



REFERENCE: 19/2/5/4/D3/7/WL0121/18

Kannaland Local Municipality

P.O. Box 30 Tel:

LADISMITH

6655

(028) 551 1023

Fax: (028) 551 1766

E-mail: mm@kannaland.gov.za

Attention: Reynold Stevens

WASTE MANAGEMENT PERMIT FOR THE ESTABLISHMENT, OPERATION AND FURTHER DEVELOPMENT OF THE LADISMITH WASTE DISPOSAL FACILITY ON PORTION A OF THE REMAINDER OF THE FARM UILKRAAL 93, DISTRICT OF LADISMITH

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 Waste Permit (Permit No. B33/2/900/9/P62) of the Kannaland Local Municipality 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 further development and operation of a waste disposal facility on Portion A of the remainder of the Farm Uilkraal 93, District of Ladismith (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/D3/7/WL0121/18
WASTE APPLICATION: OPERATION OF THE LADISMITH WDF
FACILITY CLASSIFICATION: CLASS B(G:S:B-)
LOCATION: PORTION A OF THE REMAINDER OF THE FARM UILKRAAL 93, DISTRICT OF LADISMITH
PERMIT HOLDER: KANNALAND LOCAL MUNICIPALITY
CONTACT PERSON: THE MUNICIPAL MANAGER OR THE DESIGNATED WASTE MANAGER/OFFICER
ADDRESS: P.O. Box 30, LADISMITH, 6655

1. LOCATION

1.1. This Permit authorises the establishment, operation and further development of a waste disposal Facility on Portion A of the remainder of the Farm Uilkraal 93, District of Ladismith (hereinafter referred to as "the Facility") according to the report drafted by Eko-Beplanners, dated October 1993 (hereinafter referred to as "the Report"), submitted by the Permit Holder.

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

Table 1-2: Location of the Facility

Latitude	Longitude
33°30'40.55"S	21°17'46.11"E

1.3. The boundaries of the Facility must be according to co-ordinates indicated in the Report, which are as follows: -

Table 1-1: Footprint of the Facility

Numbered Corners	Latitude	Longitude
1	33°30'40.55"S	21°17'46.11"E
2	33°30'40.52"S	21°17'34.49"E
3	33°30'45.77"S	21°17'34.73"E
4	33°30'46.11"S	21°17'46.12"E

1.4. The footprint of the Facility and its associated infrastructure is approximately 55,000m².

1.5. The Surveyor General 21 Digit code of the Facility is as follows: C0420000000009300007.

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, recovery sorting and 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. The Permit Holder shall take all reasonable steps to ensure that:
- 2.2.1. no hazardous waste; and
 - 2.2.2. no health care or 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. The Permit Holder must prevent the acceptance of any waste not authorised at the Facility.
- 2.4. All waste loads must be checked at the gate to prevent the disposal of waste not permitted by this Permit.
- 2.5. 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 and provisions as stipulated in the Permit.

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 possible 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. 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.
- 4.3. After construction of the Facility, the Permit Holder shall notify the Director of such development before the disposal of waste at the Facility. The completed construction works of Facility shall be inspected by an official of the Department and the person referred to in condition 4.2. 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.
- 4.4. The Permit Holder shall 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 800 metres between the Facility and the nearest residential areas during the operative life of the Facility. Heavy industries or industries which may create nuisance conditions may be permitted within the buffer zone in terms of the appropriate legislation.
- 4.5. 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.

- 4.6. 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.
- 4.7. Runoff water referred to in Condition 4.6 shall comply to the quality requirements as determined by the Director and Director: RPW and shall be drained from the Facility in a legal manner.
- 4.8. Runoff water referred to in condition 4.6 which does not comply with the quality requirements applicable in terms of condition 4.7 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:
 - 4.8.1. to be discharged to a convenient wastewater treatment works with the permission of the authority responsible for sewage; and/or,
 - 4.8.2. with the written approval of the Director 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. The Facility shall be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.
- 4.9. Works constructed in compliance with condition 4.8 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.
- 4.10. The Facility shall be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.
- 4.11. The maximum elevation of the Facility shall not exceed 475 (four hundred and seventy five) metres above sea level along the southern border to the Facility.
- 4.12. The slope of the sides of the Facility shall be constructed in such a manner that little or no erosion occurs.
- 4.13. The Permit Holder shall make provision for adequate sanitation facilities on the Facility.

5. ACCESS CONTROL

- 5.1. Weatherproof, durable and legible notices in 3 (three) official languages applicable in 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 Facility shall 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 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.
- 5.4. The Permit holder shall ensure that all entrance gates are manned during the hours of operation and locked outside the hours of operation.
- 5.5. The Permit Holder shall ensure effective access control.
- 5.6. The Permit Holder shall take all reasonable steps to prevent the disposal of waste on the Facility for which the Facility has not been approved.

- 5.7. The access road should be effectively maintained under competent supervision to prevent health hazards and nuisances.

6. OPERATION

- 6.1. Waste disposed of on the Facility shall be compacted and covered on 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. Waste may not be burned at the Facility.
- 6.5. 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.
- 6.6. 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).

7. INTERNAL AUDITS

- 7.1. Internal audits must be conducted quarterly (four times per year) by the Permit Holder and on each audit occasion an official report must be compiled by the relevant auditor in accordance with condition 8.6 to report the findings of the audits, which must be made available to the external auditor specified in condition 8.1 and the Director (if requested), according to condition 9.2.

8. EXTERNAL AUDITS

- 8.1. 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 8.6 documenting the findings of the audit to the Department.
- 8.2. 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.
- 8.3. 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.
- 8.4. 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.
- 8.5. Each external audit must be submitted to the Director within 30 (thirty) days, from the date on which the external auditor finalised the report.
- 8.6. Both the internal and external audit reports must be in accordance with the format as prescribed by the Department.

9. DEPARTMENTAL AUDITS AND INSPECTIONS

- 9.1. 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.

- 9.2. The Permit Holder must make any records or documentation available to the Director and the Provincial Head upon request, as well as any other information the Director and Director: RPW may require.
- 9.3. 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.

10. MONITORING COMMITTEE

- 10.1. 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.
- 10.2. The Monitoring Committee shall be representative of relevant interested and affected persons and may consist of at least 3 (three) of the following representatives:
 - 10.2.1. Permit Holder and/or his/her 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 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.
- 10.3. 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 8.1, and submitted in terms of condition 8.4. Please note the Director may determine the frequency of the meetings based on compliance ratings.
- 10.4. 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.

11. MONITORING

- 11.1. A ground water monitoring system must be implemented and maintained by the Permit Holder to the satisfaction of the Director, so that unobstructed sampling, as required in terms of this Permit, can be undertaken.
- 11.2. A monitoring borehole network for the Facility, at least 1 (one) upstream and 1 (one) downstream of the Facility, must be established and maintained by the Permit Holder so that unobstructed sampling, as required in terms of this Licence, can be undertaken. The location of these boreholes must be determined in consultation with the Director.
- 11.3. Monitoring boreholes must be equipped with lockable caps. The Director and the Director: RPW reserve the right to take water samples at any reasonable time and to analyse these samples or have them analysed.
- 11.4. 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 as determined by the Director and the Director: RPW.
- 11.5. Background Monitoring
 - 11.5.1. Monitoring conducted at a borehole that is at an expected higher hydraulic pressure level than the hydraulic pressure level of the groundwater under the Facility, shall be considered as

background monitoring. Background groundwater monitoring shall be conducted during each monitoring occasion in terms of conditions 11.6, 11.7 or 11.8 for the water quality variables as agreed by the Director and Provincial Head.

11.6. Detection Monitoring

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

11.7. Investigative Quality Monitoring

11.7.1. If, in the opinion of the Director and Director: RPW a water quality variable, referred to in condition 11.6, shows an increasing trend, the Permit Holder shall initiate a monthly monitoring programme.

11.8. Post-closure Monitoring

11.8.1. Groundwater monitoring by the Permit Holder, in accordance with condition 11.6 or 11.7, 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 Provincial Head.

11.9. Further Monitoring

11.9.1. The Permit Holder must maintain records of all monitoring results obtained in terms of condition 11.

12. MONITORING METHODS AND PARAMETERS

12.1. 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 11.

12.2. 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 Provincial Head.

12.3. The Permit Holder must put in place a monitoring and measurement plan that must inter alia include:

12.3.1. mass (in tonnes or kilograms) received;

12.3.2. treated and transferred;

12.3.3. waste types and sources;

12.3.4. air quality monitoring; and

12.3.5. 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.

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 Department 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 Provincial Head.
- 13.4. The Permit Holder shall 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 Department.

14. REPORTING

- 14.1. The information required in terms of conditions 11.4 to 11.8, 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 11.9, must be submitted to the Director and the Director: RPW within a period, of 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, 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. REHABILITATION AND CLOSURE OF THE FACILITY

16.1. The Permit Holder shall, at least 120 (one hundred and twenty) 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 and carry out any further actions required by the Director.

16.2. 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:

16.2.1. the formation of pools due to rain is prevented;

16.2.2. free surface runoff of rain-water is ensured; and

16.2.3. no objects or materials which may hamper the rehabilitation of the Facility are present.

16.3. 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.

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 60 (sixty) 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 shall 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 12.3.5. 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

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the Competent Authority: -
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. 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.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs: -
 - 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 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.
3. 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.
4. 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.

5. 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: 07-08-2018

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

Fax: (086) 634 5998

E-mail: NoeM@dws.gov.za

ANNEXURE

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: B33/2/900/9/P62) issued by Department of Water Affairs and Forestry.

-----End-----