

# Rustenburg

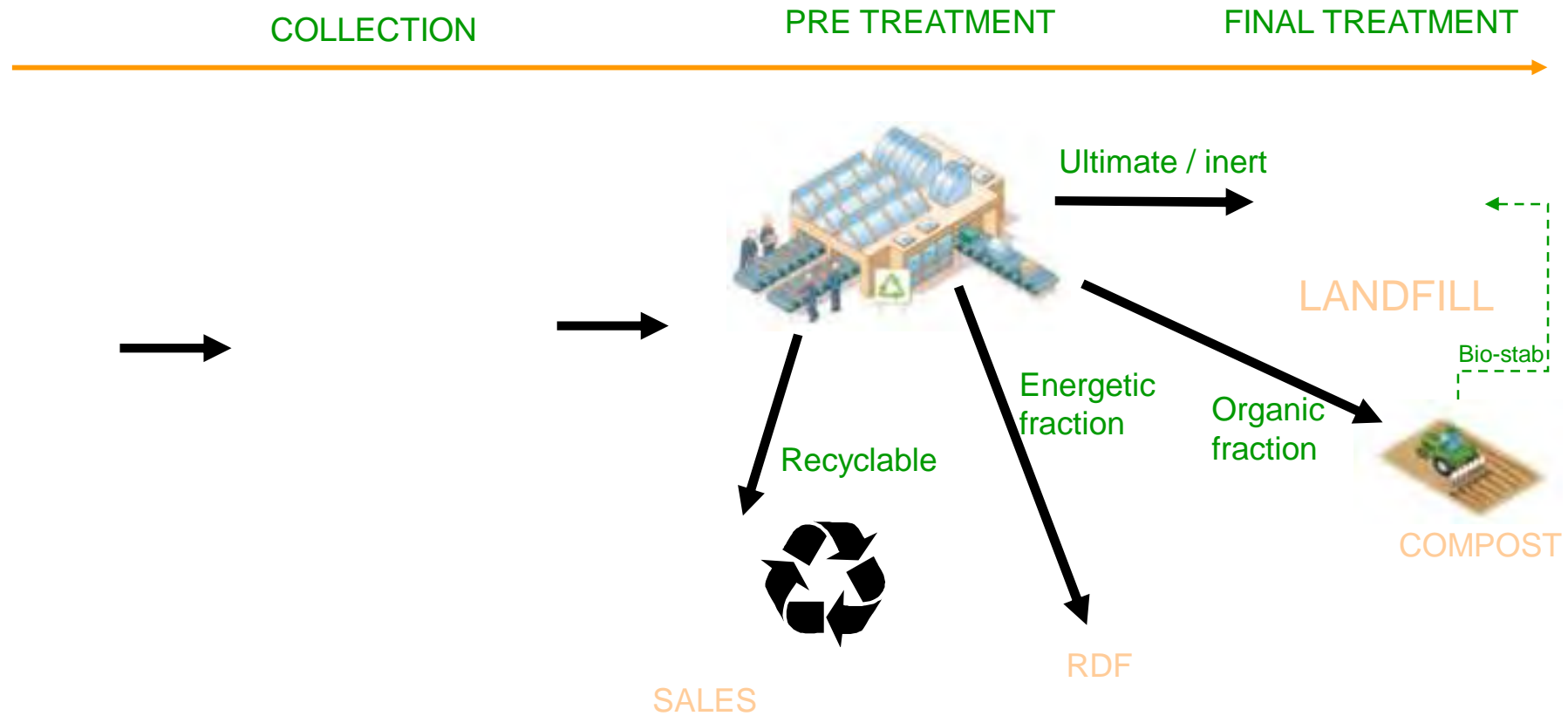


## RUSTENBURG LOCAL MUNICIPALITY: WASTE MANAGEMENT BY-LAWS

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# Management of Waste Present And Future



CEMENT KILN









# EXISTING RUSTENBURG WASTE SITE

Uncontrolled salvaging



Equipment not operational on site

Waste not covered daily

End tipping on site

Wind blown litter











# LEGISLATIVE REQUIREMENTS

- Under the provision conferred by section 156(2) of the constitution of the republic of south Africa Act, 1996(Act no.108 of 1996), and
- Section 9 (5) (a) of the National Environmental Management: Waste Act, (Act No.59 of 2008).
  - *Whenever a municipality intends passing a by-law so as to give effect to subsection (1), it must follow a consultative process provided for in Chapter 4 of the Municipal Systems Act.*



# RUSTENBURG WASTE MANAGEMENT BYLAWS

- PROVINCIAL GAZETTE  
EXTRAORDINARY, 12 JUNE 2012
- No. 7005



# CHAPTERS

- **CHAPTER 1: INTERPRETATION AND FUNDAMENTAL PRINCIPLES**
- **CHAPTER 2: WASTE MANAGEMENT PLANNING**
- **CHAPTER 3: WASTE INFORMATION SYSTEM**
- **CHAPTER 4: MUNICIPAL SERVICE**
- **CHAPTER 5: GENERAL WASTE MANAGEMENT MEASURES**



# CHAPTERS

- **CHAPTER 6: MANAGEMENT OF DOMESTIC, BUSINESS AND PUTREASCIBLE WASTE, GARDEN AND BULKY WASTE, BUILDING WASTE, INDUSTRIAL AND RECYCLABLE WASTE AND SPECIAL INDUSTRIAL, HAZARDOUS AND HEALTH CARE RISK WASTE**
- **CHAPTER 7: COMPLIANCE AND ENFORCEMENT**
- **CHAPTER 8: MISCELLANEOUS**
- **CHAPTER 9: GENERAL PROVISIONS**



# CHAPTER 1: INTERPRETATION AND FUNDAMENTAL PRINCIPLES

- Interpretation
- Definitions
- Objects of these By-laws
- General duty of the Municipality
- Duty of the Municipality to provide a municipal service
- Application of the National Environmental Management Act
- Conflicts with other legislation



# CHAPTER 2: WASTE MANAGEMENT PLANNING

- Development of waste management plan
- Contents of waste management plan



# CHAPTER 3: WASTE INFORMATION SYSTEM

- Establishment of waste information system
- The waste information system must comply with the requirements of any national or provincial legislation regulating the collection and management of information





# CHAPTER 4: MUNICIPAL SERVICE


- Provision of municipal service
- Basis on which municipal service is provided
- **(1) The Municipality has an obligation to the local community to progressively ensure efficient, effective, affordable, economical and sustainable waste collection services.**



# The duty referred to in subsection (1) is subject to –

- equitable allocation of services;
- community to pay ;
- Municipality to differentiate between geographical areas when setting service standards and levels of service for the provision of municipality services; and
- the right of the Municipality to limit the provision of collection services



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- **The Municipality must include in its integrated development plan contemplated in Chapter 5 of the Municipal Systems Act, a waste management plan for its area of jurisdiction.**
  - **The Municipality may amend a waste management plan from time to time and must review a waste management plan at least every five years.**



# CHAPTER 5: GENERAL WASTE MANAGEMENT MEASURES

- ***Part 1: Waste minimisation, recycling and re-use***
  - Requirements in respect of waste minimisation, recycling and re-use
  - **Nothing in these By-laws shall be construed as prohibiting the recycling or re-use of waste that is not hazardous.**
  
- ***Part 2: Transportation and disposal of waste***
  - Transportation of waste
  - General requirements for the disposal of waste
  - Disposal of specified wastes
  - Conduct at a waste disposal facility, Drop off sites and Transfer Stations
  - **No person may –**
  - **enter a waste disposal facility, Drop off site and Transfer Stations for any purpose other than the disposal of waste in terms of these By-laws, unless authorised to do so by the operator and then only at such times and on such conditions as the Municipality or operator may from time to time determine**





## ***Part 3: Littering, dumping and abandoned articles***

Prohibition of littering

Duty to provide facilities for litter

Prohibition of dumping and abandoning articles

- **The Municipality, or owner in the case of privately owned land, must ensure that sufficient containers or places are provided for the discarding of litter by the public, in any place to which the public has access.**









## CHAPTER 6: MANAGEMENT OF DOMESTIC, BUSINESS AND PUTREASCIBLE WASTE, GARDEN AND BULKY WASTE, BUILDING WASTE, INDUSTRIAL AND RECYCLABLE WASTE AND SPECIAL INDUSTRIAL, HAZARDOUS AND HEALTH CARE RISK WASTE

### ■ Garden Services

- A person who collects and removes garden waste as part of a garden service may not dispose of that waste at a garden waste handling facility unless permitted to do so by the Municipality

### ■ Building Waste

until such time as the building waste is removed from the land or premises, all building waste, together with the containers used for the storage of the waste, is kept on the land or premises on which the waste was generated



# CHAPTER 7: COMPLIANCE AND ENFORCEMENT

## *Part 1: General duty*

### •Duty of care

Any person who generates waste has a duty to manage that waste in such a manner that the waste does not endanger health or cause pollution or degradation of the environment and must take all reasonable measures to –

- **reduce the generation of waste;**
- **re-use and recycle waste;**
- **to ensure that, where waste must be disposed of, it is disposed of in an environmentally sound manner;**
- **manage the waste in such a manner that it does not cause a nuisance through noise, dust or odour; and**
- **prevent the waste from being used for a purpose or in a manner not permitted by law.**



# Chapter 7 :*Part 2: Powers and representations*

- Designation of a Waste Management Inspector
- Identification documents
- Powers of authorised officials
- Powers to question
- Compliance notices
- Environmental audits
- Objections



## ***Part 3: Offences and penalties***

### Offences and penalties

- **A person who is guilty of an offence and is liable on conviction to a fine not exceeding R5000.00 as determined by a competent Court from time to time or in default of payment imprisonment not exceeding 6months or both.**
- **A person who commits a continuing offence is liable on conviction to a further fine not exceeding R20.000.00 determined by a competent court from time to time or in default of payment imprisonment not exceeding 12months or both.**







Thank  
You

