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Contents

No.		Gazette No.	Page No.
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Forestry, Fisheries and the Environment, Department of / Bosbou, Visserye en die Omgewingsake, Departement van			
6938	National Environmental Management: Waste Act (59/2008): Notice calling upon certain persons to apply for a waste management licence	53831	3
6939	National Environmental Management: Waste Act (59/2008): Regulations relating to the procedure to be followed by persons called upon by the Minister to apply for a waste management licence	53831	4

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6938 **10 December 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

NOTICE CALLING UPON CERTAIN PERSONS TO APPLY FOR A WASTE MANAGEMENT LICENCE

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby in terms of sections 80(4), 81(2) and 82 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (Waste Act), call upon the following persons to apply for a waste management licence, within two years from the date of this Notice, in accordance with the procedure prescribed in the Waste Act and its Regulations:

(a) persons who operate a waste disposal facility, that was established before the coming into effect of the Environment Conservation Act, 1989 (Act No. 73 of 1989), where that facility was operational on the date of the coming into effect of the Waste Act;

(b) holders of a permit issued in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), where the Minister is the licensing authority in terms of section 43 of the Waste Act; and

(c) persons who conducted a waste management activity listed in Schedule 1 of the Waste Act on the date of coming into effect of the Waste Act, and who immediately before that date lawfully conducted that waste management activity in compliance with Government Notice No. 91 of 1 February 2002.

This Notice does not apply to facilities with expired waste management licences or waste management licences that have been suspended or revoked.

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WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6939 **10 December 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

REGULATIONS RELATING TO THE PROCEDURE TO BE FOLLOWED BY PERSONS CALLED UPON BY THE MINISTER TO APPLY FOR A WASTE MANAGEMENT LICENCE

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby in terms of section 69(1)(w) and (ee), of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), make the Regulations relating to the procedure to be followed by persons called upon to apply for a waste management licence, as set out in the Schedule hereto.

These Regulations contain the procedure that must be followed by persons who have been called upon in terms of sections 80(4), 81(2) and 82 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), to apply for a waste management licence.

WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

1. Definitions

In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act has the same meaning, and in addition—

"**applicant**" means a person directed by the Minister to apply for a waste management licence in terms of the transitional provisions contained in sections 80(4), 81(2) and 82 of the Act;

"Independent specialist" means a specialist responsible for the preparation of the pollution impact assessment report -

(a) who has no business, financial, personal or other interest in the activity or application in respect of which that specialist is appointed in terms of these Regulations; or
(b) of which there are no circumstances that may compromise the objectivity of that specialist in performing such work; excluding fair remuneration for work performed in connection with that activity or application;

"**pollution impact assessment report**" means the report referred to in regulation 3(2) and (3) of these Regulations;

"**the Act**" means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and

"**these Regulations**" means regulations relating to procedure to be followed by persons called upon by the Minister to apply for waste management licences in terms of sections 80(4), 81(2) and 82 of the Act.

2. Application

(1) These Regulations apply to the following persons who have been called upon by the Minister to apply for a waste management licence:

(a) a person who operates a waste disposal facility that was established before the coming into effect of the Environment Conservation Act, 1989 (Act No. 73 of 1989), where that facility was operational on the date of the coming into effect of the Act;

(b) a holder of a permit issued in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), where the Minister is the licensing authority in terms of section 43 of the Act; and

(c) a person who conducted a waste management activity listed in Schedule 1 of the Act, on the date of coming into effect of the Act, and who immediately before that date lawfully conducted that waste management activity in compliance with Government Notice No. 91 of 1 February 2002.

3. Procedure for application for a waste management licence

(1) An applicant must submit an application for a waste management licence in the form contained in Appendix 1.

(2) The application must be accompanied by a pollution impact assessment report prepared by an independent specialist appointed by the applicant.

(3) The pollution impact assessment report must include the following:

(a) an assessment of the pollution and degradation caused by the applicant's activities; and

(b) an environmental management programme which—

(i) contains mitigation measures in respect of each identified impact with a view to remediate those impacts or where remediation is not possible, to minimise and control the impacts; and

(ii) the information required by Appendix 2.

4. Public participation process

(1) In addition to the public participation process set out in section 47 of the Act, the applicant must fix a notice board at a place that is visually noticeable to and accessible by the public at the boundary of the site where the activity is being undertaken.

(2) The notice board in subregulation (1) must—
(a) be of a size of at least 60cm by 42cm; and
(b) contain legible letters.

(3) The applicant must ensure that—
(a) information containing all relevant facts relating to the application is made available to the public including the pollution impact assessment report and the environmental management programme; and
(b) participation by members of the public, interested persons and relevant organs of state is facilitated in such a manner that they are provided with a reasonable opportunity to comment on the application.

(4) Members of the public, interested persons and relevant organs of state must be given at least 30 days to comment on the application.

5. Applicant's submission of comments and responses report

The applicant must submit a pollution impact assessment report to the Minister or MEC depending on the class of landfill site and the type of waste (as per Government *Gazette* No. 49511 of Government Notice R.3968 published on 17 October 2023), that contains all written comments received during the public participation process and the applicant's responses to those comments.

6. Incomplete and non-compliant applications

Should the application not satisfy the requirements set out in these Regulations, the applicant will be required by the licencing authority to submit additional information within a specified period.

7. Decision

A decision on an application for a waste management licence in terms of these Regulations will be finalised within 120 days of receipt of all information required.

8. Appeals

An appeal against the decision issued in terms of these Regulations may be lodged in terms of the National Appeal Regulations, 2025.

9. Short tittle and commencement

These Regulations are called the Regulations relating to procedure to be followed by persons called upon by the Minister to apply for waste management licences in terms of sections 80(4), 81(2) and 82 of the Act and come into effect on the date of publication in the Government *Gazette*.

APPENDIX 1

APPLICATION FORM FOR WASTE MANAGEMENT LICENCE

Instructions for completion of application form:

1. It is the responsibility of the applicant to ensure that this application form is completed in its entirety.

2. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.

3. Where applicable **black out** the boxes that are not applicable in the form.

4. Incomplete applications may be returned to the applicant for revision.

5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the application being rejected.

6. This application must be sent to licensing@dffe.gov.za

7. The person completing the application form must indicate the following;

   (a) A description of the need and desirability of the facility; and
   (b) An assessment of the nature, extent, duration and significance of the consequences for, or impacts on, the environment of the facility, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the facility, as is undertaken Impact Assessments.

COMMENCEMENT: Date which the activity(ies) commenced:

(provide the Year, Month and Date):

PROJECT TITLE

PROJECT DESCRIPTION

1. ENQUIRIES MUST BE ADDRESSED TO THE CONTACT HEREUNDER

Application related queries should be directed to the Directorate: Licensing as follows:
Tel :012 399 9790: Email: licensing@dffe.gov.za

2. SITE IDENTIFICATION AND LINKAGE

Please indicate all the Surveyor-General 21 digits site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application. These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site. Also provide site plans of the facility.

(if there are more than 6, please attach a list with the rest of the numbers)

2.1. SITE CO-ORDINATES

Please provide the geographic co-ordinates of all corners of the site; in degrees, minutes, and seconds for all corners of the facility (ies): e.g.

A 20°30'55"S, 20°45'11"E,
B: 20°30'55"S, 20°45'11"E,
C: 20°30'55"S, 20°45'11"E,
D: 20°30'55"S, 20°45'11"E,

2.2. SITE AND LOCALITY PLAN DIRECTIONS (Attach as annexure)

3. BACKGROUND INFORMATION

Project applicant:			
Trading name (if any):			
Contact person:			
Physical address:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			
Authority:			
Reference No. (if any)			

Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

Landowner:			
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

4. ACTIVITIES CONDUCTED

For facilities operating legally before the coming into effect of the Environment Conservation Act, 1989 (Act No. 73 of 1989)

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice)	Describe each listed activity as per project description[1]:

For facilities with a section 20 permit issued in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989)

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice)	Describe each listed activity as per project description:

Activities listed in schedule 1 of the National Environmental Management: Waste Act (Act No. 59 of 2008) who lawfully conducted an activity under Government Notice No. 91 of 2002

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice)	Describe each listed activity as per project description[2]

5. OTHER AUTHORISATIONS RECEIVED/ IN POSSESSION

(Attach copy)

6. ENVIRONMENTAL MANAGEMENT PROGRAMME

Kindly attach a copy of your environmental management programme that complies with the requirement contained in Appendix 2 to this application form.

7. DECLARATION BY APPLICANT

The applicant

I,_____ declare —

- that I am the applicant / authorised representative to make this application on behalf of the applicant; and
- that all the particulars furnished in this application are true and correct.

_____

Signature of the applicant[3]/ Signature on behalf of the authorised representative:

_____

Name of company (if applicable):
Date:

_____

Signature of the Commissioner of Oaths:
Date:

[3]If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof that the person signing the application has the authority to submit the application on behalf of the applicant.

Designation:

Official Stamp

8. DECLARATION BY LANDOWNER (If the landowner is different from the Applicant)

I, _____ declare under oath that -

- I am, aware of the waste management activity(ies) taking place on my property;
- I consented to this/ these activity (ies) taking in my property hereby indemnify, the government of the Republic, the licensing authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant is responsible in terms of this Notice; and
- I will not hold the licensing authority responsible for any costs that may be incurred by the applicant proceeding with an activity prior to an appeal being decided in terms of this Regulations.

_____

Signature of Land owner
Date:

_____

Name of company:

_____

Signature of the Commissioner of Oaths:
Date:

_____

Designation:

Official stamp (Above)

APPENDIX 2
ENVIRONMENTAL MANAGEMENT PROGRAMME

(1) An environmental management programme must as a minimum contain the following information:

(a) details of person completing the application form and details of the specialist that undertook the pollution impact assessment;

(b) a detailed description of the aspects of the activity that are covered by the environmental management programme as identified by the project description;

(c) a map at an appropriate scale which superimposes the facility, its associated structures, and infrastructure on the environmental sensitivities of the site at which the activity is taking place, indicating any areas that should be avoided, including buffers;

(d) a description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated including rehabilitation of the environment during operation and after closure of the facility;

(e) a description of impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) will be achieved, and must, where applicable, include actions to-

(i) avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation; and

(ii) comply with any prescribed environmental management standards or practices;

(f) the method of monitoring the implementation of the impact management actions contemplated in paragraph (e);

(g) the frequency of monitoring the implementation of the impact management actions contemplated in paragraph (e);

(h) an indication of the persons who will be responsible for the implementation of the impact management actions;

(i) the time periods within which the impact management actions contemplated in paragraph (e) must be implemented;

(j) the mechanism for monitoring compliance with the impact management actions contemplated in paragraph (e); and

(k) an environmental awareness plan describing the manner in which-

(i) the applicant/holder of a waste management license informs his or her employees of any environmental risk which may result from their work; and

(ii) risks must be dealt with in order to avoid pollution or the degradation of the environment.

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