

COMMENTS AND RESPONSE REGISTER

Date Received and I&APs	Comments Received	EIA Team Responses
DEDEAT 02 December 2025	Comments on the acknowledgement Letter for the proposed development of a new landfill site in Maletswai in Walter Sisulu Local Municipality The department received the application form on 01 December 2025 from Rambuda Consultants for the subject mentioned above. The application was acknowledged on 02 December 2025, with the Reference number JG/B/M/001/2025. The following inputs were provided for consideration in the preparation of the draft Scoping report: Please be advised that, in terms of NEMA (NEMWA) and EIA Regulations, the investigation of alternatives is mandatory. Alternatives must therefore be identified and investigated to determine if they are feasible and reasonable. It is also mandatory to investigate and assess the option of not proceeding with the proposed activity (the “no go” option). This project requires a Water Use Licence from the Department of Water and Sanitation; you are therefore required to submit proof that such an application has been submitted as part of the scoping/ EIR Report. The associated infrastructure includes a storage facility for sorting waste. Please submit amended page 15 of 26 of the application form with the inclusion of Category C (Norms and Standards) activities.	The project alternatives have been expanded upon in line with DFFE Guideline for determining alternatives states. Kind refer to Section 3 of the Scoping Report, from Page 55. Several locations, activity, layout and no go alternatives were assessed. Based on the project assessment, the proposed landfill assessment will require a Water Use Licence for Section 21 (a) and (g) water uses (Taking water from a borehole for commercial use and use of a septic tank for

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	Please note that the due date for the submission of the Final Scoping Report is 06/02/2026. The EAP must, to give effect to regulation 40(2) of the EIA Regulations, before submitting the Scoping Report to the Department, give registered interested	storage of sewage onsite). Both the triggered water uses qualify for GA in terms of National Water Act, 1998 (36/1998): Revision of General Authorisation for the Taking and Storing of Water, National Water Act, 1998 (Act No. 36 of 1998), Government Notice 538 of 2016 and Government Notice No. 665: Revision of General Authorisation in terms of Section 39 of the National Water Act, 1998 (Act No. 36 of 1998) (06 September 2013). The required application will be made once the Detailed Engineering Design report is ready, as guided by the ECSA project reporting sequence. Proof of WUL submission will be attached to the Draft EIA Report. Kindly refer to Section 2.1.6 of the Scoping Report for details regarding water use. The disposal of waste through a general landfill is managed in terms of Section 21 g. However, a Record of Decision (RoD) application will be made with the Department of Water and Sanitation. Please refer to Figure 9 (page 51) for the RoD business process. Noted, the Final Scoping report will be submitted on or before 06/02/2026. Refer to Appendix D of the Final Scoping Report for proof of PPP, inclusive of proof of the draft Scoping Report distribution.

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	and affected parties access and an opportunity to comment on the report in writing. You are hereby reminded of Section 24F of the National Environmental Management Act, Act 107 of 1998, as amended, that no listed activity may commence prior to environmental authorisation being granted by the Department.	The Applicant has been notified of the offence of commencing with Listed Activity without EA. It should be noted that the proposed activity will not commence without relevant authorisations.
DEDEAT 15 January 2026	Comments on Draft Scoping for the proposed development of a new landfill site in Maletswai in Walter Sisulu Local Municipality: Reference number JG/B/M/001/2025 The department has reviewed the Draft Scoping Report submitted by Rambuda Consultants for the subject mentioned above and has identified the following gaps: 1. Application form, Project background, and Listed Activities 1.1 Provide a full list (4 corners) of coordinates demarcating the boundary of the site. 1.2 The description of activities is vague — needs detail on landfill cells, liners, leachate systems, stormwater diversion, and operational areas.	The preferred site for the proposed landfill is located on the Remaining Extent of Portion 1 of Farm Melk Spruit No. 12, Walter Sisulu Local Municipality. The central coordinates are 30°41'28.28"S, 26°39'48.62"E. The full four-corner boundary coordinates are provided on page 2 of the Scoping report. However, these will only be finalised during the Draft Environmental Impact Assessment Report (DEIAR) using cadastral survey data. The proposed landfill will comprise four engineered cells designed for phased

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	1.3 Application indicates a Material Recovery Facility (MRF) and sorting facilities. Provide the correct listed activity as per NEMWA. 1.4 Amend the listed activities applied accordingly.	operation over a 20-year horizon. Each cell will be constructed with a Class B composite liner system and a leachate collection and evaporation dam to ensure groundwater protection. Stormwater diversion structures, including cut-off drains and berms, will be installed to prevent clean water ingress. Supporting operational areas will include a material recovery facility, weighbridge, administrative buildings, workshops, access roads, and perimeter security. The report has been updated to reflect the available information, refer to Section 1.1 to 1.4 of the Scoping Report. The project details will be updated once the Detailed Engineering Design report is ready, as guided by the ECSA project reporting sequence. These details will be fully reflected in the DEIAR once. The establishment and operation of a Material Recovery Facility (MRF) and associated sorting facilities fall under the listed waste management activities in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), specifically GN 921 of 29 November 2013, as amended. The application form and the scoping report has been amended to add

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	1.5 Describe the listed activities as per EIA Regulations 2014 and Waste Management Activity List, in relation to the proposed activity. 1.6 Application Form Section 2.2: “Recovery, Reuse, Recycling, Treatment and Disposal Quantities” do not correlate with Section 1.3 of the Draft Scoping Report. Provide clear calculations. 1.7 Section 2.2 “onsite disposal” column not selected, Draft Scoping Report silent. Explain why the Department must continue processing the application.	activity C(1) – “The storage of general waste at a facility that has the capacity to store in excess of 100m3 of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste”. Refer to the application form and section 2.1.4 of the Scoping report. The proposed landfill triggers listed activities under the EIA Regulations, 2014 and the Waste Management Activity List (GN 921 of 2013, as amended). Please refer to Table 11 and 12 in the Scoping Report for description of the listed activities in relation to the application. The required information has been updated to correlate with the municipal IWMP, 2024. Please refer to Section 2.2: “Recovery, Reuse, Recycling, Treatment and Disposal Quantities” of the amended application form and Section 1.3 of the Scoping Report. The identified shortcomings in the application

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	1.8 Justify putrescible waste quantities using Maletswai-specific data. 1.9 Provide full calculations for: I. Waste stream quantities and landfill capacity requirements II. Estimated waste volumes III. Landfill airspace demand IV. Climatic water balance 1.10 Provide windows for prevailing wind directions.	have been addressed. The need and desirability of the proposed development is clearly outlined inclusive of the compatibility of the proposed project on the identified location. As such, no continuing with the application would be detrimental to the applicant and service delivery at large. This could also compound the environmental pollution which is currently experienced on the existing landfill site. The required information has been updated to correlate with the municipal IWMP, 2024. Additionally, the errors in the space calculations have been updated. Refer to Section 1.3 of the Scoping Report. The wind directions were based on information for the past 10 years. Site-specific wind data for Maletswai were sourced from the South African Weather Service and local monitoring records to establish seasonal wind windows. These prevailing wind directions will be presented in the form of wind roses and tabulated summaries in the DEIAR, ensuring accurate representation of local conditions for impact assessment and mitigation planning.

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	2. Project alternatives 2.1 Provide a motivation and concluding statement indicating the preferred alternatives, including the preferred location of the activity, which must be submitted with Final Scoping, considering inter alia: I. Clearly describe all alternatives considered (including the no-go option), II. Provide a transparent alternatives assessment methodology, III. Present a defensible site selection matrix, and IV. Provide a clear conclusion motivating the preferred alternative.	Please refer to Section 3 of the Scoping Report
	3. Needs and desirability 3.1 The motivation for the need and desirability of the proposed landfill is not adequately substantiated; the focus is given to the existing landfill site. Please provide: I. Clear demonstration of the need and desirability of the development within the context of the preferred location, taking into consideration the three pillars of sustainable development.	Kindly refer to Section 1.7 of the Scoping Report for the project's need and desirability.
	4. Impacts and Risk Identification Please provide impact identification (in a table format) to adequately inform the EIA phase and specialist studies: I. The nature, extent, duration, probability and significance of impacts, II. The reversibility of impacts, III. Potential irreplaceable loss of resources, and IV. The extent to which impacts can be avoided, managed or mitigated.	Please refer to Sections 6 and 7 of the Scoping Report for the preliminary identification of potential impacts. The detailed assessment, including quantification and specialist input, will be presented in the Draft Environmental Impact Assessment Report (DEIAR). For scoping purposes, the following key impact categories have been noted:

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		• Soil and groundwater: risk of contamination from leachate, with mitigation through engineered liners, leachate collection, and monitoring. • Surface water: potential alteration of runoff and stormwater contamination, managed through diversion structures and sediment controls. • Air quality: dust and odour emissions, mitigated by daily cover, buffer zones, and operational controls. • Biodiversity: habitat disturbance and species displacement, addressed through site selection, rehabilitation, and buffer zones. • Socio-economic: employment and service delivery benefits, alongside nuisance impacts, are managed through community engagement and operational measures. • Visual and noise: changes in landscape character and operational noise, mitigated by screening and restricted operating hours. • Climate and water balance: changes in infiltration and evaporation, managed through engineered design and monitoring.

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		The full assessment, including quantified values and specialist studies, will be provided in the DEIAR to ensure defensible evaluation and regulatory compliance.
	5. Layout and sensitivity map 5.1 Kindly provide a topographic layout map that indicates the following: I. The proposed landfill site (Preferred) and alternative sites II. Position of all proposed and associated infrastructure III. All supporting onsite infrastructure (existing and proposed) IV. The location of sensitive environmental features on site (CBAs, ESAs, heritage sites, wetlands etc., that will be affected by the proposed activity) 5.2 A final layout map must be overlaid by the sensitive features and its buffer zone, with a clear and detailed legend that communicates the details of the map.	5.1 The requested topographic layout map, including the preferred and alternative sites, associated and supporting infrastructure, and the overlay of sensitive environmental features (CBAs), has been provided in Appendix B of the Final Scoping Report. 5.2 The Master Layout, inclusive of aquatic delineations and associated buffer zone, will be included in the draft EIAR. The final layout will only be available once all specialist input has been concluded.
	6. Public Participation 6.1 Please be advised that the draft scoping should be subjected to a 30-day public review for commenting, taking into consideration the closure of timeframes from 15 December to 5 January. 6.2 Kindly be advised that ECHRA is a key stakeholder in this project and, therefore, ensuring that they have access to the draft report is crucial. Based on the contact details provided under public participation, the	The Draft Scoping Report was subjected to the required 30-day public review period, with due consideration of the closure timeframe from 15 December to 5 January. Although the ECHRA was recognised as a key stakeholder, and the draft report was shared with them, all future communications will be

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	department advises that the document be sent to ayanda.mncwabe-mama@ecsrac.gov.za. 6.3 Landfill site designs must be submitted to the Department of Water and Sanitation for the application of the Record of Decision. 6.4 Any comments and recommendations from stakeholders should be incorporated in the Final Scoping report, including all mitigation, protection and remedial measures to be undertaken to protect the environment from negative impacts associated with the activity. 6.5 Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.	directed to Ms. Ayanda as per the department's advice. In line with Figure 9 of the final scoping report (DWS ROD business procedure), the ROD application will be made during the EIAR phase when the detailed engineering designs are in line with the ECSA project design stages. All comments and recommendations received from stakeholders will be incorporated into the FSR and DEIAR, together with mitigation, protection, and remedial measures to address potential environmental impacts. No comments were received from stakeholders on the draft scoping report, referring to Appendix D of the Final Scoping Report. However, it must be noted that the draft EIAR (with detailed information is still to be circulated for comments. Additionally, two newspapers are still to be placed in English and Sotho to invite further input into the project reports.