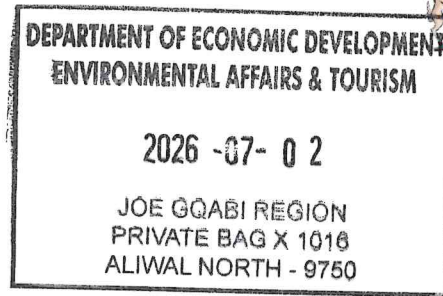


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Ref: JG/B/M/001/2025

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Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM

Dear Sir

Comments on Draft EIR 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 Environmental Impact Assessment Report submitted by Rambuda Consultants for the subject mentioned above and has identified the following gaps: -

1. Project description

1.1 The FEIR must provide the rationale for the phased development approach

2. Project alternatives

2.1 Please note, technological alternatives, including alternative landfill liner technologies, must be assessed.

3. Impacts Assessment

3.1 The impact assessment is inadequate, and must assess impacts related to insects, rodents, and fauna, including mitigation measures for the operational and closure phases.

4. Specialist Studies

4.1 The project site is identified as having high civil aviation sensitivity. However, no specialist study has been conducted to assess the potential impacts of the proposed development. Please note that FEIR must contain the following:-

- A qualified specialist study on civil aviation impacts must be undertaken.
- Comments from the relevant Civil Aviation Authority must be obtained and incorporated into the FEIR.

- Site Sensitivity Verification Report does not address the high civil aviation sensitivity identified. This report must be updated.
- 4.2 The Aquatic Impact Assessment did not include pH and  Electrical Conductivity (EC) measurements, which are key water quality indicators. The FEIR must provide these measurements and assess their implications for the receiving aquatic environment.
- 4.3 The Ecological Impact Assessment is inadequate as it focuses mainly on aquatic impacts and does not sufficiently assess terrestrial biodiversity impacts associated with the proposed landfill development. 
- 4.4 The Agricultural and Aquatic Specialist Studies provide conflicting information on the presence of a wetland. This discrepancy must be clarified in FEIR, and the wetland's ecological status be provided. 
- 4.5 The Cultural Heritage Impact Assessment identifies Activity 27 of Listing Notice 2 as triggered; however, this activity was not applied for in the application. Please clarify.
- 4.6 The Aquatic, Agricultural, and Terrestrial Specialist Assessments are rejected by the department, as they were not undertaken in accordance with the respective requirements of GN 320 of 20 March 2020 (Protocols for Specialist Assessments). 
- 4.7 All specialist studies must assess alternative development footprints within the preferred site.
- 4.8 Signed specialist declarations must be submitted as part of the FEIR 

5. Public Participation

- 5.1 The FEIR must provide proof that the application for Record of Decision were submitted to the Department of Water and Sanitation for authorisation.
- 5.2 The Public Participation Process must ensure that all relevant Interested and Affected Parties (I&APs), including ratepayer associations, farmers' associations, and neighbouring landowners and businesses, are identified and afforded a reasonable opportunity to participate in the process for all alternatives sites.
- 5.3 The FEIR must provide proof that the proposed development was advertised in a local newspaper. The submitted evidence should include a copy of the newspaper advertisement showing the name and date of publication.

6. EMPr

- 6.1 The Environmental Management Programme (EMPr) must be revised to include a comprehensive assessment of all environmental impacts during construction, operation, closure, and post-closure phases of the project and associated with mitigation measures.

MC LP

7. Other comments

- 7.1 The registration certificates from the relevant professional bodies (e.g., SACNASP) for specialists conducting aquatic and ecological studies have not been provided. The FEIR must include these certificates.
- 7.2 The landfill design must include climate resilience measures that address projected rainfall, flooding, drought, and extreme weather risks.
- 7.3 Landfill cell locations must consider prevailing wind directions to minimise odour, dust, and litter impacts on surrounding sensitive receptors.
- 7.4 In relation to 7.3 The FEIR must contain the following information: -
- Projections of wind direction must be provided.
 - Average wind direction over 20 years period.
- 7.5 The Draft EIR includes a section on the "Repair and Rehabilitation of the Blue Bridge," which is unrelated to the proposed landfill development. Please clarify this inclusion and revise the document accordingly.
- 7.6 The FEIR must include an Operational Management Plan, Groundwater Monitoring Plan, and Contingency Plan.
- 7.7 In relation to 7.6 the Operational Management Plan must be approved by the Municipality Council or Authorised Municipality representative.

Please note that these comments are for the Draft EIR that was submitted to the Department only and that a review of the Final EIR will be required. Failure to address these comments may jeopardize the success of the application.

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You are hereby reminded of Section 24F of the National Environmental Management Act (Act No 107 of 1998) as amended that no listed activity may commence prior to an environmental authorization being granted by the Department.

Yours Faithfully

Mihlali Kambi



Date: 02/07/2026

Reg. EAP: EAPASA (2022/ 6874).

Thozamile Babane



Date: 02/07/2026

Reg. EAP: EAPASA