAL DECISION TO ISSUE THE LICENCE (NOT APPEALABLE):

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

The following information was available to the Department, and was taken into account in the Department's consideration of the application:

- (a) The information contained in the Application Form for a Waste Management Licence received by this Department on 15 September 2016, compiled by EScience Associates (Pty) Ltd.;
- (b) The Draft Scoping Report dated September 2016, as compiled by EScience Associates (Pty) Ltd., and received by the Department on 27 September 2016;
- (c) The Final Scoping Report dated October 2016, as compiled by EScience Associates (Pty) Ltd., and received by the Department on 31 October 2016;
- (d) The Draft Environmental Impact Assessment dated March 2017, as compiled by EScience Associates (Pty) Ltd., and received by the Department on 6 March 2017;
- (e) The Final Environmental Impact Assessment and EMPr dated 6 April 2017, compiled by EScience Associates (Pty) Ltd., including the following specialist studies:
 - i. Air Quality Impact Assessment, compiled by EScience Associates (Pty) Ltd.; and
 - ii. Waste Assessment, compiled by EScience Associates (Pty) Ltd.; and
 - iii. Noise Impact Assessment, compiled by Machenzie Hoy Consulting Acoustics Engineers.
- (f) Comments raised by I&AP's throughout the Public Participation Process, the Applicant and the Environmental Assessment Practitioner's responses thereto;
- (g) A site inspection undertaken by Stefan Milandri from this Department, and Nazier Marthinus of New Horizons Energy (Pty) Ltd., on 3 March 2017;
- (h) Relevant information contained in the Departmental information base; and
- (i) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.