



**Western Cape  
Government**  
Environmental Affairs and  
Development Planning

**BETTER TOGETHER.**

**DIRECTORATE: WASTE MANAGEMENT  
ETIENNE ROUX**

Etienne.Roux@westerncape.gov.za

**REFERENCE:** 19/2/5/4/A5/40/WL0071/21

The City Manager  
City of Cape Town  
PO Box 298  
**CAPE TOWN**  
8000

Tel: (021) 400 1330

Email: [City.Manager@capetown.gov.za](mailto:City.Manager@capetown.gov.za)

**For attention:** Mr. Lungelo Mbandazayo

**WASTE MANAGEMENT LICENCE FOR THE CLOSED KRAAIFONTEIN WASTE DISPOSAL FACILITY (WDF) ON PORTIONS 43 AND 45 OF FARM NO, 725, KRAAIFONTEIN.**

**WASTE MANAGEMENT LICENCE**

**A. DECISION**

I, Eddie Hanekom, 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 vary and replace the existing Waste Management Licence (WML) (Licence No.: E13/2/10/1-A4/269-0008/10) issued by the Department on 4 July 2011, and issue this WML (hereafter "the Licence") to the abovementioned Licence Holder for the closure of the Kraaifontein WDF (hereafter "the Facility") on Portions 43 and 45 of Farm No 725, Kraaifontein.

## **B. DESCRIPTION OF THE ACTIVITY**

The activities for the decommissioning for this Facility as per the Second Edition of the "*Minimum Requirements for Waste Disposal by Landfill*" of the Department of Water Affairs and Forestry (DWAF, 1998) (now Department of Water and Sanitation (DWS)) (referred to as "Minimum Requirements"), will entail, but not be limited to the following:

- (a) The waste disposal facility will be engineered and designed to reduce the steep slopes by infilling with soil to decrease soil erosion that is currently being experienced;
- (b) Development of open channels that are lined with hyson cells and a cement and sand mix to drain storm water;
- (c) Construction of a storm water drain around the waste site to collect surface run-off;
- (d) Remedial design to address identified problem areas;
- (e) Final shaping, landscaping and re-vegetation;
- (f) Final landfill cover or capping design;
- (g) Construct the capping layer to minimum quality and thickness;
- (h) Permanent storm water diversion measures, run-off control and anti-erosion measures; and
- (i) Any infrastructure relating to the End-use Plan.

The following activity listed in the NEM: WA "*List of waste management activities that have, or are likely to have a detrimental effect on the environment*", published as GN No. 921 of 29 November 2013, as amended, is hereby authorised:

### Category A

- 3 (14) The decommissioning of a facility for a waste management activity listed in Category A or B of this Schedule.

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

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: Resource Protection and Waste of the National 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

**C. LICENCE CONDITIONS**

**LICENCE NUMBER:** 19/2/5/4/A5/40/WL0071/21  
**WASTE APPLICATION:** DECOMMISSIONING OF THE KRAAIFONTEIN WDF  
**LOCATION:** PORTIONS 43 AND 45 OF FARM NO 725, KRAAIFONTEIN  
**LICENCE HOLDER:** CITY OF CAPE TOWN  
**CONTACT PERSON:** THE CITY MANAGER OR THE DESIGNATED WASTE  
MANAGER/OFFICER  
**ADDRESS:** PO BOX 298, CAPE TOWN, 8001

**1. Location**

- 1.1 This Licence authorises the City of Cape Town to close the Kraaifontein waste disposal facility on Portions 43 and 45 of Farm No. 725, Kraaifontein, City of Cape Town in the Western Cape Province (hereinafter referred to as "the Site").
- 1.2 The location of the Site must be according to co-ordinates indicated in the Application Form dated 19 January 2010, submitted by the Licence Holder, which were defined as follows:

Latitude	Longitude
33° 49' 03.8" S	18° 41' 52.4" E

**2. Appointment of Waste Management Control Officer**

- 2.1 A Waste Management Control Officer (WMCO) must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions stipulated in the Licence and Environmental Management Programme (EMPr), prior to any closure activities occurring on Site. The WMCO must:
  - a) Report any non-compliance with any Licence conditions or requirements or provisions of the NEM:WA to the Licensing Authority through means reasonably available; and
  - b) Monitor the closure activities and ensure that the closure plans are in accordance with the engineering design.
- 2.2 Submit a declaration to the Director upon completion of the construction works that all possible mitigation measures have been put in place and highlight likely deficiencies before commencement of the listed activities.

**3. General Management**

- 3.1 The Licence Holder must notify the Director immediately of events or incidents that may cause significant environmental damage or breach the requirements of the EMPr.
- 3.2 The closure and rehabilitation of the Site must be managed by fit and proper persons who are competent in respect of the responsibilities to be undertaken by them in connection with the commencement of the decommissioning activity.

- 3.3 An action plan that includes a plan of correction, a time schedule, the name and contact details of the responsible person, the prevention of further impacts and the prevention of the recurrence of incidents, must be submitted to this Department before the start of the closure activities.
- 3.4 The Licence Holder must ensure that illegal access to the Site is prevented and dumping does not occur on the closed waste disposal facility.
- 3.5 The Licence Holder must ensure that the intended after-use is properly implemented and that the landscaping of the Site, the drainage system and vegetation form part of the development to ensure the successful implementation of the intended after-use.
- 3.6 A copy of this Licence must be kept at the property where the activity will be undertaken. The Licence 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 property.
- 3.7 The Licence Holder shall remain responsible for the Site, and/or any of its impacts on the environment, after decommissioning on the Site has been completed.

#### **4. Decommissioning Phase**

- 4.1 The waste disposal facility must be decommissioned in accordance with the EMPr and engineering drawing number A120/901, as compiled by Jan Palm Consulting Engineers (JPCE Pty. Ltd.), in accordance with conditions of this Licence and any other written instruction by the Department.
- 4.2 This Department must be notified in writing of any proposed changes to the EMPr, and this Department must approve any proposed changes prior to implementation thereof.
- 4.3 The slope of the walls of the waste disposal cells on the Site shall not be steeper than 1 vertical to 3 horizontal length units, unless approval has been obtained from this Department.
- 4.4 An alien invasive plant management programme must be established at the Facility.
- 4.5 The Facility, or any portion thereof must be covered, and the Facility must be maintained in such a way that:
  - 4.5.1 the formation of pools due to rain is prevented;
  - 4.5.2 free surface runoff of rainwater is ensured;
  - 4.5.3 contamination of storm water is prevented;
  - 4.5.4 no objects or material which may hamper the rehabilitation of the Facility are present; and
  - 4.5.5 little or no erosion occurs.
- 4.6 Sporadic leachate from the Facility may only be discharged into any convenient sewer, if available, and if accepted by the authority responsible for that sewer.
- 4.7 Any development which occurs within the 1:100 (one in one hundred) year flood line and/or within 500m from the boundary of a wetland would require a Water Use Licence in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998) (NWA).

## **5. IMPACT MANAGEMENT**

### **5.1 Security and Access control**

- 5.1.1 Weatherproof, durable and legible notices must be displayed at each entrance to the Site in at least three official languages applicable to the area. These notices must prohibit unauthorised entry and must contain the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.
- 5.1.2 The Licence Holder must prevent unauthorised access to the Site, by having the Site enclosed.
- 5.1.3 The Licence Holder shall ensure effective access control.

### **5.2 Impact management**

- 5.2.1 The Licence Holder must retain the responsibility for the Site and its monitoring after closure according to the Minimum Requirements for Waste Disposal by Landfill (Department of Water Affairs and Forestry (now Department of Water and Sanitation), second edition, 1998).
- 5.2.2 The minimum requirements for rehabilitation, closure and end-use, according to the Minimum Requirements for Waste Disposal by Landfill, must be adhered to.
- 5.2.3 The presence of any nuisance such as flies, exposed waste, bad odours, etc. must be monitored every six months and the monitoring results must be kept in terms of Condition 12.1.
- 5.2.4 Any complaint from the public must be attended to by the Licence Holder, who must take all reasonable and practical steps to alleviate the cause of the complaint within a reasonable timeframe to the satisfaction of the Department and record it in terms of Conditions 12 and 13.

## **6. Investigations**

- 6.1 If, in the opinion of the Director or Director: RPW, any environmental pollution, nuisances or health risks may be or is occurring on the Site, the Licence Holder must investigate the cause of the problem and take reasonable steps to alleviate the problem in consultation with the Director.
- 6.2 Should the investigation carried out as per Condition 6.1 above reveal any unacceptable levels of pollution, the Licence Holder must submit a report with mitigation measures to the satisfaction of the Director.

## **7. WATER QUALITY MANAGEMENT**

### **7.1 Runoff Management**

- 7.1.1 All runoff water (storm water) arising as a result of precipitation on land adjacent to the Site, must be prevented from entering the Site and must be diverted and drained from the Site.
- 7.1.2 Works constructed in compliance with Condition 7.1.1 must, on a continuous basis, be properly maintained.
- 7.1.3 Uncontaminated runoff water must under no circumstances be used to dilute leachate emanating from the Site but must be diverted to and discharged into the nearest storm water channel.

## **7.2 Leachate Management**

All leachate from the Site, including contaminated runoff water, must be treated and must comply with the quality requirements specified in the General Standard, as published in Government Notice 991 of 18 May 1984, or with such quality requirements as may from time to time be determined by the Licensing Authority.

## **8. MONITORING**

### **8.1 Monitoring methods and Parameters**

- 8.1.1 The Licence 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 8.
- 8.1.2 The Licence Holder may only use another method of analysis if written proof is submitted to and accepted by the Director and Director: RPW, specifying that the method to be used is at least equivalent to the SABS method.

### **8.2 Wafer Quality Monitoring**

#### **8.2.1 Further Investigations**

If, in the opinion of this Department, groundwater and/or surface water pollution have occurred or may possibly occur, the Licence Holder must conduct and/or appoint specialists to conduct the necessary investigations and implement monitoring and rehabilitation measures to the satisfaction of the Department.

### **8.3 Gas Monitoring**

- 8.3.1 A gas sample must be taken on an annual basis and the results must be submitted to the Director.
- 8.3.2 Depending on the results of the gas sample taken in terms of Condition 8.3.1, the Director may request a gas monitoring plan to be developed for the Director's approval.

## **9. AUDITING**

### **9.1 INTERNAL AUDITS**

- 9.1.1 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 auditor to report the findings of the audits, which must be made available to the external auditor specified in Condition 9.2.1 and the Director within 30 (thirty) days of the date the audit was conducted.

### **9.2 EXTERNAL AUDITS**

- 9.2.1 The Licence Holder must appoint an independent external auditor to audit the Facility annually (once a year) and this auditor must compile an audit report documenting the findings of the audit, which must be submitted by the Licence Holder to the Director.

- 9.2.2 The audit report must:
- 9.2.2.1 specifically, state whether the conditions of this licence are being adhered to;
  - 9.2.2.2 include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment;
  - 9.2.2.3 specify target dates for the implementation of the recommendations to achieve compliance; and
  - 9.2.2.4 specify whether the corrective action taken after the previous audits was adequate.
- 9.2.3 The external audit report must be submitted to the Environmental Monitoring Committee (hereinafter referred to as the "Monitoring Committee"), provided in Condition 11 below, within 3 (three) months from the date on which the external auditor finalised the report.
- 9.2.4 Each external audit report must be submitted to the Director within 30 (thirty) days from the date on which the external auditor finalised the report.
- 9.2.5 Both the internal and external audit reports must be in accordance with the format as prescribed by the Department.

## **10. DEPARTMENTAL AUDITS AND INSPECTIONS**

- 10.1 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.
- 10.2 The Licence Holder must make any records or documentation available to the Director and the Director: RPW upon request, as well as any other information the Director and Director: RPW may require.
- 10.3 The findings of these audits or inspections shall be made available to the Licence Holder within 60 (sixty) days of the end of the audit or inspection and shall not be treated as confidential.

## **11. MONITORING COMMITTEE**

- 11.1 The Licence Holder must take the necessary steps to establish, maintain and ensure the continued functioning of a Monitoring Committee for the normal operative lifetime of the Facility and for a period of at least 2 (two) years after the closure of the Facility, or such longer period as may be determined by the Director.
- 11.2 The Monitoring Committee shall be representative of relevant interested and affected parties (I&APs) and may consist of at least 3 (three) of the following representatives:
- 11.2.1 Licence Holder and/or his/her appointed consultant(s) or advisor(s);
  - 11.2.2 representative(s) of the Health, Environment and/or Waste Departments of the relevant local authority;
  - 11.2.3 representative(s) of this Department; and
  - 11.2.4 at least 3 (three) persons/parties, their representatives elected by the local residents, or proof of notification of the invitation to attend the Monitoring Committee to I&APs of each meeting.
- 11.3 The Monitoring Committee shall meet annually (once a year) and no later than 3 (three) months after the finalisation of the external audit report was conducted in terms of Condition 9.2.1. and submitted in terms of Condition 9.2.3.



11.4 The Licence Holder must keep minutes of all meetings of the Monitoring Committee and distribute these minutes to all members of the Monitoring Committee within 30 (thirty) days after the meeting.

## **12. Record Keeping**

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

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

- (a) Be legible;
- (b) Be made available and should form part of the external audit report;
- (c) If amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
- (d) Be retained accordance with documented procedures which are approved by the Department; and
- (e) Be made available upon the request of the Director.

## **13. Reporting**

13.1 The Licence Holder must, within 24 hours, notify the Director of the occurrence or detection of any incident on the Site which has the potential to cause, or has caused any pollution.

13.2 The Licence Holder must, within 14 days, or as specified by the Director from the occurrence or detection of any incident referred to in condition 13.1, submit an action plan which must include a detailed time schedule, and resource allocation signed off by management, to the satisfaction of the Director of measures taken to:

- a) Correct the impact resulting from the incident;
- b) Prevent the incident from causing any further impact; and
- c) Prevent a recurrence of a similar incident.

13.3 In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 13.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.

13.4 The Licence Holder must keep and maintain an incident and complaints register, which must be available at the request of the Director.

13.5 The Department must be notified within 7 days of any changes to the management of the Site including the name of the incoming person together with evidence that such person has the required technical competence.

13.6 The Department must be notified within 14 days of the following changes:

- a) The Licence Holder's trading name, registered name or registered office address;
- b) Particulars of the Licence Holder's ultimate holding company (Including details of an ultimate holding where a Licence Holder has become a subsidiary); and
- c) Steps taken with a view to the Licence Holder going into bankruptcy, entering into composition or arrangement with creditors.

13.7 The Licence Holder must register and report to the Department's Integrated Pollution and Waste Information System (IPWIS).

#### **14. Leasing and alienation of the Site**

14.1 Should the Licence Holder want to alienate or lease the Site, he/she must notify the Director in writing of such an intention at least 120 days prior to the said transaction, Should the approval be granted, the subsequent Licence Holder shall remain liable to compliance with all Licence conditions.

#### **15. Transfer of the Waste Management License**

15.1 Should the Licence Holder want to transfer holdership of this Licence, he/she must apply in terms of Section 52 of the NEM:WA.

15.2 Any subsequent Licence Holder shall be bound by the conditions of this Licence.

#### **16. Commencement**

16.1 The construction and rehabilitation activities of the licensed activity may not commence within twenty (20) days of the date of signature of the Licence.

16.2 Should the Licence Holder be notified by the licensing authority of a suspension of the Licence pending any appeal decisions on the authorised activities, he/she may not commence with the activity until authorised by the Director in writing.

16.3 After the twenty (20) day 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.

14.4 This activity must commence within a period of three (3) years from the date of issue of this Waste Management Licence. If commencement of the activity does not occur within that period, the 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 proponent anticipates that commencement of the activity would not occur within the three (3) year period, he/she must apply and show good cause for an extension of the Licence six (6) months prior to its expiry date.

#### **17. General**

17.1 This Licence shall not be transferable unless such transfer is subject to condition 15 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-laws and relevant National Standards and Norms.

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 ten (10) years from the date of signature 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 be extended.

- 17.5 Should the Licence Holder want to conduct the waste management activity beyond ten (10) years; the Licence Holder must apply for a review one year before the expiry date.
- 17.6 Non-compliance with a condition of this License 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 National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended (NEMA), and sections 19 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 Holder reads through and understands the legislative requirements pertaining to 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 LICENSE**

1. Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (GN No. 993 of 2014), as amended.
2. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the holder by the Competent Authority:
  - 2.1 submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 2.2 submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the registered I&APs by the holder:
  - 3.1 submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014, as amended to the Appeal Administrator; and
  - 3.2 submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
4. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
5. The appeal and the responding statement must be submitted to the address listed below:
  - By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000  
By facsimile: (021) 483 4174
  - By hand: Attention: Mr 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](mailto: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 [Marius.Venter@westerncape.gov.za](mailto:Marius.Venter@westerncape.gov.za).

A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail [Marius.Venter@westerncape.gov.za](mailto: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,

**DIRECTOR: WASTE MANAGEMENT**

CC: (1) Mr Malise Noe: (DWS: Resource Protection and Waste)  
(2) Ms Margot Ladouce (CoCT)  
(3) Ms Jo-Anne Petersen

E-mail: [NoeM@dws.gov.za](mailto:NoeM@dws.gov.za)  
Email: [Margot.Ladouce@capetown.gov.za](mailto:Margot.Ladouce@capetown.gov.za)  
Email: [Jo-Anne.Petersen@capetown.gov.za](mailto:Jo-Anne.Petersen@capetown.gov.za)

## **ANNEXURE I**

### **A. REASONS FOR VARIATION OF THE DECISION (APPEALABLE)**

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

The Department received a non-substantive variation application on 18 June 2021, to renew the validity period of the waste management licence in line with condition 17.5.

In line with condition 17.4 of this license, the Department has reviewed and updated the licence and has made the decision to extend the validity of this licence for a further ten (10) years.

### **B. REASONS FOR THE ORIGINAL DECISION (NOT APPEALABLE):**

The waste management activity licenced above has been considered in the broader context of the entire development. The reasons for the licence decision, as well as factors affecting the broader development that were considered in the NEMA EIA application to ensure the effective implementation of this waste management licence, 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 Application Form for a Waste Management Licence dated 19 January 2010 and subsequent additional information received on 8 September 2010, compiled by Anél Blignaut Environmental Consultants.
- b) The Basic Assessment Report (BAR) dated 26 January 2009 and subsequent additional information received on 8 September 2010, compiled by Anél Blignaut Environmental Consultants.
- c) The Record of Decision issued on 4 February 2011 by the Department of Water Affairs in terms of Section 50 of the NEM: WA.
- d) Comments raised by Interested and Affected Parties throughout the Public Participation Process and the applicant and the Environmental Assessment Practitioner's responses thereto.
- e) Relevant information contained in the Departmental Information base,
- f) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA.

A summary of the issues, which, in the Department's view were of the most significance, is set out below.

#### **Exemption**

The applicant was exempted from undertaking public participation in terms of Regulation 56 of Government Notice No. R. 385 of 11 April 2006. The Department accepts the motivation since:

- A full Public Participation Process was undertaken to meet the requirements of the Basic Assessment process for this development in a previous NEMA EIA application that was authorised on 16 March 2009; and
- The registered Interested and Affected Parties did not have any objections against this exemption application.

## **Alternatives**

The following alternatives were considered:

### *Alternative 1 (Preferred alternative)*

The preferred Site entails the closure and decommissioning of the Kraaifontein Landfill site as follows:

- The landfill site will be engineered and designed to reduce the steep slopes by infilling with soil to decrease soil erosion that is currently being experienced;
- Development of open channels that are lined with hyson cells and a cement and sand mix do drain storm water; and
- Construction of a storm water drain around the waste site to collect surface run-off.

### *Alternative 2*

This alternative entails the draining of storm water into ponds, which could be constructed directly adjacent to the landfill site. However, this option was not preferred due to the potential of water contamination with bacteria and the fact that the growth of alien weeds would make this option's maintenance expensive.

### *No-go alternative*

If the Site continues in its current condition the possibility storm water contamination and erosion occurrence could become a potential risk in terms of health and safety regulations. In addition, the Site would not be used for any other environmentally or economically viable purpose due to the health and safety concerns if it is not legally closed.

## **Environment**

The area was previously used as a garden refuse dumpsite and therefore does not contain any sensitive ecosystems, habitats or vegetation of environmental significance within the area of construction. There are three small dams on the Site and the Mosselbank River is located the eastern boundary,

## **Socio-economic context**

The closure of the landfill site will contribute to both the environmental and human health and safety. The end-use also enhance the landfill site's appearance to be more visually attractive. The closure of the waste disposal site will also provide recreation opportunities in close proximity to the expanding residential areas.

## **Public Participation In terms of the NEMA EEIA application**

The Public Participation Process of the NEMA EIA application comprised of the following:

- Registered letters were sent to the Immediate neighbours, the Home Owners Association and the Chancery Lane Body Corporate on 19 June 2008;
- An advertisement was placed in the "Tygerburger" newspaper on 13 August 2008;

- A notice and a poster were displayed at the Site and the Uitzicht Kwikspaar on 15 August 2008;
- Letters were sent to the relevant local authority and the Municipal Ward Councillor on 15 August 2008; and
- The draft Basic Assessment Report was placed on the local library on 16 August 2008.

### **Public Participation of the Waste Management Licence application**

Notification letters were sent to registered Interested and Affected Parties on 11 May 2010,

#### **Authorities Consultation:**

The authorities consulted include the following:

- Department of Environmental Affairs and Development Planning's Directorate: Waste Management;
- CapeNature;
- Department of Water Affairs ("DWA"); and
- Heritage Western Cape,

At the end of the commenting periods, the following issues were raised:

- CapeNature suggested that storm water runoff should be directed into an artificial wetland area to assist with filtering impurities from the water, prior to it entering the river;
- Clarity was requested on the type of waste that was disposed of at the Site;
- Regular post-closure water quality monitoring to determine the ground water contamination was required.

The applicant addressed the issues raised as follows:

- The DWA indicated that an artificial wetland area to assist with filtering impurities from the water is not necessary if the Closure of the Site adheres to the EMPr;
- Only garden waste and building rubble was disposed of at the Site;
- The applicant stated that the Site, due its communal size, is not required to undertake ground water monitoring for closure in terms of the Minimum Requirements for Waste Disposal by Landfill.

Comments and recommendations provided by the other relevant authorities have been considered in the evaluation of this application. No authorities objected to the commencement of the activity. Where possible and relevant, the conditions imposed by these authorities have been included in the Waste Licence.