

ALISTAIR YOUNG (BA LLB LLM)



ABRIDGED RESUMÉ

Warburton Attorneys Inc – Director

EDUCATION

- **BA (Environmental Science)**, University of Cape Town, 1997 to 1999
- **LLB**, University of Cape Town, 2000 to 2002
- **LLM (Environmental Law)**, University of Cape Town, 2003 to 2004
- Practical Legal Training (PLT) programme January 2004 – June 2004
- GRI Certified Course on Sustainability Reporting

ATTORNEYS ADMISSION:

- Admitted and enrolled as an Attorney in the Cape of Good Hope Provincial Division, March 2006.

PROFESSIONAL AFFILIATIONS:

- Member of the Environmental Law Society of South Africa

EXPERIENCE:

Director – Warburton Attorneys Inc

March 2007 – Present:

- **Auditing:** Undertaken numerous environmental and health and safety legal compliance audits at several large-scale mining, astronomy, food production, transport and industrial operations. The purpose of the audits is to establish actual on-site environmental legal compliance and to assist with ISO 14001 compliance.
- **Due Diligence:** Drafting of the environmental and health and safety components of numerous due diligence reports regarding renewable and fossil fuel energy projects, waste facilities as well as in relation to the listing of a South African mining company on various stock exchanges including the Hong Kong Stock Exchange and the London AIM.
- **Mine Closure Litigation:** Litigation against various state Departments regarding the failure to make a decision on EIA and closure applications in relation to the closure of a mine.
- **Legal Opinion Writing:** Drafting legal opinions on various matters ranging from EIA, the financial provision regulations, water and waste as well as on possible pure economic loss claims arising from wind energy facilities being located in close proximity to one another. Certain

specific opinions have focussed on the authorisation requirements associated with renewable energy projects such as the installation and operation of biomass plants at sawmills.

- **Section 43 NEMA Appeals:** Drafting of appeal documents in relation to environmental authorisations granted by the Gauteng Department of Agriculture and Rural Development and refusals by the Department of Environment, Forestry and Fisheries to amend existing environmental authorisations with particular emphasis on appeals within the renewable energy sector.
- **Section 62(1) LGMSA Appeals:** Drafting of appeal documents in relation to decisions taken by local and metropolitan municipalities in relation to air quality issues under the NEMAQA including appeals against the issuing of administrative fines in terms of section 22A of NEMAQA and representing clients at appeal hearings.
- **Section 31L NEMA Legal Compliance Notices:** Providing legal assistance in the form of the drafting of written representations to section 31L Legal compliance notices issued by Provincial Departments.
- **Section 84(3) NHA Appeals:** Drafting of appeals against final compliance notices issued by municipalities against manufacturing companies as a result of alleged nuisances

caused by the manufacturing operations.

- **Procedures:** Compilation of waste management procedures for large retail companies and the development of comprehensive environmental mine closure procedure for major platinum mining companies.
- **Contract:** Environmental legal review of all coal supply agreements (short, medium and long term agreements as well as cost plus and fixed price agreements) for a major energy producing company and the drafting of environmental related clauses for contracts dealing with the supply of goods and services in the retail sector.
- **General:** Assist with all other services provided by Warburton Attorneys Inc, including but not limited to representing clients at NEMA and NEMAQA appeal hearings, review of EIA documents and assisting interested and affected parties with the submission of comments thereon, presentations to clients regarding work progress, proposal presentations to potential clients, marketing, and general legal support.

October 2004 to February 2006:

- Candidate Attorney with Scheibert & Associates, Cape Town: General and Commercial Litigation Department.

February 2006 to February 2007

- Professional Assistant with Scheibert & Associates, Cape Town: General and Commercial Litigation Department.

PAPERS & PRESENTATIONS:

- Book: *Made contributions to the drafting of Know your Environmental Rights! A practical guide to Environmental Law in South Africa*
- Papers: *From the Minerals Act to the Minerals and Petroleum Resources Development Act: Is South Africa's Unique Environment protected from the negative impacts of mining?*
- *This Dammed World: The effects of large dams on the environment and how these effects can be curtailed by the implementation of various International Environmental Conventions* (LLM Dissertation).
- Article: *A Fundamental Shift in the South African Waste Management Legal Framework published in Occupational Risk: Health, Safety and Environment Vol.5 No 6, July 2009*
- Conference: *SHERCON 2009* – Presented a paper on the change in the South African legal regime dealing with waste management.
- Article: *Business Day: Business Law and Tax Review, May 2010 – The consequences of section 59(1) of the Consumer Protection Act for the suppliers of certain goods in the context of waste management and disposal.*
- Article: *Financial Mail, April 2010 - contributory comments for an article on acid mine drainage.*
- Article: *Financial Mail, November 2011 – New Mines that use water illegally do so at their own risk.*
- Article: *Footprint Magazine, December 2013 – Potential Unlawfulness of conducting EIA Listed Activities.*
- Legal Training: Conduct various legal training courses covering a wide range of topics including mining, water, air quality, waste and environmental impact assessment legislation.
- Conference: *5th Annual Mine Closure & Rehabilitation Conference 2020* – presented a paper on the Environmental Legal Hurdles to Achieve Mine Closure as presented at the