



REFERENCE: 16/2

CIRCULAR: DEA&DP 0010/2025

ALL ORGANISATIONS AND PRIVATE ENTITIES INVOLVED IN ENVIRONMENTAL IMPACT ASSESSMENT ("EIA"), WASTE MANAGEMENT LICENCE ("WML"), NEMA SECTION 24G, APPEALS AND OBJECTIONS PROCESSES IN THE WESTERN CAPE

PROTOCOL FOR THE ADMINISTRATION OF EIA, WML, SECTION 24G APPLICATIONS, APPEALS AND OBJECTIONS DURING THE FESTIVE PERIOD 2025/26.

1. The Department hereby informs all stakeholders of the protocol for the administration of EIA, WML and National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Section 24G applications, Appeals and Objections over the festive period 2025/26.
2. Regulation 3(2) of the EIA Regulations, 2014 (as amended), as well as regulation 1(2) of the National Appeal Regulations, 2025, promulgated in terms of the NEMA state that, "*the period of 15 December to 5 January must be excluded in/from the reckoning of days*".
3. Regulation 3(3) of the EIA Regulations, 2014 (as amended), further states that, "*Unless justified by exceptional circumstances, as agreed to by the competent authority, the proponent and applicant must refrain from conducting any public participation process during the period of 15 December to 5 January*".
4. Therefore, after due consideration of the aforementioned provisions and to ensure a fair appeal process and public participation process, the Department hereby informs all stakeholders of the following protocol over the 2025/26 festive holiday period:

4.1. Environmental Decisions

- 4.1.1. The Department will not issue any environmental decisions (i.e., Environmental Authorisation or WML) in terms of the NEMA EIA Regulations (promulgated in 2006, 2010 and 2014), the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and Section 24G of the NEMA between 15 December 2025 and 05 January 2026. The Department will therefore issue the last environmental decisions for this calendar year on Friday, 12 December 2025.
- 4.1.2. The Department will resume with the issuing of environmental decisions on Tuesday, 06 January 2026.
- 4.1.3. The Ministry will not issue any Appeal or Objection decisions between 15 December 2025 and 05 January 2026.

4.2. Administration of applications

- 4.2.1. Please note that all documents submitted between the period of 15 December 2025 and 05 January 2026 will not be recognised as a formal submission to this Department. All documents submitted during this period must be resubmitted from Tuesday, 06 January 2026.

- 4.2.2. Considering the exclusion of the period 15 December to 05 January from the reckoning of days in respect of legislated timeframes, it implies that any timeframe affected by this period is excluded. As such, no application will lapse if the end date of a prescribed timeframe falls within this period, and as such there is no need for submissions in respect of such applications.
- 4.2.3. The Department recommends that applicants and/or their appointed environmental assessment practitioners ("EAP's") refrain from submitting new Application Forms and Reports from Tuesday, 02 December 2025 until Monday, 05 January 2026.
- 4.2.4. However, where the Applicant and/or EAP must meet regulatory timeframes, Reports in terms of the EIA Regulations may be submitted from Tuesday, 02 December 2025 until Friday, 12 December 2025.

4.3. Public Participation Process

- 4.3.1. To ensure compliance with Regulation 3(2), as well as Regulation 3(3) of the EIA Regulations, 2014 (as amended), and to facilitate a transparent public participation process, the Department reminds applicants and/or EAPs not to conduct public participation processes over the festive period, i.e., during the period Monday, 15 December 2025 to Monday, 05 January 2026.
- 4.3.2. Unless justified by exceptional circumstances, as agreed to by the Department as the relevant competent authority, the proponent and applicant must refrain from conducting any public participation process during the period of 15 December 2025 to 05 January 2026.
- 4.3.3. If the applicant and/or EAP wishes to conduct public participation processes during this period, exceptional circumstances must be justified and the Departments' agreement must be obtained prior to conducting the public participation process. For example, an exceptional circumstance may include the fact that the proposed activity is located in a recognised holiday destination, such as a coastal town.
- 4.3.4. Should the public consultation process commence before 15 December 2025 for a period of 30 days and exclude the period of 15 December 2025 to 05 January 2026, the splitting of days will be allowed. Applicants and/or EAPs must consider all comments received during the commenting period, inclusive of comments received during the period of 15 December 2025 to 05 January 2026.

4.4. Enquiries

Any enquiries regarding the above protocol may be directed to:

Mr Zaahir Toefy Director: Development Management (Region 1 & 2) Tel: (021) 483 2700 Email: Zaahir.Toefy@westerncape.gov.za or DEADPEIAAdmin@westerncape.gov.za	Region 1: City of Cape Town, West Coast District Municipal area, Cape Winelands District Municipal area and Overberg District Municipal area
Mr Gavin Benjamin Director: Development Management (Region 3) Tel: (044) 805 8600 Email: Gavin.Benjamin@westerncape.gov.za or DEADPEIAAdmin.George@westerncape.gov.za	Region 3: Garden Route District Municipal area and Central Karoo District Municipal area.
Mr Saliem Haider Director: Waste Management Tel: (021) 483 2728 Email: Saliem.Haider@westerncape.gov.za	Western Cape

Adv Charmaine Maré Director: Environmental Governance Tel: (021) 483 0502 Email: Charmaine.Mare@westerncape.gov.za	Western Cape
Mr Marius Venter Environmental and Planning Appeal Coordinator Tel: (021) 483 3721 Email: Marius.Venter@westerncape.gov.za	Western Cape

Thanking you for your cooperation.

Sincerely,

GERHARD GERBER
HEAD OF DEPARTMENT

Date: 30 October 2025