

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

Case No. 28608/2019

In the application between:

SAWMILLING SOUTH AFRICA
(Sawmillers Association of South Africa)

Applicant

and

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

First Respondent

MINISTER OF ENVIRONMENTAL AFFAIRS

Second Respondent



ORDER

Having heard counsel in the first and second respondents' application for leave to appeal, the following orders are made:

1. The application for leave to appeal is dismissed. The first and second respondents are jointly and severally liable for the applicant's costs.
2. The order contained in paragraph 96.1 of the judgment dated 22 February 2021 is hereby amended under rule 42 to read as follows:

[Handwritten signature]
12/02/2021

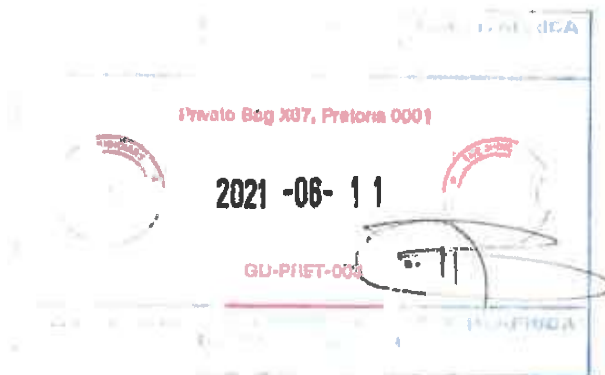
The Minister's decision to publish the listed activity in sub-category 9.5 of the 2018 regulations is reviewed and set aside to the extent that it requires sawmills that dry wood in an indirectly fired kiln with an external heat source in the form of a boiler with a design capacity of 50 MW or lower than that to obtain an atmospheric emission license.

TOLMAY J

Judge of the High Court

Date of hearing: 10 June 2021

Date of this order: 10 June 2021



Handwritten signature and date: 10/6/2021