



## **forestry, fisheries & the environment**

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

### **NATIONAL ASSEMBLY**

(For written reply)

**QUESTION NO. 1705 {NW1928E}**

**INTERNAL QUESTION PAPER NO. 13 OF 2025**

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**Mr S P Mkhize (MK) to ask the Minister of Forestry, Fisheries and the Environment:**

- (1) What (a) enforcement mechanisms have been implemented to curb illegal dumping in the past three years, (b) has he found to be the reasons that the total number of dumping hotspots has increased instead of decreasing and (c) mechanisms has he put in place since he assumed office to address noncompliance by waste contractors who dump waste at undesignated sites;
- (2) given that 52 criminal cases have been opened against municipalities for noncompliance, what total number of officials have been held personally accountable?

### **1705. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:**

1. (a) The Department of Forestry, Fisheries and the Environment (DFFE) manages the Environmental Crimes and Incidents Hotline, a single-entry point for all members of the public to submit their reports of alleged environmental contraventions. The complaints received through the national hotline are analysed to determine which organ of the State has the legal mandate to respond to the specific type of complaint and then formally refer such to the relevant national, provincial or local authority for further inspection or investigation.

This does not only enhance the capacity of the Environmental Management Inspectorate to monitor and detect such contraventions, but also plays a key role in giving effect to section 24 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) (Constitution), by providing an avenue for citizens to exercise their environmental rights.

An analysis of complaints received through the hotline, relating to illegal dumping and waste, show a steady increase in the number of reports – year on year, signifying an increasing awareness of these types of contraventions by members of the public and the willingness to report them through the Environmental Crimes and Incidents Hotline.

Nature of Complaint	Financial Years			
	2021-22	2022-23	2023-24	Total
Illegal dumping and waste issues	46	146	228	420

DFFE has also developed Model waste by-laws to assist municipalities to develop by laws and address illegal dumping.

- (b) Enforcement mechanisms are in place to address illegal dumping, both on a national as well as a local authority level.

The National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEMWA), for example, prohibits the disposal of waste on any land, waterbody or at any facility unless the disposal of that waste is authorised by law; or in a manner that is likely to cause pollution of the environment or harm to health and well-being. It further provides that no person may throw, drop, deposit, spill or in any other way discard any litter into or onto any public place, land, vacant erf, stream, watercourse, street or road, or on any place to which the general public has access, except in a container or a place specifically provided for that purpose.

Local authority by-laws contain similar prohibitions, for example, the City of Cape Town's Integrated Waste Management By-law, 2009 ( PG 6651; LA 18633 of 21 August 2009) provides that no person may drop, throw, deposit, spill, dump, store or in any other way discard, any litter or waste into or onto any public place, municipal drain, land, vacant erf, stream, water course, street, road, wetland, coastline or on any place to which the public has access, or otherwise dispose of it, nor may they allow a person under their control to do so.

Insufficient waste collection usually leads to illegal dumping. The municipalities have been facing a strain in recent years due to a constrained fiscus and non-payment of services by rate payers. These financial challenges have resulted in municipalities being unable to provide sufficient waste collection services.

- (c) The disposal of waste at an undesignated site already triggers the provisions of municipal by-laws and/or the NEMWA. In cases where waste contractors are found dumping waste at sites not authorised for this purpose, a complaint should be lodged with DFFE. The DFFE will ensure that the matter is referred to the relevant institutions mandated to initiate enforcement interventions. In relation to the dumping of general waste at undesignated sites, the provincial environmental departments and relevant units in the different municipalities are primarily responsible for addressing this issue.
2. The 52 cases mentioned in the PowerPoint presentation (slide 19) shared during the Portfolio Committee meeting held on 18 March 2025 are still under investigation by the respective provincial environmental departments. As such, the final outcomes regarding the individuals who may be prosecuted have not yet been determined.

Regarding the six cases involving Section 105A plea and sentence agreements (Eastern Cape, Mpumalanga and Free State), it is important to note that these matters were settled by the municipalities themselves rather than by the individuals implicated in the wrongdoing.

Regards



DR D T GEORGE, MP

MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 4/4/2025