



Western Cape
Government
Environmental Affairs and
Development Planning

DIRECTORATE: ENVIRONMENTAL GOVERNANCE
SUB-DIRECTORATE: RECTIFICATION

REFERENCE NUMBER: 14/2/4/2/1/A5/4/0010/18

ENQUIRIES: Jamie-Lee van Zyl

BY REGISTERED MAIL

The Director
Southern Ambition 1 685 CC
Suite 232, Private Bag X7
CHEMPET
7442

Tel: (021) 951 1028
Email: jeffchan7557@gmail.com

Attention: Mr Jeff Chan

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") FOR THE UNLAWFUL COMMENCEMENT OF A LISTED ACTIVITY: THE COMMENCEMENT OF A PLASTIC WASTE RECYCLING AND BENEFICIATION FACILITY ON REMAINDER OF ERF 23777, BELLVILLE

With reference to your application dated 8 June 2018 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017), the competent authority herewith **grants environmental authorisation** to the applicant for the continuation, conducting or undertaking of the listed activities specified in Section C below in accordance with the implemented Alternative as described in the application dated 8 June 2018.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Southern Ambition 1685 CC

C/o Mr Jeff Chan

Suite 232, Private Bag X7

CHEMPET

7442

Tel: (021) 951 1028

Email: jeffchan7557@gmail.com

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No. 921 of 2013 – Category A –</p> <p>Activity Number: 3</p> <p>Activity Description: "(2) The sorting, shredding, grinding, crushing, screening or bailing of general waste at a facility that has an operational area in excess of 1000m²."</p>	<p>Southern Ambition 1685 CC recycles various forms of plastic by-products, including Linear low-density polyethylene (LLDPE), Low-density Polyethylene (LDPE) and High-density Polyethylene (HDPE). Once collected, the plastic is sorted and graded (according to their Plastics Identification Code (PIC)) which enables the facility to recycle plastics of varying polymer types separately. The plastics are then washed, shredded</p>

	<p>and pelletized.</p> <p>The pellets are stored on the site until distributed to their clients.</p> <p>The facility was established in September 2014. The buildings used were existing prior to commencement of the activity, with the physical footprint of the facility being about 3000m².</p>
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The abovementioned list is hereinafter referred to as "the listed activities".

D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on Erf 23777, 4 Fabriek Street, Bellville South, Cape Town.

The SG digit code is: C01600020002377700000

The co-ordinates for the site are:

Point	Latitude (S)	Longitude (E)
1	33° 55' 24.59" South	18° 38' 55.12" East

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

Herein-after referred to as "the site".

E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Resource Management Services (CC)

c/o Mr Larry Eichstadt

PO Box 4296

DURBANVILLE

7551

Tel: (021) 975 7396

Email: larry@rmsenviro.co.za

F. DETAILS OF THE ACTIVITY OR ACTIVITIES UNDERTAKEN

Southern Ambition 1685 was established in September 2014. The buildings existed prior to commencement of the activity. The physical size of the facility is approximately 3000m². Southern Ambition recycles various forms of plastic by-products, including Linear low-density polyethylene (LLDPE), Low-density Polyethylene (LDPE) and High-density Polyethylene (HDPE). Once collected, the plastic is sorted and graded (according to their Plastics Identification Code (PIC)) which enables the facility to recycle plastics of varying polymer types separately.

The plastics are then washed, shredded and pelletised. The pellets are stored on the site until distributed to their clients. Southern Ambition 1685 recovers approximately 6-10tons of plastic per day. The buildings used were existing prior to commencement of the activity. The plastic recycling facility is fully operational. The only foreseeable changes that will still be implemented is the ongoing improvement in the recovery of the contaminated rinse water to optimise potable water consumption.

G. CONDITIONS OF AUTHORISATION

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

PART I

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to the implemented Alternative as described in the application dated 8 June 2018 on the site as described in Section D above.
2. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.

3. Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

PART II

Notification and administration of an appeal

4. The holder must in writing, within 14 (fourteen) days of the date of this decision—
 - 4.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 4.1.1. the outcome of the application;
 - 4.1.2. the reasons for the decision as included in Annexure 3;
 - 4.1.3. the date of the decision; and
 - 4.1.4. the date when the decision was issued.
 - 4.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the *National Appeals Regulations, 2014* detailed in Section I below.
 - 4.3. draw the attention of all registered I&APs to the manner in which they may access the decision.
 - 4.4. provide the registered I&APs with:
 - 4.4.1. the name of the holder (entity) of this Environmental Authorisation;
 - 4.4.2. name of the responsible person for this Environmental Authorisation;
 - 4.4.3. postal address of the holder;
 - 4.4.4. telephonic and fax details of the holder;
 - 4.4.5. e-mail address, if any, of the holder; and
 - 4.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeal Regulations, 2014*.

5. The listed activities, including site preparation, may not commence within 34 (thirty four) calendar days from the date of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

PART III

Management of the activity/development

6. The draft Environmental Management Programme ("EMPr") compiled by Resource Management Services of June 2018 and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
7. The EMPr must be included in all contract documentation for all phases of implementation.

PART IV

Monitoring

8. The holder must appoint a suitably experienced site manager to ensure compliance with the EMPr and the conditions contained herein.
9. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website (if applicable).
10. Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

PART V

Auditing

11. In terms of regulation 34 of the EIA Regulations, 2014 the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to

the competent authority upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

PART VI

Activity/ Development specific conditions

12. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

13. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

H. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition or term of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the *EIA Regulations, 2014* must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. Should an appeal be lodged with the appeal administrator against the Environmental Authorisation, you are hereby advised of the following:

- 1.1. An appellant (if the applicant) must –

- 1.1.1. submit an appeal in accordance with regulation 4 of the *National Appeal Regulations, 2014*, to the appeal administrator and a copy of the appeal to the decision maker, any registered I&APs and any organ of state with interest in the matter within 20 (twenty) days from the date that the notification of the decision was sent to the applicant by the competent authority.

- 1.2. An appellant (if NOT the applicant) must –

- 1.2.1 submit an appeal in accordance with regulation 4 of the *National Appeal Regulations, 2014*, to the appeal administrator, and a copy of the appeal to the applicant, any registered I&APs, any organ of state with interest in the matter and the decision maker within 20 (twenty)

calendar days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant.

2. The applicant (if not the appellant), the decision-maker, I&APs and organs of state must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) days from the date of receipt of the appeal submission.
3. This appeal and responding statement must be submitted to the address listed below:

By post: Attention: Jaap de Villiers
Western Cape Ministry of Local Government, Environmental Affairs &
Development Planning
Private Bag X9186, Cape Town, 8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021-483 3721)
Room 809, 8th floor Utilitas Building
1 Dorp Street, Cape Town, 8000; or

By e-mail: Jaap.DeVilliers@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the appeal administrator to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

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

J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or EMPi may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

K. DISCLAIMER

The Western Cape Government, the Municipality, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation 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.

Yours faithfully



A handwritten signature in black ink, appearing to read 'Maré', is written over a horizontal line.

ADV. CHARMAINE MARÉ
DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 29 MARCH 2019

Copied to:

(1) Larry Eichstadt (Resource Management Services CC)

Email: larry@rmservo.co.za

(2) Amy Barclay ((Resource Management Services CC)

Email: amy@rmsenviro.co.za

(3) Dimitri Georgeades (City of Cape Town)

Email: Dimitri.Georgeades@capetown.gov.za