



Steve Tshwete
Local Municipality

EXTERNAL AUDIT REPORT

MIDDELBURG

LANDFILL SITE

2026



Masase Cooperation

Prepared for:



Steve Tshwete
Local Municipality

**LANDFILL SITE LICENSE Nr :
17/04/WWL/MP313/12/01**

Prepared by:

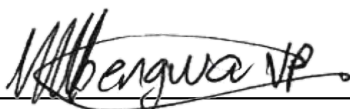


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INTERPRETATION AND PRINCIPLES

Definitions

“acceptable exposure” means the exposure of the maximum permissible concentration of a substance to the environment that will have a minimal negative effect on health or the environment;

“associated structures and infrastructure”, when referred to in Schedule 1, means any building or infrastructure that is necessary for the functioning of a facility or waste management activity or that is used for an ancillary service or use from the facility;

“best practicable environmental option” means the option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term;

“building and demolition waste”

[Definition of “building and demolition waste” deleted by s. 1 of Act 26/2014]

“business waste”

[Definition of “business waste” deleted by s. 1 of Act 26/2014]

“by-product”

[Definition of “by-product” deleted by s. 1 of Act 26/2014]

“clean production” means the continuous application of integrated preventative environmental strategies to processes, products and services to increase overall efficiency and to reduce the impact of such processes, procedures and services on health and the environment;

“commence” means the start of any physical activity, including site preparation or any other activity on the site in furtherance of a waste management activity, but does not include any activity required for investigation or feasibility study purposes as long as such investigation or feasibility study does not constitute a waste management activity;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“container” means a disposable or re-usable vessel in which waste is placed for the purposes of storing, accumulating, handling, transporting, treating or disposing of that waste, and includes bins, bin-liners and skips;

“contaminated”, in relation to Part 8 of Chapter 4, means the presence in or under any land, site, buildings or structures of a substance or micro-organism above the concentration that is normally present in or under that land, which substance or micro-organism directly or indirectly affects or may affect the quality of soil or the environment adversely;

“decommissioning”, in relation to waste treatment, waste transfer or waste disposal facilities, means the planning for and management and remediation of the closure of a facility that is in operation or that no longer operates;

“Department” means the Department responsible for environmental affairs; [Definition of “Department” substituted by s. 1 of Act 26/2014]

“disposal” means the burial, deposit, discharge, abandoning, dumping, placing or release of any waste into, or onto, any land;

“domestic waste”

[Definition of “domestic waste” deleted by s. 1 of Act 26/2014]

“employment practice” has the meaning assigned to it in section 1 of the Public Service Act, 1994;
[Definition of “employment practice” inserted by s. 1 of Act 26/2014]

“environment” has the meaning assigned to it in section 1 of the National Environmental Management Act;

“Environment Conservation Act” means the Environment Conservation Act, 1989 (Act No. 73 of 1989);

“environmentally sound management” means the taking of all practicable steps to ensure that waste is managed in a manner that will protect health and the environment;

“export” means to take or send waste from the Republic to another country or territory;

“extended producer responsibility measures” means measures that extend a person’s financial or physical responsibility for a product to the post-consumer stage of the product, and includes -

- (a) waste minimisation programmes;
- (b) financial arrangements for any fund that has been established to promote the reduction, re-use, recycling and recovery of waste;
- (c) awareness programmes to inform the public of the impacts of waste emanating from the product on health and the environment; and
- (d) any other measures to reduce the potential impact of the product on health and the environment;

“Gazette”, when used in relation to-

- (a) the Minister, means the *Government Gazette*; and
- (b) the MEC, means the *Provincial Gazette* of the province concerned;

“general waste”

[Definition of “general waste” deleted by s. 1 of Act 26/2014]

“hazardous waste”

[Definition of “hazardous waste” deleted by s. 1 of Act 26/2014]

“high-risk activity” means an undertaking, including processes involving substances that present a likelihood of harm to health or the environment;

“holder of waste” means any person who imports, generates, stores, accumulates, transports, processes, treats, or exports waste or disposes of waste;

“import” means any entry into the Republic other than entry for transit

“incineration” means any method, technique or process to convert waste to flue gases and residues by means of oxidation;

“industry” includes commercial activities, commercial agricultural activities, mining activities and the operation of power stations;

“industry waste management plan” means a plan referred to in Part 7 of Chapter 4;

“inert waste”

[Definition of “inert waste” deleted by s. 1 of Act 26/2014]

“integrated waste management plan” means a plan prepared in terms of section 12;

“investigation area” means an area identified as such in terms of section 37;

“licensing authority” means an authority referred to in section 43 and that is responsible for implementing the licensing system provided for in Chapter 5;

“life cycle assessment” means a process where the potential environmental effects or impacts of a product or service throughout the life of that product or service is being evaluated;

“MEC” means the Member of the Executive Council of a province who is responsible for waste management in the province;

“minimisation”, when used in relation to waste, means the avoidance of the amount and toxicity of waste that is generated and, in the event where waste is generated, the reduction of the amount and toxicity of waste that is disposed of;

“Minister” means the Minister responsible for environmental affairs; [Definition of “Minister” substituted by s. 1 of Act 26/2014]

“municipality” means a municipality established in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“Municipal Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“National Environmental Management Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

“non-substantive”, in relation to the amendment or substitution of a regulation, notice, strategy, licence, approval, or provision thereof, includes-

- (a) any clerical mistake, unintentional error or omission;
- (b) the correction of any miscalculated figure; and
- (c) the correction of any incorrect description of any person, thing, property or waste management activity;

“organ of state” has the meaning assigned to it in section 239 of the Constitution;

“person” has the meaning assigned to it in the Interpretation Act, 1957 (Act No. 33 of 1957), and includes an organ of state

“pollution” has the meaning assigned to it in section 1 of the National Environmental Management Act;

“prescribe” means prescribe by regulation under this Act;

“priority waste” means a waste declared to be a priority waste in terms of section 14;

“recovery” means the controlled extraction or retrieval of any substance, material or object from waste; [Definition of “recovery” substituted by s. 1 of Act 26/2014]

“recycle” means a process where waste is reclaimed for further use, which process involves the separation of waste from a waste stream for further use and the processing of that separated material as a product or raw material;

“re-use” means to utilise the whole, a portion of or a specific part of any substance, material or object from the waste stream for a similar or different purpose without changing the form or properties of such substance, material or object;

[Definition of “re-use” substituted by s. 1 of Act 26/2014]

“specific environmental management Act” has the meaning assigned to it in section 1 of the National Environmental Management Act;

“storage” means the accumulation of waste in a manner that does not constitute treatment or disposal of that waste;

“sustainable development” has the meaning assigned to it in section 1 of the National Environmental Management Act;

“the Bureau” means the Waste Management Bureau established by section 34A;

[Definition of “the Bureau” inserted by s. 1 of Act 26/2014]

“this Act” includes-

- (a) any regulations made in terms of this Act;
- (b) any notice or other subordinate legislation issued or made in terms of this Act; and
- (c) any regulation or direction that remains in force in terms of section 81;

“transit” means the continuous passage from one border of the Republic to another such border without storage other than temporary storage incidental to transport;

“treatment” means any method, technique or process that is designed to-

- (a) change the physical, biological or chemical character or composition of a waste; or
- (b) remove, separate, concentrate or recover a hazardous or toxic component of a waste; or
- (c) destroy or reduce the toxicity of a waste,

in order to minimise the impact of the waste on the environment prior to further use or disposal;

“waste” means-

- (a) any substance, material or object, that is unwanted, rejected, abandoned, discarded or disposed of, or that is intended or required to be discarded or disposed of, by the holder of that substance material or object, whether or not such substance, material or object can be re-used, recycled or recovered and includes all wastes as defined in Schedule 3 to this Act; or
- (b) any other substance, material or object that is not included in Schedule 3 that may be defined as a waste by the Minister by notice in the *Gazette*, but any waste or portion of waste, referred to in paragraphs (a) and (b), ceases to be a waste-
 - (i) once an application for its re-use, recycling or recovery has been approved or, after such approval, once it is, or has been re-used, recycled or recovered;

- (ii) where approval is not required, once a waste is, or has been re-used, recycled or recovered;
- (iii) where the Minister has, in terms of section 74, exempted any waste or a portion of waste generated by a particular process from the definition of waste; or
- (iv) where the Minister has, in the prescribed manner, excluded any waste stream or a portion of a waste stream from the definition of waste.

[Definition of “waste” substituted by s. 38 of Act 14/2013 and s. 1 of Act 26/2014]

“waste disposal facility” means any site or premise used for the accumulation of waste with the purpose of disposing of that waste at that site or on that premise;

“waste management activity” means any activity listed in Schedule 1 or published by notice in the *Gazette* under section 19, and includes-

- (a) the importation and exportation of waste;
- (b) the generation of waste, including the undertaking of any activity or process that is likely to result in the generation of waste;
- (c) the accumulation and storage of waste;
- (d) the collection and handling of waste;
- (e) the reduction, re-use, recycling and recovery of waste;
- (f) the trading in waste;
- (g) the transportation of waste;²
- (h) the transfer of waste;
- (i) the treatment of waste; and
- (j) the disposal of waste;

“waste management control officer” means a waste management control officer designated under section 58(1);

“waste management licence” means a licence issued in terms of section 49;

“waste management officer” means a waste management officer designated in terms of section 10;

“waste management services” means waste collection, treatment, recycling and disposal services;

“waste minimisation programme” means a programme that is intended to promote the reduced generation and disposal of waste;

“waste transfer facility” means a facility that is used to accumulate and temporarily store waste before it is transported to a recycling, treatment or waste disposal facility;

“waste treatment facility” means any site that is used to accumulate waste for the purpose of storage, recovery, treatment, reprocessing, recycling or sorting of that waste.

1 LANDFILL SITE BACKGROUND

Landfilling in South Africa remains the most preferred method of waste disposal. The long history of the country adopting the environmental legislation has prompted the need to manage waste and it was clear that disposal of waste by landfill was most practicable at the time. The National Environmental Management: Waste Act 59 of 2008 has prompted the consideration of environmental impact assessment studies prior to development of waste facilities. This was aimed at ensuring the possible impacts can be anticipated and management measures are adopted. Since waste had more possibilities to impact the ground water, the Department of Water and Sanitation proposed the Minimum Requirements for Waste Disposal by Landfill 73 of 1998 to guide planning, construction, operation and monitoring of the landfill site.

Steve Tshwete Local Municipality operates Middelburg Landfill site which was previously Permitted under section 20 of the environmental conservation act, the facility is a GMB- with Permit Number 16/2/7/B100/D33/Z1/P412 issued on 16 July 2001. In terms of section 81(3) a permit issued in terms of the section 20 of the Environmental conservation act lapses- (a) if a waste management licence is issued in terms of the NEMWA to the same person in respect of the same waste management activity. Middelburg landfill site was issued with a new operating waste management licence in terms of NEMWA with Licence Number 17/04/WL/MP313/12/01 issued in 17 March 2014. This audit considered the conditions on licence issued in terms of nemwa 2008.

Middelburg landfill site is operated and managed by the Steve Tshwete local municipality personnel inline with the conditions set out in the license and minimum requirements of waste disposal by landfill at the time of the audit. The municipality confirm that Inkunzi waste management are outsourced for operations and maintenance of the facility as and when required or as a contingency plan and all applicable conditions of the licence are binding to the contractor to comply with. The outsourcing of operational work to outside contractor do not take away the mandate to comply with the License away from Steve Tshwete Local Municipality. It is the prerogative of the municipality to ensure the contractor is complying with the conditions set out in the Licence and within the Minimum Requirements.

To monitor and measure the level of compliance, Steve Tshwete Local Municipality appointed Masase Cooperation to conduct an annual external environmental compliance audit at the landfill site. Site inspection was conducted on the 13th June 2026 and findings were documented in this report on the 20th of June 2026.

1 PROJECT SCOPE

Steve Tshwete Local Municipality have appointed Masase Cooperation to compile an annual external landfill audit report for the Middelburg Landfill site. The objective of the landfill audit is to measure compliance to the Minimum Requirements for Waste Disposal by Landfill as well as the Licence for the landfill site. Steve Tshwete Municipality is now in charge of the operation of the landfill site.

Local Municipality remain the custodian of accountability to compliance requirements and report to the authorities.

The scope of work included:

- ✓ Provide an objective analysis of the environmental impacts arising from the landfill facilities.
- ✓ Determine that mitigation measures are effective in minimizing or removing environmental impacts
- ✓ Identify opportunities and make recommendations for improvements in environmental performance of the landfills.
- ✓ Provide possible recommendations and solutions on the findings.
- ✓ Provide the information required to develop an Environmental Action Plan (EAP) in the event of any significant findings of negative impacts to the environment.
- ✓ Provide an objective, independent report that meets requirements. The findings and recommendations of the audit effort should be documented clearly and concisely in the Environmental Audit Report.

3. SITE LOCATION INFORMATION

Table 1: Location details

Province	Mpumalanga	
District Municipality	Nkangala district	
Local Municipality	Steve Tshwete Local Municipality	
Nearest town(s)	Middelburg	
Farm name(s) and number(s)	Portion 1 of the Farm Rietfontein 286 JS	
SG 21 Digit Code	T0JS000000000028600001	
Coordinates	25°46'52.17"S	29°24'7.76"E

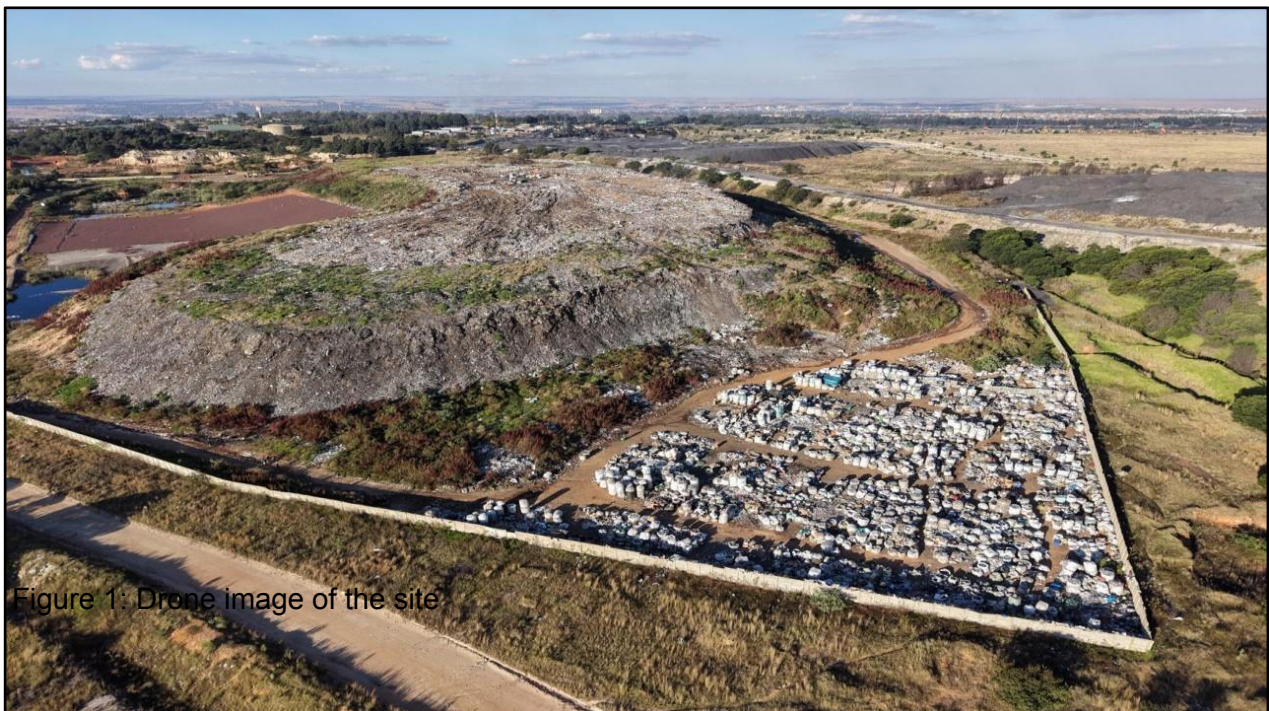


Figure 1: Drone image of the site

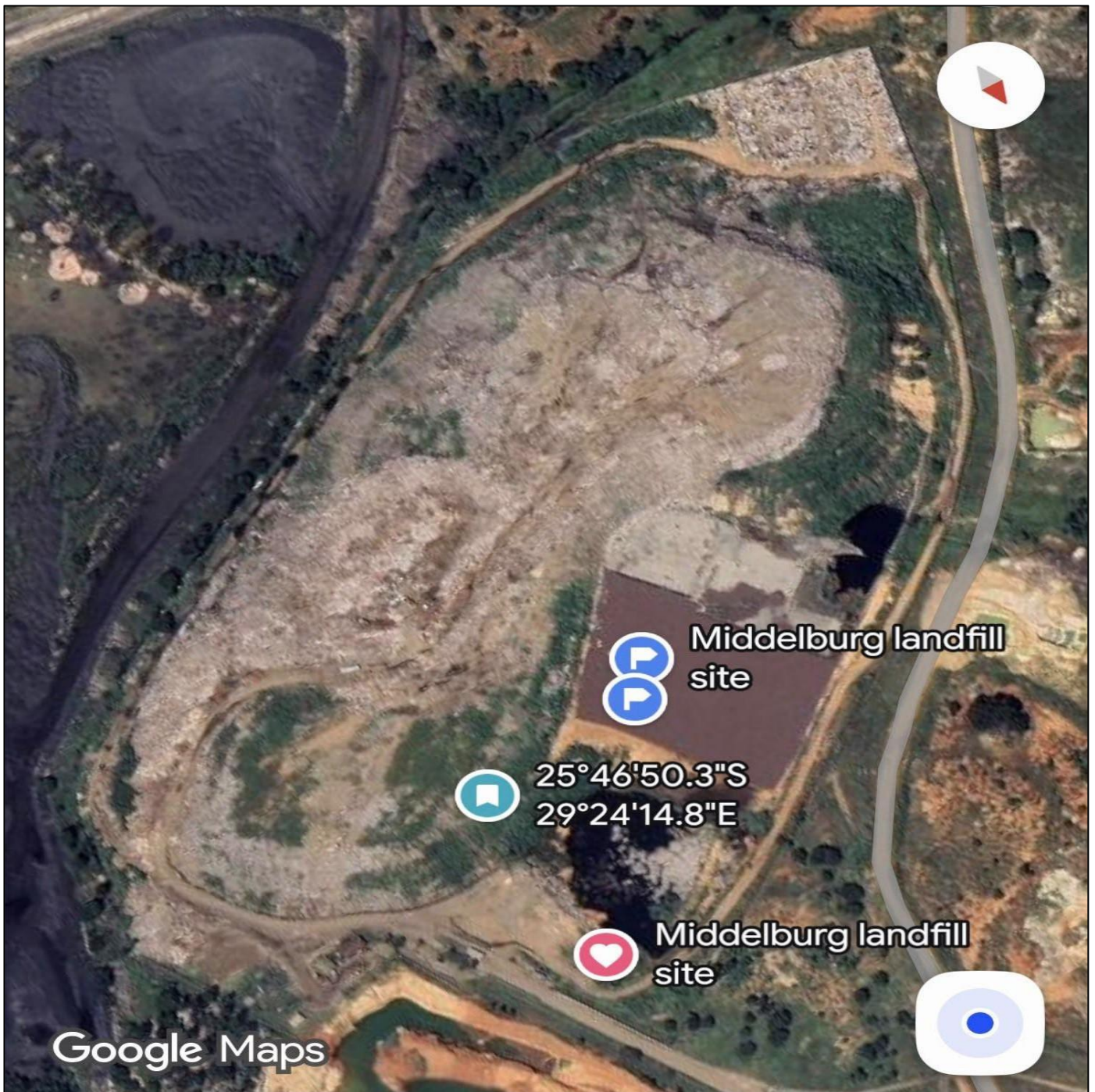


Figure 2: Aerial map view

4. SERVICES AND INFRASTRUCTURE DURING THE TIME OF THE AUDIT

4.1 Administration

The site access is controlled by Both Best security officers. All the waste received on site is captured at the entrance in terms of the type of waste and volume of waste through a dual weighbridge system. The site is fenced off with a 2.4m palisade wall and a farm gate to control access to the site. Reclaimers found on site are registered and a register is marked when they enter the site at the security gate.

There is a Notice Board at the entrance of the landfill site that indicates the type of a landfill. The information on the Board is written in three different languages and the details of owner and operator are also visible. Waste tariffs are not displayed on the notice boards but are displayed inside the weighbridge office. There are personnel to register waste coming into the site at the entrance. On the day of the audit the Waste Management Control Officer monitoring and controlling activities at the working phase was present.

4.2 Infrastructure

The site infrastructure is generally in a good condition. Offices and ablution facility were in an acceptable condition. There is a workshop used to store machinery. The site has two weighbridges and during the time of the landfill audit, the entry weighbridge was working and the exit weighbridge was under maintenance. The leachate ponds on site was contaminated with plastics and vegetation. There is a 2.4m concrete palisade wall erected around the site but there is a need to close off a portion left unfenced that is found towards the mine dump close to the site and close to the leachate pond and recycling area. Massive land excavations were observed around the facility. There was a new cell development that was observed.

4.3 Landfill Operation

Landfill operation is in line with the conditions as stipulated on the Licence. The Landfill site is currently operated by the Steve Tshwete Local Municipality and the weighbridge system is operated by ELP Enterprises

The landfill operates from 07H00 – 18H00 Monday to Saturdays and from 09H00 – 16H00 Sundays and Public Holidays.

The access roads to the landfill site was not in good condition due to potholes. The access road to the working phase was easily accessible by two vehicles. During the time of the audit, there were reclaimers on site collecting and sorting recyclable waste.

5 LEGISLATIVE FRAMEWORK FOR LANDFILL OPERATION

5.1 Legislative framework

Middelburg landfill site was established, authorized and issued a permit in July 2001, permit issued by the Department of Water Affairs and Forestry (DWAF), now known as Department of Water and Sanitation (DWS), in terms of section 20(1) of the Environmental Conservation Act. The permit lapsed in terms of section 81 of NEMWA. A new license was issued in 2014 by the Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA) for the extension and development of new disposal cells. The validity period of the license was 10 years. The current licence expired in 2024. The Licence Holder is currently in a process to acquire a new licence as per the letter provided by the Licence Holder from the Competent Authority. The Municipality was given 12 months to renew the Licence.

The audit was undertaken to determine the level of compliance with the following:

- ❑ License conditions - Number 17/04/WL/MP313/12/01 (17 March 2014)
 - ❑ National Norms and Standards for Disposal of Waste to Landfill (GN R636) introduced in terms of section 7(1) (c) of the National Environmental Management: Waste Act, 2008 (No. 59 of 2008).
 - ❑ National Norms and Standards for Disposal of Waste to Landfill 2013
-
- ❑ Minimum Requirements for Waste Disposal by Landfill

The site's licence conditions impose an obligation on Steve Tshwete Local Municipality to undertake an annual independent or external compliance audit, to ensure the maintenance of license obligations. Furthermore, the audits seek to improve the management of environmental impacts resulting from the operational activities associated with landfill sites and to provide recommendations and mitigations to the findings. These environmental performance measurements are important for meeting the provisions and conditions of the license.

Findings of this audit must be submitted to the Regional Director and/ or Competent Authority once the audit is finalised.

5.2 Other Applicable legislations

Various environmental laws, rules, standards, and requirements that are governed by the municipal, provincial, and national stakeholder departments must be considered in order to conduct a thorough audit. With the Constitution of the Republic of South Africa, the National Environmental Management Act (NEMA) 1998, the National Environmental Management: Waste Act (Act 59 of 2008), and the National Water Act (Act 36 of 1998) serving as the cornerstones of waste management law, the majority of South Africa's waste management laws and principles are governed by legislation. The auditing process has also made use of the following laws, rules, and guidelines. The following is a discussion and list of the core laws, rules, standards, and regulations that governed the auditing process:

Table 2: Legislative Framework for Landfill Operation

LEGISLATION	APPLICABILITY
FUNDAMENTAL LEGISLATIONS	
The Constitution of the Republic of South Africa (Act 106 of 1996)	Section 24 of the Constitution of South Africa guarantees basic human rights and provides guiding principles for society. The environmental rights in the constitution states: “Everyone has the right – a) to an environment that is not harmful to their health or well-being; and b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that - (i) prevent pollution and ecological degradation; (ii) promote conservation; (iii) Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.”

	The Bill of Rights in Chapter 2 of the Constitution entrenches the right to information, the right to freedom of expression, the right to participate in political activity, the right to administrative justice and fundamental science, cultural, legal, economic and environmental rights. In addition, the Constitution requires all legislatures to facilitate public involvement in the legislative and other policy processes. Citizens have the right to engage in public initiatives and processes on an ongoing basis.
National Environmental Management Act (Act No. 107 of 1998)	The National Environmental Management Act aims to improve the quality of environmental decision making by setting out principles for environmental management that apply to all government departments and organisations that may affect the environment. NEMA also creates a framework for facilitating the role of civil society in environmental governance (see below) The Principles of National Environmental Management state that - (DEAT 1998) ● Environmental management must place people and their needs at the forefront of its concern. ● Development must be socially, environmentally, and economically sustainable. ● Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated. ● Environmental justice must be pursued. ● Equitable Services Access to environmental resources to meet basic human needs and ensure human well-being must be pursued. ● Responsibility for the environmental health and safety consequences of a project or activity must exist throughout its life cycle. ● The participation of all interested and affected parties in environmental governance must be promoted. ● Decisions must consider the interests; needs and values of all interested and affected parties.

	• The social, economic and environmental impacts of activities, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment. • Decisions must be taken in an open and transparent manner, and Services Access to information must be provided in accordance with the law. • The environment is held in public trust for the people, the beneficial use of which environmental resources must serve the public interest and the environment must be protected as the people's common heritage. • The costs of remedying pollution, environmental degradation and consequent adverse health effects must be paid for by those responsible for harming the environment. • Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries wetlands, and similar systems require specific attention in management and planning procedures especially where they are subject to significant human resource usage and development pressure. Section 28 provides for duty of care and remediation of environmental damage. It provides that every person who causes or has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring to minimize and rectify such pollution or degradation of the environment. This includes an owner of land or premises, a person in control of land or premises or a person who has the right to use the land or premises [Section 28 (1) and (2)].
National Environmental Management: Waste Act (Act No. 59 of 2008)	The objectives of the act include the following: (a) To promote health, well-being and the environment by providing reasonable measures for:

	(i) Minimizing the consumption of natural resources; (ii) Avoiding and minimizing the generation of waste; (iii) Reducing, re-using, recycling and recovering waste; (iv) Treating and safely disposing of waste as a last resort; (v) Preventing pollution and ecological degradation; (vi) Securing ecologically sustainable development while promoting justifiable economic and social development; (vii) Promoting and ensuring the effective delivery of waste services; (viii) Remediating land where contamination presents, or may present, a significant risk of harm to health or the environment; and Achieving integrated waste management reporting and planning. (b) To ensure that people are aware of the impact of waste on their health, well-being and the environment; (c) To provide for compliance with the measures set out in paragraph (a); and
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	(d) Generally, to give effect to Section 24(b) of the Constitution in order to secure an environment that is not harmful to health and well-being
National Water act (Act No. 36 of 1998)	The purpose of the Act is to ensure that the nation's water resources are protected, used, developed, conserved, managed and controlled. In terms of Section 19 (1) of the National Water Act, an owner of land, a person in control of land or a person who occupies or uses the land on which – (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which causes, has caused or is likely to cause pollution of a water resource, must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring. Reasonable measures referred to above include: • cease, modify or control any act or process causing the pollution; • comply with any prescribed standard or management practice; • contain or prevent the movement of pollutants; • eliminate any source of the pollution; • remedy the effects of pollution; and • remedy the effects of any disturbance to the bed or banks of a watercourse.
The National Environmental Management: Air Quality Act (Act No.39 of 2004)	The main objective of the Air Quality Act (NEMAQA) is the protection of the environment and human health, in a sustainable (economic, social and ecological) development framework, through reasonable measures of air pollution control.

6 EXTERNAL AUDIT METHODOLOGY OF THE AUDIT

a. Methodology

The following methodology was used to conduct the audit

- Review of the previous internal and external audit report to ascertain non-compliances that were confirmed during the previous audit
- Review of the Minimum Requirements of Waste Disposal by Landfilling
- Review of Applicable Legislative Requirements
- Review of the Licence Condition and Developing of an Auditing Checklist that incorporates all Licence conditions in a summarised format.
- Pre –audit meeting with the Licence Holder
- Walk through Assessment of the whole site
- Review and Checks of Required documentation during the Auditing Closure Meeting
- Interview with Site Operator

b. Approach

The conditions of the Minimum Requirements as well as Licence conditions were reviewed by the Auditor and integrated into a single audit checklist. Each item contained in the audit checklist was audited based on a level of compliance. Compliance levels are considered as Compliant (C), Non-Compliance (NC), Partially Compliant (PC) and Not Applicable (N/A). Where non-compliance was encountered, the significance of the associated impact was recorded based on the following guidelines:

Table 3: Audit Approach

Abbreviation	Name	Description
C	Compliant	Requirements met in full
NC	Not Compliant	Requirements not met
PC	Partially Compliant	Aspects of the Requirements are met but not in full
N/A	Not Applicable	Requirement is not applicable at the time of the Audit

Once all conditions have been assessed, conditions will be tallied, and the overall compliance of the landfill site will be calculated. The following methodology will be used:

Table 4: Overall Compliance Level

Compliance Indication List	Compliance Percentage (%)	Color code
Level of Compliance	0% to 49%	Red
Non-Compliant	50% to 79%	Amber
Partial Compliant	80% to 100%	Green
Compliant		

c. Audit Objectives

The general objective of landfill operation monitoring is to verify that the landfill conforms to the required standards and the site Licence conditions. More specific objectives are:

- i. To ensure that licence conditions are properly implemented.
- ii. To function as a control measure to ensure that the operation conforms to the legislative framework.
- iii. To ensure protection of the environment and water sources.
- iv. To provide operational guidance, solutions and mitigation plans to the client/Licence Holder
- v. To serve as an early warning system, so that any problems that may arise can be timeously identified and rectified.

Summary of Non-Compliances

- During the site visit it was observed that the landfill site working phase cell height and slopes were not properly maintained as there was evidence of uncovered and loose waste on the slopes. The height slopes were above 7 meters above sea level which is the recommended height as per the license condition.
- Smoke was observed near the recycling area which shows that there was fire on the slopes.
- Leachate runoff was observed over-flowing from the evaporation pond towards the nearest stream, demonstrating a potential pathway for contamination of downstream surphase water resources.
- On the working phase, compaction was done at the ratio of 150cm of soil as required on the licence and minimum requirement for landfill management. The working cell was found to have some scattered un-compacted waste, although about 80% of the waste was compacted. A landfill site compactor was observed compacting waste.
- Stray domestic animals were observed roaming on the working cell and slopes. Waste debris was observed on the new cell development area.

Summary of Partial-Compliances

- There was a big space of missing blocks of concrete palisade wall next to the recycling area and a damaged fence next to the office.
- Contaminated run-off waste is directed to the contaminated leachate dam on site. The leachate dam was contaminated with vegetation and plastic waste and leachate was observed overflowing.
- The Licence Holder is required to appoint specialists to monitor any pollution that may have occurred on underground water. At the time of the audit, the Licence Holder indicated that water monitoring was going to be conducted independently from this report as it was not part of the specification.
- The stormwater drains on site are not properly constructed and maintained, creating a risk of contaminant infiltration into the subsurface. Corrective measures should be implemented to prevent potential groundwater contamination.

Table 8:

License Conditions Checklist for Middelburg landfill site (Licence Number 17/04/WL/MP313/12/01)

	Licence Condition	Compliance status	Findings/ Observations	Recommendations
1	SITE DETAILS			
1.1.1	Location			
1.1.1	The License authorizes the expansion of Middelburg Waste Disposal Site on the Remainder of Portion 1 of the farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkalanga District, Mpumalanga Province.	COMPLIANT	The site is located on Portion 1 of the farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkalanga District, Mpumalanga Province.	None.

1.1.2.	The location site must be according to the co-ordinates indicated on the Licence application form as follows: Latitude X Longitude Y A 25° 46' 50.36" 29° 24' 7.05" B 25° 46' 49.25" 29° 24' 9" C 25° 46' 47.54" 29° 24' 10.18" D 25° 46' 46.75" 29° 24' 12.06" E 25° 46' 46.66" 29° 24' 13.4" F 25° 46' 4.9" 29° 24' 15.54" G 25° 46' 48.78" 29° 24' 17.02" H 25° 46' 49.78" 29° 24' 13.08" I 25° 46' 52.13" 29° 24' 10.35" J 25° 46' 55.21" 29° 24' 8.82"	COMPLIANT	The site constructed is according to the co-ordinates indicated on the Licence application form as follows	N/A
1.2	Documents considered			

1.2.1	Waste Licence Application Form expansion of Middelburg Waste Disposal Site On the Remainder of Portion 1 of the farm Reitfontain 286-JS, Steve Tshwete Local Municipality, Nkalanga District, Mpumalanga Province Dated July 2012.	COMPLIANT		No recommendation
1.2.2	Final Scoping Report: Expansion of Middelburg Waste Disposal Site on the Remainder of Portion 1 of the farm Reitfontain 286-JS, Steve Tshwete LocalMunicipality, Nkalanga District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated July 2012	COMPLIANT		No Recommendation

1.2.3	Amendment Environmental Impact Report: expansion of Middelburg Waste Disposal Site on the Remainder of Portion 1 of the farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkhalanga District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated October 2013.	COMPLIANT	Document available	No Recommendation
1.2.4	Record of Decision from the Department of Water Affairs, dated 09 December 2013.	COMPLIANT	Document available □ 17/04/WL/MP313/12/01 (17 March 2014) During document review it was observed that operating licence for Middelburg landfill site has expired in 2024. STLM obtained an extension of validity period of the licence of 12 months from the 13 th November 2025 to the 12 th November 2026 from the competent authority.	The Municipality must ensure compliance with the extension of validity period letter recommendations.
1.2.5	Correspondence between the Environmental Assessment Practitioner (EAP), Applicant and the Department.	COMPLIANT	Document available	No Recommendation
1.3	LICENCE CONDITIONS			
1.3.1	Site security and access control			

1.3.1.1	The licence Holder must ensure effective access control on the Site by having it fenced to a minimum height of 1.8 metres, with gates of the same height at all entrances, to reasonably prevent unauthorised entry.	PARTIAL COMPLIANT	The site is fenced with 2.4m concrete palisade wall. Waste pickers were observed gaining access through dump and the damage wall area. be Portion closer to the mine and recycling area was found to have gaps on the concrete palisade wall.	The gap between the nearby mine the site should be fenced and the damaged concrete wall must be repaired to avoid unauthorized entry to the site.
1.3.1.2.	The Licence Holder must prevent the unauthorised acceptance, reclamation, reuse and recycling of waste at the Site. The Licence Holder must include in the notices referred in 1.3.1.3 below a list of the waste types that can be accepted on Site.	COMPLIANT	Permissible waste types are detailed on the notice board at the site entrance notice board, hazardous waste is turned away.	Permissible waste is indicated on the Notice Board.
1.3.1.3.	Weatherproof, durable and legible notices in at least three official languages applicable in the area, shall be displayed at each entrance to the site. This is notices shall prohibit unauthorised entry, the name address and telephone number (including emergency telephone numbers) of the Licence Holder and the person responsible for the closure of the site.	COMPLIANT	A general notice board is available at the entrance with three official languages, the name of the L be clear holder, operator, and hours of operation. The ink on the board are fading.	The Notice Board must be clear and visible. The trees should be cut.

2.1.	GENERAL MANAGEMENT			
2.1.1	The activities must be managed and operated: a) in accordance with an environmental management plan that interalia identifies and minimise threats of pollution, including those arising from construction, maintenance, accidents, incidents and nonconformance's and those drawn to the attention of the licence holder as a result of complaints b) in accordance with conditions of the licence c) in accordance with any other written instruction by the competent authority and d) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the construction of the activities	PARTIAL COMPLIANCE	Most of the conditions of the environmental management plan are adhered to. Condition that are not adhered to are that there is waste found outside the working phase and there are missing palisade blocks in the wall. There was smoke observed on the slopes which leads to air pollution. Debris was observed on the new cell development area.	It is recommended that Licence owner must ensure compliance to the conditions by managing fence. the storm water ponds and fixing the broken

2.1.2	Any persons having duties that are or may be affected by the matter set out in this licence must have convenient access to a copy of it, kept at or near the place where those duties are carried out. A copy of this Licence may be published on any website deemed fit by the competent authority.	COMPLIANT	The copy of the Waste Licence was made available upon request and is available on site	The Copy must be available upon request.
2.1.3	This Licence does not negate the Licence Holder of the responsibility to comply with any other statutory requirement that may be applicable to the undertaking of the activity	COMPLIANT	The Licence Holder is aware of this matter and N/A adheres to other statutory requirements that may be applicable to the undertaking of the activity	N/A

2.1.3.1	Archaeological remains, artificial features and structures older than 60 years are protected by National Heritage resources Act 1999 (Act No. 25 of 1999). Should an archaeological artefact be exposed during excavation or the purpose of construction onstruction, construction in the vicinity of the finding must be stopped immediately. A registered Heritage Specialist must be called to the site for inspection. Under no All applicable provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) - All applicable provisions of the National Water Act 1998, (Act 36 of 1998)	PARTIAL COMPLIANT	The leachate dam was polluted with plastics and vegetation on the sides which is a contravention to the conditions on the minimum Requirements for Waste Disposal by Landfill	Leachate dam must be cleared of waste and vegetation and comply with this requirement.
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	- All applicable provisions of the National Forest Act 1998, (Act No. 84 of 1998). - All applicable provisions of the National Environmental Management biodiversity Act 2004 Act 10 of 2004 - All applicable provisions of the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) - Should fill material be required for any purpose the use of property must be must comply with the provisions of the minerals and petroleum resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Minerals and Energy.			
2.2 APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER				
2.2..1	A Waste Management Control Officer (WMCO) must be appointed, who will monito and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence.	COMPLIANT	Waste Management Contril Officer (WMCO) has been appointed was accessible during the site visit and audit process. The appointment letter of the WMCO was also received.	None.

2.2.2	Report any non-compliance with any Licence conditions or requirements or provisions of National Environmental Management: Waste Act to the Competent Authority through means reasonably available.	PARTIAL COMPLIANCE	Although non-compliances were observed, there was no proof of reporting non-compliance with the license conditions to the Competent Authority.	The license owner must report any non - compliances to the competent authority and keep a report.
2.2.3	The duties and responsibility of the WMCO or should not be seen as exempting the Licence Holder from the legal obligations in terms of National Environmental Management: Waste Act, 59 of 2008.	COMPLIANT	The duties and responsibility of the WMCO include those stipulated in the National Environmental Management: Waste Act, 59 of 2008	N/a
2.3	EMERGENCY PREPAREDNESS			

2.3.1	The Licence Holder must maintain and implement an emergency preparedness plan, review it after each emergency and/or major accident and annually when conducting an audit. The plan must among others include: a) Vehicle/ machinery fire and malfunction b) natural disaster such as flood c) industrial action d) contact details of police ambulance and any emergency centre closer to the Site e) site fires	NON COMPLIANT	Safety file of the facility was not presented to the auditor with details as required by the licence conditions.	The Licence Holder maintain and implement an emergency preparedness plan in line with the Licence conditions as the site is currently operated by the Municipality.
2.3.2	Waste on site must not be allowed to burn and suitable measures must be implemented to prevent fires which might occur	NON COMPLIANT	During the audit there was evidence of smoke at bottom of the slope next to the recycling area which indicates that there was a fire	Burning of waste outside the site should not be allowed and fires should be prevented.

3	PERMISSIBLE WASTE			
3.1.	Any portion of the Site which has been constructed or developed according to condition 4 of this Licence may be used for the storage, sorting, recovery and disposal of general waste	PARTIAL COMPLIANCE	The site has been allocated for the purpose of storage, sorting and recovery of general waste for waste pickers, however the site is not constructed and the fence that demarcate the area is broken.	Where the site development may impact on the type of waste received, proper applications must be made with authorities
3.2	Waste types which are classified according to the Waste Classification, as General Waste may be accepted on Site. Waste types listed in annexure II may not be accepted or stored on Site	COMPLIANT	Waste types listed in annexure II are not accepted or stored on site	The landfill is compliant and should proceed complying with the requirements of the License
3.3	The Licence Holder must take all steps to ensure that –			
3.3.1	no organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment due, to its toxic, physical, chemical or persistent characteristics and which corresponds with the UNEP definition of hazardous waste;	COMPLIANT	No other types of waste other than general waste was observed at the time of the site inspection	The operator of the weighbridge and spotters must continue to identify waste coming to the landfill before it enters

3.3.2	No healthcare risk waste; and no scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers, are to be accepted on the Site.	COMPLIANT	No healthcare risk waste and scheduled pharmaceutical products registered were found on site	Landfill site operator must report any unwanted waste observed on site to the License Holder.
4	CONSTRUCTION OF THE WASTE MANAGEMENT FACILITY			
4.1.	Construction within the site must be carried out under supervision of a professional Civil Engineer, registered under Engineering Profession of South Africa Act, 1990 (Act 114 of 1990)	N/A	During the site visit it was observed that there is a development of a new disposal cell adjacent to the old cell , supervised by IX Engineering	N/A

4.2.	The construction and further development to the site must be in accordance with the following approved Engineering Designs: 267100PW-D02-0: Proposed Lined Area with a Starter Bern and Evaporation Pond; 267100PWD050: Proposed End Use Plan; 267100PW0-D04-0: Side Slopes and cross Sections and 267100PWD-D05-0: Cell Layout Detail	N/A	Construction has already been completed and the mentioned designs have been followed	N/A
4.3	The Licence Holder must take all reasonable steps such as suitable zoning and/ or written agreements with the adjacent landowners, to establish and maintain an unbuilt area or buffer zone of 500 meters between the site and the nearest residential and /or light industrial areas during the operative life of the site. Heavy industries or industry, which may create nuisance conditions, may be Licenced within the buffer zone in terms of appropriate legislation	PARTIAL COMPLIANCE	There are not any light industrial or residential area within 500 m of the site. However squatter camps were observed encroaching buffer zone next to the nearest residential area (Tokologo).	The Licence Holder must prevent encroachment of the buffer zone from any development.

4.4	Works must be constructed and maintained at continuous basis by the License Holder to divert and drain from the site in a legal manner, all run-off water arising on land adjacent to the Site, which could be expected as result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty years (herein after referred to as the “estimated maximum precipitation”) such works must, under the said rainfall event, maintain a freeboard of the half meter	NON COMPLIANT	Borrow pit for cover material next tot the new cell development area was observed to be full of stormwater. Stormwater drains on site are not properly constructed and is full of litter. There is no free board of half a meter	Storm water drains should be constructed properly and the drainage should be made free of litter. A freeboard of half a meter must be maintained. Water must be properly channeled.
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4.5	Works must be constructed and maintained at continuous basis by the Licence Holder to divert from the working phase of the site and drain from the Site in a legal manner, all run-off water rising on the site, which could be expected as result of the estimated maximum precipitation and prevent such runoff of water from coming with leachate from the Site. Such works must, under said rainfall event, maintain the freeboard of the half a meter	NON COMPLIANT	There is plastic litter and growing vegetation in the leachate pond. There is still no freeboard of half a meter on the leachate dam. There was also evidence of runoffs to the nearest stream and creating mud outsided the site.	The leachate dam must be cleaned , treated and frequently drained and be used for dust suppression around the
4.6	Run-off referred to in condition 4.5 must comply with the quality requirements of the General standards, as published in Government Notice 991 of 18 May 1984, or with such quality requirements from time to time be determined by Minister and must be drained from site in a legal manner	PARTIAL COMPLIANCE	Contaminated run-off waste is directed to the contaminated leachate dam on site. The leachate dam is contaminated with plastic waste and vegetation. Seepage of leachate was observed on site.	A drainage system should be developed to prevent runoffs and pollution to the ground.

4.7	Run-off referred to condition 4.5 which does not comply with the quality requirements applicable In terms of the condition 4.6 and all sporadic leachate from the site must, by means of works which must be constructed and maintained on a continuous basis by the License Holder-	PARTIAL COMPLIANCE	Contaminated run-off waste is directed to the contaminated leachate dam on site. The leachate dam is contaminated full of waste and vegetation.	The leachate dam should be rehabilitated and cleared of all vegetation and waste.
4.7.1	Be treated to comply with the aforementioned Standard and discharged in a legal manner, and/or	PARTIAL COMPLIANCE	Leachate on site is not treated but rather evaporated and used for dust suppression.	Leachate must be treated as per the licence conditions
4.7.2	With written approval of the Licensing Authority be evaporated in the dams and/or be evaporated by spraying over those portions of the Site which comply with the requirement said in terms of condition 4.2	COMPLIANT	Runoff water and leachate is evaporated and used for dust suppression	Evaporation pond must not be allowed to over flow to prevent pollution down stream

4.8	Works constructed in compliance with the condition 4.7 must be of such capacity as to accommodate all run-off and leachate which would be expected a result of the estimated maximum precipitation. Such works must, under said rainfall event, maintain a freeboard of half a metre	PARTIAL COMPLIANCE	The leachate dam has the required free board of 0.5 m, but an extension is require	Leachate pond must have freeboard of half a meter to prevent over flow and runoffs of leachate.
4.9	The site must be constructed in accordance with recognised civil engineering practice to ensure that it remains stable	PARTIAL COMPLIANCE	Construction of the site was observed to be active however vegetation was also observed on the new cell, which showed that work was completed. No authorization for disposal was issued.	An approval to use new cell to prevent damage to line area should be requested by the municipality.
4.10	The maximum height of the site above ground level must not exceed seven meters above ground height	NON COMPLIANT	The working phase height has exceeded 7 meters.	The municipality should apply for height extension or start making use of the new cell developed.
4.11	The slope of the sides of the Site must be constructed in such a manner that little or no erosion occurs	PARTIAL COMPLIANCE	Slopes of the facility were observed to be very steep in gradient and not compacted, there was evidence of erosion	Slopes must be shaped and compacted in a way that they prevent erosion and landfill collapse.

4.12	The Licence Holder must take provisions for adequate sanitation facilities on the Site	COMPLIANT	The facility does have ablution facilities for workers and waste pickers	N/A
4.13	The single composite Geomembrane Plus Geosynthetic Clay Liner (GM plus GLC) covers the solum and adjacent phase 2 area overlap, which floor under drains and base preparation layer on the extension area. Gas venting should be provided in Phase 2 and the base preparation above the waste is provided by locally available soils (already stockpiled). The above liner protection and LCS comprise an A7 Geotextile (GT) and 150 mm aggregates of 25 mm nominal diameter, protected by an A5 GT filter over the whole liner.	COMPLIANT	The facility extension was constructed in line with the conditions of the licence.	N/A

4.14	The Leachate Collection System (LCS) drains to the lowest area of the phase 3A where a double lined sump is provided with 200 mm soil ballast. Upon end of operation life the LCS extends over this area and will be filled with waste followed by capping. The cap comprises a 30 mm Compacted Clay Liner (CCL) plus 200 mm topsoil growth medium. Prior to filling the leachate sump area, a replacement sump facility external to the waste area should be provided, with sump connected to the LCS, sump will be sized based on the first five year operation of the Phase 3A LCS and the sump shall meet the leachate dam barrier performance standard (This can be done with the use of a penel tank with surrounding pea gravel and GM, which drains vertically to the floor of similar stone drain over concrete screened and underlain geomembrane). An abstraction and monitoring pipe constructed in pea gravel to monitor performance of the penel tank and allow for abstraction in the event of failure, will equate to a Leak Detection System (LDS).	COMPLIANT	The Leachate collection System drains in the lowest area and has been set up according to condition 4.14	License holder must monitor and ensure compliance with the license conditions
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4.15	The Licence Holder must determine the size of the leachate treatment plant during the detailed design phase and submit it to the Competent Authority , for approval, before construction	N/A	There is no leachate treatment plant development on site	No Recommendation
4.16	The geo-membrane liner temperature shall be monitored by the thermistors or similar	N/A	The temperature can only be monitored during the construction of the site	No Recommendation
4.17	If the geomembrane liner temperature exceeds 35 Degrees Celsius an approved mitigatory temperature control measure shall be employed due to the long service life and inter-connection of cells	N/A	This condition does not apply to the site when operational	License Holder must review the conditions to be site specific

4.18	After the construction of the site or further developments within the site, the Licence Holder must notify the Competent Authority thereof and the person referred to in the condition 4.1 must submit a certificate or and alternatively a letter to licensing authority that the construction of the site of further development within the Site, as proposed by the Licence Holder and approved by the licensing authority, is in accordance with recognised civil engineering practice before disposal may commence. An Official of Department must inspect the completed construction works of the Site person referred to in condition 4.1. If the Licensing Authority is satisfied with the construction of the Site or further development within the site and has given a written permission, the Licence Holder may use the Site or any further development within the Site and has given a written permission, the Licence Holder may use the Site or any further development within the Site for disposal of waste.	N/A	According to the Municipality officials the new cell development is still under construction.	If any developments are to be undertaken on site, the Competent Authority will be notified and the condition on 4.18 of the licence will be followed
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5	GENERAL OPERATION AND IMPACT MANAGEMENT			
5.1	Impact Management			
5.1.1	The Licence Holder must ensure that litter and mud arising from the activities must be cleared from affected areas outside the Site as soon as practicable	PARTIALLY COMPLIANT	There was no litter. However there was mud outside of the site caused by leachate leaking from the pond. There was waste that has fallen off the slope and also waste (litter) in the evaporation pond.	Licence Holder should ensure that the waste and litter are cleaned. Regular inspection of litter and mud arising should be implemented with immediate effect.
5.1.2	Any waste handled on Site must not be allowed to burn and suitable measures must be implemented to prevent fires on the Site extinguish fires which may occur	NON COMPLIANT	There was a fire observed at the bottom of the slope facing the recycling area.	Fires observed should be put off using an extinguisher. Reclaimers should be monitored and given instructions to not burn waste on the site.
5.1.3	Any complaint from the public construction and operation of the waste facility must be attended to by the Licence Holder.	COMPLIANT	No complaints were received,	All complaints from the public construction must be attended to by the Licence Holder.
5.1.4	Specific area must be demarcated for fuelling and workshop services and such area must be bunded to reduce the possibility of soil and water contamination.	PARTIAL COMPLIANT	There is an area that is demarcated for fuelling and workshop services however the area is not bunded.	The workshop should be bunded to avoid possibility of soil and water contamination with immediate effect. Avoid spillage of oil and other chemicals.

5.2	Operation			
5.2.1	The Licence Holder must ensure that records in terms of volume/weight, source and nature of all waste received and reclaimed are maintained and reported as per Annexure III hereafter on annual basis.	COMPLIANT	The facility is equipped with two weighbridges and office with cameras. Waste not permissible is not allowed on site	The landfill is compliant and should proceed complying with requirements of the License and the waste information regulations
5.2.2	Waste that is not permissible under condition 3 above must be dealt with according to relevant legislation or Department's policies and practices.	COMPLIANT	Waste not permissible is not allowed on site.	The landfill is compliant and should proceed complying with the requirements of the License.
5.2.3	The Licence Holder must ensure that the Site is operated in such a manner that nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards are prevented	PARTIAL COMPLIANT	The facility is partially operated in a manner that complies to some of the licence conditions.	Waste is being compacted but the litter falling down from the slope needs to be addressed.
5.2.4	Access to the site must be controlled to prevent unauthorised entry and illegal dumping on the site. There must be person responsible for verifying all waste entering the Site.	COMPLIANT	Access to the site is controlled at the main entrance with a gate, security guards and weighbridge operators to prevent unauthorised entry.	All gaps on the palisade need to be repaired (closed) to ensure better monitoring or entrances and exits made mainly by reclaimers
5.2.5	Access to the site must be from 07H00 - 18H00 Monday to Saturdays and from 09H00 - 16H00 Sundays and Public Holidays	PARTIAL COMPLIANT	The site is not operated within the stipulated time intervals on Sundays and Public holidays.	The Licence Holder is advised to amend the time intervals for Sundays and public holidays with the competent authority.

5.2.6	The Licence Holder must ensure the health and safety of workers and employees on Site , in terms of the Occupational Health and Safety Act, 1993 (Act No.85 of 1993)	PARTIAL COMPLIANT	The facility is operated by the Municipality and no safety file was provided.	The Licence holder must compile a safety file. ensure that the operator of the site does hold meetings, and safety talks on health and safety.
5.2.7	A suitable, qualified supervisor must visit the Site on regular basis	COMPLIANT	A qualified supervisor does visit the site on regular basis, that was recorded on registers.	None
5.2.8	The area must be kept clean in and around the Site at all times	COMPLIANT	There premises were clean.	The area should be kept clean and litter should be prevented should be kept off the premises.
5.3	Commencement of the activity			
5.3.1	The authorised activity/ies shall not commence within thirty (30) days of the date of signature of the Licence to allow the appeal process, should there be any	N/A	The activities did not commence within 30 days of the date of signature of the Licence	N/A

5.3.2	The activity (ies) must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the Licence lapses and a new application must be made for the activity (ies) to be undertaken. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities	COMPLIANT	The activities commenced within a period of three years from the date of issue	No Recommendation
5.3.3	If the Licence Holder anticipates that commencement of the activity would not occur within three (3) year period, he/she must apply and show good cause for an extension of the Licence six (6) months prior to its expiry date	COMPLIANT	Application of validity period of Licence was applied for.	No recommendation

5.3.4	Should the Licence Holder be notified by the Member of Executive Council (MEC) of a suspension of the Licence pending appeal procedures, the Licence Holder must not commence with the activity (ies) unless so authorised by the MEC in writing	COMPLIANT	There has not been any suspension required by the Member of Executive Council (MEC)	If there are any suspension of the Licence by the Member of Executive Council (MEC), the Licence Holder must not commence with activities unless if he is given permission by the MEC
5.4	Notification of Authorities			
	Fourteen (14) days written notice must be given to the Competent Authority that the activity will commence. Commencement for the purposes of this condition includes Site preparation. The notice must include a date on which it is anticipated that the activities will commence	COMPLIANT	The Competent Authority was issued with a fourteen days written notice	No recommendation
6	WATER QUALITY MANAGEMENT			
6.1.	Run-off Management			

6.1.1	All runoff water (storm water) arising as a result of precipitation on land adjacent to the Site must be prevented from entering the Site and must be diverted and drained from the Site, by means of works constructed by the Licence Holder in accordance with condition 4	PARTIAL COMPLIANCE	There is a storm water system that prevent the run off from entering the site However stormwater was observed adjacent to the working cell.	Storm water drainage system must be improved
7	MONITORING			
7.1	Further Investigations			
	If, in opinion of the Competent Authority, groundwater and/ or surphase water pollution have occurred or may possibly occur , the Licence Holder must conduct and/ or appoint specialists to conduct the necessary investigations and implement Monitoring and rehabilitation measures to the satisfaction of the Competent Authority	COMPLIANT	The Licence Holder has appointed specialists to monitor any pollution that may have occurred on ground water	License Holder must ensure that there is no contamination of groundwater
7.2	Analysis Samples			

7.2.1	The License Holder must ensure that all samples taken in accordance with condition 7.1 are- Analysed by a laboratory accredited by the South African Bureau of Standards (SABS); and according to the methods prescribed in terms of the Standards Act, (Act 30 of 1982) or another method of analysis for which written approval has been obtained from the Competent Authority, should it be necessary.	COMPLIANT	The samples taken in condition 7.1 were submitted to a laboratory accredited by the South African Bureau of Standards (SABS); and according to the methods prescribed in terms of the Standards Act, (Act 30 of 1982	The landfill is compliant and should proceed complying with the requirements of the License.
8	AUDITING			
8.1	Internal Audit			
8.1.1	Internal Audits must be conducted biannually by the Licence Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the Competent Authority.	COMPLIANT	Internal audits are conducted bi-annually and a report has been compiled following the findings the results of the audit. The report was submitted to the relevant competent authority and external auditors.	All internal audits must be submitted to competent authority

8.2	Competent Authority audits and inspections			
8.2.1	The Competent Authority reserves the right to audit and/or inspect the Site at any time and at such a frequency as the Competent Authority may decide, or to have the Site audited or inspected.	COMPLIANT	No audits were conducted by the Competent Authority.	The Competent Authority must be given the right to inspect the site any time such is requested
8.2.2	The Licence Holder must make any records or documentation available to the Competent Authority upon request, as well as any other information the Competent Authority may require.	COMPLIANT	All documentation that the Competent Authority requires are made available by the Licence Holder	N/A
8.2.3	The findings of these audits or inspections shall be made available to the Licence Holder within 30 days of the end of the audit or inspection. Information from the audits must be treated in accordance with the Promotion of Access to Information Act 2000 (Act 2 of 2000).	N/A		

9	RECORDING			
9.1	The Licence Holder must keep records of and update all the information referred to in Annexure III and submit this information to the Competent Authority on an annual basis.	COMPLIANT	The Licence Holder updates all the information and records referred to in Annexure III and such information is submitted to the Competent Authority in an annual basis.	The landfill is compliant and should proceed complying with the requirements of the Licence.
9.2	The Licence Holder must record chemical analysis in the format depicted in Annexure IV.	COMPLIANT	Chemical analysis is recorded in accordance to Annexure IV.	Continue to ensure compliance
9.3	All records required or resulting from activities required by this Licence must: a) Be legible b) Be made as soon as reasonably practicable and should form part of the external audit report; c) If amendments, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable and d) Be retained in accordance with documented procedures which are approved by the Department.	PARTIALLY COMPLAINT	Not all records required for the compilation of this external audit were made available by the Licence Holder.	All records should be provided to auditor e.g) safety file, environmental water monitoring document

9.4	The Licence Holder shall keep record of the following: Amount and type of waste stored; and Amount of waste dispatched for disposal on the licenced waste disposal Site which shall be submitted on an annual basis to the Competent Authority.	COMPLIANT	The condition is being adhered to, the amount of waste dispatched for disposal on the licenced waste disposal site is being submitted to the Competent Authority annually.	The landfill is compliant and should proceed complying with the requirements of the Licence.
9.5	Copies of the safe disposal certificates of the waste disposed of at a licensed waste disposal Site must be forwarded to the Competent Authority	PARTIAL COMPLIANT	No proof of safe disposal certificates of waste disposed was forwarded to the Competent Authority.	The Licence Holder must submit proof of copy of safe disposal certificates issued by Nkangala District to the competent authority and submit proof to the external auditor.

10.1	Reporting of Incidents			
10.1.1	The Licence Holder must, within 24 hours, notify the Competent Authority of the occurrence or detection of any incident on the Site, which has the potential to cause, or has caused water pollution	PARTIAL COMPLIANT	The Competent Authority was not informed of incidents or detections that has potential to cause water pollution as it was observed on the leachate ponds.	All incidents and accidents must be reported to the Regional Director within 24 hours as mentioned in the condition.
10.1.2	The Licence Holder shall within 14 days, or a shorter period of time, if specified by the Competent Authority, from the occurrence or detection of any incident referred to in condition 10.1.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of The Competent Authority of measures taken to -	N/A	The licence holder has not received a request for submission of action plan by the competent authority.	All incidents and accidents must be reported to the Regional Director within the stipulated time in line with the conditions of the licence
10.1.2. 1	correct the impact resulting from the incident;	N/A		

10.1.2.2	prevent the incident from causing any further impact; and	N/A		
10.1.2.3	prevent a recurrence of a similar incident	N/A		
10.1.3	In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 10.1.1, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost and risk of the Licence Holder	N/A		
10.1.4	The Licence Holder must keep an incident report and complaints register, which must be made available to both external and Departmental auditors for the purpose of their audits	COMPLIANT	The site operator keeps a complaints register. Some incidents and complaints were recorded according to the personnel found on site.	Personnel on site have to be trained for guidance in terms of the nature of incidents that need to be reported.
10.2	Other Reports			

10.2.1	The information required in terms of Condition 6 must be reported to the Competent Authority. The information must also be included into a trend report, which must contain a graphical presentation of all results obtained previously at any specific point, as well as an interpretation and discussion of the results of each monitoring occasion, should it be necessary.	COMPLIANT	The information required in conditions 6 is reported to the Competent Authority together with external audit reports.	The landfill is compliant and should proceed complying with the requirements of the License
10.2.2	The Licence Holder must submit a written report to the Competent Authority regarding any deviations from plans described in this Licence and must obtain written permission from the Competent Authority before such deviations may be implemented.	N/A	No deviations from plans. No written permission is required.	Monitor compliance when plans are derived .

11	REHABILITATION AND CLOSURE OF THE SITE		
11.1	The Licence Holder must, at least 1 year prior to the intended closure of the Site, notify the Competent Authority by registered mail such intention and submit final rehabilitation plans for his approval at least 180 days before closure	N/A	No closure is envisaged at this stage
11.2	The Licence Holder must rehabilitate the Site in accordance with a rehabilitation plan, which must be submitted by the Licence Holder and which must be approved at the satisfaction of the Competent Authority.	N/A	No closure is envisaged at this stage

12 LEASING AND ALIENATION OF THE SITE				
12.1	Should the Licence Holder want to alienate or lease the Site, he/she must notify the Competent Authority in writing of such an intention at least 120 days prior to the said transaction. Should the approval be granted, the subsequent Licence Holder shall remain liable to compliance with all Licence conditions.	N/A	The licence Holder has no intention to alienate nor lease the site	Should the Licence holder intend to lease or alienate this site, this condition needs to be adhered to.
13 TRANSFER OF WASTE MANAGEMENT LICENCE				
13.1	Should the Licence Holder want to transfer holder-ship to this Licence, he/she must apply in terms of Sec 52 of the NEMWA, Act of 2008 (59 of 2008)	N/A	The Licence Holder does not intend to transfer holder-ship	If the Licence Holder must want to transfer holder-ship to this Licence, he/she must apply in terms of Sec 52 of the NEMWA, Act of 2008 (59 of 2008 as
13.2	Any subsequent Licence Holder shall be bound by the conditions of this Licence	N/A	There is no subsequent Licence Holder	Any subsequent Licence Holder shall be bound by the conditions of this Licence

14	GENERAL			
14.1	Licence Holder must initiate a public participation process which must include at least public meeting and continuous consultations with all Interested and Affected Parties. The proceedings of all meetings and consultations must be recorded and minutes be forwarded to the Competent Authority.	PARTIAL COMPLIANT	The Licence Holder has continuous consultations with all interested and Affected Parties through monthly meetings and landfill site committee; however the minutes are not forwarded to the Competent Authority.	The minutes should be taken and forwarded to the Competent Authority as required
14.2	This Licence is not transferable unless such transfer is subject to condition 13.	COMPLIANT	The Licence has not been transferred	Condition 13 must be adhered to in when transferring the Licence
14.3	The Licence must not be constructed as exempting the Licence Holder from compliance with the provisions of the national and provincial legislation and any relevant ordinance, regulation, by- laws and relevant national standards and norms	COMPLIANT	The Licence Holder adheres to other provisions of the national and provincial legislation and all relevant ordinance, regulation, by-laws and relevant national standards and norms	N/A

14.4	Transgression of any condition of this Licence could result in the validity of the Licence being terminated by the Department	N/A	N/A	There should be transgression of condition of this License to avoid termination
14.5	Non-compliance with a condition of this Licence may result in criminal prosecution or other actions provided for in 67(1) of the NEMWA, 2008	N/A	N/A	
14.6	Any committees appointed in terms of the application or any other public authority or Organization shall not be held responsible for any damages or losses suffered by the Licence Holder or his/her successor in title in any instance where construction or operation are to be temporarily or permanently stopped for reason of noncompliance.	N/A	N/A	None

14.7	In terms of section 28 and 30 of the National Environmental Management Act No.107 of 1998, and section 19 and 20 of the National Water Act No.36 Of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understand the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.	Not applicable for audit
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14.8	The Licence is valid for Period of 10 years and the Licence Holder must initiate a Licence review process 5 years from audit reports and or changing legislation, the Licence could be amended or withdrawn or validity thereof extended.	PARTIAL COMPLIANT	The Licence Holder must note the validity period of the license lapses on the 17 March 2024. The licence submitted for this audit has expired and the municipality indicated that they were in a process of obtaining a new operating licence. The municipality has requested for a new licence.	A review of the Licence should be considered in line with the recommendations of the letter dated 4th of December 2025 from competent authority.
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9 AUDIT FINDINGS ANALYSIS AND COMPLIANCE STATUS THE WASTE LICENCE CONDITIONS

9.1 Audit Statistics of the waste Licence

The Environmental Audit according to the waste licence described in this report indicated that Middelburg Landfill site is compliant with 60%, partially complies with 32% of the conditions of the waste Licence. The landfill does not comply with 8% of the conditions audited against as seen on the diagram below. Out of the 94 conditions, 21 of them were not applicable.

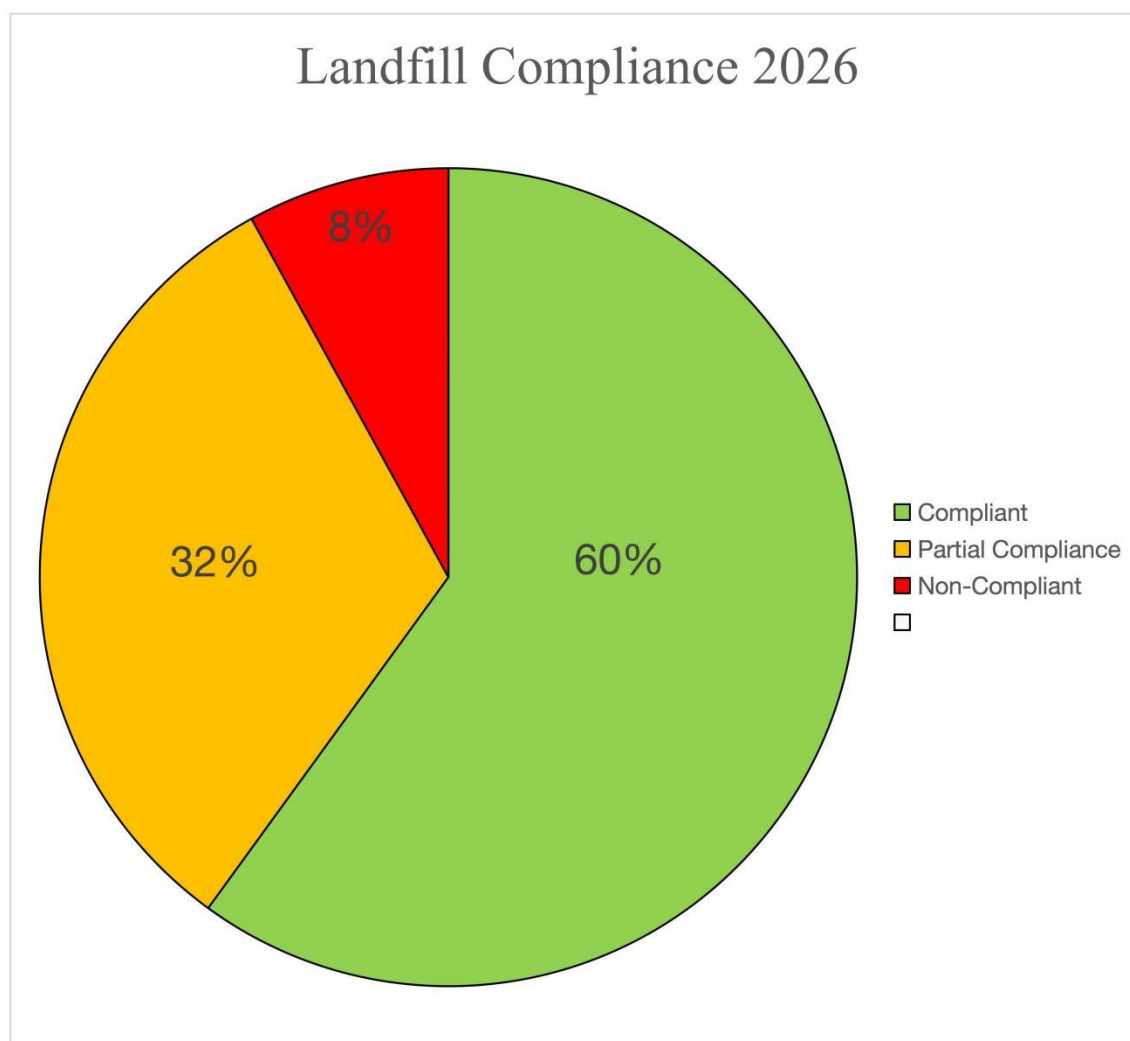


Figure 2: Audit Statics for the Licence

According to the statistics above, Middelburg Landfill Site is 60% compliant to the Licence conditions which is an improvement from the previous audit.

Conclusions and recommendations.

The Middelburg landfill site was found to be 60% compliant 32% partial compliant and 8% non-compliant to the conditions of the license and other applicable regulations.

Most of the findings are operational in nature and must be addressed with the municipality on site as per the detailed recommendations on the checklist.

Infrastructure such as fence and office buildings require immediate attention to ensure safe operation of the site.

The slopes of the site are not properly managed and that could lead to landfill site collapse or run off leachate. Slopes must be compacted as per the minimum requirement with a landfill site compactor. Any fire observed should be put out. The stray animals should be removed and continuous monitoring should be done.

Leachate management requires immediate attention as it was observed to be overflowing, it recommended that an overboard be constructed to prevent over flow and the leachate dam must be cleaned.

Recycling facility at the back of the site must be kept clean and properly barricaded. The reclaimers that are sleeping on site that have created places to sleep should be dealt with within immediate effect.

SITE IMAGES

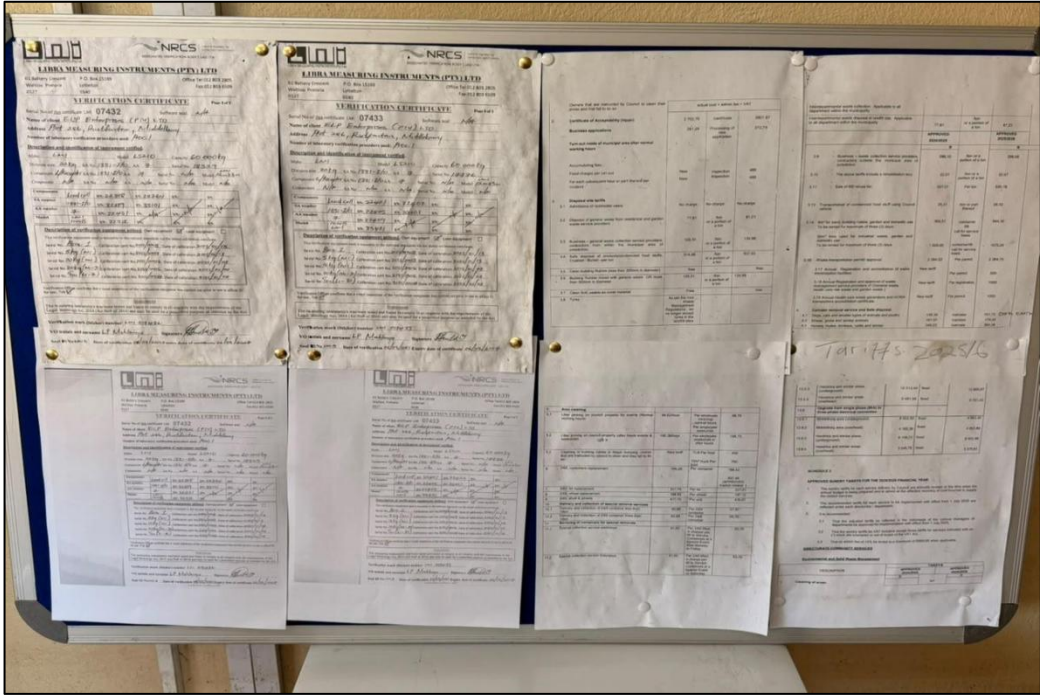
DESCRIPTION	IMAGE CAPTURED ON SITE (MIDDLEBURG LANDFILL SITE)
FIGURE 1: Copy of Calibration Certificate and tariffs	 The image shows a copy of a Calibration Certificate and tariffs, likely for a water meter or similar device. The certificate is issued by NRCS (National Road Construction Services) and is dated 17/04/2016. It includes a table of tariffs for different categories of users, such as residential, commercial, and industrial. The certificate is signed by a representative of NRCS.
FIGURE 2: Notice board (trees to be cleared for visibility)	 The image shows a notice board at the Steve Tshwete Landfill Site. The board is white with black text and features the Inkunzi Waste Management logo. It contains information about the permit for the landfill site, including the permit number 16/27/0300/033/23/P412 and the date of issue 17/04/2016. The board also lists the names of the permit holder, the site manager, and the site classification. The board is located in front of a clear blue sky, and there are trees in the foreground.

FIGURE 3:
Weighbridge control



FIGURE 4:
Fuelling and workshop area



FIGURE 5:
Weighbridge



FIGURE 6:
Ablution Facility



FIGURE 7:
Landfill
compaction
truck



FIGURE 8
Palisade wall
damaged



Figure 9:
Damaged wall



Figure 10;
Leachate pond and leachate
leaking to the
nearest
gathered water



FIGURE 11:
Leachate
seepage



Figure 12:
Slope and litter
falling onto the
new cell
development



Figure 13:
Smoke and fire
near recycling
area



Figure 14:
A shack created
for sleeping





FIGURE 15:
TLB and
Dozer.(are not
working and
must be
removed from
the site.)

