

# MSUKALIGWA



## WASTE MANAGEMENT POLICY

## TABLE OF CONTENTS

Abbreviation Description .....	1
Pre-amble .....	2
IWM and the Waste Management Hierarchy .....	3
Legislative Framework for Waste Management Services .....	3
Scope of the Policy .....	3
Overarching Principles and Policies .....	4
Principles defined in National Government Statutes and Policies: .....	4
Provincial Statutes and Policies: .....	4
Purpose of the Policy .....	5
Policy Objectives .....	5
Policy Review .....	6

### **PART 1: GENERAL POLICY PROVISIONS FOR INTEGRATED WASTE MANAGEMENT .....**

1. The Council's Prerogative for a suitable Service Mechanism/Provider .....	7
2. Regulations and Control by the Council as a Service Authority .....	7
3. Intergovernmental Roles and Responsibilities .....	7
a. The Council's Responsibilities .....	8
b. Stakeholder Responsibilities .....	9
c. Responsibilities of Governance Structures of the Council .....	10
4. Different Waste Management Service Mechanisms .....	10
a. Council-provided or managed services at tariffs set by the Council: .....	10
b. External service mechanisms, .....	10
5. Classes of Waste and Service Categories .....	10
6. Integration of Waste Management Services .....	10
a. Cross-cutting Functions among the Council's Departments .....	10
b. Waste Management Services provided to other Government Institutions .....	11
c. Waste Management Services provided at Public Events and Places .....	11
d. Waste from other Municipalities, Provinces and Countries .....	11

### **PART 2: POLICY PROVISIONS FOR WASTE MINIMISATION .....**

1. Background to Waste Minimisation .....	12
2. The Council's Role in Waste Minimisation .....	12
3. Waste Diversion and Minimisation Principles .....	13
4. Mechanisms for Waste Minimisation .....	13
5. Providing Alternatives for different needs .....	14
i. Informal settlements and developing communities .....	14
ii. Established or formal communities and businesses .....	14
6. Infrastructure to enable Waste Diversion and Minimisation .....	14
7. Markets for Recycled Materials .....	14
8. Waste suitable for Diversion and Recycling .....	15
9. Environmental/Green Procurement .....	15

### **PART 3: POLICY PROVISIONS FOR VARIOUS WASTE**

<b>MANAGEMENT SERVICES</b> .....	16
1. Structure of the Council's Departmental Waste Management Services .....	16
2. Waste Collection Services provided or managed by the Council .....	16
i. Standard Service Level for Waste Collection: Informal Settlements .....	17
ii. Standard Service Level for Waste Collection: Formal Residences .....	17
iii. Special Services for Waste Collection .....	17
3. Criteria for Internal versus External Waste Management Services .....	18
a) Non-residential, commercial Waste Collection Services .....	18
b) Non-residential and Special Services through External Mechanisms .....	18
4. Cleaning Services provided or managed by the Council .....	18
a) Provision and Servicing of Street Litter Bins .....	18
b) Litter Picking .....	19
c) Street Sweeping .....	19
d) The cleaning of Illegal Dumping .....	19
e) Animal Carcass Collection .....	20
5. Services and Facilities provided by the Council for Waste Disposal. ....	20
6. Waste Treatment, Recycling and Transport and Disposal Services or Facilities not provided by the Council .....	20
7. Establishment of Infrastructure and provision of Equipment for Services not provided by the Council (including Specialised Waste Management Services) .....	21
8. Special Provisions: Scrap Metal/Materials and Recycling .....	21
9. Special Provisions: Hazardous, Dangerous, Nuclear and Radioactive Materials .	21

### **PART 4: RESOURCE PROVISION, FUNDING AND**

<b>PERFORMANCE MANAGEMENT</b> .....	23
1. Resource Policy to sustain the Management and Provision of Waste Management Services: .....	23
1.1. Human Resource Requirements .....	23
2. Funding Policy to sustain Integrated Waste Management .....	23
2.1 Financial Policy Framework for Integrated Waste Management .....	24
2.2 Funding of Capital Expenditure .....	25
2.3 Funding of Operating Expenditure .....	25
Indirect Cost Recovery through a Rates Apportionment and other Mechanisms ..	26
Rates Apportionment for Waste Management Services .....	26
Cross-subsidisation from Tariff-funded Revenue to account for Budget Shortfalls	26
The Funding of Services for the Indigent .....	26
3. Monitoring and Management of Performance .....	26
3.1. General Provisions .....	26
3.2 Service Standards and Performance Measures .....	27
3.3 Tariff / Economic Viability and Sustainability Standards .....	27
3.4 Indigent Targets .....	27

<b>PART 5: MANAGEMENT AND PROVISION OF ASSETS .....</b>	<b>28</b>
1. General Provision .....	28
2. Asset Provision and Management Principles: Waste Management .....	28
3. Asset Management Standards: Waste Management .....	28
<b>PART 6: RESPONSIBILITIES IN PREPARING AND RESPONDING TO EMERGENCIES AND DISASTERS REQUIRING THE MANAGEMENT OF WASTE .....</b>	<b>29</b>
1. Readiness and Response to Emergencies and Disasters: Waste Management ..	29
2. Cost Recovery for Emergency or Disaster-related Waste Management Work .....	30
<b>PART 7: WASTE INFORMATION, COMMUNICATION AND EDUCATION .....</b>	<b>31</b>
1. Waste Information System .....	31
a. Waste Information System Requirements .....	31
b. Reporting Requirements and Responsibilities .....	31
2. Communications, Education and Awareness .....	32
2.1. Education and Awareness Campaigns .....	32
2.2. Call Centre and Illegal Dumping Hotline .....	32
<b>PART 8: SIGNAGE AND BY-LAW ENFORCEMENT .....</b>	<b>33</b>
i. Signage .....	33
ii. By-Law Enforcement .....	33
<b>ANNEXURE I:</b>	
Integrated Waste Management Legislative and Institutional Framework .....	34
National Legislation .....	34
The Constitution of South Africa (Act 108 of 1996, amended) and the Bill of Rights .	34

## **ABBREVIATIONS USED IN THIS POLICY**

### **Abbreviation Description**

**BOT** Build, operate and transfer (an MSP option)

**CBD** Central Business District

**CBO** Community-based Organisation

**DEAT** National Department of Environment Affairs and Tourism

**EMP** Environmental Management Plan

**EPR** Extended Producer Responsibility

**EPWP** Expanded Public Works Programme

**IDP** Integrated Development Plan of the Msukaligwa Town Council

**IWM** Integrated Waste Management

**MFMA** Local Government Municipal Finance Management Act (Act 56 of 2003)

**MSA** Local Government Municipal Systems Act (Act 32 of 2000)

**MSP** Municipal Service Partnership

**NGO** Non-governmental Organisation

**NWMS** National Waste Management Strategy

**PPP** Public-private partnership (one of the MSP's)

**SABS** SA Bureau of Standards

**SANS** SA National Standards

**SDF** Spatial Development Framework for the Msukaligwa Region

**WIS** Waste Information System

## **Pre-amble**

In terms of Schedule 5B of the Constitution of South Africa (Act 108 of 1996), waste management is a local government competence that must be executed to protect human and environmental health (Constitution, S.24). The statutory obligation of local government is framed by the Local Government Municipal Systems Act (Act No. 32 of 2000), or MSA. The Council recognizes that waste generation occurs either through processes where people, business or industrial entities are involved and are able to control the outcome, or when disasters, accidents, or natural processes produce waste.

The waste must be managed through various processes that will ensure a safe, healthy and a sustainable environment to ensure that the rights of individuals are protected, as enshrined in S.24 of the Constitution. This right requires that all stakeholders must accept co-responsibility for minimising waste impacts optimally, to ensure environmental sustainability.

Various legislative changes have taken place since 2000 due to global agreement on the impacts of waste on human and environmental health. Parliament adopted the *“White Paper on Integrated Pollution and Waste Management for South Africa”* in 2000 as the national policy on pollution and waste management. DEAT is currently introducing further draft legislation related to holistic, integrated waste management.

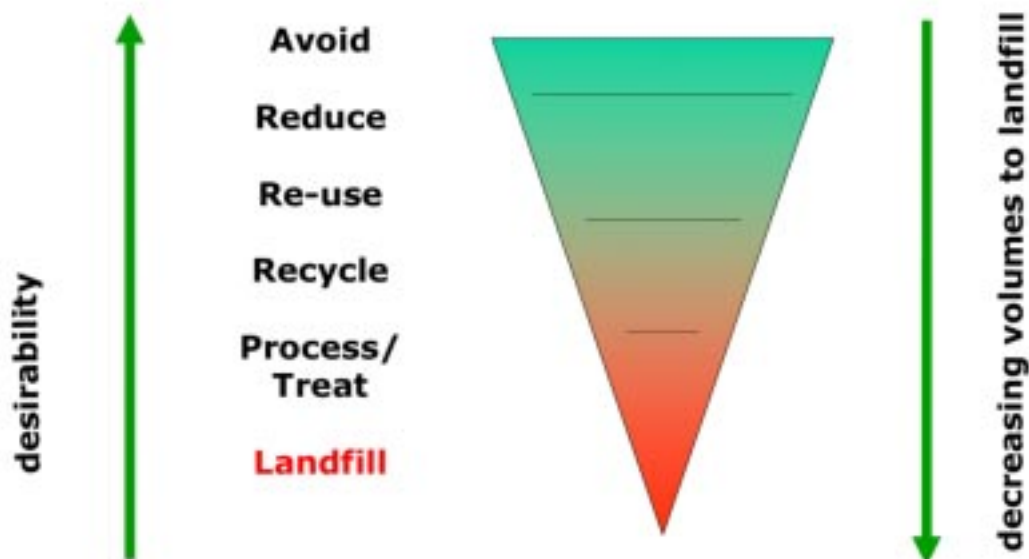
These statutory reforms and a declaration at Polokwane in 2000, adopted by DEAT with targets that require the country to conform to global practice, are aimed at minimising environmental impacts and waste to landfill to achieve a long-term “zero waste” goal.

The Council’s combined population and economic growth that has resulted in growing consumerism and a net growth in the volume of waste that is generated by private citizens, tourists and visitors, commerce and industry.

## IWM and the Waste Management Hierarchy

Integrated Pollution and Waste Management is defined as:

*Integrated pollution and waste management is a holistic and intergrated system and process of management, aimed at pollution prevention and minimisation at source, managing the impact of pollution and waste on the receiving environment and remediating damaged environments.*  
*(White Paper on Integrated Pollution aand Waste Management for South Africa, 2000, p.11)*



**FIGURE 2: WASTE MANAGEMENT HIERARCHY**

### Legislative Framework for Waste Management Services

The legislative framework for the Msukaligwa IWM Policy is detailed in **Annexure I**. These include National and Provincial statutes, policies, and protocols to which South Africa is a signatory. There are various Council-related regulatory and policy documents that contextualise the scope and principles of this policy to enable the management of waste in an integrated, sustainable, equitable and responsible manner in order to maintain a safe and a healthy environment.

### Scope of the Policy

The IWM Policy enables the Council to ensure and regulate the provision of waste management services, either through internal or departmental services, or external service mechanisms, where Council has to act as a Service Authority in terms of the MSA, to execute its Constitutional mandate.

The policy applies in the Msukaligwa municipal area, as defined by the Demarcation Board to:

1. The management of waste that will be collected, streamed, diverted, processed or treated;

2. The management of waste that will be disposed of at a licensed, regulated landfill site inside the Municipal boundaries under its direct control;
3. All individuals residing or visiting the region, and entities doing business or providing any form of private, public or community service requiring waste management services;
4. All service providers operating in the waste management industry;
5. The management and regulation of all waste that may include liquid or fluid wastes, which are generated in the municipality, with special provisions for the handling, processing, treatment and disposal of hazardous waste, as well as waste generated by the health services industry (including veterinary services);
6. The regulation of waste crossing the municipal boundaries to ensure proper management and control of all types of waste.

This policy excludes waste originating from sanitation systems of whatever form, for which there are separate national and Council policies. The policy does, however make provision for the disposal of treated sewage sludges of an acceptable quality that will minimise impact on the environment, as determined by separate guidelines from time-to-time.

### **Overarching Principles and Policies**

There are numerous guiding principles and policies that provide an integrated policy framework for the Municipality of Msukaligwa to achieve avoidance and waste minimisation targets through an integrated waste management approach. The details of the legislation that frames this policy's principles are contained in **Annexure I**.

The key principle's and policies which define responsibilities are:

### **Principles defined in National Government Statutes and Policies:**

- Constitution, S.24: A clean and healthy environment to be sustained and protected for the benefit of future generations – a collective responsibility;
- Constitution Schedule 5B, and Local Government Municipal Systems Act: Local government to ensure provision of waste management services;
- National Environmental Management Act -
  - “Cradle-to-grave” responsibility of manufacturers and users;
  - “The-polluter-pays” principle and responsibility of waste generators.
  - White Paper on Integrated Pollution and Waste Management for South Africa –
  - Duty of care principle;
  - Trans-boundary movement of waste;
  - Universal applicability of regulatory instruments.
- National Waste Management Strategy principles of waste minimisation to prevent pollution, save landfill airspace and sustain the environment;
- Minimum Requirements for Landfill Sites, Vol. 1, 2, 3;
- Batho Pele Principles for service delivery to the public by the public service;
- Expanded Public Works Programme (EPWP): utilisation of local labour on short-term projects, preferably using labour from communities in need.

### **Provincial Statutes and Policies:**

- Draft Hazardous Waste Management Plan (DEA&DP).
- Waste Minimisation Guidelines for EIA Developments.
- Provincial Waste Information System.



## **Purpose of the Policy**

The purpose of the Msukaligwa IWM Policy is to:

- Integrate and replace outdated Council policies that will simplify and standardize the provision of waste management services;
- Align the Council's waste management services with the NWMS and the "*White Paper on Integrated Pollution and Waste Management*" (National Policy) as a means of minimizing waste generation and disposal within the municipal boundaries;
- Provide a platform that enables the integration of mechanisms and functions for maintaining cleanliness standards in the region;
- Provide a basis for an integrated by-law that will be used to regulate waste generation and waste management services, as well as serve as a disincentive where necessary;
- Introduce, facilitate and encourage effective waste minimisation and waste management practices, as per the NWMS Waste Management Hierarchy (see **Fig. 1 on page 7**) to:
- Encourage waste avoidance by all stakeholders that will reduce waste generation at source;
- Reuse waste in its original form as far as possible;
- Promote the separation of waste into different streams at source prior to collection for recovery and recycling purposes;
- Enable enterprises involved in the recycling of waste materials;
- Advocate the reuse of waste materials as far as possible;
- Dispose the remaining waste responsibly by utilising processes and methods that will conserve air space to lengthen the life of landfill sites, and methods that will impact minimally on water, ground water, soil or air.
- Improve socio-economic sustainability; public and environmental health by providing equitable and sustainable waste management services that should be available at reasonable tariffs or charges to all stakeholders;
- Ensure the effective and economical long term provision of waste management solutions for the region, supported by a sustainable and economically viable funding strategy.
- Provide infrastructure and assets, and exercise proper management and control of asset in accordance with an Asset Maintenance and Management Plan as outlined in S.63(1)(a) of MFMA;
- Ensure informed decision-making and continuous performance and asset management to improve service delivery supported by an appropriate information system;
- The Integrated Waste Management Policy is to be linked directly to the Gert Sibande District Council Integrated Waste Management Plan, which serves as the vehicle for the implementation of the Policy in terms of the Integrated Development Plan (IDP).

## **Policy Objectives**

1. At the local authority level, the further and specific objectives of the Msukaligwa IWM Policy are:

- a) To ensure that all residents, organisations, businesses and other government departments receive a service from a legitimate waste management service provider according to the Council's statutory obligation and prerogative;
- b) To facilitate appropriate mechanisms that will reduce waste generation of all kinds that will make it possible to:
  - Clean and accumulate waste or litter;
  - Stream and store waste of all types in receptacles or containers, subject to agreed standards and applicable town planning, fire, safety, health and environmental statutes, ordinances, regulations and by-laws;

- Collect and/or transport waste to appropriate waste management facilities with suitably equipped, roadworthy and licensed vehicles or machines;
  - To dispose unusable waste at landfill sites that have been established after proper assessments were completed and approved, and is operated per appropriate permit conditions set by the various regulating authorities.
- c) To standardise the different service delivery mechanisms in a balanced way appropriate to managing waste, according to environmental concerns in terms of:  
the type of service needed by different communities, industries, business and/or visitors' needs in support of the Council's objectives of enhancing local economic development and sustainable job creation where possible;
- d) To set minimum standards of performance in line with the Council's general economic sustainability, efficiency, and effectiveness norms;
- e) To inform the Integrated Waste Management Plan of the District Council, based on sound socio-economic and environmental principles;
- f) To provide an efficient service at an economically acceptable rate.

### **Policy Review**

The IWM Policy has a long-term horizon of twenty to thirty years in accordance with timeframes linked to the NWMS. It is intended to be flexible, yet robust. However, if National policy or legislation or if concurrent Council policies that influence and guide this policy are amended, the IWM Policy should be reviewed as soon as such changes have been promulgated.

# PART 1 GENERAL POLICY PROVISIONS FOR INTEGRATED WASTE MANAGEMENT

## PART 1: GENERAL POLICY PROVISIONS FOR INTEGRATED WASTE MANAGEMENT

### 1. The Council's Prerogative for a suitable Service Mechanism/Provider

It is the Council's duty to ensure that a Waste Management Service, consisting of "*cleansing, refuse removal, refuse dumps and solid waste disposal*", is provided in the Msukaligwa region, and per the requirements of the Local Government Municipal Systems Act, or MSA. The selection of a suitable, equitable and sustainable service delivery mechanism for waste management services is, therefore, the Council's duty and prerogative as the service authority and regulator within the municipal boundary, once it has complied with the determination of the criteria in accordance with the statutory mechanism.

### 2. Regulations and Control by the Council as a Service Authority

The Council is the *de facto* Service Authority for waste management services at the local government level. For the purposes of interpreting the Council's policy, and in alignment with National policy, "waste management" is defined as "the avoidance, separation, reuse, containment, diversion, cleaning, handling, transportation, interim storage, recycling and disposal of waste other than untreated sewerage". "Waste management services" include activities that individuals, organisations or business entities are responsible for on their premises or property. The provision of a waste management service is, thus, subject to statutory requirements, and conditions set by the Council in terms of its mandate to govern the administrative units/towns. This includes specialised collection, processing or treatment by hand or machines, disposal services, the operation of vehicles and machines used for waste management, the establishment of infrastructure and equipment by external entities or individuals. The provision of all waste management services by internal or external entities within, or that cross the municipal boundaries will be regulated through applicable by-laws read in conjunction with this policy.

To operate inside the municipal boundaries, any entity engaged in waste management practices must be registered and accredited in writing by the Council. In addition, where statutes or codes of practice require a different written accreditation, authorization or permit to be issued by a National Department, this must also be obtained before operations may start. As per legislative and the NWMS requirements, certain categories of waste are subject to recording, auditing and reporting requirements.

### 3. Intergovernmental Roles and Responsibilities

The Council recognises that it has a responsibility to abide by statutes, policies and guidelines that are introduced by National and Provincial Departments from time-to-time.

In this regard, the Council acknowledges the regulatory oversight that must be exercised in terms of legislative compliance as well as the allocation of funds in aid of achieving National and Provincial objectives at the local government level. Conversely, these Departments have a responsibility to ensure that timeous communication and the intergovernmental transfer of funds enables the Council to execute its duties and obligations.

### **Figure 3: Typical Waste Generation and Integrated Waste Management Cycle to minimise Health and Environmental Impacts**

It is essential that all stakeholders are aware of, and accept their waste minimisation responsibilities by reducing, preventing and separating waste that is being generated to reduce the stream to the landfills. This entails managing the waste responsibly at and between the points of generation to a disposal or landfill site.

All waste management services provided by or on behalf of the Council will attract charges and rates according to the Council's Tariff Policy. Service providers may provide waste management services only after the Council has exercised its duty and prerogatives in terms of the MSA, and must have a legitimate standing to operate a sustainable and responsible waste management business, provided that it is done in accordance with the principles and standards set out in this policy, and in accordance with the applicable statutes and regulations.

#### **a. The Council's Responsibilities**

The Council's general responsibilities to achieve integrated waste management are:

1. To exercise a prerogative to provide or contract for the provision of waste management services,
2. To ensure that where the Council has exercised its prerogative not to provide or manage a waste management service, that such services are provided to affected stakeholders;
3. To ensure that a compliant entity may provide a service to stakeholders to whom Council elects not to provide a waste management service;
4. To monitor and regulate services, in order to ensure that statutory waste management obligations and service standards are met, whether service provision is through an internal department, through Council-managed and contracted or partnership arrangements, or via external mechanisms;
5. To ensure all residents and entities that own property and operate business premises, and who generate waste have a valid contract for the collection and disposal of waste, and that payment is collected as per relevant Council policies;
6. To ensure that all waste management infrastructure, equipment and vehicles in the municipal boundaries conform to statutory requirements for the responsible handling, storage, transporting and disposal of waste;
7. When the Council is the service provider:
  - a) To provide appropriate receptacles at a cost determined by the Tariff Policy, for the storage and accumulation of waste prior to collection;
  - b) To schedule days and routes, which may change from time-to-time due to operational considerations, for the collection of waste on a routine basis;
  - c) To bill persons or entities receiving a routine waste management service from or on behalf of the Council accurately and timeously, and recover incurred costs of clean-up and administration services from those who litter or pollute, as determined by the Tariff Policy;
8. When an external entity is the service provider, to ensure that they provide appropriate receptacles to their customers for waste storage prior to collection;
9. To provide appropriate waste receptacles in or at places visited by the public;
10. To regulate waste management at all events;
11. To handle and transport residential and commercial waste from entities contracting with the Council from the point of collection for onward transfer, processing, treatment, or disposal unless otherwise specified;
12. To do general area cleaning and cleansing on a "boundary-to-boundary" basis on public property and terrain that the Council is responsible for – roads, conservation areas and property that has been legislated as another government department's responsibility may receive a service based on a contract with a service provider, or on via a Service Level Agreement in the case of a government department;

13. To set rates and tariffs for routine and special waste management services as per the Tariff Policy, which are affordable and payable by all property owners or a person or entity receiving the services, subject to various other Council policies;
14. To form Municipal Service Partnerships as a means of extending services and/or when there is a lack of Council resources;
15. To be compliant and adhere to legislation when providing or managing services;
16. To promulgate and enforce applicable by-laws relevant to waste minimisation and waste management to control the impacts of waste.

**b. Stakeholder Responsibilities**

General waste management and minimisation responsibilities of residents, visitors or entities inside the municipal boundaries include:

1. All stakeholders must avoid generating waste as far as possible;
2. All residents, property owners, government departments, non-governmental or community service organisations, and business entities must be registered with the Council for the planning and determination of waste management services.
3. All entities and individuals wishing to engage in commercial waste minimisation and recycling activities inside the municipal boundaries that will divert waste from landfill must be accredited by the Council to operate in the Municipal boundaries;
4. All property owners, residents and business entities must register with the Council and must engage with the Solid Waste Management Department to ensure they understand the responsibilities associated with integrated waste management and the cross-impacts of their activities on other stakeholders and the environment;
5. All stakeholders must ensure they have a valid contract with a service provider for waste collection and disposal – residents and commercial businesses must have a contract with the Council unless otherwise determined,
6. All commercial and industrial entities must complete a “Waste Assessment” form, that will assist the Council with its long range planning;
7. All events organised and hosted must have a waste management plan that includes a provision for the cost that associated with waste management services.
8. Specific entities that require a business license from the Council in terms of the Business Act, Act 71 of 1991, must submit a waste management and recycling plan for approval by the Council’s Health Dept and the Solid Waste Management Dept in addition to the regulatory requirements.
9. Industrial and health care entities must have a contract with a legitimate private sector service provider able to provide a service according to the nature of the waste that must be collected, and/or treated, and/or recycled, and/or disposed;
10. Health care risk waste generators, transporters and facility operators must have a valid permit issued by the Council’s Health Department;
11. Property owners, traders or businesses may only use the receptacles provided for their own use at the site and for the purpose it has been provided, or can apply for additional receptacles or enhanced services at additional cost;
12. If waste collection and disposal requirements exceed the minimum policy or a service contract criteria, the responsible stakeholder must fill in the “Application for Supply of Services” form for an enhanced service, which must be accompanied by a “Waste Assessment” form that will inform the Council about the expected changes in the volume or type of waste, or the frequency of service;
13. The occupant of a dwelling or property, manager of a facility, amenity or a business entity, or entrepreneur that generates waste, must ensure that recyclable waste is separated, streamed and stored in an approved container;

14. The waste generator must transport recyclables or have these collected at own cost to a specially-provided facility, where the recyclable materials must be placed in separate bulk containers or a separate area provided at the facility;
15. Property owners of vacant land and occupants of occupied property are responsible for maintaining cleanliness and hygiene standards inside the boundaries of the property in terms of the Council's applicable by-laws. The Council reserves the right to clean waste and overgrowth that accumulates on such land at the owner's expense at the cost of cleaning and disposing of the waste.
16. Property owners and/or developers of land and buildings must provide for waste management infrastructure according to the Council's guidelines, and must submit a waste management plan as part of the Council's plans approval process.

**c. Responsibilities of Governance Structures of the Council**

A Sub-council's general responsibility is to monitor the outcomes of service delivery, and to report deficiencies to service departments for corrective action. It also has a responsibility to identify projects in terms of the IDP and community needs, is a co responsibility of all a sub-council's ward committees, and as part of waste management services and projects, is part of the Health and Safety Representative's duties.

**4. Different Waste Management Service Mechanisms**

There are a number of mechanisms through which the Council will ensure the provision and integration of waste management services. The mechanisms include Municipal Service Partnerships (MSP's), which the Council, as a service authority, manages and regulates according to this policy and a Waste Management Charter. These mechanisms are not restricted to:

**a. Council-provided or managed services at tariffs set by the Council:**

- Through an internal department according to the Council's functional delegations;
- A service that is provided via a community partnership contract or another entity (private business, CBO or NGO) that is contracted via the Council's commercial tender process to provide a service on behalf of the Council at a sustainable cost to an end-user, with outcomes managed by the Council in terms of the principles and standards of the policy read in conjunction with the contract;
- A service is provided through a public-private partnership (PPP) on behalf of the Council on an externally contracted basis to an end-user, and outcomes in terms of a contract and Standards of Cleanliness are managed by the Council;

**b. External service mechanisms,**

- where the Council is the service authority and regulator of minimum service standards via this policy, but does not control the cost to the consumer of such services;
- Another entity (private or external business) provides a specialised service and/or equipment and facilities to an end-user per a contract and at a cost set by the entity. Costs are payable to the external service provider, while outcomes are managed by the Council in terms of the principles and standards of the policy and the provisions of the Council's by-laws;
- A service is provided through an intergovernmental partnership subject to cost recovery as provided for in legislation and per monitoring and management arrangements that will be determined contractually, from time-to-time.

**5. Classes of Waste and Service Categories**

Various classes and categories of waste have been defined in accordance with the National standards for a Waste Information System (WIS), District Council's IWM Plan and the Council's Tariff Policy.

**6. Integration of Waste Management Services**

**a. Cross-cutting Functions among the Council's Departments**

Waste management functions are provided by various departments, who share co-responsibility for successful outcomes. As a result, not all waste management functions related to the maintenance or cleaning of infrastructure or the environment are the responsibility of the Solid Waste Management

Department. A common responsibility of all internal departments is to separate waste for recycling. In addition, all waste that is cleared and cleaned, which may be contaminated by pollutants or pathogens, must be treated as "hazardous waste for treatment and disposal purposes. Cross-cutting waste management functions relate to infrastructure and facilities, which have to be cleaned and maintained as per the delegated responsibility of these departments. These responsibilities may change from time-to-time due to internal organisational restructuring and functional delegations. The SWM Department will provide waste management services to internal departments or directorates via service level agreements (SLA's) to recover costs associated with waste management per the MFMA requirements.

**b. Waste Management Services provided to other Government Institutions**

By definition, all other government departments that own developed property and vacant land, or operate from leased premises in the municipal boundaries, are responsible for the maintenance and cleanliness of these properties. Departments must have and are liable for payment of waste management services.

The cleaning of any public land declared and operated as a reserve by another government department, is the responsibility of that department. Cleaning must be done to meet the Council's minimum standards of cleanliness and fire safety. The Council will provide collection and cleaning services to/ on non-Council property, or on land not normally serviced by the Council on a contracted basis, at a tariff set out in the Tariff Policy. Alternately, a private contractor may provide the service according to its own terms of contract.

**c. Waste Management Services provided at Public Events and Places**

Waste management services are required at public spaces, amenities and facilities that are used by residents and non-residents (e.g. visitors and tourists), and at events that will attract large numbers of the general public.

It is the Council's policy that the planning for all events hosted in the City's boundaries must include a provision for waste management services and payment for these services. This includes events that are planned and organized by the Council, by a government department or a committee sponsored by such a department, by any other body or institution, or by a private entity. Therefore, a budgetary allowance must be made by events organizers for the cleaning, collection, and disposal of waste that is generated at such events

If the Council provides any or all of the waste management services, event organisers will be billed accordingly. If an event organiser neglects to obtain waste management services, the Council reserves the right to bill the organiser for any expenses incurred for cleaning, cleansing and disposal services.

**d. Waste from other Municipalities, Provinces and Countries**

It is the Council's policy to minimise the trans-boundary or trans-border movement of waste, in keeping with National legislation, policy and international conventions, either from another municipality or province, or from another country for disposal at any landfill site regulated by the Council, irrespective of ownership or management responsibility.

If there is sound rationale for allowing trans or cross-border waste to be land filled in the Msukaligwa municipal boundary, it may only happen if a written application is made to the Directorate SWM, the Council has approved it, additional governmental approval has been obtained as applicable, the necessary financial agreements have been signed, and after the relevant permits have been approved and issued.

## **PART 2 POLICY PROVISIONS FOR WASTE MINIMISATION**

### **PART 2: POLICY PROVISIONS FOR WASTE MINIMISATION**

#### **1. Background to Waste Minimisation**

Waste minimisation forms the core of the National Waste Management Strategy to ensure that health and environmental impacts can be minimised, and landfill airspace can be optimized to keep increases in tariffs sustainable over the long-term.

“Waste minimisation” is defined as any activity that can prevent or reduce the volume, resource and environmental impact of waste, which is generated, treated, stored or disposed of. It is not a “business-as-usual” approach, as it requires proactive participation by all stakeholders. The Council commits to pursue, establish, facilitate and communicate waste management policies and waste minimisation mechanisms, initiatives, and partnerships proactively, and to obtain the general cooperation from the public, commerce and industry. Applied waste minimisation foremost promotes waste avoidance, but also actively encourages traditional “end-of-pipe” strategies aimed at increasing the reuse, recycling and separation of waste materials at source that will divert waste from landfill sites.

All-round participation and partnerships, and a commitment to “Cleaner Production and Sustainable Consumption” initiatives are keys to the success of waste minimisation. It will also require more resources or infrastructure than the Council can afford. Industry especially, will have to change manufacturing and packaging approaches in terms of sustainable initiatives.

Waste minimisation involves a number of processes, mechanisms and stakeholders in the production, marketing, packaging, selling and consumption of goods that produce waste at all stages of the consumption cycle. By implication, it will require a conscious, comprehensive and intentional decision and effort by all stakeholders to ensure that waste and the secondary effects of poor waste management can be reduced through waste minimisation to increase landfill site lifecycles and the environment. This may involve additional mechanisms and processes that include the following:

- Encouraging waste separation, streaming and diversion practices;
- Creating infrastructure to enable waste to be diverted from landfill sites;
- Developing infrastructure for processing waste for reuse/recycling;
- Developing markets for recycled materials and products;
- Applying Clean Development Mechanisms (CDM) to reduce, amongst other effects, the global warming effects of landfill gas to the benefit of all stakeholders including the environment;
- Conducting awareness and education campaigns to disseminate information regarding waste diversion, minimisation and recycling;
- Consumers will be required to change behavioural patterns to avoid and reduce waste by not littering, or by dumping waste illegally, and by practicing the separation, reuse and/or diversion of recyclables.

#### **2. The Council's Role in Waste Minimisation**

The Council recognises and acknowledges that:

- it must manage waste minimisation in accordance with targets over time, which are based on the aims set by the “Polokwane Declaration” (2001);



- It must draw up and implement an Integrated Waste Management Plan to give effect to all efforts to minimise and manage waste;
- It must draw up and implement an internal waste minimisation plan, aimed at reducing impacts on resources and the environment;
- it must play an enabling and facilitation role to provide an environment in which all stakeholders are able to contribute to the minimisation of waste in business or in society by establishing relevant partnerships and networks;
- a co-operative role should exist between itself and the relevant national and provincial department to ensure that activities and efforts can be streamlined to minimise duplication and give effect to waste minimisation, which can contribute to the national imperatives of minimising resource and environmental impacts;
- It must engage with business and industry, either through representative bodies, or with individual organisations to enable or provide certain infrastructure and services, through various private, industry-specific and public-private initiatives that will be needed for waste minimisation;
- it will encourage and involve all communities to ensure that waste avoidance and minimisation initiatives can be used to the fullest effect;
- it will produce and enforce legislation aimed at non-compliant stakeholders.

### **3. Waste Diversion and Minimisation Principles**

The Council's diversion and minimisation principles are based on pragmatic, sustainable and holistic cost-benefit considerations, balanced by expenditure priorities, all of which strive to achieve the Council's long-term waste minimisation targets in accordance with spatial and population growth strategies:

1. Not all waste can be avoided - the approach to minimisation will be based on the 80/20 principle, where prevention and recycling will be encouraged to optimise the return on effort and expenditure needed for minimisation initiatives.
2. Each producer or generator of waste is responsible for waste minimisation, separating recyclables at source and keeping these in separate and suitable containers on their property as the first step in the waste diversion process;
3. Separated or streamered waste may not be mixed with waste that is destined to be land filled;
4. Contained waste may not be put out for collection on the kerbside until the day of collection in order to avoid practices that may lead to littering and further cost to the Council;
5. The waste generator is responsible for transporting, or having recyclables collected, unless the Council decides on an alternative option;
6. Industry or a private concern may become involved in the collection process at the Council's prerogative.

### **4. Mechanisms for Waste Minimisation**

Waste minimisation effort will require involvement, commitment and support by all stakeholders to achieve active waste separation at source to divert waste away from landfill sites. Apart from individual citizen participation, it will also need the local stimulation of EPR-financed, voluntary industry initiatives, ideally linked to the social responsibility policies of companies. These partnerships will be used to co-provide infrastructure and technology, and create demand for the separated waste materials.

The Council will promote these partnerships through active information; education and awareness campaigns to introduce facilitate and enable waste minimisation.

## **5. Providing Alternatives for different needs**

Different communities have different needs and the Council recognises that, if possible, there should be alternatives that are best available to suit various waste minimisation needs to promote community benefits. These alternatives must follow the general principles for waste diversion and minimisation.

### **i. Informal settlements and developing communities**

Waste separation and streaming should preferably occur at source by each household in informal settlements and developing communities. Where it is not possible due to practical considerations (e.g. space restrictions, etc) the waste must be separated and deposited at a remote location that has been approved by the Council.

### **ii. Established or formal communities and businesses**

Various alternatives or minimisation mechanisms may apply to formal communities and businesses, but waste separation and streaming must occur at source:

- a) Private contractors registered on the Council database may contract with a private household or business for the collection of streamed waste according to their own logistical arrangement and schedules;
- b) A waste minimisation club is ideally suited to residential and business cluster developments and flat complexes, and may be established according to special requirements and tariffs. These clubs must apply to the Council for a special dispensation as an “Enhanced Service”, together with the submission of a waste management plan;
- c) The occupant of a private dwelling may transport streamed waste and deposit the different types of recyclables at registered drop-off (i.e. waste diversion) sites. A waste recycler or processor registered on the Council database may collect waste from these sites per arrangement with the drop-off site manager;
- d) On-site facilities may be established and managed on behalf of businesses by private waste management specialists.

## **6. Infrastructure to enable Waste Diversion and Minimisation**

The Council will ensure the provision of waste diversion infrastructure where private individuals may bring and deposit limited amounts of recyclable waste in demarcated areas or containers, subject to affordability criteria. Other stakeholders may also use these facilities at the Council's prerogative and approval. Commercial and industrial stakeholders must engage directly with recyclers to ensure recyclables are diverted away from landfill sites.

Other diversion or recycling infrastructure may be provided by any concern at its own cost, as long as it has met all the statutory and the Council's requirements applicable to the establishment, operation or decommissioning of such facilities. Where the Council applies densification criteria that are aimed at developing high density buildings, developers must ensure that adequate waste management facilities (e.g. waste rooms that include recycling facilities, etc) are included in plans submitted to the Council for approval.

## **7. Markets for Recycled Materials**

Recycling and the creation of a demand for products with post-consumer recycled contents is *per se* not part of the Council's Constitutional mandate. This mechanism will rely on various industries to develop and drive this part of the process. The creation of industries and markets that either process or treat waste for recycling and reuse materials through dedicated infrastructure, falls in the ambit of business and industry initiatives. The Council will, however, encourage and support development initiatives that

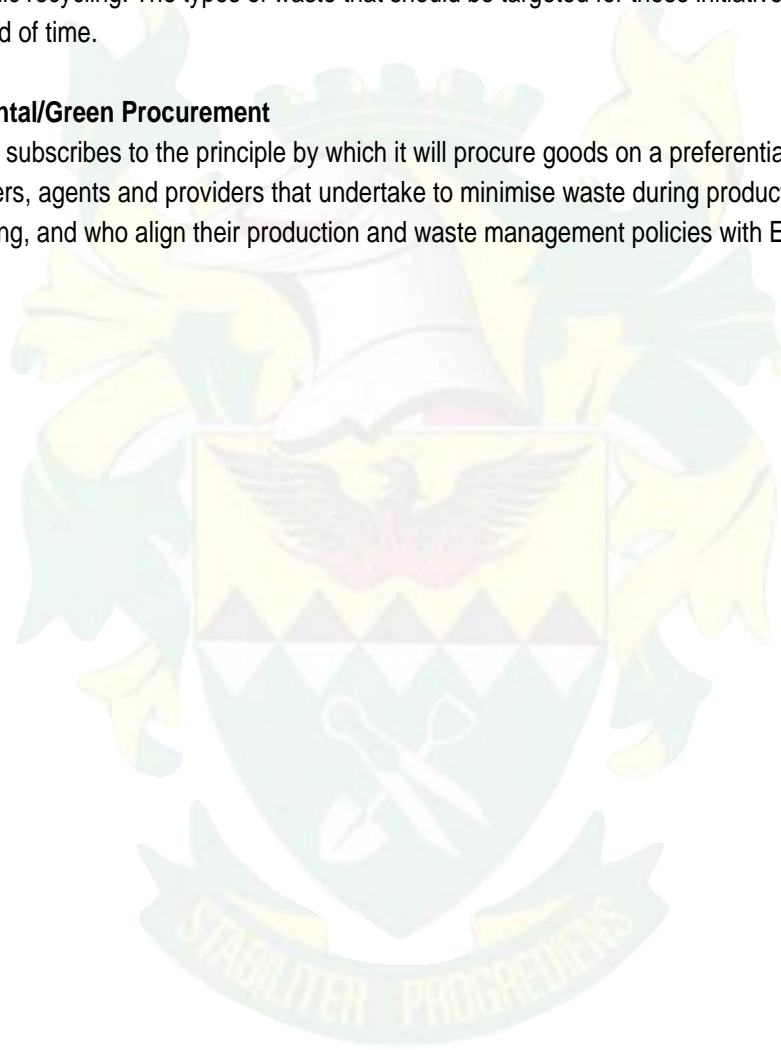
will enable and encourage economic and job-creation opportunities linked to the establishment of processing and recycling businesses as part of the socio- economic development objectives. This support is limited to initiatives that are environmentally and economically sustainable by the owners of such businesses. In the event of a business, organisation and/or individual involved in recycling activities not being able to recycle and use recovered materials, they will be obliged to dispose of it at a licensed landfill site at their own cost.

**8. Waste suitable for Diversion and Recycling**

By applying economic and practical criteria, it is accepted that not all waste can be streamed for diversion and economic recycling. The types of waste that should be targeted for these initiatives will be adjusted over a period of time.

**9. Environmental/Green Procurement**

The Council subscribes to the principle by which it will procure goods on a preferential basis from manufacturers, agents and providers that undertake to minimise waste during production and manufacturing, and who align their production and waste management policies with EPR guidelines.



# **PART 3 POLICY PROVISIONS FOR VARIOUS WASTE MANAGEMENT SERVICES**

## **PART 3: POLICY PROVISIONS FOR VARIOUS WASTE MANAGEMENT SERVICES**

### **1. Structure of the Council's Departmental Waste Management Services**

The Council provides a "boundary-to-boundary" waste management service in public areas it is responsible for in its geographic area of jurisdiction. Property owners, or organisations, business entities or individuals who occupy premises, are responsible for maintaining cleanliness and hygiene standards on their premises (on-site inside property boundaries) in keeping with the norms determined by applicable by-laws.

All stakeholders may contract on-site waste management services at their own expense. The Council's own services are clustered per the following categories and the suite of services required for managing waste through an internal service mechanism:

#### **a. General waste collection services,**

Including the transportation of waste to a transfer station or a disposal facility;

#### **b. Cleaning/cleansing,**

Which encompasses a wide range of cleaning services for all public spaces and streets under the Council's jurisdiction? This includes litter bin provision and servicing, street sweeping, litter picking, the clearing of illegal dumping and animal carcasses and the cleaning of industrial pollution, waste and debris generated by natural disasters and processes;

#### **c. Disposal services,**

Which include the maintenance and operation of special processing and collection facilities, waste transfer stations and landfill sites?

#### **d. Technical support services:**

The Council operates a fleet of vehicles that are specially equipped for the task of waste collection, cleaning and transportation of waste to landfill sites. A variety of support infrastructure, such as depots and workshops, is required and must be provided to house and support the different functions.

### **2. Waste Collection Services provided or managed by the Council**

The Council's waste collection services are classified either as "non-residential" or "residential". Further classification is based on the type of waste, i.e. whether it is of a general, uncontaminated nature, or is specialized by virtue of the environmental, health or safety hazard the waste presents.

The Council may provide the following services, equipment and infrastructure:

- Waste receptacles: containers, bins and black bags (per conditions set by the Tariff Policy);
- Residential and certain non-residential waste collection services (including special or bulky waste), and associated equipment and infrastructure;
- Routine and *ad hoc* cleaning services;
- The cleaning and removal of illegally-dumped waste or litter in public places under the Council's jurisdiction;

- Animal carcass collection from public spaces, verges and roads;
- Waste transfer stations, equipment and infrastructure;
- Landfill sites, equipment and infrastructure;
- Waste awareness and education campaigns.

The Council has a prerogative regarding the choice of service mechanism and service provision in line with its obligation to assess an appropriate service mechanism per MSA, S.77, and to set tariffs per the Tariff Policy for its waste management services. An assessment in terms of all the criteria in terms of the MSA must include a review of organisational and community benefits, has been consulted in the public realm, and the results, objections and/or recommendations of alternate service mechanisms have been presented for the Council's due consideration.

Specialized waste collection and related services and infrastructure for industrial and hazardous waste are part of "non-residential" services. For the time being these are provided by private waste contractors due to specialized facilities and infrastructure requirements not normally provided or maintained by the Council. These services are aimed at the industrial and the health care service sectors (including veterinary services) that generate hazardous waste of various categories, which requires special handling, transport and treatment before disposal. The services generally exclude nuclear waste, which is regulated by the Atomic Energy Commission via specific legislation.

**i. Standard Service Level for Waste Collection: Informal Settlements**

The standard service level for residential waste collection, to informal settlements is aligned with the Council's Indigent Policy. This is a once-a-week, door-door waste collection service provided to indigent families per dwelling, according to a Council approved contract. "Emergency" waste services may be provided temporarily while existing service provision plans are amended. Black bags for utilization in clean-up campaigns may be provided at no cost subject to the availability of funds, at the discretion of the Directorate: Solid Waste Management Services.

**ii. Standard Service Level for Waste Collection: Formal Residences**

The standard service level for formal residences is a once-a-week, kerbside waste collection service irrespective of who the service provider is. In this category, all dwellings per erf, including backyard dwellings, other than those where geographic or other service constraints make this impractical, will be provided with a steel waste container, of a size and design to be determined by the Council. The occupant must ensure that all residential waste that has been separated and cannot be recycled, is stored in the bin. The bin may only be placed outside the property boundary for weekly collection of the waste, on the day of the scheduled collection.

**iii. Special Services for Waste Collection**

The provision of special collection services will be determined on a case-by-case, needs basis according to specific requirements that must be set out according to a written request, and will be provided by the Council if it has the necessary equipment and resources. The Council will provide bins at public events according to the standards and costs described elsewhere for event coordination and organisation.

Alternately, special collection services may be procured from service providers in the private sector at rates determined by the service provider, provided these comply with the Council's minimum waste management criteria and standards.

### **3. Criteria for Internal versus External Waste Management Services**

#### **a) Non-residential, commercial Waste Collection Services**

Commercial waste collection services are partly provided by the Council. The balances of commercial services are provided by the private sector. All commercial waste collection services must at least be provided according to the integrated waste management principles and standards of this policy.

#### **b) Non-residential and Special Services through External Mechanisms**

External service providers may also provide waste management services within the municipal boundary as per this Policy. External entities or persons may provide the same suite of services as the Council once the Council has resolved not to provide these to a residential area, to commercial or non-commercial organisation or to an industry. When a service provider has met all the statutory and Council requirements, the Council will accredit the service provider through an administrative process determined by the applicable Council policies.

The minimum service level for collections by external entities is once per week. All commercial, industrial and health care entities requiring a service, must register with the Council irrespective of who the service provider will be. All entities must provide the Council with waste management information. By implication, all remaining non-residential entities (i.e. commercial, health care services and industries) that are not serviced by Council, must be serviced by external waste management entities according to a valid contract between a property owner, business owner or a tenant, and an external service provider. This is especially relevant where special classes of waste must be managed. If a property or business owner or a tenant cannot provide proof of a valid waste management contract, the Council will ensure that waste management services are provided at the owner or tenant's expense.

### **4. Cleaning Services *provided* or managed by the Council**

The Council is responsible for ensuring general cleanliness in public spaces in its area of jurisdiction in terms of its Constitutional obligation for cleaning and cleansing in a municipal area. A "boundary-to-boundary" principle is followed to ensure that public places the Council is responsible for are maintained according to the policy.

The Council provides services through both internal and externally-contracted mechanisms, which include community partnerships, to maintain cleanliness and hygiene standards.

Cleaning services consist of:

1. The provision and servicing of street litter bins where necessary;
2. Litter picking where required;
3. Street sweeping;
4. The clearing of illegal dumping
5. Animal carcass removal from public space.

#### **a. Provision and Servicing of Street Litter Bins**

Litter bins are provided for general use by the public in areas that are frequently visited by citizens and visitors. Litter bins are positioned according to available infrastructure and the need that is generated by the presence of the public in business areas and transport interchanges, and from the use of public spaces.

The standard for servicing litter bins is determined by the size of litter bins, volume of litter, the type of area and its activities, and available resources. Generally, the Council does not place or position litter bins in residential areas.

## **b. Litter Picking**

Litter picking is required due to littering, i.e. irresponsible behaviour by individuals, public or private entities involving small quantities of waste that are generated (as opposed to the illegal dumping of larger quantities), but not placed in a container for collection, processing and disposal at a landfill site. The Council is responsible for litter picking in all public areas, as per its Constitutional obligation to maintain a clean and healthy environment. In addition to cleaning public places, it provides the service at/in:

- Verges alongside roads;
- Fenced-in public spaces;
- River banks and storm water canal edges;
- Traffic islands;

The Council will ensure that litter picking occurs through internal or external services, including public partnerships, contracts and agreements that include communities, schools and other non-governmental organisations. Due to the erratic occurrence of littering combined with local wind and weather effects, the litter picking service is provided on an “as-and-when-required” basis.

## **c. Street Sweeping**

Street sweeping is an important cleaning service to ensure public road safety and to prevent the town’s storm water reticulation systems from becoming clogged with waste, which may cause flooding during the rainy season. Street sweeping is done by the use of manual labour.

This could involve internal and external service mechanisms that include community contracts. The street sweeping function is usually combined with litter picking in response to conditions that arise from a combination of environmental factors such as vegetation being blown into the streets, leaves dropping due to seasonal change, etc. The service is provided on a needs basis for:

- Permanent surface roads in residential areas;
- Permanent surface roads in business districts;
- Permanent surface roads in industrial areas;
- Courtyards of Council-owned property (by SLA);
- Informal trading areas (sidewalks and designated areas);
- Taxi termini and transport interchanges.

## **d. The cleaning of Illegal Dumping**

The cleaning of illegally dumped material by or on behalf of the Council is necessitated in reaction to the unlawful dumping of large quantities of waste on public or private property by a generator of waste, or end-user of unusable goods.

This may also include pollution. The prevention of illegal dumping is strongly dependent on available infrastructure, public reporting and law enforcement, which the Council will respectively ensure through the Public Safety and the Health Sections, or any other appointed law enforcement officer. This service involves large-scale cleaning with either mechanical equipment or manual labour at or on

- Public property;
- Private, undeveloped property (at the expense of the owner).

The Council proactively endeavours to provide facilities located in strategic places around the towns for the diversion of waste (specifically garden waste, residential hazardous waste, and builder’s

rubble). It will also conduct awareness and education campaigns with the help of Ward Committees as one of the methods of obtaining the assistance of members of the public and industry to avoid this practice. As a reactive step, the Council will use the by-law coupled with financial disincentives to discourage illegal dumping in the area.

**e. Animal Carcass Collection**

Animal carcass collection is a specialised service that is provided via internal and external mechanisms due to the specialised requirements to observe health and hygiene standards. It includes:

- Large and small carcasses on public property and in public spaces;

**5. Services and Facilities provided by the Council for Waste Disposal.**

The Council must ensure the provision of safe operations and the availability of licensed waste disposal services and disposal facilities, equipment and related infrastructure. This ranges from, but does not exclude alternative disposal infrastructure and technologies that may be needed to be introduced or established in future:

- special facilities for dropping off small volumes of recyclable materials by residents and some departments of the Council, including garden waste, which will be collected by recyclers;
- special processing and treatment plants, such as composting plants and builder's rubble crushing plants;
- special waste material recovery plants (e.g. MRF's);
- satellite waste and waste transfer stations; and
- landfill sites, which are licensed in accordance with the requirements of the National Water Act, and the Department of Water Affairs and Forestry guidelines. The Council's waste disposal and handling facilities will be subject to at least one audit per year, funded out of tariffs charged that will be conducted by an external entity which is deemed legally competent to provide a report on the environmental conditions and operating practices at these waste management facilities.

**6. Waste Treatment, Recycling and Transport and Disposal Services or Facilities not provided by the Council**

External service mechanisms might be employed as part of the integrated waste management and minimisation processes that require specialized infrastructure, equipment and procedures. In keeping with its obligation to ensure that waste management services are provided, and are accessible to all in the area, the Council has *de facto* elected to control and regulate, but not to provide certain services, infrastructure and facilities due to the specialised nature of some of these operations.

The waste treatment, disposal and recycling services are thus augmented by infrastructure and equipment that are funded, provided, operated and maintained by external entities. The specialised equipment, vehicles, equipment and infrastructure, and their operation and maintenance must comply with legal requirements defined by national and provincial legislation that incorporate SA National Standards (SANS) and international standards, as well as additional standards approved by the Council from time-to-time.

The establishment of infrastructure and facilities may only be done once all statutory environmental impact assessment, town planning and design standards have been met, and have been approved by the responsible departments in the Council.



## **7. Establishment of Infrastructure and provision of Equipment for Services not provided by the Council (including Specialised Waste Management Services)**

Any entity or person wishing to establish and/or operate specialized or other waste management infrastructure, equipment and vehicles, must follow the standard procedure as set out in the Council's policies concerning development planning and business licensing. The application for creating and constructing infrastructure must be approved by all authorities before an entity or person may proceed, establish and operate infrastructure or facilities, or provide a waste management service.

The approval by authorities to develop, and compliance with all statutes and codes of practice where equipment, facilities or other infrastructure will be constructed or established or acquired for the handling, transfer, use, recycling, processing, storage, processing and/or landfilling of hazardous waste or dangerous materials is of specific relevance. Approval is not limited to complying with the recommendations and requirements of a valid Record of Decision issued by DEA&DP or DEAT, but is also subject to any limitations and licensing requirements of the Council or Provincial Spatial Development Framework, land use planning, health, environmental and other ordinances and regulations relating to the construction, operation and maintenance of such infrastructure.

## **8. Special Provisions: Scrap Metal/Materials and Recycling**

Scrap metal collection and the collection of recyclable materials such as glass, plastic, paper, rubber, electrical/electronic waste (or e-waste), etc. are essential components of recycling and waste minimisation that already contribute to achieving lower landfill disposal targets. However, the Council also recognises the negative and disruptive economic, safety and aesthetic impact of certain activities related to the collection of high-value scrap materials and recyclables. It is the Council's policy that all entities in the scrap metal/material business register with the Council as per the standard procedure to ensure that the negative social environmental and economic impacts can be minimised, and to encourage further waste reduction practices through mechanisms that will remove recyclable materials from the waste stream.

The Council will endeavour to facilitate and fast-track the approval of initiatives for the establishment of markets, infrastructure and mechanisms that will operate in the Msukaligwa region as a means of enabling the recycling, recovery, repair, treatment and re-use of waste materials, goods and components. This will include but will not be limited to plans approval, rezoning and land use, permit approvals, and the maintenance of data (as required in terms of the National Waste Information System).

The Council will encourage and control lawful recycling initiatives through various mechanisms, including appropriate financial instruments and incentives, as described in other policies, statutes and through appropriate by-laws.

## **9. Special Provisions: Hazardous, Dangerous, Nuclear and Radioactive Materials**

There are various environmental, health and safety issues attached to the handling and disposal of certain types of materials, machine components, plant and equipment containing metals that are being decommissioned and scrapped, which have been exposed to and have been contaminated by hazardous chemical substances (alternately classified as "dangerous goods") or radioactivity.

Regarding hazardous chemical substances and materials, specific mention is made of transformer insulation oils containing PCB's, insecticides and herbicides, lead contaminated bulk fuel storage tanks and asbestos-containing cladding, parts, insulation and roof sheeting. Such contaminated materials not be allowed to be disposed of at any landfill site within the Msukaligwa municipal area. It is the Council's

policy that no naturally radioactive materials, or materials that have been exposed to radioactive or nuclear processes, may be disposed of at a landfill or other site within the municipal boundaries.

Where waste will be transported via roads in the area, this may only be done in vehicles that are purpose-designed, constructed and fitted according to legal standards aimed at public, road and environmental safety. The operation and use is subject to the necessary construction, roadworthy and identification standards and requirements, especially where it involves “hazardous” or “dangerous goods” waste.

There will be no exceptions to this policy.



## **PART 4 RESOURCE PROVISION, FUNDING AND PERFORMANCE MANAGEMENT**

### **PART 4: RESOURCE PROVISION, FUNDING AND PERFORMANCE MANAGEMENT**

To provide sustainable, equitable waste management service, the Council will ensure that adequate funding and resources are available, and that these are managed efficiently in accordance with the Council's obligations and other statutory provisions.

#### **1. Resource Policy to sustain the Management and Provision of Waste Management Services:**

##### **1.1 Human Resource Requirements**

Whilst the council employs a dedicated staff complement for the provision of various waste management services, the extent of population and growth in geographic terms need to be offset against budgetary, infrastructure, equipment and staffing constraints and balanced by community needs. Service delivery may be ensured through a combination of mechanisms that include Council staff, equipment and infrastructure, EPWP-type projects, SMME and community contracting initiatives related to community-based service programmes, and private sector services, which may also include partnerships.

The Council's staffing requirements to sustain the implementation of the IWM Policy and the concurrent management of and/or provision of waste management services in the long term are mainly influenced and determined by, and must be balanced against:

- Annual budget allowances and allocations made by National Treasury;
- Statutory requirements in respect of environmentally-sustainable waste management;
- Statutory requirements and provisions for financially sustainable and affordable municipal services;
- The availability and affordability of other funds for the procurement of assets and the development of infrastructure for the management of waste, or for the implementation of extraordinary or special programmes and projects;
- The urban growth and development strategy adopted by the Council in anticipation of the net population and economic growth, balanced against the needs of its citizens;
- The Council's policies linked to the National Government's Poverty Relief Strategy, Expanded Public Works Programme and SMME development;
- Extraordinary programmes, such as Urban Renewal;
- Specialist waste management services requiring special equipment or skills (involving industrial, hazardous, health care and nuclear waste in particular);

#### **2. Funding Policy to sustain Integrated Waste Management**

- a) To standardise the different service delivery mechanisms in a balanced way appropriate to managing various classes and types of waste, according to different end-user needs and benefits, and environmental concerns in terms of:
- Equitability and cost norms (framed by the availability of funds, and as per the Council's Tariff Policy); and
  - the mechanism of service needed by different communities, industries, business and/or visitors' needs in support of the Council's objectives of enhancing local economic development and sustainable job creation where possible.

## 2.1 Financial Policy Framework for Integrated Waste Management

The waste management services that are either regulated or provided by the Council are either purely rates or purely tariff funded. The basis of funding is therefore determined by the nature and the type of service and related resources, equipment or infrastructure, and whether a fee can be used to recover the cost of the service (as determined by the Council's Tariff Schedule).

In general the funding should be provided for specific integrated waste management aspects i.e.

1. Capital funds that may include, but not be limited to technical and feasibility investigations/ studies/consultation fees, land acquisition, infrastructure development, equipment acquisition, new buildings and facilities (i.e. liners for landfills, transfer stations, drop-off or recycling centres, composting plants, etc.), remediation and closure (capping of landfills, landfill gas management and rehabilitation),
2. Operational funds to cover the costs associated with the maintenance, repairs, management, staffing and administration of waste collection, diversion/minimisation, treatment, cleaning and disposal.

For the purposes of defining the funding principles for the Councils waste management functions and activities are grouped as follows:

- Collection of refuse and waste, including the provision of drop-off sites for use in residential areas;
- Cleaning (including cleansing);
- Waste disposal and treatment, including landfill sites, transfer stations and related waste handling and waste minimisation infrastructure;
- Waste planning, including waste minimisation, administration and management overheads

The Council's ability to obtain and provide funding, and to generate income and recover costs are directly influenced by:

- a. The Council's final decision on the quantum and level of rates and tariffs;
- b. The consumers ability and willingness to pay the rates and tariffs;
- c. The level of indigence and the ration in proportion to the total population, as determined by the Council's Indigence Policy;
- d. The Council's financial policy and decisions relating the level of payment (credit policy) and to accommodate bad debt that may lead to shortfalls;
- e. A combination of all factors that influence the level of internal as well as external cross-subsidisation that will be used to make up any short-falls in the recovery of costs;
- f. The Council's ability to enforce by-laws that contain punitive financial measures;
- g. The Council's ability to raise funds for capital projects from sources other than the annual budget allocation by the National Treasury;
- h. The Council's decisions regarding the MSP's to operate related waste management infrastructure on a "Build-operate-and-transfer" (BOT) or another basis determined by national policies;
- i. The Council's decision related to improving cost-effectiveness and efficiencies, balanced against community needs and geographical growth, which may lead to EPWP projects and community-based contracts, SMME involvement, as well private sector contracts for the provision of services;
- j. Levels of staffing;
- k. The Council's decision to own or lease high-value assets (land, infrastructure or equipment).

## 2.2 Funding of Capital Expenditure

### Sources and Funding Options

The environmental benefits of establishing and managing current waste landfill sites and the introduction of waste minimisation initiatives and infrastructure will have to be supported through effective financial management and sound capital investments.

Funding options currently available are:

- National government/National Treasury budget allocation, in accordance with a Council-approved budget for a particular financial year;
- Application for Municipal Infrastructure Grant (MIG) Funds;
- Provision of Asset Financing Funds (AFF);
- Obtaining external financing funds (loans, international or private grants, etc).
- Asset Impairment Fund.

Due to the limited sustainability of obtaining external funds to support service expansion in relation to urban development and other statutory requirements, the policy determines that:

- a minimum amount of 15% will be contributed to the AFF each year and ring-fenced for the purpose of waste management capital expenditure,
- a (set percentage) premium on tariff or rate increases to support the development of the new landfill site and the establishment of the Asset Impairment Fund for the rehabilitation of disused landfill sites;
- as well as reviewing the MIG allocations/proportion of the MIG funding applicable to waste management initiatives.

## 2.3 Funding of Operating Expenditure

### Direct Cost Recovery through billable Tariffs

Direct cost recovery is possible where a fee can be charged as per the Council's Tariff Schedule. In relation to the Council's tariffs, the SWM functions will be funded as follows:

- Collection of waste (100% of its budget requirement).
- Cleaning (0.1% of its budget requirement funded from the enforcement of bylaws and payment of fines and penalties).
- Disposal of waste per mass determined by weighbridge measurement or by allowed volume per the tariff schedule, or where the cost of a cleaning and rehabilitating the pollution effects from a marine/coastal or land/road spill, or the clean up cost and effort associated from other man-made or natural disasters is determined *post factum* in relation to the provision of staff, equipment materials and administration services (100% of its budget requirement).
- Disasters: recovery of costs from National or Provincial government funds made available for the purpose, or cost recovery from companies responsible for manmade disasters or from their insurance companies (100% of cost incurred). Direct cost recovery, however, takes into account shortfalls arising from Council decisions to write off bad debt, which must be funded through other means.

## **Indirect Cost Recovery through a Rates Apportionment and other Mechanisms**

### **Rates Apportionment for Waste Management Services**

The waste that is generated through dumping and littering, impacts and affects the natural environment (soil, surface and ground water, fauna and flora, etc) and human health. These acts are indiscriminate, random and unlawful acts, perpetrated undetected by citizens, visitors, informal and formal business concerns alike. Natural waste processes also contribute to the waste.

The Council acknowledges that it is in the interest of its citizens and the environment to keep areas under its jurisdiction clean, and subscribes to the principle that this service is provided for the public good. It is the Council's policy to raise from rates (0.06 cent per Rand) from business entities to fund indirect costs pertaining to such services. It forms part of the Solid Waste Management Department's budgetary requirements, which may be varied from time-to-time according to functional need.

### **Cross-subsidisation from Tariff-funded Revenue to account for Budget Shortfalls**

Key assumptions that affect the setting of rates, tariffs and cross-subsidies for waste management services and the sustainability of waste management services are:

- Level of payment: 92% minimum;
- Bad debt writes off: 8% maximum.

Debt management will be addressed in accordance with the Council's Credit Control and Debt Management Policy with funds being allocated to the Solid Waste component of the Total Municipal Account in accordance with the current (or revised) payment protocol.

Internal Departmental cross-subsidisation from tariff-funded (or direct funded) waste management services to indirect funded services will be limited to a maximum of 5% of net income generated by all sources of revenue.

### **The Funding of Services for the Indigent**

Waste management services for the indigent will still be supported through the Council's Indigent Fund, from which an equitable portion must be transferred to the Solid Waste Management Department's annual budget.

## **3. Monitoring and Management of Performance**

### **3.1 General Provisions**

The Council subscribes to a generally-accepted performance management system for waste management a service that is aimed at:

- setting benchmarks and targets, and defining performance standards either through the policy, or a performance contract;
- designing methods that will enable performance management;
- measuring, monitoring, managing and correcting:
- the efficiency of internally-provided services;
- contracts for services provided on its behalf;
- the outcomes or effectiveness of services, whether they have been provided internally or externally;
- Waste minimisation performance.
- Continuously improving processes, methods and service mechanisms to the benefit of all stakeholders;
- Reporting to key stakeholders about the performance of waste management services.

All entities, as well as the Council's departments involved in waste management activities, are subject to the Council's oversight, audit and regulation in terms of the NWMS, the IWM Policy and the Council's by-laws that frame and define standards and the key performance indicators for waste management services. These standards are revised from time-to-time per this policy, and are measured for corrective and reporting purposes in terms of generally-accepted performance management criteria and practice.

The performance management system's main aim is to continuously improve sub-standard service outcomes by applying generally accepted management principles.

### **3.2 Service Standards and Performance Measures**

The service standards and performance measures are subject to strategy, available infrastructure, resources, and funding that may force the Council to consider a change in level, frequency, mechanism of provision, service provider, etc. The standards are based on process management logic that assesses input activities, as well as outputs and outcomes for integrated waste management to ensure the process can be managed holistically to adjust input activities when desired outcomes are not reached.

The performance measures are also related to the business plan for the SWM Department, which has been derived through the Balanced Score Card that has been adapted for the Department.

#### **a. Collection Standards**

The minimum service standards and outcome for the collection of waste is the collection of the contents of one bin (or equivalent), once a week, outside the dwelling.

#### **b. Cleanliness Standards**

The general approach that is used to monitor and measure cleanliness outcomes in the towns, is a series of visual or photographic indicators based on the outcome of cleaning effort, which ranges from "Desirable" to "Totally Unacceptable". The minimum level of service is depicted by "Acceptable".

#### **c. Disposal Standards**

The service standards and outcomes for the waste processing, treatment, transfer and disposal functions are primarily framed by legislative and permit requirements which relate to pollution levels of various kinds. The key service levels for these facilities are the hours of access and operational availability of infrastructure and facilities, so as not to prevent unnecessary delays, or that may lead to unlawful practices (illegal dumping, etc that will have environmental and health impacts).

### **3.3 Tariff / Economic Viability and Sustainability Standards**

The Council will ensure that the ratio of payment-to-the-total-amount-of-fees-and-rates billed (level of payment), and the recovery of debt is maintained at or above

- Level of payment: 92% minimum;
- Recovery of Debt: 92% minimum.

### **3.4 Indigent Targets**

The Council's Indigent Policy determines the level of indigence in terms of income and results in the provision of "free basic services" that include the provision of fully rebated collection and cleaning services. In principle, the costs of these free basic services are subsidised through other sources of income and must be fully accounted for in terms of the provisions of the MFMA. The Council will implement a system that monitors the gross amount subsidised, as well as the level of income of a household to ensure that households that no longer qualify for such subsidies are billed accordingly, in order to maintain the financial sustainability of the service.

# **PART 5 MANAGEMENT AND PROVISIONS OF ASSETS**

## **PART 5: MANAGEMENT AND PROVISION OF ASSETS**

### **1. General Provision**

In order to provide services through an internal mechanism, the Council will ensure that the necessary capital equipment is provided, and the necessary operating funds are made available for the maintenance of these assets. The Council subscribes to a system that is aimed at providing for and managing fixed and moveable assets. The system includes monitoring the condition, providing for the repair, maintenance and upkeep of infrastructure, equipment, vehicles and facilities that will ensure optimal availability in order to be used for the provision of efficient services and effective outcomes. For the Council's SWM Department, the asset management system's main aim is to provide an optimal number of assets, and to maintain these according to generally accepted standards and practices in terms of financial and service sustainability to ensure availability, service delivery levels and outcomes as defined for the waste management services. All asset maintenance plans and management plans should be contained in a plan in accordance with S.63(1)(a) of the MFMA.

### **2. Asset Provision and Management Principles: Waste Management**

The Council subscribes to the principle that if it is to provide a service, it will provide the assets (resources) that will ensure service delivery. This may be via direct ownership that will require obtaining and providing capital for the purchase of assets, or on the basis of leasing capital assets via a contractual arrangement.

For Council-owned assets, the Council will provide the facilities and resources to maintain assets to an optimal standard according to its financial means. For leased assets, the Council will manage contracts to ensure that the assets are available for maximum utilisations, at the minimum of costs.

The Council will ensure that the necessary systems and resources are provided for the maintenance and management of assets that are deployed for the provision or in support of service delivery.

The Council will ensure that the assets are replaced, or that contracts are renewed in time to ensure their availability for service delivery.

### **3. Asset Management Standards: Waste Management**

The capital assets required for the provision of an integrated waste management service range from fixed to moveable assets that have to be maintained, repaired and in some instances, replaced at routine intervals that will require capital expenditure in accordance with other Council policies.



**PART 6**  
**POLICY PROVISIONS FOR RESPONSIBILITIES IN**  
**PREPARING AND RESPONDING TO**  
**EMERGENCIES AND DISASTERS**  
**REQUIRING THE**  
**MANAGEMENT OF WASTE**

**PART 6: RESPONSIBILITIES IN PREPARING AND RESPONDING TO EMERGENCIES AND DISASTERS**  
**REQUIRING THE MANAGEMENT OF WASTE**

**1. Readiness and Response to Emergencies and Disasters: Waste Management**

In terms of functional responsibilities and the availability of resources employed and deployed to manage waste in the Msukaligwa municipal area, the Council's Solid Waste Management Department will be responsible for the waste management role as part of the Council's Disaster Management Plan.

The following principles apply to the Solid Waste Management Department's roles and responsibilities in terms of the Disaster Management Plan:

- i. The Directorate Solid Waste Management will ensure that a waste management plan is drawn up as part of the preparatory work necessary to enable the Department to respond appropriately to both man-made and natural disasters;
- ii. The Directorate will inform and appoint officials from the Department in accordance with the roles envisaged by the Council's Disaster Management Plan and the Department's specific plan for managing waste during emergencies and disasters;
- iii. The Directorate will ensure that staff receives appropriate emergency response training to safeguard them while partaking in disaster or emergency response activities;
- iv. The Department will coordinate efforts and activities required for clearing and cleaning debris and pollution effects on land, transporting; and disposing the waste at a landfill site licensed for a specific type of waste;
- v. The responsible department for aquatic areas and infrastructure will be responsible for the clean-up of debris and pollution on water bodies, whilst the Department of Solid Waste Management will be responsible for coordinating the transport and disposal of waste to appropriate landfill sites;
- vi. The rehabilitation and repair of infrastructure, buildings, equipment or areas in the natural environment that is the Council's responsibility will be the responsibility of the functional department that is responsible as per the Council's delegations;
- vii. The management of hazardous or dangerous waste during a disaster will be done in conjunction with, and under instruction of the senior official of the Emergency and Fire Service Department at the disaster or emergency site;
- viii. The Department will make resources available in accordance with the scale and type of disaster, which may include:

- Staff to coordinate waste management efforts as part of the Joint Operations Centre;
- Staff to supervise staff, contractors and volunteers involved in on-site waste management activities, and to coordinate the provision and use of equipment;
- Staff to actively participate in waste management activities to stabilise the situation and clear the effects arising from a disaster;
- Source additional equipment and human resources through contractual means as is required by the official controlling the disaster response effort, and in accordance with provisions for procuring such services and equipment during an emergency.

## **2. Cost Recovery for Emergency or Disaster-related Waste Management Work**

- a) The Directorate Solid Waste Management will ensure that an account is raised through internal billing, charging the Disaster Management Department for all reasonable costs in accordance with cleansing tariffs, to include all costs incurred for the utilisation of Council's resources, equipment and materials, and/or for those contracted and procured in respect of waste management activities to deal with the effects of an emergency or a disaster.
- b) Where possible, the Disaster Management Department of the Council will through the Sundry Debtors procedures in the Revenue Department recover any costs incurred from parties responsible for an emergency or man-made disaster related to waste management.
- c) In the event of natural disasters or emergencies, the Disaster Management Department of Council will apply for emergency relief and funds either from National or Provincial Government as appropriate, and apportion monies to cover the unplanned and unbudgeted costs incurred for waste management activities.

# **PART 7 WASTE INFORMATION, COMMUNICATION AND EDUCATION**

## **PART 7: WASTE INFORMATION, COMMUNICATION AND EDUCATION**

### **1. Waste Information System**

The NWMS requires that a national database and system be set up to track waste as part of the waste minimisation strategy. The Council subscribes to the requirement of the NWMS to provide data from the local level to other levels of government via a Waste Information System (WIS). To this end, different roles and responsibilities are necessary to ensure that all parties involved in the management of waste will play a contributory role.

The Council will accumulate and coordinate data, and process the information that should be provided as per the NWMS requirements by means of a WIS, to comply with the minimum requirements and reporting standards. To accomplish this, the Council must establish and support a WIS that meets the minimum requirements. It should have the following functions:

1. To register and record data in a format required by the NWMS;
2. To analyse and process data to produce information;
3. To report waste information to Provincial or National Departments as required.

#### **a. Waste Information System Requirements**

By implication of the process to provide data or information, the basic elements of the National WIS are:

- Database containing details necessary for reporting and control requirements;
- Equipment at waste disposal or transfer stations to provide the mass data;
- Conversion tables to standardise data;
- Computer hardware and software to capture data;
- Waste disposal records for specific classes and categories of waste;
- Reporting requirements as per the NWMS guidelines.

#### **b. Reporting Requirements and Responsibilities**

The Council requires regular reporting by individuals and entities that generate handle and transport specific types and classes of waste for disposal at a landfill site or for recycling purposes.

##### **i. Database for Reporting and control**

The Council will be responsible for maintaining a database that links waste management activities per the reporting requirements set out in the NWMS. The details of all waste management entities or individuals involved in the municipal integrated waste management process, as well as the facilities and infrastructure utilised in the management of waste, will be entered into the database as part of the accreditation process required by this policy.

##### **ii. Class and Type of Waste to be reported on**

The types and classes of waste that have to be reported on are:

- Recyclable waste including glass, paper, plastic, rubber, etc;
- Hazardous waste as is commonly referred to in other statutes, and as defined in this policy, which includes solid and liquid waste;
- Health care industry waste that requires special storage and disposal;
- Radioactive or nuclear waste.

## **2. Communications, Education and Awareness**

The Council accepts the responsibility to communicate with all individuals and entities regarding issues that will encourage integrated waste management that focuses on waste minimisation. A range of mechanisms and media will be used to achieve heightened education and awareness levels to ensure that all private and corporate citizens and visitors take ownership of and participate in waste minimisation initiatives.

### **2.1 Education and Awareness Campaigns**

An important aim of education and awareness is to foster co-operation with the Solid Waste Management Department and other departments involved in the cleaning, clearing and management of waste. The Council will drive education and awareness initiatives in schools and communities (e.g. "Waste Wise" campaign) as a means of encouraging waste minimisation initiatives through avoidance and recycling, composting, and to educate communities on general cleanliness and environmental health in order for all to accept ownership and accountability for the cleanliness of the areas they live in.

The Council will actively partner with the Mpumalanga Education Department to ensure that local schools and educators become involved in waste management and recycling initiatives as well as in educating the learners.

### **2.2 Call Centre and Illegal Dumping Hotline**

The Council will provide a call centre that can be used by anyone for purposes of logging service complaints, requesting information or reporting unusual activities. It will also provide a hotline that can be used by anyone to report illegal dumping activities.

## **PART 8 SIGNAGE AND BY-LAW ENFORCEMENT**

### **PART 8: SIGNAGE AND BY-LAW ENFORCEMENT**

#### **i. Signage**

The Council will erect approved signage to regulate appropriate waste management practices, including illegal dumping aimed in meeting the objectives of the policy and in the interest of human and environmental health.

#### **ii. By-Law Enforcement**

By-law enforcement pertains to the application of various by-laws related to the regulation of waste management, particular to non-adherence to the Council's standards as set by this and related Council policies, and the general protection of public and environmental health. All transgressions will be dealt with by the Council in terms of the provisions of its applicable by-laws. In general, the following will be regulated by the by-law on integrated waste management and will attract punitive measures as defined in the by-law:

- All institutions, organisations or entities, who own vacant property, which operate a business, run an institution or community organisation, individuals who reside inside the municipal boundaries or who visit the towns, are subject to the provisions of the IWM Policy and all policies that give effect to or support it.
- All waste management entities that are involved in the management of waste must comply with the relevant legislation and by-laws dealing with the infrastructure, storage, handling, recycling, reuse, transportation and disposal of waste, and must be accredited by the municipality, and must have this authorisation in writing;
- Waste management entities operating in the health care sector must be permitted by the Council's Health Dept as required in the Health Bylaw;
- All infrastructures established for the purpose of waste management must be approved by the Council;
- All waste must be disposed of as set out in the IWM policy - it is illegal to dump any form of waste within the municipal boundaries.

## **ANNEXURE I:**

### **Integrated Waste Management Legislative and Institutional Framework**

Legislation, Government Policy, National Strategies and protocols, and the Council's institutional and regulatory framework have a direct bearing on the sustainable, affordable and equitable provision of waste services. This includes, but is not restricted to:

#### **National Legislation**

The key legislation that provides a framework for the Integrated Waste Management Policy is:

1. The SA Constitution (S.24 Right to a safe and healthy environment);
2. The National Environmental Management Act (Act 107 of 1998, amended);
3. The Environment Conservation Act (Act 73 of 1989, amended) – relevant sections not repealed yet that deal with environmental impact assessment;
4. The National Water Act (Act 36 of 1998, amended);
5. The Hazardous Substances Act (Act 15 of 1973, amended) and Regulations;
6. The National Health Act (Act 63 of 1977, amended);
7. The Occupational Health and Safety Act (Act 85 of 1993, amended) and Regulations;
8. The Road Traffic Act (Act 29 of 1989, amended);
9. The Local Government Municipal Systems Act (Act 32 of 2000, amended);
10. The Local Government Municipal Structures Act (Act 117 of 1998, amended);
11. The Local Government Municipal Finance Management Act (Act 56 of 2003);
12. White Paper on Integrated Pollution and Waste Management for South Africa (Government Gazette 20978, 17 March 2000);
13. White Paper on National Waste Policy for South Africa (April 1997).

#### **The Constitution of South Africa (Act 108 of 1996, amended) and the Bill of Rights**

Section 24 of the Constitution provides for the right of everyone to a healthy environment. Section 156 includes a set of prescribed legislative and executive functions of local government, which, when read in conjunction with the Municipal Systems Act (Act 32 of 2000, as amended), section 2.4.2 (f) and (i) implies at minimum, a citizen's right of access to refuse collection, removal and cleaning services and a safe and healthy environment.