



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Solid Waste Management

By-Law Enforcement Services

Alfredo Roman
Solid Waste Management
City of Cape Town

Making progress possible. **Together.**

SOLID WASTE BY LAW ENFORCEMENT SERVICES

The enforcement of the Integrated Waste Management By Law promulgated August 2009 for the City of Cape Town



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TOPICS DISCUSSED

- Enabling Legislation
- Role of By-Law Enforcement in Solid Waste Management
- Transgressions Monitored
- Investigation Findings (irregularities)
- Measures to improve
- Practical examples of transgressions and end results
- Challenges
- Possible Solutions

ENABLING LEGISLATION



Integrated Waste Management Policy, 2006

POLICY – INTEGRATED WASTE MANAGEMENT

APPROVED BY MAYCO : 17 MAY 2006
MC 08/05/06

Click on Sign to add text
and place signature on a
PDF File.

Integrated Waste Management By-Law, 2009

CITY OF CAPE TOWN

INTEGRATED WASTE
MANAGEMENT BY-LAW, 2009

APPROVED BY COUNCIL : 30 MARCH 2009
C 15/03/09

PROMULGATED 21 AUGUST 2009
PG 6651; LA 18633



ROLE OF BY-LAW ENFORCEMENT IN SOLID WASTE MANAGEMENT

INSPECTIONS AND MONITORING

- Public open spaces
- Road verges
- Recreation amenities
- All property owned or under the control of the City of Cape Town
- Private property or land

TRANSGRESSIONS MONITORED





Residence scavenging for metal

Horse and cart dumping illegally



Illegal sorting of waste

DEMOLITION OF ATHLONE TOWERS 2010



INVESTIGATION FINDINGS



-
- Tender Process required review
 - No specifics were drafted regarding the disposal process
 - Contractor dumped towers illegally
 - Solid Waste Law Enforcement investigated
 - Compliance notice issued to remove and dispose of rubble in the correct manner.
 - 54 Notice initiated (direct summons) to Court

MEASURES TO IMPROVE



AWARENESS CAMPAIGN WITH RESIDENCE



BEFORE

AFTER



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PRACTICAL EXAMPLES OF TRANSGRESSIONS AND END RESULTS

ILLEGAL DUMPING SCHOOL GROUNDS OFFENDER WAS CHARGED VIA THE NEMA ACT



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COMPLIANCE NOTICE MELOMED HOSPITAL INCORRECT DIPOSAL OF MEDICAL WASTE



V4
Directorate: Environmental Law Enforcement

REFERENCE: 14/1/1/E1/4/3/1/0325/16
ENQUIRIES: Nithzaam Albertyn

BY HAND & EMAIL

Email: evan.swart@melomed.co.za

Melomed Mitchells Plain
Symphony Walk
Town Centre
Mitchells Plain
7785

DIRECTIVE

Attention: The Hospital Manager: Mr Evan Swart

Dear Mr Swart

DIRECTIVE IN TERMS OF SECTION 28(4) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 107 OF 1998 ("NEMA") FOR AN OFFENCE COMMITTED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008 ("NEM:WA")

1. I, Dr Eshaam Palmer, Director: Environmental Law Enforcement, on considering the evidence before me, hereby issue Mr Ewan Swart with a Directive in terms of section 28(4) of the NEMA, as you have caused or may cause significant pollution and/or degradation of the environment.

1st Floor, Leeusig Building, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 0779 Fax: +27 21 483 2797
www.westerncape.gov.za/eadp

Private Bag X9086, Cape Town, 8000
Email: Nithzaam.Albertyn@westerncape.gov.za
Complaints: Law.Enforcement@westerncape.gov.za



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COMPLIANCE NOTICE MELOMED HOSPITAL INCORRECT DIPOSAL OF MEDICAL WASTE



CITY OF CAPE TOWN
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LAW ENFORCEMENT SERVICES

Issuing officer print name R.I. LEOLI
Law Enforcement Officer, City of
Cape Town

Tel. 021 4003510
E: Ruslim.Keraan@capetown.gov.za

Served on this	<u>08</u>	day of	<u>April</u>	(month) 2016
At (place):	<u>Melomed Mitchells Plain</u>			
On (person's name):	<u>Euan Swart</u>		Relation to the accused....	
	<u>Hospital Manager</u>			
At (time):	<u>13h 30</u>			
Served by (name of City official):	<u>Ruslim Leoli</u>			
Signature (City official)	<u>[Signature]</u>			
Receipt acknowledged (signature of recipient)	<u>[Signature]</u>			
Witness (name):	<u>R. Leoli</u>			
Signature (witness)	<u>[Signature]</u>			

By Hand

The Superintendent, Mitchells Plain Melomed Hospital
Symphony Walk
Mitchells Plain

The Chief Executive Officer, Melomed Hospital Holdings (Pty) Ltd
c/o Mitchells Plain Melomed Hospital
Symphony Walk
Mitchells Plain

Dear Sir/Madam

COMPLIANCE NOTICE IN TERMS OF SECTIONS 10 AND 14, READ WITH SECTIONS 20 AND 23, OF THE CITY OF CAPE TOWN: INTEGRATED WASTE MANAGEMENT BY-LAW PG 6651/2009 AS AMENDED BY THE INTEGRATED WASTE MANAGEMENT AMENDMENT BY-LAW PG 6756/2010

CIVIC CENTRE IZIKO LEENKONZO ZOLUNTU BURGERSENTRUM
12 HERTZOG BOULEVARD CAPE TOWN 8001 PO BOX 298 CAPE TOWN 8000
www.capetown.gov.za

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PRASA COMPLIANCE NOTICE MAITLAND STATION



CITY OF CAPE TOWN
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STAD KAAPSTAD

CITY HEALTH
WESTERN SUB-DISTRICT
ENVIRONMENTAL HEALTH

Mr. Thando Guzule
Environmental Health Practitioner

T: +27 21 514 4139 F: +27 21 5119030
E: Thando.Guzule@capetown.gov.za
- Per Registered Post -

10/02/2017

Mr Marius Wagener/ Mr H. Masimla
~~Phisoa Phisoa~~
Western Cape Province
Prasa Cres
1 Floor Administration Wing
Cape Town Station
Adderley Street
Cape Town
8000

Dear Sir/ Madam

**NOTICE OF A CONTRAVENTION(S) OF THE CITY OF CAPE TOWN
ENVIRONMENTAL HEALTH BY-LAW No. 13333 DATED 30 JUNE 2003.**

RE: PREMISES: Erf 24165 being at No. 22 Ferndale Road, Maitland, 7405.

An inspection of the above-mentioned premises on **8.02.2017** has revealed that:

1. There is accumulation of filth, rubbish, refuse and the other offensive matter, or objectionable material on the premises.
2. The above mentioned area is infested with rodent proof

Accordingly, acting under duly authorised delegation, I hereby inform you that you are contravening sections 8 of Part 1 of the City of Cape Town: Environmental Health By-law No. 13333 promulgated under Provincial Gazette Extraordinary No. 6041, dated 30 June 2003 and call upon you to cease such contraventions by **20 February 2017**

Failure to comply with this notice constitutes an offence for which, upon prosecution and conviction, you will be liable to the penalties prescribed in Section 40 of the By-Law 13333 attached hereto (Annexure C). In addition, in terms of Section 3 (2), the council may enter the aforesaid premises and take all such steps as may be necessary to remedy the above conditions(s) and may recover the cost of doing so from you.

Yours faithfully

For: EXECUTIVE DIRECTOR CITY HEALTH

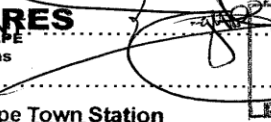
CIVIC CENTRE IZIKO LEENKONZO ZOLUNTU BURGERSENTRUM
12 HERTZOG BOULEVARD CAPE TOWN 8001 PO BOX 298 CAPE TOWN 8000
www.capetown.gov.za



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PRASA COMPLIANCE NOTICE MAITLAND STATION

I, Neil R. Engelbrecht have this day received an order of which this is a true copy.

SIGNATURE OF **PRASA CRES**  RECEIVED
WESTERN CAPE
 Corporate Real Estate Solutions
 A Division of PRASA
 DATE: 1st Floor
 Administrative Wing, Cape Town Station
 FOR OFFICIAL USE ONLY
 Telephone: (021) 449 6430

30 JAN 2017
 Prasa Cres, WC

I certify that I have served the order upon the within-named person by: -

* A	Leaving it with him/her personally at his/her last known address.
* B	As he/she could not be found, by leaving it with.....an adult resident at his/her last known address.
* C	Where the address of the owner/occupier of the abovementioned land or premises is unknown by posting it up in a conspicuous place on such land or premises, namely: -..... (Describe the place).

At: PRASA CRES OFFICES: FIRST FLOOR
ADMINISTRATION WING, CAPE TOWN STATION, CAPE TOWN

The nature and exigency of the order was explained to the recipient thereof.

Time: 15H25 Day: 30TH Month: JANUARY 2017

Place: CAPE TOWN STATION

T. Guzule

 SIGNATURE OF EMPOWERED OFFICIAL

DRAFTED VEHICLE IMPOUNDMENT S.O.P



Standard Operating Procedure

Impounding of Dumping Vehicles

A Standard Operating Procedure for the impounding of vehicles involved in dumping that complements the Law Enforcement Manual of Orders and the Code of Conduct



VEHICLE IMPOUNDMENT



[City of Cape Town impounds 100th vehicle used for illegal dumping](#)

The drivers were each fined R5 000 and a further R7 500 impoundment release fee is payable to reclaim their vehicles.



APPROVED SCHEDULES

ADMISSION OF GUILT FINES

14(a) read with *	To dispose of waste in a manner likely to cause pollution of, or have an impact on the environment or to be harmful to health.	R5 000.00
14(b) read with *	To dispose of hazardous waste in a container provided by the City, designed for the storage of residential or business or in bags to be collected by the City.	R2 500.00
14(d) read with *	To burn waste especially hazardous except in approved incinerators which have a permit or licence to do so	R5 000.00
14(f) read with *	To deposit residential, business, industrial, garden, building or hazardous waste in a public litter bin.	R2 500.00
20(2) read with 22(1) read with *	Failure to comply with a notice and directions given in a notice issued by the waste management officer, a peace officer or a duly authorized official of the City.	R2 500.00



APPROVED SCHEDULES

ADMISSION OF GUILT FINES

4(10) read with *	Failure to contract with an accredited waste service provider for the collection and disposal of Industrial Waste generated within premises to a licenced waste disposal facility.	R5 000.00
4(13) read with *	Failure to submit an Integrated Waste Management Plan to the City for the generation of Industrial Waste.	R2 000.00
4(16) read with *	Storage of building waste in containers provided by the City for the storage of residential waste and failure to remove and dispose of it at a licenced crushing plant or landfill site or any other licenced building waste disposal facility.	R5 000.00
4(17)(a) read with *	Failure to submit an Integrated Waste Management Plan with the Building Plans	R2 000.00
4(20) read with *	Failure to produce a permit for the deposition or storage of waste on property of the City.	R1 000.00
4(22) read with *	Failure to produce proof of a weighbridge certificate to the building control officer, a peace officer or duly authorized official of the City.	R1 000.00

CHALLENGES



- Difficulty in identifying offenders
- Residents unaware of legislation and penalties regarding inappropriate domestic waste disposal
- Some are unwilling to pay the cost for disposal
- COCT has large tracts of undeveloped land where observation of illegal dumping is minimal
- Community is culturally and linguistically diverse
- Disposal cost per tonne continue to rise so illegal dumping more convenient
- Community members do not report illegal dumping



POSSIBLE SOLUTIONS



-
- Improving compliance
 - Reduce illegal dumping
 - Increase awareness and education
 - Improve cooperation between Provincial Government and the City of Cape Town

OPERATIONAL PLANNING

Zone all areas and create precincts
Compile a database of the area
Plan special operations



Monitor none compliance
Issue 56 notices
Initiate 54 notices
Zero tolerance with offenders

Undertake joint inspections/investigations + Interaction with civic bodies

Contact details to report complaints

Office number : 021 4446223/4 (During office hours only)

Email: Solidwaste.bylaw@capetown.gov.za

Any other complaints with no follow up information should be directed to the call center: **0860103089** or **SMS 32772**



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Thank You

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