

Waste Management Licence: Luckhoff Solid Waste Disposal Site



destea

department of
economic, small business development,
tourism and environmental affairs
FREE STATE PROVINCE

Ref: WML/EIA/01/2021

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LICENCE NUMBER:	WML/EIA/01/2021
CLASS:	CLASS B (G: C: B)
WASTE DISPOSAL FACILITY:	LUCKHOFF SOLID WASTE DISPOSAL SITE
LOCATION:	ON PORTION 1 OF FARM DE DORPSGRONDEN LUCKHOFF 557
LICENCE HOLDER:	LETSEMENG LOCAL MUNICIPALITY
ADDRESS:	PRIVATE BAG X3, KOFFIEFONTEIN, 9986
CONTACT PERSON:	MR. TSHEMEDI LUCAS MKHWANE
CONTACT DETAILS:	TEL: (053) 205 9200; FAX: (053) 205 0144

REFUSAL OF WASTE MANAGEMENT LICENCE IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

In terms of Section 20(b) of the National Environmental Management: Waste Act, 2008 (Act, No. 59 of 2008), read with the Environmental Impact Assessment (EIA) Regulations promulgated in terms of Government Notice (GN) No. R.982 on 08 December 2014, the Acting Head of Department of Economic, Small Business Development, Tourism and Environmental affairs (DESTEA), (herein referred to as 'the Department') hereby refuse Letsemeng Local Municipality a Waste Management Licence for the following waste management activities as listed in **Category B, Activity 8 and 10 of Government Notice No. 921, dated 29 November 2013:**

- (8) Establishment of a waste facility for the disposal of general waste exceeding 25 000 tons to a land covering 20 hectares;
- (10) The construction of a new solid waste site as a waste management facility which will be used for handling domestic waste.

HEAD OF DEPARTMENT
Department of Economic,
Small Business Development,
Tourism and Environmental Affairs

14 JUL 2022

Private Bag X20801

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In this Licence, HOD means the Head of Department: Department of Economic, Small Business Development, Tourism and Environmental Affairs, who may be contacted at the address below:

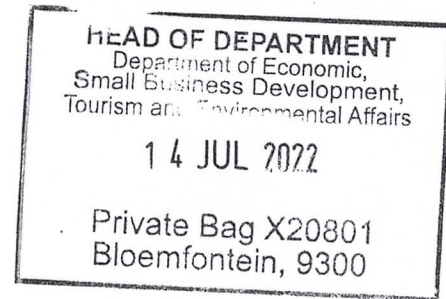
HOD: DESTEA

Department of Economic, Small Business Development, Tourism and Environment Affairs

Private Bag X20801

BLOEMFONTEIN

9300



1. SITE DETAILS

1.1. LOCATION

- 1.1.1. This Licence refuses the Development of a new Solid Waste Site ("SWS") for the Luckhoff town in the Free State Province (hereinafter referred to as "the Site"), according to the Development of a new Solid Waste Site, Letsemeng Local Municipality Application Report prepared by NSVT Consultants ("NSVT") submitted by the Licence Holder to the Department.
- 1.1.2. The location of the Site is according to the co-ordinates indicated on the application form, submitted the Licence Holder, which is defined as follows:

Latitude	Longitude
29°44'7.39"S	24° 47'54.86"E
29°44'2.41"S	24° 48'17.48"E
29°44'13.59"S	24° 48'25.57"E
29°44'19.10"S	24° 48'3.49"E

2. DECISION

- 2.1. **ASPECTS TAKEN INTO CONSIDERATION FOR NOT APPROVING THE WASTE MANAGEMENT LICENCE APPLICATION FOR THE DEVELOPMENT OF A NEW SOLID WASTE SITE IN LUCKHOFF, LETSEMENG LOCAL MUNICIPALITY, ARE AS FOLLOWS:**

- Based on the technical assessment of the Technical Report Project No: 217/Landfill Site/02:

CHIEF DIRECTORATE: ENVIRONMENTAL QUALITY AND PROTECTION

Private Bag X 20801
Bloemfontein
9300

113 St Andrew Street
Bloemfontein
9301

Tel: (051) 400 4917
E-mail: nkoeni@destea.gov.za

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Luckhoff – closure of existing solid waste site and construction of waste facility compiled by Dipabala Civil Engineers and Projects Managers dated November 2021 is not compliant with the National Norms and Standards for Disposal of Waste to Landfill, Regulation 636 dated August 2013 condition 3(1) and (2) and the Waste classification report to determine what type of waste will be received by the waste disposal facility is not submitted.

- The National Environmental Management Waste Act Regulation 2013: Checklist for the Lead Authority (National or Provincial Government) in advance of document submission to commenting authority is not submitted.
- The department is unable to process the application any further as the information provided is not complete.

3. APPEAL OF THE DEPARTMENT'S DECISION

3.1. The holder of the Licence must notify every registered Interested and Affected Party of the decision by the Department in writing and within 14 (fourteen) calendar days of the date of this Waste Management Licence. The notification referred to must –

- 3.1.1. Specify the date on which the decision to refuse the Waste Management Licence was made;
- 3.1.2. Inform the Interested and Affected Party of the appeal procedure provided for in National Appeal Regulations published in Government Gazette No. 993 of 8 December 2014.
- 3.1.3. Advise the Interested and Affected Party that a copy of the Waste Management Licence will be furnished on request; and
- 3.1.4. Give the reasons for the decision.

3.2. A person affected by the decision who wishes to appeal against the decision must lodge an appeal with the MEC of the Department of Economic, Small Business Development, Tourism and Environment Affairs. The appeal should be directed to:

HEAD OF DEPARTMENT
Department of Economic,
Small Business Development,
Tourism and Environmental Affairs

14 JUL 2022

Private Bag X20801
Bloemfontein, 9300

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Attention: Thabo Molotsi

MEC's Office (Economic, Small Business Development, Tourism and Environmental Affairs)

Private Bag X20801

Bloemfontein

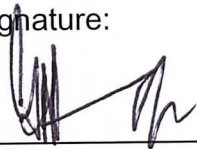
9300

Tel Number: **(051) 400 4714**

E-mail: **molotsit@destea.gov.za**

Appeals not submitted to the above mentioned address will not be regarded as valid.

Signature:



Dr. M. Nokwequ

HOD: DESTEA

DATE: 14/7/22

HEAD OF DEPARTMENT
Department of Economic,
Small Business Development,
Tourism and Environmental Affairs

14 JUL 2022

Private Bag X20801
Bloemfontein, 9300

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ANNEXURE I

APPEALS PROCEDURE IN TERMS OF THE NATIONAL APPEAL REGULATIONS GN 993 (CHAPTER 2 OF THE 2014 NATIONAL APPEAL REGULATIONS) TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF A WASTE MANAGEMENT LICENCE:

LODGING OF AN APPEAL:

- 1.1 The Appellant must submit the appeal submission (the Appeal Questionnaire and Appeal Response Form) to the appeal administrator, and a copy to the Applicant, and registered Interested and Affected Parties within twenty (20) days from:
- The date that the notification of the decision for an application for an environmental authorisation or a waste management license was sent to the Interested and Affected Parties by the Applicant.
 - The date that the notification of the decision was sent to the Applicant by the Competent Authority, Issuing Authority or Licensing Authority, in the case of decisions other than those referred to above.
- 1.2 The appeal submission must be submitted in the prescribed form and accompanied by:
- A completed Appeal and Response Form setting out the grounds of the appeal;
 - Supporting documentation that is referred to in an appeal which did not form part of the documentation considered when the original decision was made.
 - A statement that the Applicant complied with the prescription in Regulation 4 (1) of the National Appeals Regulations, 2014, with relation to the submission period of 20 days, as set out above.
- 1.3 The Applicant must, in writing, within 12 days after the date the decision was made by the Department:
- Notify the registered I&APs of the outcome of the decision;
 - Provide the Department's reasons for the decision;
 - Draw the attention of all registered I&APs to the manner in which they can access a copy of the decision (note: it is recommended that a copy of the Department's decision be attached to the notice); and
 - Draw their attention to the fact that an appeal may be lodged against the decision, and the manner in which to lodge an appeal against the decision.