

MICHAEL VERMAAK

ABRIDGED RESUMÉ

Senior Environmental Legal Consultant: IMBEWU Sustainability Legal Specialists (Pty) Ltd
(www.imbewu.co.za)

Consultant: Warburton Attorneys
(www.warburtons.co.za)

Warburton Attorneys has been ranked as a "Highly Recommended Firm" in the environmental law category in the 2007 to 2010^{PLC} Which Lawyer Yearbooks.

- Michael holds a BSc (Honours) degree in plant sciences and geography and an LLB degree and has practised as an attorney specialising in environmental law for over twelve years.
- He has also had exposure to environmental consulting, a background reinforces his interest in the practical application and implications of environmental law and the challenges of achieving and sustaining compliance in the highly fragmented South African environmental legal regime.
- Michael's areas of practice specifically focus on all aspects mining and industrial environmental legal compliance, including environmental permitting, licensing and authorisation processes.
- He has conducted numerous environmental legal compliance audits, evaluations, reviews, risk assessments and other similar exercises for both mining and industrial companies (having undertaken comprehensive environmental legal compliance evaluations at over 40 sizeable industrial and mining operations in South Africa, together with numerous follow-up evaluations).
- Recent matters he has assisted in include applications for rectification in terms of section 24G of the National Environmental Management Act 107 of 1998, appeals against decisions on environmental authorisation (EIA) applications and to the Water Tribunal against a directive in terms of section 19 of the National Water Act 36 of 1998, advising on acid mine drainage issues, advising on contaminated land issues for purposes of a due diligence investigation and advising on various mining, EIA, waste licensing, and air emission licensing issues.
- Michael has also presented training workshops and presentations on a range of environmental legal issues and has assisted clients in opposing inappropriate developments and mining operations.

EDUCATION

- ▣ **Matriculated:** Selborne College (East London) – 1983
- ▣ **BSc (Plant Sciences and Geography):** Rhodes University – 1986
- ▣ **BSc (Honours) (Plant Sciences and Geography):** Rhodes University – 1987
- ▣ **LLB:** Rhodes University – 1995

PROFESSIONAL AFFILIATIONS AND COURSES

- ▣ Admitted as an Attorney in the then Transvaal Provincial Division (South Africa) – June 1998
- ▣ Law Society of the Northern Provinces
- ▣ Environmental Law Society of South Africa (www.elasa.co.za).
- ▣ Completed the certified Global Reporting Initiative (GRI) Certified Training Programme – South Africa on the GRI Sustainability Reporting Process and the associated Global Reporting Initiative Performance Indicator Workshop.

EXPERIENCE

July 2003 to date:

Consultant: Warburton Attorneys

- ▣ Specialise in environmental law, specifically focussing on mining and industrial compliance.
- ▣ Advise on and assist in environmental permitting, licensing and authorisation processes and assist in strategising for multiple authorisation processes.
- ▣ Assist in the administrative appeal process for EIA's.
- ▣ Advise on general water rights related issues and assist in appeals to the Water Tribunal.
- ▣ Undertake environmental legal due diligence investigations, contaminated land assessments, risk assessments and review of EIA's, EMPs etc.
- ▣ Conducted environmental-legal compliance evaluations ("audits") of numerous industrial and mining operations throughout South Africa.
- ▣ Assist in health and safety legal compliance audits.
- ▣ Undertake training sessions and conduct workshops on environmental-legal awareness and environmental-legal compliance auditing.
- ▣ Provide general legal support and advice and legal assistance on environmental policy and strategic issues.
- ▣ Monitor legal developments and provide input into legislative and policy developments.

PRIOR EXPERIENCE

Groundwater Consulting Services (a water, environmental and earth sciences consultancy)

- ▣ Practical involvement in various aspects of environmental authorisation processes, including water licence applications, water rights "trading" and EMPs.
- ▣ General advice on environmental authorisation process requirements.

Moolmans Attorneys Inc – Candidate Attorney, Professional Assistant and Associate.

- ▣ Experience in environmental permitting, licensing and authorisation processes, including

- the integration of processes and integration of government departmental involvement in multiple authorisation processes.
- ▣ Assisting clients with running processes from a legal perspective, including negotiating with relevant authorities in the regulatory processes.
- ▣ Assisting clients with the resolution of environmental-legal threats, including through negotiation with government departments.
- ▣ Providing opinions on diverse environmental-legal issues.
- ▣ Compiling environmental-legal guides, legal compliance assessments and legal risk assessments.
- ▣ Environmental-legal input into multi-disciplinary studies concerning environmental management plans, environmental impact assessments, legal compliance assessments, legal risk assessments, etc.
- ▣ High Court environmental litigation.

- ▣ Presented Workshop on *National Environmental Management 2010 EIA Regulations* – October 2010
- ▣ Various articles on environmental legal matters published in the South Africa news and other media.

Bowman Gilfillan Inc – Professional Assistant.

Predominantly involved in environmental-legal due diligence work.

Netteltons Attorneys (Grahamstown) – Candidate Attorney

Involved in a range of attorney's work, gaining experience in general High Court and Magistrates Court civil litigation as well as criminal law.

Temporary lecturer in the Department of Law at Rhodes University

Legal Theory 1 (History of South African Law).

PRESENTATIONS

- ▣ Numerous presentations to companies on the implications of environmental legislative provisions on their activities.
- ▣ Presented the legal component of a seminar on Environmental Impact Assessments in Grahamstown in 2005.
- ▣ Presented Environmental Legal Compliance Auditor Training Workshops for a parastatal in 2004 and 2008.
- ▣ Presented Workshop on *Strategic Environmental Legal Considerations for the Board* – February 2009.
- ▣ Presented Workshop on *National Environmental Management Waste Bill* – October 2008 and November 2008
- ▣ Presented Workshop on *South African Air Quality Legislation* – June 2009, August 2009 and July 2010
- ▣ Presented Workshop on *NEM: Air Quality Act 39 of 2004: Implications and Response at A Management and Operational Level* – October and November 2010.