

# Tyre recycling plan skids to a halt

By [Paul Vecchiatto](#)

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The government's tyre recycling plan may be thrown into a wheelspin after yet another high court application by the Retail Motor Industry (RMI) organisation to halt its implementation.



Image: GCS

The Department of Environmental Affairs withdrew its Recycling Economic Development Initiative of South Africa (Redisa) *Integrated Waste Tyre Management Plan* published in July, but after a court challenge from the industry - which had its own plan - it was withdrawn the document and a new version, published last month, was to be implemented.

National director of the RMI's tyre dealers association Vishal Premllal said on Thursday (20 December) the latest court challenge to the plan was based on his organisation's belief that a new plan for recycling could have been developed within eight days and there was not enough public consultation over it.

Premllal said Water and Environmental Affairs Minister Edna Molewa had taken up a suggestion by North Gauteng High Court Judge Neil Tuchten that she simply remove a paragraph about tyre recycling targets, before she published the new plan.

The department said in a statement that everyone registered with Redisa would have to comply with the approved plan with immediate effect.

A high court application from the South Africa Tyre Recycling Process Company was dismissed earlier this year and no leave to appeal was granted. The RMI's interdict later succeeded, pending a review of the plan.

The department said the judgment was in its favour and - apart from one paragraph in the plan that related to targets, which Judge Tuchten pointed out was not in the plan published for comment.

"The judge suggested a remedy: to re-gazette the plan without paragraph 15.1 for immediate implementation. The minister has reconsidered the matter in totality and decided to withdraw the approval of the (plan) and another was approved," the department said.

"This effectively disposed of the review application, as the plan, which was the subject of the review, was no longer relevant."

However, RMI's attorney Douw Breedt said that Judge Tuchten had merely made a suggestion. "The department has taken that as a court order, which it is not," he said.

Breedt said the department had included in the new plan new items, for which public comment had to be obtained as well.

"For instance, they include solid tyres, which are used mainly by the mining industry. That industry needs to comment, as suddenly they are now affected by a plan of which they were not previously part of," he said.

The application is scheduled for hearing in the North Gauteng High Court on January 15.

Tyre dealers registered with Redisa will have to pay a levy of R2.30/kg of tyres recycled and would have to show they are meeting strict environmental safeguards.

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