



DEPARTMENT AGRICULTURE, CONSERVATION ENVIRONMENT

Directorate: Waste Management

MINUTES OF THE 1ST PUBLIC WORKSHOP

Project Name	Development of Integrated Waste Management Plan Regulations
Project Meeting	First Public Workshop
Venue	The Pyramid Hotel, Johannesburg
Date	Thursday 29 November 2007
Time	10:00h – 14:30h

MEETING ATTENDEES

REPRESESNTATIVE	ORGANISATION	E-MAIL ADDRESS	DESIGNATION
Mr. Loyiso Mkwana	GDACE	Loyiso.Mkwana@gauteng.gov.za	Deputy Director: General Waste management
Mr. Theo Fisher	Environmental sciences Associates	theo@escience.co.za	Consultant
Mr. Phil Snijman	Nature Conservation Corporation (NCC)	psnijman@mweb.co.za	Associate
Mr. Abdul Ebrahim	Environmental Science Associates	abdul@escience.co.za	Consultant
Jan Palm	JPCE	janpalm@jpce.co.za	Member
Ms. Mokaba Pholohana	GDACE	Mokaba.Pholohana@gauteng.gov.za	Assistant Project Manager
Felicia Nemathaga	GDACE	Felicia.nemathaga@gauteng.gov.za	PEO
Juliet Mukuari	GDACE	Juliet.Mukuari@gauteng.gov.za	A.D.
Lindokunie Vilakazi	GDACE	Lindokunie.Vilakazi@gauteng.gov.za	PEO
Takalami Nemaamde	GDACE	Takalami.nemaamde@gauteng.gov.za	Environment Officer
Mpho Mnzimeni	GDACE	Mpho.Mnzimeni@gauteng.gov.za	Environment Officer
Rony Moremi	GDACE	Rony.moremi@gauteng.gov.za	Communication officer

STATUS QUO	ACTION	TARGET DATE	RESPONSIBLE PERSON
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REPRESESNTATIVE	ORGANISATION	E-MAIL ADDRESS	DESIGNATION
Susan Stoffberg	WRDM	sstoffberg@wrdm.gov.za;	Environmental Officer
Nkumeleni Eunice Rambasa	GDACE	Nkhumeleni.Rambasa@gauteng.gov.za	AD
Learato Kome	WRDM	Lkome@wrdm.gov.za	Env & WM Official

	Invitations to the next public workshop should be sent directly to waste officials	21 Feb 2008	ESA
	The IWMP regulations must include annual performance management reporting	21 Jan 2008	NCC, JPCE

Discussion Points

Loyiso Mkwana – noted that, since 2005, all landfills in Gauteng are audited twice a year. Gauteng has less than 50 active landfills excluding informal dumps.

Loyiso Mkwana – Enquired how many Western Cape municipalities have submitted IWMPs.

Jan Palm – most Western Cape municipalities have formulated IWMPs, using consultants, and submitted them to DEADP, but they are of varying quality. DEADP have created a score card system to rate the IWMPs and assigned ratings to the IWMPs submitted. The Western Cape will still have difficulty compiling a provincial IWMP, due to a lack of data on both current and historical waste management.

Loyiso Mkwana – GDACE has a waste info system, requiring registration of landfills. There are challenges in registering these landfills. Some sites are not authorised hence are difficult to register, as the registration of these sites is often interpreted by the operators as a legitimization of their activities. There are discrepancies in data held at provincial level versus that at national level. Unauthorised sites are required to submit data, but this appears to give the impression that GDACE approves of these operations, this is not true, however it is important to have this data in order to formulate an effective IWMP.

Lerato Kome – stated that Merafong is falls in the North West province, no longer in Gauteng.

Susan Stoffberg – noted that local ('B') municipalities and Metro ('A') municipalities will have very similar IWMPs, differing only in scale and resources, whereas the District ('C') municipalities are a combination of ('B') municipalities.

Susan Stoffberg – noted that it is important that invitations be sent directly to municipal waste officials, not just the municipal managers, as this will improve information dissemination to officials directly dealing with waste management. Information sent to the municipal managers takes a long time to filter down to the officials.

Phil Snijman- The Waste Bill has been amended substantially from the August 2007 version to the current tabled version in so far as responsibilities of

municipalities are concerned. The broad legal background, including all relevant legislation, policies and guidelines, is set out in detail in the documentation. It is clear that ECA will soon be repealed in totality and that the Waste Bill is the only appropriate document for the promulgation of the proposed regulations. According to GDACE Guidelines IWMP's must form a part of the IDP, but must also be submitted as a stand alone document. The provision in section 11(2) in the August 2007 version of the Waste Bill that municipalities must submit their IWMP's to the provincial MEC's has been deleted in the tabled version. The provision that IWMP's must be included in the IDP has however been retained, although it is now contained in section 11(4). Section 11(5) determines that the MEC must ensure that municipal IWMP's are coordinated and aligned with provincial and national plans. Section 70 of the tabled version retained from previous version and wide enough to cover the proposed regulations. Waiting for feedback from DEAT but it seems that the reason for the changes is that the prescriptions previously contained is unnecessary if IWMP's are linked to IDP's. A few important aspects are:

- The IWMP will therefore be intrinsically linked to the IDP and all the applicable legislation and prescriptions in this regard will have to be followed.
- Time frames for submission, review and annual reports must provide adequate time, but will also have to be coordinated with the IDP timeframes
- Enforcement mechanism to steer away from criminal prosecution, and compliance notice in terms of section 31L of NEMA and directive in terms of section 139 of the Constitution seems sufficient.
- Different format and contents for A, B and C municipalities required.
- Some mechanism for support from provincial government required.
- Existing guidelines and policies to be incorporated at least as a tool to guide the interpretation of the Regulations.

Susan Stoffberg – at present there is no annual waste management performance reporting required from the municipalities, this must be required in the regulations.

Lerato Kome – enquired are there any processes in place to help municipalities to form compliant IWMPs?

Phil Snijman – responded that it is proposed that regulations incorporate mechanisms for support from GDACE

Theo Fischer – noted that it's important that waste custody and responsibility must be considered and solutions found to ensure that the waste is accounted for from waste generator to final waste management facility.

Loyiso Mkwana – Sated its essential to define what sort of assistance can be given, and to ensure that municipalities do not become dependant on provincial assistance for formulating their IWMPs.

JAN PALM – noted that the assistance supplied must not be an automatic support, the need for assistance must be justified.

Theo Fischer – stated that there must be a mechanism in place to evaluate the need to for provincial assistance to formulate IWMPs.

Loyiso – proposed as a mechanism for motivating municipalities to manage their waste in compliance with the proposed IWMP regulations and other relevant legislation relevant to waste management, GDACE may deny authorisation for upgrade of disposal sites based on a municipalities' performance. Also Provincial EMIs can also issue compliance notice to municipalities.

Susan Stoffberg – noted that DWAF have issued compliance notices to local municipalities in the past.

JAN PALM – the date when submissions are required must take cognisance of the municipal budgeting system. If the IWMP formulation is not in the

budget then sufficient time must be allocated to have the IWMP budgeted for and brought into action, also there must be a mechanism in place to ensure that the IWMP is included in the next budget cycle.

Loyiso Mkwana – enquired how self regulation mechanisms will be incorporated into the regulations
JAN PALM – through annual performance monitoring mechanisms.

Lerato Kome – asked if a 'C' municipality IWMP would be the same as that for a 'B' municipality.
JAN PALM – no it will be slightly different, as the 'C' municipality IWMP is informed by the 'B's'.

Loyiso Mkwana – Enquired if 'C' and 'B' municipalities will both report to GDACE?
JAN PALM – 'B' must report to 'C', and 'C' to GDACE.

JAN PALM – It must be noted that B facilities that receive waste from other 'B's can have their facilities remain as 'B' facilities, instead of becoming 'C' facilities, if the participating 'B' and 'C' municipalities can concur that the site be managed by the receiving B facility. Refer to the municipal Structures act section 88.

Loyiso Mkwana – enquired whether stakeholders not present at this workshop would have further opportunity to provide comment?
Theo Fischer - they will be sent updated BIDs with draft regulations and requested to comment.