



REFERENCE: 19/2/5/4/A2/22/WL0120/18

The City Manager
City of Cape Town
PO Box 298
CAPE TOWN
8001

Tel.: (021) 400 2210
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For Attention: Rustim Keraan

WASTE MANAGEMENT PERMIT FOR THE FURTHER DEVELOPMENT AND OPERATION OF A COASTAL PARK WDF ON REMAINING EXTENT OF ERF 93284, CAPE TOWN

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) (NEM:WA), as amended, hereby vary and replace the existing Waste Permit (Permit No 16/2/7/G203/D29/Z4/P377) dated 16 May 2000, as amended on 10 May 2004 and 23 August 2007, of the City of Cape Town (hereinafter referred to as 'the City') for the further development and operation of the Coastal Park Waste Disposal Facility on the remaining extent of Erf no. 93284, Cape Town (hereinafter referred to as "the Facility").

B. DESCRIPTION OF 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) WDF Site Auditing
- (c) Gate or weighbridge recording procedures
- (d) Airspace volume Surveys
- (e) Collection and processing of other data
- (f) Leachate and water quality monitoring
- (g) Gas monitoring
- (h) Air quality monitoring
- (i) Monitoring of rehabilitated areas
- (j) Health of workers
- (k) Manage and prevent environmental nuisances

The granting of this Waste 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/A2/22/WL0120/18
WASTE APPLICATION: OPERATION OF THE LADISMITH WDF
FACILITY CLASSIFICATION: CLASS B (G:L:B+)
LOCATION: REMAINING EXTENT OF ERF 93284, CAPE TOWN
PERMIT HOLDER: CITY OF CAPE TOWN
CONTACT PERSON: THE CITY MANAGER OR THE DESIGNATED WASTE MANAGER/OFFICER
ADDRESS: P.O. Box 298, CAPE TOWN 8001

1. LOCATION

- 1.1. This Permit authorises the further development and operation of a waste disposal Facility on Remaining Extent of Erf 93284 of Cape Town (hereinafter referred to as "the Facility") according to the report no. 04/235 by BKS, dated November 1999 (hereinafter referred to as "the Report"), submitted by the Permit Holder. The location of the Facility must be according to the coordinates in this Permit.
- 1.2. Location of entrance to the property, on which the Facility is situated, is as follows:

Table 1-1: Location of the Facility

| Latitude | Longitude |
|-----------------|------------------|
| 34° 5'35.68"S | 18°30'7.38"E |

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

Table 1-2: Footprint of the Facility

| Numbered Corners | Latitude | Longitude |
|-------------------------|-----------------|------------------|
| 1 | 34° 5'39.73"S | 18°29'53.32"E |
| 2 | 34° 5'10.07"S | 18°29'48.17"E |
| 3 | 34° 5'8.49"S | 18°29'48.22"E |
| 4 | 34° 5'1.37"S | 18°29'54.64"E |
| 5 | 34° 4'53.37"S | 18°29'57.44"E |
| 6 | 34° 4'52.35"S | 18°30'3.03"E |
| 7 | 34° 4'50.37"S | 18°30'7.96"E |
| 8 | 34° 4'49.37"S | 18°30'14.41"E |
| 9 | 34° 4'54.04"S | 18°30'17.06"E |
| 10 | 34° 5'18.23"S | 18°30'16.03"E |
| 11 | 34° 5'21.86"S | 18°30'12.93"E |
| 12 | 34° 5'29.23"S | 18°30'10.34"E |
| 13 | 34° 5'34.71"S | 18°30'10.88"E |

- 1.4. The footprint of the Facility and its associated infrastructure is approximately 800 000m².
- 1.5. The Surveyor General 21 Digit code of the Facility is as follows: C01600070009328400000.

2. PERMISSIBLE WASTE

- 2.1. Any portion of the Facility which has been constructed or developed according to condition 4 of this Permit, may be used for the disposal of 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, is permitted.
- 2.2. If more than 80m³ of hazardous waste is going to be stored at the Facility, registration in terms of the relevant National Norms and Standards for the Storage of Waste (Government Notice No. 926 of 29 November 2013) must be completed and stored accordingly.
- 2.3. The Permit Holder must 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.
 - 2.3.3. The Permit Holder must prevent the acceptance of any waste not authorised 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 19.4 and 19.5 of the Permit.

3. APPOINTMENT OF 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.

The WMCO/ ECO must:

- 3.2.1. report any non-compliance with any Permit conditions or requirements or provisions of NEM: WA to the Licensing Authority through means reasonably available;
- 3.2.2. 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; and
- 3.2.3. monitor any future construction activities and ensure that the construction plans are in accordance with the approved engineering design.

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. The construction and further development within the Facility must be in accordance with approved plan numbers P8890-01-310-001 I3/4/51-R/-00 dated November 1999.
- 4.3. The construction of further developments within the Facility which are not shown on the approved plan numbers P8890-01-310-001/3/4/5-R/00 dated November 1999, can only be undertaken by the Permit Holder after specified engineering plans have been provided to and approved by the

Director: RPW.

- 4.4. Construction and further development within the Facility must be carried out under the supervision of a suitably qualified person proposed by the Permit Holder and approved by the Director: RPW.
- 4.5. Should a portion of the Site be further developed, the Permit Holder must notify the Director: RPW of such a development within the Facility before disposal may commence on that portion within the Facility. The completed construction works of the development within the Facility shall be inspected by an official of the Department and the person referred to in condition 4.4. If the Director: RPW is satisfied with the construction of that further development within the Facility and has given written permission, the Permit Holder may use that portion of the Facility for the further disposal of waste.
- 4.6. The Permit Holder must take all reasonable steps, such as suitable zoning and/or written agreements with adjacent landowners, to establish and maintain an unbuilt area or "buffer zone" of 400 metres to the East and West, 1200 metres to the North and 1000 metres to the South between the Site and the nearest residential areas as stipulated in the report " Buffer Zone Investigation for the Coastal Park Landfill Site" dated December 2006.
- 4.7. Works must 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 must, under the said rainfall event, maintain a freeboard of half a metre.
- 4.8. Operational works on the Facility must 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 Licencing Authority to prevent pollution to groundwater.
- 4.9. Contaminated runoff water referred to in Condition 4.9 that will be released into the environment shall comply to the quality requirements as per the Director and Director: RPW.
- 4.10. Runoff water referred to in condition 4.9 which does not comply with the quality requirements applicable in terms of condition 4.10 and all leachate must, by means of works which must be constructed and maintained on a continuous basis by the Permit Holder:
 - 4.10.1. be discharged into any convenient sewer if accepted by the authority in control of that sewer;
 - 4.10.2. be treated to comply with the aforementioned standard and discharged in a legal manner; and/or
 - 4.10.3. with the written approval of the Director: RPW be evaporated in dams and/or be evaporated by spraying over those portions of the Facility which comply with the requirements set in terms of condition 4.1.
- 4.11. Works constructed in compliance with condition 4.1 must 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 must, under the said rainfall event, maintain a freeboard of half a metre.
- 4.12. The Facility must 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 must not exceed 45 (forty-five) metres above mean sea level.
- 4.14. The slope of the sides of the Facility must be constructed in such a manner that little or no erosion occurs.

4.15. The Permit Holder must make provision for adequate sanitation facilities on the Facility.

5. ACCESS CONTROL

- 5.1. Weatherproof, durable and legible notices in at least 3 (three) official languages applicable in the area, must be displayed at each entrance to the Facility. These notices must 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 Facility must be fenced with gates of the same height at all entrances, to reasonably prevent unauthorised entry and curtail the spreading of wind-blown paper and plastic materials.
- 5.3. The Permit Holder must 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.
- 5.4. The Permit Holder must ensure that all entrance gates are manned during the hours of operation and locked outside the hours of operation.
- 5.5. The Permit Holder must ensure effective access control.
- 5.6. The Permit Holder must take all reasonable steps to prevent the disposal of waste on the Facility for which the Facility has not been approved.

6. OPERATION

- 6.1. Waste disposal and operation must be done according to the relevant minimum requirements, section 7.2 of the Permit Application Report dated November 1999, the conditions of this Permit and any other written instruction by the Director.
- 6.2. Waste disposed of on the Facility must be compacted and covered on a daily basis with a minimum of 150 millimetres of soil or other material approved by the Director: RPW.
- 6.3. The Permit Holder shall take all reasonable steps to ensure the Facility is operated in a manner which must prevent the creation of nuisance conditions or health hazards, such as vectors (flies and vermin), exposed waste, dust, windblown litter, obnoxious odours and noise.
- 6.4. Waste may not be burned at the Facility.
- 6.5. Reclamation of waste may not occur at the Facility.
- 6.6. The Permit Holder must apply sufficient dust control measures to prevent wind-blown dust from causing nuisance conditions or health hazards.
- 6.7. 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 caused by unexpected hazardous waste ending up at the Facility.
- 6.8. 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).

7. MONITORING

- 7.1. Gas Monitoring
 - 7.1.1. The Permit Holder must implement adequate measures to the satisfaction of the Director and Director: RPW, to ventilate or to prevent lateral migration of methane gas generated in the waste disposal area within the Facility so that the build-up of dangerous concentrations is prevented.

7.2. Water monitoring

- 7.2.1. A monitoring borehole network consisting of boreholes BH13, 18, 11, 3 and 2 must be established and maintained by the Permit Holder according to the Report and to the satisfaction of the Director: RPW so that unobstructed sampling, as required in terms of this Permit, can be undertaken. A further background monitoring borehole must be provided to the North east of the Facility within the next 2 (two) years.
- 7.2.2. Monitoring boreholes must be equipped with lockable caps. The Director reserves the right to take water samples at any time and to analyse these samples or have them analysed.
- 7.2.3. If possible, surface water monitoring must be performed in all contaminated runoff water and leachate retention structures prior to discharge to the natural environment at such a frequency as determined by the Director: RPW.
- 7.2.4. Treated leachate discharged into a water course must be monitored and the standards, parameters and sample frequency of monitoring must be determined and from time to time be adjusted by the Director: RPW.

7.3. Background monitoring

- 7.3.1. Samples from the borehole as required above, where the ground water in the borehole is at an expected higher hydraulic pressure level than the hydraulic pressure level of the groundwater under the Facility, must be considered as background monitoring. Background groundwater monitoring must be conducted during each monitoring occasion in terms of conditions 7.4, 7.5 or 7.6 for the water quality variables in Annexure II.

7.4. Detection monitoring

- 7.4.1. Monitoring shall be conducted within 3 days of 15 January and 15 July of each year for the water quality variables listed in paragraph (a) of Annexure III and annually within 3 days of 15 July for the variables listed in paragraph (b) of Annexure III.

7.5. Investigative monitoring

- 7.5.1. If, in the Opinion of the Director: RPW, a water quality variable listed under the detection monitoring programme, as referred to in condition 7.4, shows an increasing if trend, the Permit Holder must initiate a monthly monitoring programme for the water quality variables listed in Annexure II.

7.6. Post-closure monitoring

- 7.6.1. Groundwater monitoring by the Permit Holder, in accordance with condition 7.4 or 7.5, must 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.

7.7. Further investigations

- 7.7.1. 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 must conduct the necessary investigations and implement additional monitoring and rehabilitation measures which must be to the satisfaction of the Director: RPW.

8. MONITORING METHODS AND PARAMETERS

- 8.1. The Permit Holder must 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.
- 8.2. 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.
- 8.3. The Permit Holder must put in place a monitoring and measurement plan that must inter alia include:
 - 8.3.1. mass (in tonnes or kilograms) received,

- 8.3.2. treated and transferred;
- 8.3.3. waste types and sources;
- 8.3.4. air quality monitoring; and
- 8.3.5. 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.

9. INTERNAL AUDITS

- 9.1. Internal audits must be conducted quarterly (four times per year) by the Permit Holder and on each audit occasion an official report in accordance with Condition 10.6 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 10.1 and the Director, according to conditions 11.2 and 13.2.

10. EXTERNAL AUDITS

- 10.1. 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 in accordance with Condition 10.6 documenting the findings of his audit, which must be submitted by the Permit Holder to the Director.
- 10.2. 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.
- 10.3. The audit report must contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Permit Holder.
- 10.4. The external audit report must be submitted to Environmental Monitoring Committee (hereinafter referred to as the "Monitoring Committee"), provided in condition 10.1 below, within 3 (three) months, from the date on which the external auditor finalised the report.
- 10.5. Each external audit must be submitted to the Director within 30 (thirty) days, from the date on which the external auditor finalised the report.
- 10.6. Both the internal and external audit reports must be in accordance with the format as prescribed by the Department.

11. DEPARTMENTAL AUDITS AND INSPECTIONS

- 11.1. The Director and 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.
- 11.2. 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.
- 11.3. The findings of these audits or inspections must be made available to the Permit Holder within 60 (sixty) days of the end of the audit or inspection and must not be treated as confidential.

12. MONITORING COMMITTEE

- 12.1. The Permit Holder must establish a Monitoring Committee for the normal operative lifetime of the Facility.
- 12.2. 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.

- 12.3. The Monitoring Committee must be representative of relevant interested and affected persons and may consist of at least 3 (three) of the following representatives:
 - 12.3.1. Permit Holder and/or his/her appointed consultant(s) or advisor(s);
 - 12.3.2. representative(s) of the Health, Environment and/or Waste Departments of the relevant local authority;
 - 12.3.3. representative(s) of this Department; and
 - 12.3.4. at least 3 (three) persons/parties, their representatives elected by the local residents, or proof of notification of the Monitoring Committee to interested and affected parties of each meeting.
- 12.4. The Monitoring Committee must 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 10 and submitted in terms of condition 10.4.
- 12.5. 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.

13. RECORD KEEPING

- 13.1. The Permit Holder must keep records of all monitoring results, nuisances and complaints at the Facility.
- 13.2. Accurate records of waste volumes or masses received and recovered must be kept at the Facility and reported to the Director as per condition 13.5.
- 13.3. All records required or resulting from activities required by this Permit must:
 - 13.3.1. be legible;
 - 13.3.2. be made available and should form part of any audit report;
 - 13.3.3. amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
 - 13.3.4. be retained in accordance with documented procedures which are approved by the Director; and
 - 13.3.5. be made available upon the request of the Director and/or the Director: RPW.
- 13.4. The Permit Holder must record and interpret 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.
- 13.5. 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 Director.

14. REPORTING

- 14.1. The information required in terms of conditions 7.2 to 7.6, must be submitted to the Director and the Director: RPW within a period of 30 (thirty) days following the analysis of the said samples. The information required in terms of condition 7.7, must be submitted to the Director and the Director: RPW within a period, of 1 (one) year from the date of issuing of this Permit and annually thereafter. The information must also be included into a trend report, which must contain a graphical representation of all results obtained previously at any specific point, as well as an interpretation and discussion of the results of each monitoring occasion.
- 14.2. The Department must be notified without delay in the case of the following:
 - 14.2.1. any malfunction, breakdown of failure of equipment or techniques, accident or fugitive

- emission which has caused, is causing or may cause significant pollution;
- 14.2.2. the breach of conditions of this Permit; and
- 14.2.3. any significant adverse environmental and health effects.

14.3. Prior written notification must be given to the Director of the following events and within the specified timeframes:

- 14.3.1. as soon as practicable prior to the permanent cessation of any operational activities;
- 14.3.2. full or partial cessation of the operational activities for a period likely to exceed 3 (three) months; and
- 14.3.3. full or partial resumption of the operation of all or part of the activities after a cessation notified under 14.3.2 above.

15. REPORTING OF INCIDENTS

- 15.1. Any health hazards or nuisance that might occur during the operation of the Facility shall be reported to the Western Cape Regional Office of the Department of Water and Sanitation, to the Health Department of the local authority and the nearest office of the Department of Health.
- 15.2. 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.
- 15.3. 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 15.2, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Director of measures taken to:
 - 15.3.1. correct the impact resulting from the incident;
 - 15.3.2. prevent the incident from causing any further impact; and
 - 15.3.3. prevent a recurrence of a similar incident.
- 15.4. 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 15.2, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Permit Holder.
- 15.5. 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.

16. DECOMMISSIONING

- 16.1. The Permit Holder shall, at least 180 (one hundred and eighty) days prior to the intended closure of the Facility, notify the Director by registered mail of such closure and submit final rehabilitation plans for approval as well as further direction to be provide by the Director and Director: RPW for requirements to decommission this waste disposal facility.

17. LEASING AND ALIENATION OF THE FACILITY

- 17.1. 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.

18. TRANSFER OF PERMIT

- 18.1. Should the Permit Holder want to transfer holdership of this Permit, he/she must apply in terms of section 52 of the NEM: WA.

18.2. Any subsequent Permit Holder must be bound by the conditions of this Permit.

19. GENERAL

19.1. The Permit Holder shall remain responsible for the Facility, and/or any of the impacts arising from the operations on the environment.

19.2. This Permit shall not be construed as exempting the Permit Holder from compliance with the provisions of the Health Act, 2003 (Act 61 of 2003), the National Water Act, 1998 (Act 36 of 1998) or any applicable act, ordinance, regulation or by-law.

19.3. Transgression of any condition of this Permit could result in the suspension of the Permit by this Director.

19.4. The Permit Holder must submit an Organic Waste Diversion Plan to the Director within 90 (ninety) days of the date of signature of this Permit and annually thereafter.

19.5. The information within the Organic Waste Diversion Plan must:

19.5.1. provide a status quo of current organic waste sources and volumes disposed at municipal WDFs, and current rates and procedures of organic waste diversion from WDFs; and

19.5.2. 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.

19.6. This Permit is valid until the waste disposal airspace capacity has been reached which must be determined as per condition 8.3.5. 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.

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&AP by the applicant:
 - 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.

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
8th 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

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Yours faithfully,


EDDIE HANEKOM

DIRECTOR: WASTE MANAGEMENT

DATE OF DECISION: 07-09-2018

CC: (1) Malise Noe (Water Affairs and Sanitation)

Fax: (086) 634 5998

E-mail: NoeM@dws.gov.za

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 WML as per Section 53 (1) of the NEM: WA, 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".
2. 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".
3. The review and subsequent non-substantive amendment was conducted by issuing this Permit in order to align the Ladismith WDF Permit conditions with current waste legislation and to replace the existing Permit (Ref: 16/2/7/G203/D29/Z4/P377) issued by Department of Water Affairs and Forestry.

ANNEXURE II

Water Quality Variables required for background monitoring and investigative monitoring: conditions 7.3 and 7.5

Monitor bi-annually for:

| | |
|---|---|
| Alkalinity (P.Alk) | Free and saline ammonia as N (NH ₄ -N) |
| Calcium (Ca) | Boron (B) |
| Chromium (hexavalent) (Cr ⁶⁺) | Magnesium (Mg) |
| Chromium (Total) (Cr) | Cadmium (Cd) |
| Chemical oxygen demand (COD) | Chloride (Cl) |
| Cyanide (CN) | Mercury (Hg) |
| Lead (Pb) | pH |
| Nitrate (as N) (NO ₃ -N) | Sodium (Na) |
| Phenolic compounds (Phen) | Electrical conductivity (EC) |
| Potassium (K) | Sulphate (SO ₄) |
| Total Dissolved Solids (TDS) | |

ANNEXURE III

Water Quality Variables required for detection monitoring: condition 7.4

Monitor annually for:

- (a) Alkalinity (P.Alk)
Chemical oxygen demand (COD)
pH
Total Dissolved Solids (TDS)
Chloride (Cl)
Nitrate (NO₃-N)
Potassium (K)

- (b) Annually for electrical conductivity (EC), calcium (Ca), magnesium (Mg), sodium (Na), sulphate (SO₄) and Fluoride (F).

-----End-----