



**Application for a Waste Management Licence in terms of Section 45 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and the 2014 NEMA Environmental Impact Assessment Regulations**

**February 2015**

(For official use only)	
Waste Reference Number:	
Waste NEAS Reference Number:	
Date Received by Department:	
Date Received by Component:	
Application fee amount:	
Specific Fee Reference Number:	
Application fee paid on:	

(For completion by EAP/Applicant)

<b>Applications for expansion or for decommissioning of an existing facility</b>	
Existing Waste Management Licence/ Permit reference number :	NA
Date of issue of the Waste Management Licence/Permit:	NA
Date of expiry of the Waste Management Licence/Permit:	NA
<b>Please Note: A certified copy of the Waste Management Licence / Permit must be attached to this application.</b>	

**APPLICATION FEE**

Application fee amount:	R 10 000.00
Specific Fee Reference Number:	WML-SEIR-F0001
Application fee paid on:	22 August 2019

**PRE-APPLICATION CONSULTATION**

Date of comment provided by the Department prior to submission of the application:	<b><u>29 May 2019</u></b>
Reference number of Departmental comment:	<b><u>19/2/5/7/B5/16/WL0177/18</u></b>

**Note the following:**

1. The content of the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations (dated 9 December 2014) must be taken into account when completing this Application Form.
2. This form must always be used for applications that must be subjected to Basic Assessment or Scoping & Environmental Impact Reporting where this Department is the competent authority.
3. This form is current as of **February 2015**. It is the responsibility of the Applicant / Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of the form have been released by the Department.
4. An **application fee is applicable (refer to note 10 below as well as section 1 on page 3)**.
5. It is the applicant and EAP's responsibility to determine who the licensing authority will be in terms of Section 43 of the Waste Act. Where the National Department of Environmental Affairs ("DEA") is the licensing authority, i.e. waste management activities pertaining to hazardous waste, the application must be made to DEA on their application form, available from the South African waste information centre website (<http://sawic.environment.gov.za>).
6. If, in addition to this application, you must also apply for environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations and/or an atmospheric emission licence in terms of the National Environmental: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM: AQA"), then separate application forms in terms of the applicable legislation must be completed and submitted simultaneously to the relevant licensing authorities, but a single EIA process must be undertaken. Copies of such applications must be attached to this Application Form.
7. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary.
8. The use of "not applicable" in the form must be done with circumspection. Incomplete applications or applications that do not meet the requirements in terms of Regulation 16 of the 2014 NEMA EIA Regulations must be **resubmitted**.
9. Unless protected by law all information contained in, and attached to this application, will become public information on receipt by the Department. Upon request, the applicant/EAP must provide any interested and affected party with the information contained in or submitted with the application form.
10. An application for a waste management licence/variation lapses if the applicant fails to meet any of the timeframes prescribed in terms of the 2014 EIA Regulations. If authorisation is required from a number of different authorities, the authorities might also require that an integrated process be followed. As such, it is recommended that:
  - a) the proponent and EAP approach the Department prior to submission of the application for guidance on the process to be followed – in this regard it must be noted that the Department has developed a **Notice of Intent** form to be submitted to the Department to allow for informed guidance by the Department but also for determination of the application fee and the provision of a specific fee reference number;
  - b) the notice of the intended application for waste management licence to potential interested and affected parties in terms of Regulation 41 of the 2014 NEMA EIA Regulations be given prior to submission of the application together with the notice that the draft Basic Assessment Report/Scoping Report is available for a commenting period of at least 30 days;
  - c) if the intention is to also apply for exemption in terms of the National Exemption Regulations, the notice in terms of the intended application for exemption to the potential interested and affected parties in terms of Regulation 41 of the 2014 NEMA EIA Regulations be given prior to submission of the exemption application together with the notice indicated in "b)" above; and
  - d) if the intention is to also apply for exemption in terms of the National Exemption Regulations, the exemption application be submitted either prior to or together with the application for a waste management licence.
11. **The Listed Waste Management Additional Information Annexure must be completed and submitted together with the Basic Assessment Report or Environmental Impact Assessment Report.**
12. This form must be submitted to the Department at the details provided below.

**DEPARTMENTAL DETAILS**

Department of Environmental Affairs and Development Planning  
Attention: Directorate Waste Management  
Private Bag X9086  
Cape Town,  
8000  
  
Registry Office  
1<sup>st</sup> Floor Utilitas Building  
1 Dorp Street,  
Cape Town

Queries should be directed to the Directorate: Waste Management at: Tel: (021) 483-2756; Fax (021) 483-4425

**View the Department's website at <http://www.westerncape.gov.za/dept/eadp> for the latest version of this document.**

## 1. FEES

If the relevant application fee was already confirmed with the Department and a specific fee reference number obtained following the submission of a **Notice of Intent** to the Department, then all that is still required is:

- for the Specific Fee Reference number to be provided:

WML-SEIR-F0001

- to confirm the fee paid:

R 10 000.00

and

- for the proof of payment to be attached to this application form.

See attached Appendix D: Proof of Application Fee Payment

## 2. BACKGROUND INFORMATION

<b>Duplicate this section where there is more than one applicant</b> Name of applicant: RSA Identity/ Passport Number: Name of contact person for applicant (if other): RSA Identity/ Passport Number: Company/ Trading name (if any): Company Registration Number: Postal address: Telephone: E-mail:	Brenn-O-Kem (Pty) Ltd	
	NA	
	Mr Jacques Jonker	
	NA	
	Brenn-O-Kem (Pty) Ltd	
	1968/011252/07	
	PO Box 71	
	Wolseley	Postal code: 6830
	023 231 1060	Cell: 083 6574 653
	produksie@brenn-o-kem.co.za	Fax: 086 416 6691
SPECIFIC FEE REFERENCE NUMBER:	WML-SEIR-F0001	
Company of Environmental Assessment Practitioner (EAP):	Eco Impact Legal Consulting (Pty) Ltd	
EAP name:	Lauren Abrahams	
Postal address:	PO Box 45070	
	Claremont	Postal code: 7735
Telephone:	021 671 1660	Cell: 066 210 9892
	E-mail: <a href="mailto:admin@ecoimpact.co.za">admin@ecoimpact.co.za</a>	Fax: -
EAP Qualifications:	B Tech Oceanography: Cape Peninsula University of Technology (2010)	
EAP Registrations/Associations:	SACNASP Cand.Sci.Nat (Biological Science) 100126/12	
Name of landowner:	Same as applicant	
Name of contact person for landowner (if other):		
Postal address:		
		Postal code:
Telephone:		Cell:
Name of Person in control of the land:	Same as applicant	
Name of contact person for person in control of the land:	Same as applicant	
Postal address:		
		Postal code:
Telephone:	( )	Cell:
E-mail:		Fax: ( )

**Note:** In instances where there is more than one landowner, please attach a list of landowners, with their contact details, to the back of this form.

Municipality in whose area of jurisdiction the proposed activity will fall: Contact person: Postal address: Telephone E-mail:	Witzenberg Municipality	
	Municipal Manager	
	PO Box 44	
	Ceres	Postal code: 6835
	023 316 1854	Cell: NA
	admin@witzenberg.gov.za	Fax: -

**Note:** In instances where there is more than one Municipality involved, please attach a list of Municipalities, with their respective

contact details, to the back of this form.

Property location of all proposed sites:	The property is located south of the R 46 from Wolseley to Ceres approximately 2.4km east of the town Wolseley		
Farm/Erf name(s) & number(s) (including portion) of all proposed sites:	Farm 268/38, Tulbagh		
Property size(s) (m <sup>2</sup> ) of all proposed sites:	5.02ha		
Development footprint size(s) in m <sup>2</sup> :	5.02ha		
SG Digit code(s) of all proposed sites:	C07500000000026800038		
Coordinates of all proposed sites: Latitude (S)	33°	25'	05.54"
Longitude (E)	19°	14'	18.42"

**Note:** Coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94 WGS84 co-ordinate system. Where numerous properties/sites are involved (e.g. linear activities), you may attach a list of property descriptions and street addresses to this form.

Street address of all proposed sites:	The property is located south of the R 46 from Wolseley to Ceres approximately 2.4km east of the town Wolseley		
Magisterial District or Town:	Witzenberg		
Closest City/Town:	Wolseley	Distance	2.4 (km)
Current zoning of all proposed sites:	Agri-industrial 1		

**Note:** In instances where more than one zoning is applicable, attach a list or map of the properties that indicates their respective zoning to this form.

Is a rezoning application required?	YES	NO
Is a consent use application required?	YES	NO
Locality map:	<p>A locality map must be attached to the application form, as an Appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must include the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection).</li> </ul>	
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity is proposed to be undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix 1.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014).</p>	
Project Plan (e.g. Gantt chart)	<p>A project schedule must be submitted as an Appendix, and must include milestones for:</p> <ul style="list-style-type: none"> <li>• public participation (dates for advertisements, workshops and other meetings, obtaining comment from organs of state including state departments);</li> <li>• the commencement of parallel application processes required in terms of other statutes and where relevant, the alignment of these application processes with the EIA process;</li> <li>• the submission of the key documents (e.g. Basic Assessment Report, Scoping Reports, EIA</li> </ul>	

	<p>Reports and Environmental Management Programmes).</p> <p><b>Note:</b> All the above dates must take into account the statutory timeframes for authority responses that are stipulated in the 2014 NEMA EIA Regulations. Possible appeals may impact on project timeframes/milestones. Regulation 45 states that "An application in terms of these Regulations lapses, and a competent authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of regulation 3(7)." It is recommended that the Department be approached for guidance on the process to be followed, prior to submitting an application.</p>
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### 3. PROJECT DESCRIPTION

3.1 Is this an application for a waste management licence for the establishment of a new facility, for the expansion of an existing facility or for the decommissioning / closure of an existing facility?	<del>NEW</del>	EXPANSION	CLOSURE
3.2 Is this an application for the Basic Assessment process?	YES	NO	
3.3 Is this an application for the Scoping and EIR process?	YES	<del>NO</del>	
3.4 Provide a detailed description of the proposed project, its associated infrastructure, and the availability of bulk services. A clear, accurate and comprehensive description will obviate any requests for additional information by the Department.			
<p>The proposed activity is for the expansion and licensing of an existing facility</p> <p>The existing facility has been in existence since 1960 and has been processing pomace since 2000. As such there was no requirement for a waste license at the time of commencement. The facility to date is processing the same volumes of grape pomace since the commencement of the activity.</p> <p>Grape pomace consists of the grape skins and seeds, the stalks are separated from the pomace at the cellar before delivery to the processing facility. Currently the facility receives and processes approximately 2 800MT/month of grape pomace from various cellars within the Western Cape. The pomace is packaged in silo bags and delivered via trucks to the facility where it is processed to produce products such as alcohol, cream of tartar, grape seed oil, grape seed tannin and animal feed. Currently the facility is running at ±60% capacity and it is proposed to run the facility at full capacity which means that approximately 4600MT/month of grape pomace will then be processed.</p>			
3.5 Is the activity being applied for:			
3.5.1 an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource?	YES	NO	
3.5.2 a strategic integrated project ("SIP") as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)?	YES	NO	
3.6 Highlight the type of project:	Storage	Recycling and/or recovery	Treatment
			Disposal
			Other
3.7 Are waste hierarchy measures considered in your project?			YES
If Yes, please provide a general description of the waste hierarchy measures being proposed. If No, motivate why no waste hierarchy measures have been considered.			NO
Not Applicable			

### 4. ACTIVITIES APPLIED FOR

All waste management activities associated with the proposed project that are listed in Government Notice (GN) No. 921 of 29 November 2013 as Category A and those listed as Category B must be indicated below:

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Category A of GN No. 921	Describe the portion of the proposed project to which the applicable listed activity relates.
NA		
Activity No(s):	Provide the relevant Scoping and EIR Activity(ies) as set out in	Describe the portion of the proposed project to

	Category B of GN No. 921	which the applicable listed activity relates.
3	The recovery of waste including the refining, utilisation, or co-processing of the waste at a facility that processes in excess of 100 tons of general waste per day or in excess of 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.	Processing 4600MT/month of grape pomace received as general organic cellar waste
6	The treatment of general waste in excess of 100 tons per day calculated as a monthly average, using any form of treatment.	Processing 4600MT/month of grape pomace received as general organic cellar waste
Activity No(s):	Provide the relevant Category C Waste Management Activity(ies) as set out in List of Waste Management Activities (GN No. R. 921)	Describe the portion of the proposed project to which the applicable listed activity relates.
5(1)	The storage of general waste at a facility that has the capacity to store in excess of 100m <sup>3</sup> of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste.	The Applicant to comply with the National Norms and Standards for the Storage of Waste.
5(2)	The storage of hazardous waste at a facility that has the capacity to store in excess of 80m <sup>3</sup> of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons or temporary storage of such waste.	The Applicant to comply with the National Norms and Standards for the Storage of Waste.
<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• A Scoping and Environmental Impact Reporting (S&amp;EIR) process must be followed for all the activities (NEMA Listed Activities and/or Waste Management Activities) if any of the activities must be subjected to S&amp;EIR.</li> <li>• Only those activities listed above shall be considered for authorisation. The onus is on the applicant to ensure that all applicable listed activities are included in the application. Environmental Authorisation must be obtained prior to commencement with each applicable listed activity. If a specific listed activity is not included in a Waste Management Licence, an application for variation or a new application for a Waste Management Licence will have to be submitted.</li> </ul>		

## 5. OTHER APPLICATIONS

### 5.1 EIA listed activities applied for

Activities listed in GN No. R. 983, GN No. R. 984 and GN No. R. 985 that are associated with the proposed project must be provided below.

Activity No(s):	Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 1</b> (GN No. R. 983)	Application submitted (Yes / No)
NA		
Activity No(s):	Provide the relevant <b>Basic Assessment Activity(ies)</b> as set out in <b>Listing Notice 3</b> (GN No. R. 985)	Application submitted (Yes / No)
NA		
Activity No(s):	Provide the relevant <b>Scoping and EIR Activity(ies)</b> as set out in <b>Listing Notice 2</b> (GN No. R. 984)	Application submitted (Yes / No)
NA		

### 5.2 Applications in terms of the National Environmental Management Act (“NEMA”) & specific environmental management Acts (“SEMs”)

Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?	YES	NO
If yes, has an application been submitted to the relevant competent authority?	YES	NO
If yes, provide more details in term of the application:		
NA		

**Note:** If an environmental authorisation is required in terms of the 2014 NEMA EIA Regulations as well as a Waste Management Licence in terms of the Waste Act, 2008 and/or an Atmospheric Emission Licence in terms of the NEM: AQA, 2004, then separate application forms in terms of the applicable legislation must be completed and submitted simultaneously to the relevant competent authorities for these licences, but a single EIA process must be undertaken.

### 5.3 Heritage Impact Assessment

Please be advised that every application for Environmental Authorisation including an application for a Waste Management Licence, must include, where applicable the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please further be advised that if section 38 of the National Heritage Resources Act, 1999 is applicable to your proposed development, then you are requested to submit the Notice of Intent form developed by Heritage Western Cape to Heritage Western Cape and attach a copy to this form. If Heritage Western Cape requires that a Heritage Impact Assessment will be required, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the 2014 NEMA EIA Regulations.

Section 38 of the Act states as follows:

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
  - (i) exceeding 5 000 m<sup>2</sup> in extent; or
  - (ii) involving three or more existing erven or subdivisions thereof; or
  - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.

Does the proposed development constitute the undertaking of any of the categories of development set out in Section 38(1) of the National Heritage Resources Act?	YES	NO
If yes, please explain:		
NA		



If the proposed development does constitute the undertaking of any of the categories of development set out in Section 38(1) of the National Heritage Resources Act, has a Notice of Intent been submitted to Heritage Western Cape?	YES	NO
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**Note:** A copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

## 5.4 Applications in terms of other legislation

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	NO
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If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
NA			

## 6. PUBLIC PARTICIPATION

### 6.1 Public participation process to be followed

The person conducting the public participation process must fulfil the requirements outlined in Chapter 6 of the 2014 NEMA EIA Regulations and must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations (dated 9 December 2014) as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including exemptions that have been/will be applied for:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES	EXEMPTION	
(ii) any alternative site	YES	EXEMPTION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	EXEMPTION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	EXEMPTION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	EXEMPTION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	EXEMPTION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	EXEMPTION	
(vi) any other party as required by the Department;	YES	EXEMPTION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	EXEMPTION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	EXEMPTION	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	EXEMPTION	N/A
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to—	YES	EXEMPTION	N/A
(i) illiteracy;			
(ii) disability; or (iii) any other disadvantage.			

If you have indicated that "EXEMPTION" applies to any of the above, then a separate Application for Exemption must be submitted.		
2. The Waste Act requires that a notice must be placed in at least two newspapers.		
Have you /will an advertisement be placed in at least two newspapers?	YES	NO
If "NO", then an application for exemption from the requirement must be applied for.		

**Note:** It is no longer possible to obtain permission to deviate from the requirements to give notice to potential interested and affected parties. Unless exemption has been granted from a particular requirement, the requirement must be met. If an application for exemption is refused, the requirement in question must be met.

## 6.2 Public participation undertaken prior to submission of the application

Where public participation in terms of Regulations 40(3) and 41 was undertaken prior to submission of this application, please provide a summary of the steps followed to date.
<p>This section of the report is included in compliance with the Regulations. Public participation is an integral part of the EIA process, and affords potentially interested and potentially affected parties (I&amp;APs) an opportunity to participate in the EIA process, or to comment on any aspect of the development proposals.</p> <p>Other relevant considerations regarding the public participation process being undertaken for this project are that:</p> <ul style="list-style-type: none"> <li>• The public participation process being undertaken for this project complies with the requirements of the Regulations.</li> <li>• The description of the public participation process included in Sections below itemises the steps and actions undertaken.</li> </ul> <p>An Advert was placed in the following newspapers:</p> <ul style="list-style-type: none"> <li>• Worcester Standard on the 08 November 2018.</li> <li>• Die Burger on the 08 November 2018.</li> </ul> <p>The notice boards were placed on site from 08 November 2018.</p> <p>Four (4) notices were hand delivered on the 09 November 2018, to owners and occupiers of land adjacent to the site where the activity is undertaken. The notice requested them to register as Interested and Affective Parties (I&amp;APs) and invited them to provide written comments together with the above reference number, their name, contact details and an indication of any direct business, financial, personal or other interest which they have in the application to the contact person indicated below within 30 days from the date of this notice. The notice also requested the owner to inform all persons residing on the property. The notice was provided to owners and occupiers in English.</p> <p>The Pre-Application Scoping Report was sent to the following Organs of State and Key Departments:</p> <ul style="list-style-type: none"> <li>• Breede-Gouritz Catchment Management Agency</li> <li>• Cape Winelands District Municipality</li> <li>• CapeNature</li> <li>• DEA&amp;DP: Air Quality Management</li> <li>• DEA&amp;DP: Development Management</li> <li>• DEA&amp;DP: Pollution and Chemicals Management</li> <li>• DEA&amp;DP: Waste Management (Competent Authority - WML Application)</li> <li>• Western Cape Department of Public Works: Road Network</li> <li>• Witzenberg Municipality</li> </ul> <p>Workshop with Key Role players:</p> <p>A site meeting was held on the 13 September 2018 with representatives of the DEA&amp;DP Waste Management Directorate. The purpose of the site meeting was to determine the way forward in terms of the application based on the proposed application and current activities at the facility.</p>

### 6.3 List of State departments consulted/to be consulted

KEY DEPARTMENTS				
STAKEHOLDER	CONTACT PERSON	TELEPHONE	FAX NUMBER	EMAIL ADDRESS
<b>COMPETENT AUTHORITY</b>				
DEA&DP: Waste Management Private Bag X9086 Cape Town 8000	Mr. Waleed Galvaan Ref: 19/2/5/7/B5/16/WL0177/18	021 483 2728	021 483 4425	<a href="mailto:Waleed.Galvaan@westerncape.gov.za">Waleed.Galvaan@westerncape.gov.za</a>
<b>KEY DEPARTMENTS</b>				
Breede Gouritz Catchment Management Agency Private Bag X3055 Worcester 6850	Ms. Elkerine Russouw Ref: 4/10/1H10F/Brenn-O-Kem, Wolseley	023 346 8000	023 347 2012	<a href="mailto:erossouw@bgcma.co.za">erossouw@bgcma.co.za</a>
Cape Winelands District Municipality PO Box 100 Stellenbosch 7599	Municipal Manager Mayor Ward Councillors	021 888 5272 / 021 888 5130	021 887 3451	<a href="mailto:mm@capewinelands.gov.za">mm@capewinelands.gov.za</a>
CapeNature Private Bag X5014 Stellenbosch 7599	Ms. Philippa Huntly Ref: SSD14/2/6/1/9/6/268-38_Waste_Wolseley	021 866 8000	021 866 1523	<a href="mailto:phuntly@capenature.co.za">phuntly@capenature.co.za</a>
DEA&DP: Air Quality Management Private Bag X9086 Cape Town 8000	Mr. Peter Harmse Ref: 19/4/4/BW2-Brenn-O-Kem, Wolseley	021 483 2888	021 483 3254	<a href="mailto:Peter.Harmse@westerncape.gov.za">Peter.Harmse@westerncape.gov.za</a>
DEA&DP: Development Management Private Bag X9086 Cape Town 8000	The Director Region 2	021 483 5829	021 483 4372	NA
DEA&DP: Pollution and Chemicals Management Private Bag X9086 Cape Town 8000	Mr Russell Mehl Ref: PMIM032/19	021 483 2752	021 483 3186	<a href="mailto:Russel.Mehl@westerncape.gov.za">Russel.Mehl@westerncape.gov.za</a>
Department of Agriculture, Western Cape: Land Use Private Bag X1 Elsenburg 7607	Mr. Cor van der Walt	021 808 5099	021 808 5092	<a href="mailto:corvdw@elsenburg.co.za">corvdw@elsenburg.co.za</a>
Western Cape: Transport and Public Works - Road Network Management PO Box 2603 Cape Town 8000	Mr Devlin Fortuin	021 483 2012	021 483 2205	<a href="mailto:Devlin.fortuin@westerncape.gov.za">Devlin.fortuin@westerncape.gov.za</a>
Witzenberg Local Municipality PO Box 44 Ceres 6835	Municipal Manager Mayor Ward Councillors	023 316 1854	023 316 1877	<a href="mailto:admin@witzenberg.gov.za">admin@witzenberg.gov.za</a>
<b>REGISTERED INTERESTED AND AFFECTED PARTIES</b>				
I&AP	ADDRESS	TELEPHONE	FAX NUMBER	EMAIL ADDRESS
None to date.				

**Note:** A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department's request for comment, submit such comment in writing to the Department. The applicant/EAP is

therefore required to inform this Department in writing when the Basic Assessment Report / Scoping Report / Environmental Impact Assessment Report is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA (as amended), inform the relevant State Departments of the commencement date of the 30 day commenting period.

## 7. EXEMPTION

The relevant parts of this section must be completed for any application for exemption from provisions of the Waste Act and/or the EIA Regulations.

### 7.1 Exemption in terms of Section 74 of the Waste Act:

Please provide a description of the exemption being applied for:	Provide the relevant numbering of the Act - e.g. Section 47(3)
NA	
Provide a detailed motivation for the exemption application:	
NA	

### 7.2 Exemption from a provision of NEMA, the EIA Regulations or a SEMA

**Note:** An application for exemption from provisions of NEMA and the EIA Regulations must be submitted on a separate Exemption Application Form available on the Department's website at <http://www.westerncape.gov.za/dept/eadp>.

Do you intend applying for exemption/ have you applied from any provisions of NEMA, the EIA Regulations or a specific environmental management Act?	YES	NO
Please provide a description (including the relevant NEMA provision or EIA Regulation number(s) for which exemption has been/will be applied for/ granted (Please include the Reference Number if exemption has been granted):		
NA		

## 8. COMPETENCE TO UNDERTAKE WASTE MANAGEMENT ACTIVITY

In terms of Sections 48(f) and 59 of the Waste Act, the licensing authority must take into account whether the holder of the waste licence is a "fit and proper" person. To assess the holder's competence to undertake the activity and operate the facility, please disclose the following:

### Legal compliance

Has the applicant ever been found guilty or issued with a non compliance notice in terms of any national environmental management legislation?

Has the applicant's Waste management Licence in terms of the Waste Act, 2008 ever been suspended or revoked?

Has the applicant ever been issued with a non compliance notice or letter in terms of any South African Law?

YES/NO	DETAILS
No	
No	
No	

**NB:** Details required above include any information that the applicant wants the Department to take into consideration in determining whether they are a "fit and proper person" and this includes reasons why the offence happened and measures in place to prevent recurrence

### Technical competence

What technical skills are required to undertake the activity and operate the facility?

Operational Manager - Mr. Ruaan Genade

How will the applicant ensure and maintain technical competency in the operation of the facility?

Ensure that a duly qualified person is appointed to oversee all facility operations.

Details of applicant's experience and qualification along with that of relevant employees must be summarised as shown in the table below:

<b>NAME</b>	<b>POSITION</b>	<b>DUTIES AND RESPONSIBILITIES</b>	<b>QUALIFICATIONS AND EXPERIENCE</b>
Mr.Ruaan Genade	Operational Manager	Ensure that all processes to be done is in line with the facilities SOP's complying with applicable legislation and best practises.	Operational manager with more than 10 years' experience, and qualified as chemical engineer.

## 9. DECLARATIONS

### 9.1 THE APPLICANT

**Note:** Duplicate this section where there is more than one applicant.

I....., in my personal capacity or duly authorized thereto hereby declare/affirm all the information submitted or to be submitted as part of the application is true and correct, and that I:

- am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA (Government Notice No. R. 982 refers) and any relevant specific environmental management act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- appointed the environmental assessment practitioner, where applicable, which meets all the requirements in terms of regulation 13 of GN No. R 982 to act as independent environmental assessment practitioner for this application;
- will provide the environmental assessment practitioner and specialist, where applicable, and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the NEMA EIA Regulations, 2014 and other environmental legislation including but not limited to –
  - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
  - costs incurred in respect of the undertaking of any process required in terms of the regulations;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the regulations;
  - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
  - the provision of security to ensure compliance with applicable management and mitigation measures;
- am responsible for complying with conditions that may be attached to any decision(s) issued by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of NEMA EIA Regulations, 2014 other environmental legislation;
- hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the NEMA EIA Regulations, 2014 and any specific environmental management act; and
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided in terms of the NEMA Regulations, 2014.

**Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

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Signature of the applicant:

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Name of company:

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Date:

## 9.2 THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

I ....., as the appointed environmental assessment practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- in terms of the general requirement to be independent:
  - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another EAP that meets the general requirements set out in Regulation 13 have been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- have disclosed/will disclose, to the applicant, the specialist (if any), the Department and interested and affected parties, all material information that have or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared or to be prepared as part of the application;
- have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to interested and affected parties and the public and that participation by interested and affected parties was/will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;
- have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded and submitted to the Department in respect of the application;
- have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- have kept/will keep a register of all interested and affected parties that participate/d in the public participation process; and
- am aware that a false declaration is an offence in terms of regulation 48 of the 2014 NEMA EIA Regulations.

**Note:** The terms of reference of the EAP must be attached.

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Signature of the environmental assessment practitioner:

**Eco Impact Legal Consulting (Pty) Ltd**

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Name of company:

Date: