

DEA&DP Ref. No.: **24G Application: 14/2/4/2/3/D5/15/0010/24**

Date of issue: **15 October 2024**

Case Officer: **Naadiya Wookey**

THORN & FEATHER

SECTION 24G NEMA EA GRANTED: THE UNLAWFUL CONSTRUCTION OF A DEVELOPMENT WITHIN 100M OF THE HIGHWATER MARK OF AN ESTUARY

*(on the remainder of portion 9 of farm Vermaaklikheid no. 499 and portion 3 of farm Kleinfontein no. 503
(Riversdale), near Vermaaklikheid)*

HESSEQUA MUNICIPALITY, WESTERN CAPE PROVINCE

NEMA EIA: ENVIRONMENTAL AUDIT REPORT

As required in terms of the Environmental Authorization

DATE: 15 JULY 2025

P.J.J. Botes (Pr.Sci.Nat: 400184/05)

Registered Professional Botanical, Environmental and Ecological Scientist

EXECUTIVE SUMMARY

Section 24G Environmental Approval (EA) was granted for accommodation and infrastructure development within 100 m of the estuary on Portions 9 and 3 of Farms Vermaaklikheid No. 499 and Kleinefontein No. 503, Riversdale, as specified in Section C and subject to Section G conditions of the EA (Appendix 1). All construction and rehabilitation were completed before approval, with no further listed activities taking place; therefore, no ECO was appointed and the EMP'r was not implemented.

Terrestrial Impacts: The construction had a minimal and localised effect on vegetation within a critical biodiversity area. Accommodation was designed with materials to reduce environmental impact and maintain ecological function. The landowner is also clearing invasive species and replanting native trees and shrubs to restore the area.

Aquatic Impacts: The freshwater impact assessment classified the impact as "Low." Stormwater, erosion management, and sewerage systems were properly installed and are maintained. No signs of neglect or pollution were found during the site visit. The landowner permits only low-impact recreation (canoeing or non-motorized boats) and records fish species caught.

ENVIRONMENTAL AUTHORIZATION(S)

Section 24G Environmental Authorization (EA) was granted in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended) to continue with the listed activities specified Section C of the EA, subject to compliance with the conditions set out in Section G of the EA (Appendix 1).

- DEA&DP Ref. no.: **24G Application: 14/2/4/2/3/D5/15/0010/24**
- Date of issue: 15th of October 2024

COMMENCEMENT DATE

- Date of commencement: N/a – at the time of authorization all construction work were completed.
- Date of completion: N/a – at the time of authorization all construction work were completed.

ENVIRONMENTAL AUDITS

Condition 14.1 & 14.2 of the EA require two independent environmental audits: one within six months after starting the listed activities, and another within six months after completing construction or development.

- Since there was no additional construction undertaken (and no continuation of the listed activities), **a single environmental audit was conducted (this report)**. The report will be submitted as the final Environmental Audit Report in accordance with Condition 14.2, addressing both conditions 14.1 and 14.2.

COMPLIANCE TO CONDITIONS OF THE EA

No additional work occurred after approval, and the development approved in the EA remained unchanged. This compliance audit did not find any non-compliance with the conditions of the EA.

COMPLIANCE WITH THE EMP

Since no further work was carried out on any listed activity, the EMP was not applicable (not implemented).

POTENTIAL SHORTCOMINGS OR AMENDMENTS TO THE EMP

N/a

CLOSURE PLAN

Not applicable: At the time of the audit, construction was completed, and the site was still operational.

COMPLIANCE WITH GN 982 (4 DECEMBER 2014)

REG	CONTENT OF ENVIRONMENTAL AUDIT REPORT	INCLUDED (YES / NO OR N/A)	REPORT REFERENCE
1.	An environmental audit report prepared in terms of the NEMA EIA Regulations (2014, as amended) must contain:		
(a)	(i) Details of the independent person who prepared the environmental audit report;	Yes	Page iv
	(ii) The expertise of independent person that compiled the environmental audit report;	Yes	Page iv
(b)	A declaration that the independent auditor is independent in a form as may be specified by the competent authority;	Yes	Page v
I	An indication of the scope of, and the purpose for which, the environmental audit report was prepared;	Yes	Heading 1.2 & 1.3
(d)	A description of the methodology adopted in preparing the environmental audit report;	Yes	Heading 2
I	An indication of the ability of the EMPr, and where applicable, the closure plan to-		
	(i) sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an on-going basis;	Yes	Heading 4 & 7
	(ii) sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the closure of the facility; and	Yes	Heading 7
	(iii) ensure compliance with the provisions of environmental authorisation, EMPr, and where applicable, the closure plan;	Yes	Heading 3, 4, 6 & 7
(f)	A description of any assumptions made, and any uncertainties or gaps in knowledge;	Yes	Heading 2.1
(g)	A description of any consultation process that was undertaken during the course of carrying out the environmental audit report;	N/a	
(j)	A summary and copies of any comments that were received during any consultation process; and	N/a	None received.
(k)	Any information requested by the competent authority;	N/a	None

DETAILS OF THE AUTHOR

This environmental audit report was compiled by Peet Botes from PB Consult.

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INDEPENDENCE & CONDITIONS

PB Consult is an independent entity with no interest in the activity other than fair remuneration for services rendered. Remunerations for services are not linked to approval by decision making authorities and PB Consult have no interest in secondary or downstream development as a result of these services. There are no circumstances that compromise the objectivity of this report. The findings, results, observations and recommendations given in this report are based on the author's best scientific and professional knowledge and available information. PB Consult reserve the right to modify aspects of this report, including the recommendations if new information become available which may have a significant impact on the findings of this report.

RELEVANT QUALIFICATIONS & EXPERIENCE OF THE AUTHOR

Mr. Peet Botes holds a BSc. (Hons.) degree in Plant Ecology from the University of Stellenbosch (Nature Conservation III & IV as extra subjects). Since qualifying with his degree, he had worked for more than 20 years in the environmental management field, first (1997) at the Overberg Test Range (a Division of Denel) managing the environmental department of OTR and being responsible for developing and implementing an ISO14001 environmental management system, ensuring environmental compliance, performing environmental risk assessments with regards to missile tests and planning the management of the 26 000 ha of natural veld, working closely with CapeNature (De Hoop Nature Reserve).

In 2005 he joined Enviroscientific, an independent environmental consultancy specializing in wastewater management, botanical and biodiversity assessments, developing environmental management plans and strategies, environmental control work as well as doing environmental compliance audits and was also responsible for helping develop the biodiversity part of the Farming for the Future audit system implemented by Woolworths. During his time with Enviroscientific he performed more than 400 biodiversity and environmental legal compliance audits.

During 2010 he joined EnviroAfrica in order to move back to the biodiversity aspects of environmental management. Experience with EnviroAfrica includes NEMA EIA applications, environmental management plans for various industries, environmental compliance audits, environmental control work as well as more than 90 biodiversity & botanical specialist studies.

Towards the end of 2017, Mr Botes started his own small environmental consulting business focusing on biodiversity & botanical assessments, biodiversity management plans and environmental compliance audits.

Mr. Botes is a registered Professional Botanical, Environmental and Ecological Scientists at SACNASP (South African Council for Natural Scientific Professions) as required in terms of Section 18(1)(a) of the Natural Scientific Professions Act, 2003, since 2005.

DECLARATION OF INDEPENDENCE

THE INDEPENDENT PERSON WHO COMPILED THE COMPLIANCE AUDIT REPORT

I Petrus, Jacobus, Johannes Botes, as the appointed independent specialist hereby declare that I:

- act/ed as the independent specialist in this application;
- regard the information contained in this report as it relates to my specialist input/study to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014, as amended, and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant, EAP and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2014 (specifically in terms of regulation 13 of GN No. R. 326) and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the specialist input/study was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments on the specialist input/study;
- have ensured that the comments of all interested and affected parties on the specialist input/study were considered, recorded and submitted to the competent authority in respect of the application;
- have ensured that the names of all interested and affected parties that participated in terms of the specialist input/study were recorded in the register of interested and affected parties who participated in the public participation process;
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and
- am aware that a false declaration is an offence in terms of regulation 13 of GN No. R. 326.

Note: The terms of reference must be attached.



Signature of the specialist:

PB Consult (Sole Proprietor)

Name of company:

15 July 2025

Date

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APPENDICES

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Appendix 3: Copy of the EMP'r

ABBREVIATIONS USED

BAR	Basic Assessment Report
CBA	Critical biodiversity area (in terms of the 2017 City of Cape Town Biodiversity Network)
DEA&DP	Department of Environmental Affairs & Development Planning
EA	Environmental Authorization (Record of Decision)
EAP	Environmental assessment practitioner
ECO	Environmental Control Officer
EIA	Environmental impact assessment
EMP	Environmental Management Plan or Programme
EMPr	Environmental Management Plan or Programme
ESA	Ecological support area (in terms of the 2017 City of Cape Town Biodiversity Network)
MSDS	Material Safety Data Sheet(s)
NEMA	National Environmental Management Act, 1998 (Act no. 107 of 1998)
SAHRA	South African Heritage Resource Agency

1. INTRODUCTION

Thorn & Feather is a self-catering holiday destination, next to the Duivenhoks River, just south of the small town of Vermaaklikheid. It is located on Remainder Portion 9 of Farm Vermaaklikheid No. 499. The property is owned by three shareholders (each with an undivided third share). During 2013, building plans were approved by the Hessequa Municipality for a residential dwelling, which were used by the owners. Since they do not live on the property, the owners started to rent the property (from December 2015) as self-catering tourist accommodation. Since then, the landowners added additional infrastructure (not part of the originally approved building plans) to upgrade and improve the self-catering value of the accommodation.

During November 2022, the Department of Environmental Affairs and Development Planning (Directorate Law Enforcement) performed a site visit to the property, based on allegations of illegal development. On the 7th of February 2023, the DEADP issued the landowner with a compliance notice for the alleged unlawful development of infrastructure of more than 50 m², the development of a fixed/floating jetty and the infilling or depositing of more than 5 m³ of material within 100 m inland of the high-water mark of the Duivenhoks River estuary without environmental authorization. EnviroAfrica was appointed to apply for environmental approval in terms of section 24G of the NEMA.

On the 15th of October 2024, section 24G Environmental Authorization (EA) was granted in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended) to continue with the listed activities specified Section C of the EA, subject to compliance with the conditions set out in Section G of the EA.

Condition 14 of the EA requires that the holder must conduct environmental audits to determine compliance with the conditions of the EA and the EMPr and submit Environmental Audit Reports to the competent authority as described below (Heading 1.1).

1.1 LEGISLATION GOVERNING THIS REPORT

This is an independent specialist report, compiled in terms of:

- The requirement for Environmental Audit Reports as set out in Appendix 7 of the NEMA EIA Regulations 2014 (as amended);
- Conditions 14 of the Environmental Authorization with reference no.: **14/2/4/2/3/D5/15/0010/24**, issued on the 15th of October 2025 which states that:
 - *"The holder must undertake an environmental audit within six (6) months of the commencement of the continuation of the listed activities and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit. The Environmental Audit Report must be prepared by an independent person with the relevant auditing expertise and must consider all the information required in Appendix 7 of the EIA Regulations, 2014."*
 - *"A final Environmental Audit Report must be submitted to the Competent Authority within six (6) months of completion of the construction / development phase."*
 - *"The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Reports available to any I&APs on request and on a publicly accessible website (if applicable)."*

1.2 SCOPE OF THE AUDIT

The scope of the audit report is to review compliance with the conditions of the Environmental Authorization (EA) and the Environmental Management Plan or Programme (EMPr) as well as any other legislation that might be applicable. The audit report aims to conform to requirements of the NEMA EIA regulations 2014 (as amended), GN 326, 7 April 2017, Appendix 7, for Environmental Audit Reports.

EnviroAfrica was appointed by the applicant to apply for section 24G environmental approval. PB Consult was commissioned by EnviroAfrica to perform an independent environmental audit and submit an Environmental Audit Report as required in terms of the Condition 14 of the EA. The Environmental Audit Reports will be submitted to the DEA&DP for comments, and all interested and affected parties will be notified of the submission of the report and how it can be accessed. Since all activities was completed at the time of the granting of the EA, this environmental audit report will be the final and only report submitted.

1.3 OBJECTIVES OF THE AUDIT

The objective of the environmental audit report (in terms of GN 326, 7 April 2017) is to:

- Report on:
 - a. The level of compliance with the conditions of the environmental authorization and the EMP'r, and where applicable, the closure plan; and
 - b. The extent to which the avoidance, management and mitigation measures are provided for in the EMP'r, and where applicable the closure plan, achieve the objective and outcomes of the EMP'r, and closure plan.
- Identify and assess any new impacts and risks as a result of undertaking the activity;
- Evaluate the effectiveness of the EMP'r, and where applicable the closure plan;
- Identify shortcomings in the EMP'r, and where applicable the closure plan; and
- Identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMP'r, and where applicable, the closure plan.

1.4 PROJECT DESCRIPTION

The authorized development entails the construction of accommodation facilities and infrastructure within 100 meters of the high-water mark of an estuary on Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale. The following development footprints of existing infrastructure is located within 100m of the high- water mark of the estuary on Portion 9 of Farm Vermaaklikheid No. 499:

- Main building comprises the communal kitchen and lounge approximately 77m² in size which in include:
 - Swimming / plunge pool and wooden decks approximately 80m² in extent.
 - Two (2) of the three (3) free-standing bedrooms units.
 - Approximately 6m² of Bedroom 1
 - Approximately 15m² of Bedroom 3
- Approximately 33m² of the communal bathroom
- Associated infrastructure

The following development footprints of existing infrastructure is located within 100m of the high- water mark of the estuary on Portion 3 of Farm Kleinefontein No. 503

- Pumphouse and tanks approximately 7m² in extent
- A floating jetty and associated infrastructure approximately 12m² in extent
- A pathway / walkway approximately 50m in length
- Associated infrastructure

The total existing development footprint within 100m of the high-water is 218m². In furtherance of the commenced listed activities, the total intended development is approximately 264m². Access to the site will be obtained from the MR4801 via the DR1524 to Riversdale / Still Bay.

1.4.1 Site development plan

Figure 1 shows the infrastructure that was constructed in relation to the 100m high-water mark of the estuary (blue line).

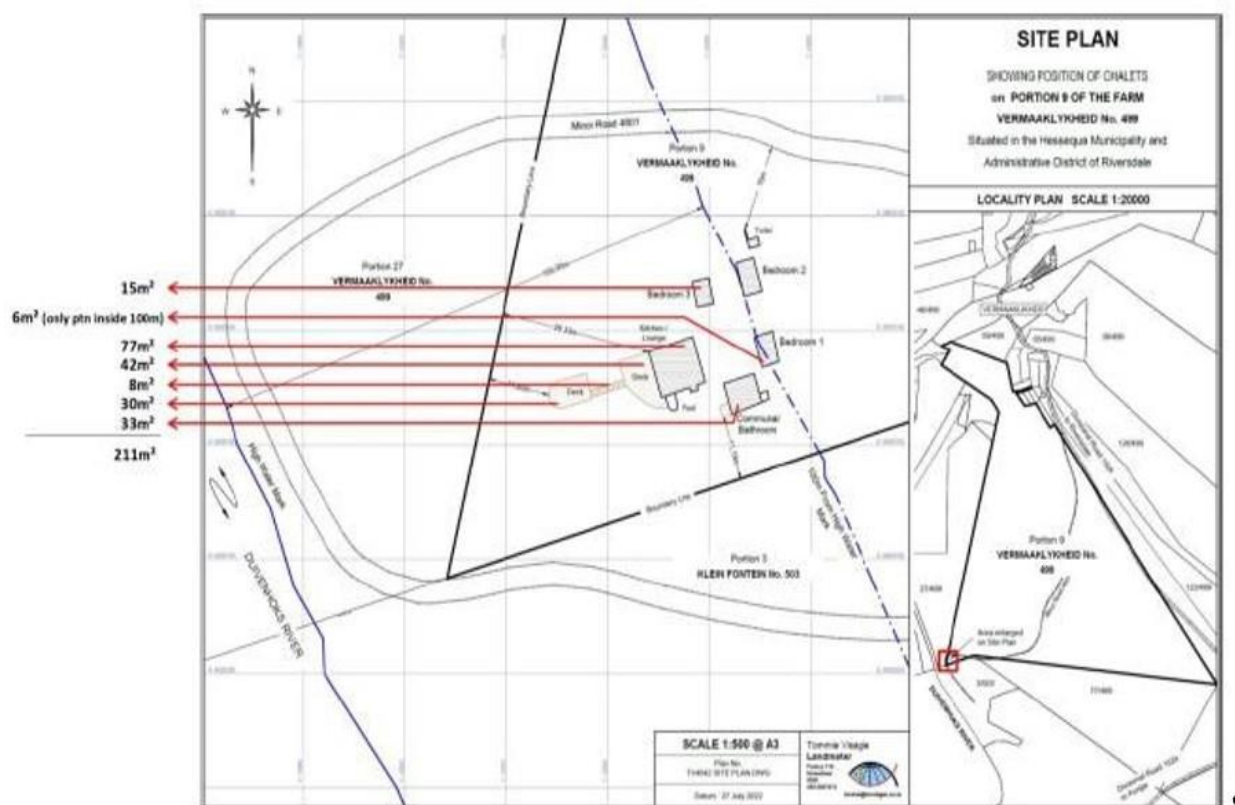


Figure 1: Schematic layout of the developed infrastructure (Source: Environmental Authorization)

2. METHODOLOGY ADOPTED FOR PREPARING THE AUDIT REPORT

Information on the background and technical aspects of the project was obtained from the EAP (EnviroAfrica) and the landowner. The site visit for this audit report was conducted on the 5th of July 2025.

Further information was gained from evaluating relevant documentation such as:

- The Environmental authorization;
- The Basic Assessment Report;
- The EMP;
- The notice of intent to commence;

In this environmental audit report:

- **Compliance with the conditions of the EA is discussed under Heading 3.** Findings are discussed in the comments & recommendations column next to each Condition of the EA.
- **Compliance with the EMP is discussed under Heading 4,** with findings discussed under each heading.

2.1 ASSUMPTIONS & UNCERTAINTIES

This environmental authorization was given in terms of a Section 24G of the NEMA and the EIA regulations 2014 (as amended). It referred to the unlawful construction of a development within 100 m of the high water mark of the Duivenhoks Estuary. All construction and rehabilitation activities were completed at the time of the approval. No additional work was done in continuation of any listed activity. **As a result, an ECO was never appointed and the EMP'r was not applicable.** The observations and conclusions in this report refer to the site conditions at the time of the site inspection. Uncertainties were discussed with the EAP to make the best informative decision with regards to potential shortcomings and improvements that can be made.

The construction footprint was small in size and resulted in a small, localised impact on vegetation within a critical biodiversity area. The way in which the accommodation was designed and the material that was used clearly shows a keen desire to minimize the impact on the environment and to maintain the ecological function of the site. In addition, the landowner is busy with a significant alien clearing program (at his own costs) on the larger farm and is also busy replanting indigenous trees and shrubs back into the thicket area to enhance the feeling of a natural "forest".

3. COMPLIANCE WITH THE CONDITIONS OF THE ENVIRONMENTAL AUTHORIZATION

Table 1 gives a summary of the conditions of the authorization (refer to Appendix 1). It discuss compliance on the hand of evidence observed or evaluated.

Table 1: A short summary of the Conditions of the EA and comments on compliance with recommendations

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
PART I – Scope of Authorization		
1.	The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to the preferred Alternative described in the application and assessment report dated June 2024 on the site as described in Section D above.	Compliant The activities specified in Section C and the preferred alternative described in Section D is describe the actual development and no additional work was done in continuation of any listed activity.
2.	The EA is valid for a period of five (5) years from the date of the decision.	Compliant Date of issue: 15 October 2024 NB: No additional work was done in continuation of any listed activity.
3.	The development must be concluded within five (5) years from the date of continuation of the first listed activity.	Compliant Date of issue: 15 October 2024 NB: No additional work was done in continuation of any listed activity.
4.	The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.	Noted NB: No additional work was done in continuation of any listed activity.
5.	Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented.	Compliant No changes or deviations were observed. No additional work was done to the development as described in the 24G application (for which authorization was obtained).
PART II – Written notice to the competent authority		
6.	Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of the development activities.	Not Applicable / Compliant No additional work was done in the continuation of any listed activity (no further work was done or is planned).
PART III – Notification and administration of an appeal		
7.	The applicant must notify all registered I&AP's within 14 calendar days of the outcome of the application and their right to appeal.	Compliant Refer to Appendix 2

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
8.	The listed activities, including site preparation, may not commence within 34 (thirty-four) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.	Not Applicable / Compliant NB: No additional work was done in continuation of any listed activity. The development as approved in the EA was not enlarged or changed.
PART IV – Management of the activity/development		
9.	The Environmental Management Programme (“EMPr”) of March 2024 compiled by Enviro Africa (Pty) Ltd. and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.	Noted
10.	The EMPr must be included in all contract documentation for all phases of implementation.	Not Applicable / Compliant NB: No additional work was done in continuation of any listed activity. The development as approved in the EA was not enlarged or changed.
PART V – Monitoring		
11.	The holder must appoint a suitably experienced Environmental Control Officer (“ECO”) or site agent where appropriate, before continuation of any listed activities	Not Applicable No additional work was done in continuation of any listed activity. There was thus no need to appoint an ECO.
12.	A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activities and must be made available to any authorised person on request, including a publicly accessible website (where applicable).	Not Applicable No additional work was done in continuation of any listed activity.
13.	Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purpose of assessing and/or monitoring compliance with the conditions contained herein.	Noted Access will be given to any authorised official representing the competent authority if required. Please note that the site is not occupied permanently.
PART VI – Auditing		
14.	In terms of regulation 34 of the <i>EIA Regulations, 2014</i> the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the competent authority.	Noted This is the Environmental Audit Report, which will be submitted to the DEA&DP.

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
14.1	The holder must undertake an environmental audit within six (6) months of the commencement of the continuation of the listed activities and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit. The Environmental Audit Report must be prepared by an independent person with the relevant auditing expertise and must consider all the information required in Appendix 7 of the <i>EIA Regulations, 2014</i> .	Compliant Since there was no additional construction undertaken (and no continuation of the listed activities), a single environmental audit was conducted. The report will be submitted as the final Environmental Audit Report in accordance with Condition 14.2, addressing both conditions 14.1 and 14.2.
14.2	A final Environmental Audit Report must be submitted to the Competent Authority within six (6) months of completion of the construction / development phase.	
14.3	The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Reports available to any I&APs on request and on a publicly accessible website (if applicable).	Noted NB: For attention EnviroAfrica – proof of notification to be submitted to the DEA&DP.
PART VII – Activity/ Development Specific Conditions		
15.	15.1 The recommendations of the Estuary Impact Assessment (compiled by Watson Africa and dated November 2023) must be implemented during all phases of the development. This must include, <i>inter alia</i> , the following: 15.1.1 The installation and maintenance of stormwater management infrastructure and sewerage system infrastructure for erosion control and water quality management of the site in relation to the estuary ecosystem. 15.1.2 An integrated monitoring system that contributes to achieving objectives defined in the adopted Estuary Management Plan for the Duiwenhoks River estuary must be implemented and retained for reporting purposes (i.e. recording of fishing and recreational activities).	Compliant The development is very small and has been rated into the “Low” category by the freshwater impact assessment (Watsan Africa, Nov. 2023). • The installation of stormwater and erosion management infrastructure and sewerage systems was done with care and maintenance is ongoing. No obvious issues of neglect or potential sources of pollution or erosion was observed during the site visit. • The landowner only allow low impact recreational activities (canoeing or non-motorized boats) and has committed to the recording of fish species caught.
16.	Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape.	Noted / Presumed compliant No additional work was done in continuation of any listed activity. No exposed heritage remains were observed during the site visit for this report or were reported by the landowner when questioned about any such findings.
17.	A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist	Noted Refer above.

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
	working under the directive from the relevant heritage resources authority.	
18.	Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.	Not Applicable No additional work was done in continuation of any listed activity.
19.	Employment opportunities must be afforded to the local community (as far as possible) during all phases of the development.	Compliant During construction – people from the local community was used for their knowledge of building with limestone. Staff members responsible for maintenance, cleaning and day-to-day management of the holiday housing are from Vermaaklikheid. Personnel employed for alien invasive plant clearing are sourced from the local community.

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
H Recommendations		
1.	A stewardship agreement is recommended between the holder and CapeNature in terms of the CapeNature Biodiversity Stewardship Programme with respect to reduction of negative impacts on the estuary, eradication of invasive alien vegetation and improved ecological conditions of the Duiwenshok River estuary. This must be undertaken in pursuit of achieving the objectives defined in the Estuary Management Plan (2019) for the Duiwenhoks River estuary.	Noted For attention: The Applicant.
F General matters		
1.	Notwithstanding this EA, the holder must comply with any other statutory requirements that may be applicable.	Noted For attention: The Applicant.
2.	Non-compliance with any condition of the EA or EMP may render the holder liable for criminal prosecution.	Noted For attention: The Applicant.
3.	If the holder does not continue, conduct or undertake listed activities within the period referred to in Condition 2 of Section G, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes	Noted For attention: The Applicant.

No.	SHORT DESCRIPTION OF EACH CONDITION	COMMENTS ON COMPLIANCE & RECOMMENDATION(S)
	to extend the validity period of the Environmental Authorisation, an application for amendment must be made on condition that the environmental authorisation is valid on the date of receipt of such amendment application	
4.	The holder must submit an application for amendment of the EA where any details with respect to the EA must be amended, added, substituted, corrected, removed or updated.	Noted For attention: The Applicant.
5.	The manner and frequency for updating the EMPr is as follows: Amendments to the EMPr must be done in accordance with Regulations 35 – 37 of EIA regulation 2014 or any relevant legislation that may be applicable at that time.	Noted For attention: The Applicant.

3.1 NON-COMPLIANCE WITH THE EA

No significant non-compliance with the EA was observed or reported.

3.2 CORRECTIVE ACTIONS

No corrective actions are needed.

4. COMPLIANCE WITH THE EMP

Condition 9 of the EA states that “the Environmental Management Programme (“EMPr”) of March 2024 compiled by Enviro Africa (Pty) Ltd. and submitted as part of the application for environmental authorization had been approved and were to be implemented” (Refer to Appendix 3) should any additional infrastructure or upgrades result.

However, **no additional work was done in continuation of any listed activity.** The development as approved in the EA was not enlarged or changed. As a result, **in this case, the EMP was not implemented and compliance to the EMP was not applicable.**

5. SITE PHOTOGRAPHS

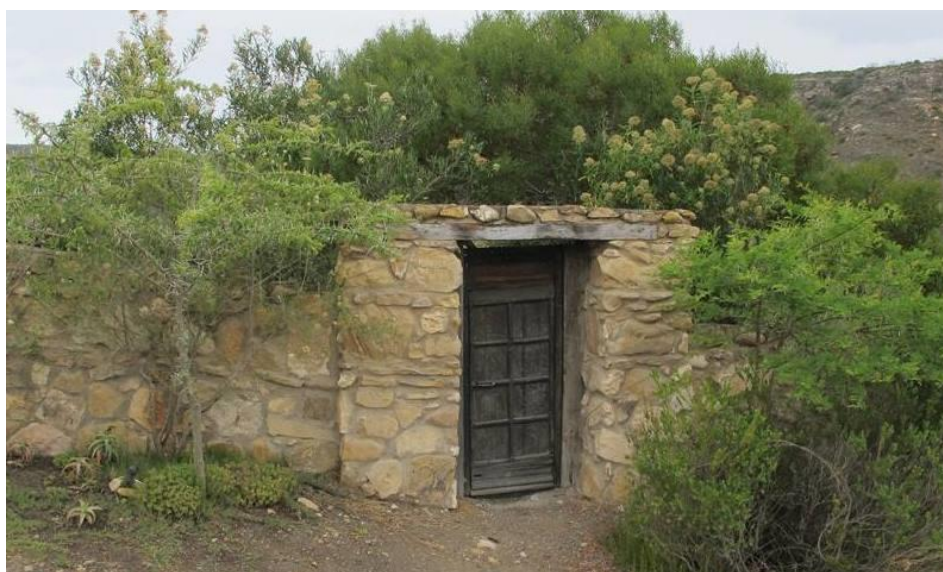


Photo 1: Entrance gate to the Thorn and Feather accommodation.

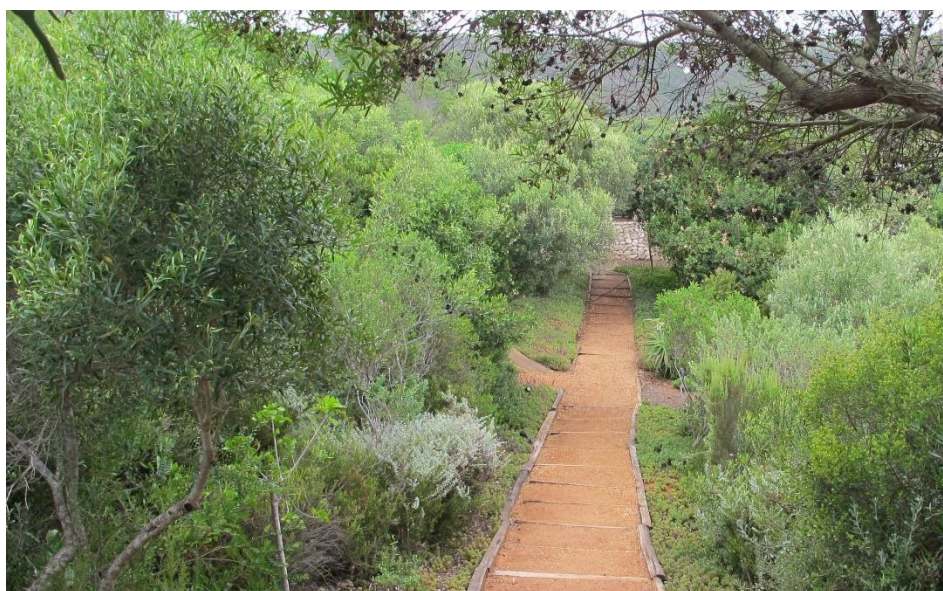


Photo 2: The footpath leading into the site. Note the remaining natural vegetation along the path. Various indigenous trees were replanted within the site to enhance the feeling of a natural forest.



Photo 3: One of the rooms to the left, which was built within 100 m of the estuary, with the dining area to the back.



Photo 4: The dining area to the left, and garden area behind the kitchen/dining area.

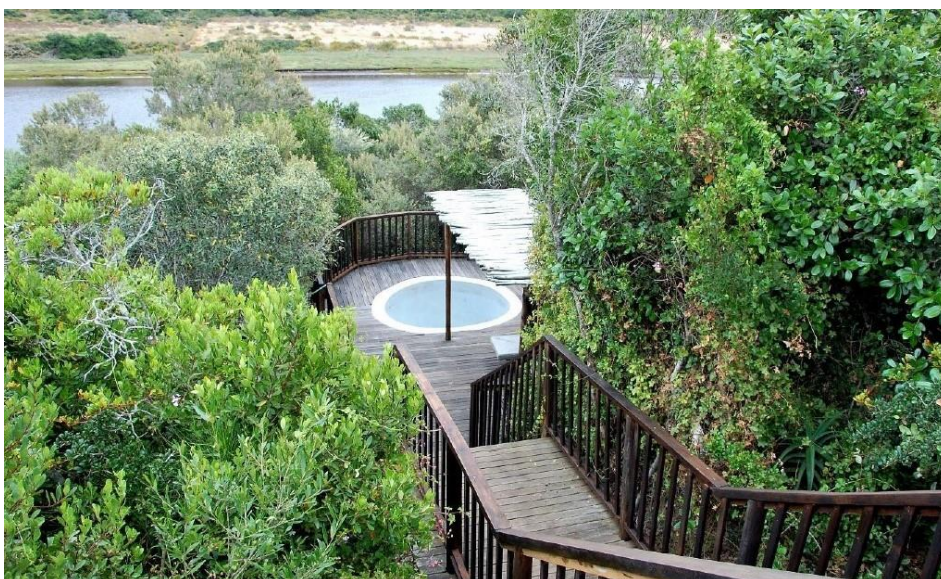


Photo 5: The swimming pool in front of the dining area (built within 100m of the estuary). Note the way in which the paths and swimming pool was constructed on stilts to minimize the impact on the remaining thickets/forest.



Photo 6: The bottom entrance/exit leading to the small jetty.



Photo 7: The narrow path constructed through the reeds to access the jetty.



Photo 8: The small floating jetty at the Duivenhoks River. Note the minimum impact associated with the construction of the jetty (which could be easily removed and rehabilitated).

6. CONCLUSION

As mentioned, the construction footprint was small in size and resulted in a small, localised impact on vegetation within a critical biodiversity area (CBA). The way in which the accommodation was designed and the material that was used clearly shows a keen desire to minimize the impact on the environment and to maintain the ecological function of the site. In addition, the landowner is busy with a significant alien clearing program (at his own costs) on the larger farm and is also busy replanting indigenous trees and shrubs back into the thicket area to enhance the feeling of a natural “forest”.

6.1 COMPLIANCE WITH THE EA

On the 15th of October 2024, section **24G Environmental Authorization** (EA) was granted in (with a penalty fine) to continue with the listed activities specified Section C of the EA, subject to compliance with the conditions set out in Section G of the EA. At that time all construction activities were completed. No further work was done in continuation of any listed activity since approval was granted. In other words, the development as approved in the EA was not enlarged or changed.

No non-compliance with any of the conditions of the EA were observed during this compliance audit.

6.2 COMPLIANCE WITH THE EMP

Since, no additional work was done in continuation of any listed activity, the EMP was not implemented and compliance to the EMP was not applicable or tested.

7. CLOSURE PLAN

Not applicable: At the time of the audit, construction was completed, and the site was still operational.

Appendix 1: Environmental Authorization



24G Application: 14/2/4/2/3/D5/15/0010/24

ENVIRONMENTAL AUTHORISATION

The Owner
Thorn & Feather
Portion 9 of Farm 499
Vermaaklikheid
RIVERSDALE
6670

Attention: Mr. J. Gersh

Cell: 083 453 2994

Email: jonathan@gersh.co.za

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL CONSTRUCTION OF A DEVELOPMENT WITHIN 100M OF THE HIGHWATER MARK OF AN ESTUARY ON THE REMAINDER OF PORTION 9 OF FARM VERMAAKLIKHEID NO. 499 AND PORTION 3 OF FARM KLEINFONTEIN NO. 503, RIVERSDALE.

With reference to your application dated June 2024 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants Environmental Authorisation** to the applicant to continue with the listed activities specified in Section C below in accordance with the preferred Alternative as described in the application and environmental assessment dated June 2024.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Thorn & Feather
% Mr. Jonathan Gersh
Portion 9 of Farm 499
Vermaaklikheid
RIVERSDALE
6670

Cell: 083 453 2994
Email: jonathan@gersh.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
Government Notice No. R. 327 of 7 April 2017 – Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 17 Activity Description: Development— (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of— (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; or (e) infrastructure or structures with a development footprint of 50 square metres or more — but excluding—	The existing development resulted in the development a floating jetty and infrastructure / structures within / within 100m of the high-water mark of the Duiwenshok River estuary with a development footprint exceeding 50m² in extent on the remainder of Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale.

Listed Activities	Activity/Project Description
(aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or (dd) where such development occurs within an urban area.	
Government Notice No. 327 of 7 April 2017 – Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 19 Activity Description: The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving— (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the	The existing development on the remainder of Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale resulted in the infilling of more than 10 cubic metres of material into watercourses (i.e. channelled valley-bottom / estuarine functional wetlands).

Listed Activities	Activity/Project Description
development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.	
Government Notice No. 327 of 7 April 2017 – Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended): Activity Number: 19A Activity Description: The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from— (i) the seashore; (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater; or (iii) the sea; — but excluding where such infilling, depositing, dredging, excavation, removal or moving— (f) will occur behind a development setback; (g) is for maintenance purposes undertaken in accordance with a maintenance management plan; (h) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (i) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.	The existing development on the remainder of Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale resulted in the excavation, removal and moving of more than 5m³ of soil and sand within 100m of the high-water mark of the Duiwenshok River estuary.

The abovementioned list is hereinafter referred to as “**the listed activities/development**”.

D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on the Remainder of Portion 9 of the farm Vermaaklikheid No. 499 and Portion 3 of farm Kleinefontein No. 503, Riversdale.

The SG digit codes are: C06400000000049900009
C06400000000050300003

The co-ordinates for the property boundary on Portion 9 of farm Vermaaklikheid No. 499 are:

Point	Latitude (S)	Longitude (E)
1	34° 18' 56.00" South	21° 01' 32.50" East
2	34° 19' 04.20" South	21° 01' 50.30" East
3	34° 19' 44.50" South	21° 01' 45.70" East
4	34° 45' 42.90" South	21° 01' 27.50" East
5	34° 19' 45.30" South	21° 01' 18.80" East

The co-ordinates for the property boundary on Portion 3 of farm Kleinefontein No. 503 are:

Point	Latitude (S)	Longitude (E)
1	34° 19' 46.37" South	21° 01' 14.60" East
2	34° 19' 42.90" South	21° 01' 27.50" East
3	34° 19' 50.40" South	21° 01' 41.30" East
4	34° 19' 52.60" South	21° 01' 32.60" East
5	34° 19' 58.00" South	21° 01' 31.70" East
6	34° 20' 02.20" South	21° 01' 42.00" East
7	34° 20' 03.60" South	21° 01' 41.20" East
8	34° 20' 02.40" South	21° 01' 33.90" East
9	34° 20' 03.80" South	21° 01' 30.65" East

The co-ordinates for the site boundaries are:

Point	Latitude (S)	Longitude (E)
6	34° 19' 43.20" South	21° 01' 21.00" East
7	34° 19' 44.40" South	21° 01' 21.40" East
8	34° 19' 44.30" South	21° 01' 20.70" East
9	34° 19' 44.30" South	21° 01' 19.50" East
10	34° 19' 44.10" South	21° 01' 19.40" East
11	34° 19' 43.40" South	21° 01' 20.50" East
Pathway 1, 2, 3, 4	34° 19' 45.35" South	21° 01' 19.02" East
	34° 19' 45.79" South	21° 01' 18.95" East
	34° 19' 45.79" South	21° 01' 18.02" East
	34° 19' 46.07" South	21° 01' 18.00" East
Jetty	34° 19' 46.15" South	21° 01' 17.85" East

Refer to Annexure 1: **Locality Plan** and Annexure 2: **Site Development Plan**.
Hereinafter referred to as “the site”.

E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

Enviro Africa (Pty) Ltd.
% Mr. Clinton Geyser
P. O. Box 5367
HELDERBERG
7446

Tel: (021) 851 1616
Email: clinton@enviroafrica.co.za

F. DETAILS OF THE ACTIVITIES UNDERTAKEN

The holder is herein authorised to undertake the following alternative that include the listed activities as it relates to the development:

The authorised development entails the construction of accommodation facilities and infrastructure within 100 metres of the high-water mark of an estuary on Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale which will comprise of the following:

The following development footprints of existing infrastructure is located within 100m of the high-water mark of the estuary on Portion 9 of Farm Vermaaklikheid No. 499:

- Main building comprising the communal kitchen and lounge approximately 77m² in extent which in include:
 - Swimming / plunge pool and wooden decks approximately 80m² in extent
- Two (2) of the three (3) free-standing bedrooms units
 - Approximately 6m² of Bedroom 1
 - Approximately 15m² of Bedroom 3
- Approximately 33m² of the communal bathroom
- Associated infrastructure

The following development footprints of existing infrastructure is located within 100m of the high-water mark of the estuary on Portion 3 of Farm Kleinefontein No. 503

- Pumphouse and tanks approximately 7m² in extent
- A floating jetty and associated infrastructure approximately 12m² in extent
- A pathway / walkway approximately 50m in length
- Associated infrastructure

The total existing development footprint within 100m of the high-water is 218m².

In furtherance of the commenced listed activities, the total intended development is approximately 264m².

Access to the site will be obtained from the MR4801 via the DR1524 to Riversdale / Still Bay.

Existing electricity capacity (i.e. roof-top solar photovoltaic), potable water and solid waste services are sufficient. Rainwater harvesting (i.e. approximately 15m³ in extent), greywater systems and domestic groundwater supply are proposed to augment water supply in the communal facilities (i.e. kitchen / bathroom / pool). Potable water will be commercially sought for hospitality purposes.

G. CONDITIONS OF AUTHORISATION

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

PART I

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to the preferred Alternative described in the application and assessment report dated June 2024 on the site as described in Section D above.
2. The Environmental Authorisation is valid for a period of **five (5) years** from the date of the decision.
3. The development must be concluded within **five (5) years** from the date of continuation of the first listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

PART II

Written notice to the competent authority

6. **Seven (7)** calendar days' notice, in writing, must be given to the competent authority before continuation of the development activities.
 - 6.1 The notice must make clear reference to the site details and 24G Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions of 7, 8 and 11.

PART III

Notification and administration of an appeal

7. The holder must in writing, within **fourteen (14)** calendar days of the date of this decision–
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. The outcome of the application;
 - 7.1.2. The reasons for the decision as included in Annexure 3;
 - 7.1.3. The date of the decision; and
 - 7.1.4. The date when the decision was issued.
 - 7.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the *National Appeals Regulations, 2014* detailed in Section I below.
 - 7.3. Draw the attention of all registered I&APs to the manner in which they may access the decision.
 - 7.4. provide the registered I&APs with:
 - 7.4.1. The name of the holder (entity) of this Environmental Authorisation;
 - 7.4.2. The name of the responsible person for this Environmental Authorisation;
 - 7.4.3. The postal address of the holder;
 - 7.4.4. The telephonic and fax details of the holder;
 - 7.4.5. The e-mail address, if any, of the holder; and
 - 7.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeal Regulations, 2014*.

8. The listed activities, including site preparation, may not commence within **34 (thirty-four)** calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

PART IV

Management of the activity/development

9. The Environmental Management Programme ("EMPr") of March 2024 compiled by Enviro Africa (Pty) Ltd. and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

PART V

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") or site agent where appropriate, before continuation of any listed activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activities and must be made available to any authorised person on request, including a publicly accessible website (where applicable).
13. Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

PART VI

Auditing

14. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the competent authority.
 - 14.1. The holder must undertake an environmental audit within six (6) months of the commencement of the continuation of the listed activities and submit an Environmental Audit Report to the Competent Authority within one (1) month after the completion of the environmental audit. The Environmental Audit Report must be prepared by an independent person with the relevant auditing expertise and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

- 14.2. A final Environmental Audit Report must be submitted to the Competent Authority within six (6) months of completion of the construction / development phase.
- 14.3. The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Reports available to any I&APs on request and on a publicly accessible website (if applicable).

PART VII

Activity/ Development Specific Conditions

15. The following freshwater mitigation measures must be implemented:
 - 15.1. The recommendations of the Estuary Impact Assessment (compiled by Watson Africa and dated November 2023) must be implemented during all phases of the development. This must include, *inter alia*, the following:
 - 15.1.1. The installation and maintenance of stormwater management infrastructure and sewerage system infrastructure for erosion control and water quality management of the site in relation to the estuary ecosystem.
 - 15.1.2. An integrated monitoring system that contributes to achieving objectives defined in the adopted Estuary Management Plan for the Duiwenhoks River estuary must be implemented and retained for reporting purposes (i.e. recording of fishing and recreational activities).
16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.
17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
18. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression

methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.

19. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the development.

H. RECOMMENDATIONS

1. A stewardship agreement is recommended between the holder and CapeNature in terms of the CapeNature Biodiversity Stewardship Programme with respect to reduction of negative impacts on the estuary, eradication of invasive alien vegetation and improved ecological conditions of the Duiwenshok River estuary. This must be undertaken in pursuit of achieving the objectives defined in the Estuary Management Plan (2019) for the Duiwenhoks River estuary.

I. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition or term of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not continue, conduct or undertake listed activities within the period referred to in Condition 2 of Section G, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment must be made on condition that the environmental authorisation is valid on the date of receipt of such amendment application.

Note that:

- (1) In terms of regulation 28(1A) of the *EIA Regulations, 2014* the competent authority shall not accept or process an application for amendment of an environmental authorisation if such environmental authorisation is not valid on the day of receipt of such amendment application but may consider an application for environmental authorisation for the same development.
- (2) In terms of regulation 28(1B) of the *EIA Regulations, 2014* an environmental authorisation which is the subject of an amendment application remains valid pending the finalisation of the amendment application.
- (3) It is an offence in terms of section 49A(1)(a) of the NEMA for a person to commence with a listed activity if the competent authority has not granted an environmental authorisation for the undertaking of the activity.

4. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the *EIA Regulations, 2014* must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

J. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –
 - 1.1 Submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.
2. An appellant (if NOT the holder) must –
 - 2.1 Submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.
3. The holder (if not the appellant), the decision-maker, I&APs and Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. This appeal and responding statement must be submitted to the address listed below–

By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs &
Development Planning
Private Bag X9186
CAPE TOWN
8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter
(Tel: 021-483 3721)
Room 809,
8th floor Utilitas Building
1 Dorp Street
CAPE TOWN
8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

K. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or EMPr may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

L. DISCLAIMER

The Western Cape Government, appointed in terms of the conditions of this Environmental Authorisation, shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Yours faithfully



Zaidah Toefy Digitally signed by Zaidah Toefy
Date: 2024.10.15 11:00:08 +02'00'

MRS Z TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE: 15 October 2024

Copied to:

- (1) Mr. C. Geyser (Enviro Africa)
- (2) Mr. S. Carelse (Hessequa Local Municipality)
- (3) Ms. D. Mouton (DEA&DP: Environmental Law Enforcement – Region 3)

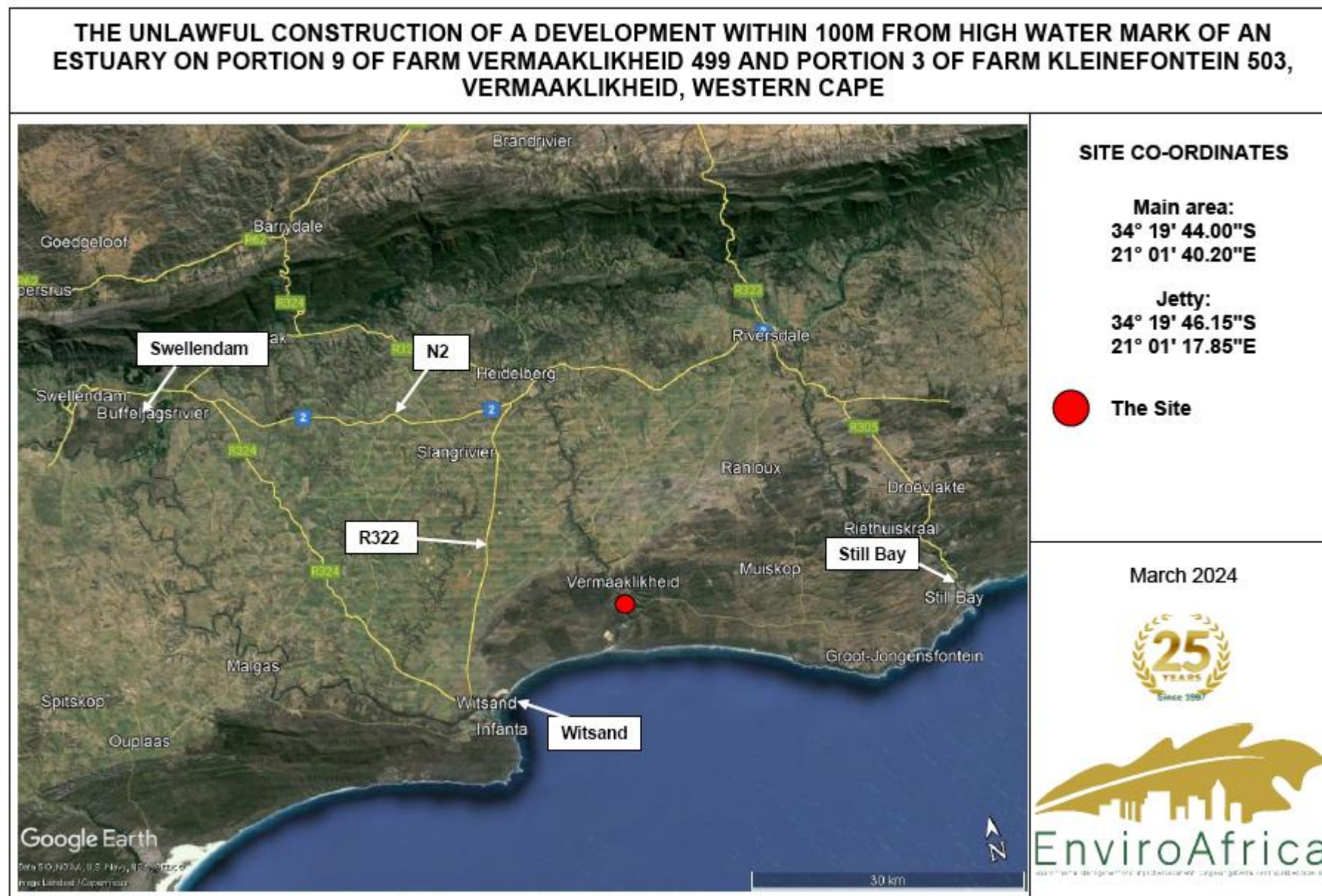
Email: Clinton@enviroafrica.co.za

Email: Shagon@hessequa.gov.za

Email: Diana.Mouton@westerncape.gov.za

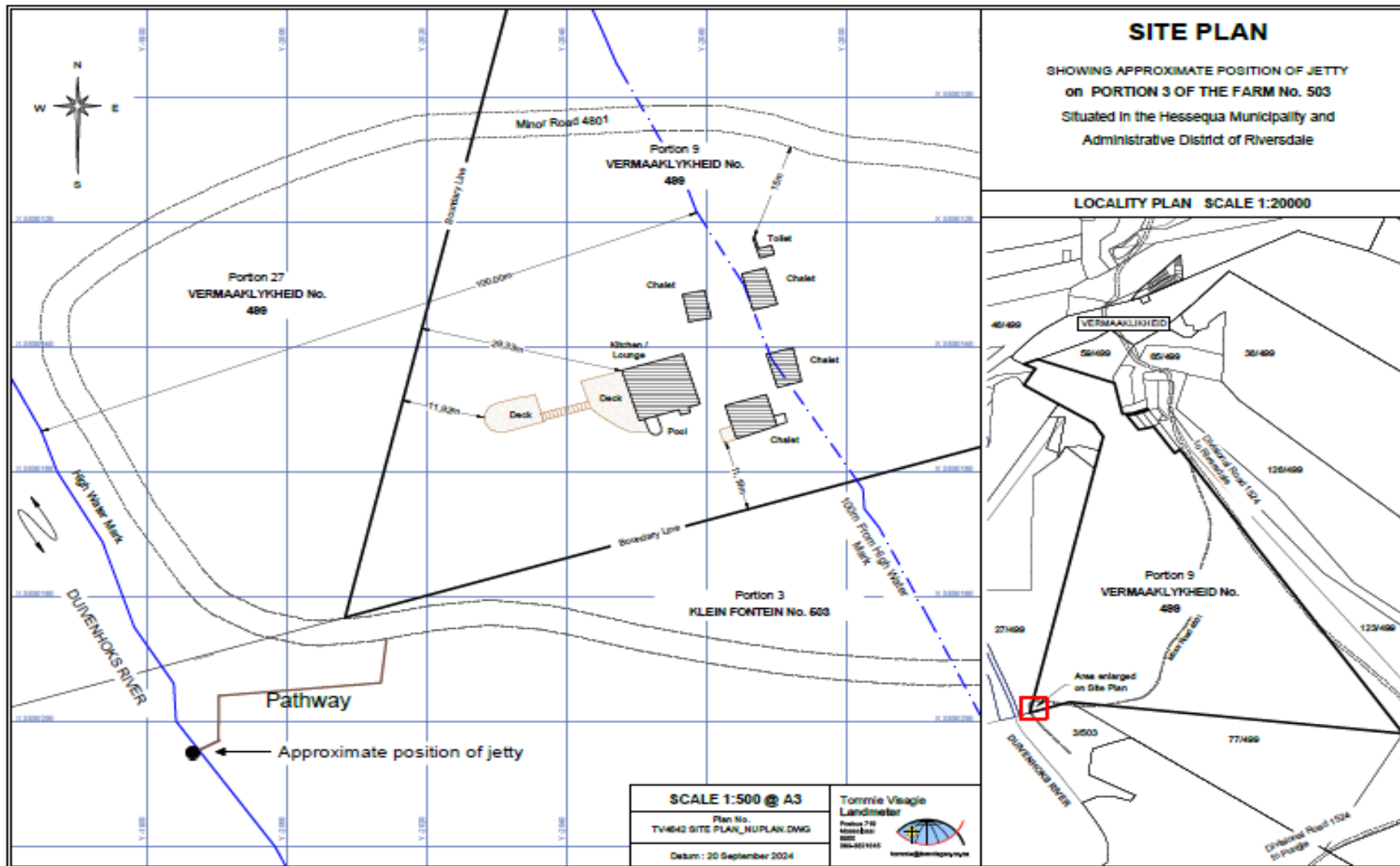
ANNEXURE 1: LOCALITY MAP

The existing site (i.e. Remainder of Portion 9 of the farm Vermaaklikheid No. 499, and Portion 3 of Farm Kleinefontein No. 503, Riversdale) demarcated in red on the locality map.



ANNEXURE 2: SITE DEVELOPMENT PLAN

Site Development Plans of the development on Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale.



14/1/1/E3/8/2/3/L1269/22

1. Public Participation Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- identification of and engagement with I&APs.
- fixing a notice board at the site where the listed activities unlawfully commenced and the municipal offices (i.e. Still Bay) on 07 February 2024.
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities were undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 07 February 2024 and 02 April 2024.
- Making the draft section 24G report and draft EMPr available for public review from 07 February 2024 to 11 March 2024, 02 April 2024 to 06 May 2024 and 20 June 2024 to 22 July 2024.
- the placing of a newspaper advertisement in the *Suid-Kaap Forum* on 02 February 2024.
- Placing all draft reports on the Environmental Assessment Practitioner's ("EAP") website for comment.

Concerns with respect to the aquatic ecological function, sensitivity and importance of the Duivenhoks River Estuary, wetland delineation, the requirement of a seashore lease, the handling of wastewater, impact assessment tables interpretation, alien invasive vegetation management and fire management during operational phase use were highlighted by the relevant commenting authorities. In addition, concerns related to nature of intent, privacy, noise and clarification in respect of municipal planning applications were raised during the public participation process. The relevant mitigation measures to address the concerns highlighted have been included in the EMPr.

Consultation with organs of state in terms of section 24O of the NEMA

The following organs of state provided comment on the application:

CapeNature

Heritage Western Cape

All the concerns raised by I&APs were adequately addressed and responded to during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

2. Alternatives

2.1 Technology/Location/Site/Activity Alternatives

No feasible site, activity, technology or operational alternatives were identified or assessed as part of the environmental impact assessment process since the existing and continuation of the development is on a site that is owned by the holder. The consideration of an alternative activity such as agriculture that is in-keeping with the original land - use zoning would result in a greater negative impact (i.e. loss of indigenous vegetation) on the surrounding environment and was therefore not regarded the best practical environmental outcome or a viable option.

The preferred alternative and the No-Go alternative were considered

Preferred Alternative (herewith authorized)

The Preferred Alternative entails the development of accommodation facilities and infrastructure within 100 metres of the high-water mark of an estuary on Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale which will comprise of the following:

The following development footprints of existing infrastructure is located within 100m of the high-water mark of the estuary on Portion 9 of Farm Vermaaklikheid No. 499:

- Main building comprising the communal kitchen and lounge approximately 77m² in extent which in include:
 - Swimming / plunge pool and wooden decks approximately 80m² in extent
- Two (2) of the three (3) free-standing bedrooms units
 - Approximately 6m² of Bedroom 1
 - Approximately 15m² of Bedroom 3
- Approximately 33m² of the communal bathroom
- Associated infrastructure

The following development footprints of existing infrastructure is located within 100m of the high-water mark of the estuary on Portion 3 of Farm Kleinefontein No. 503:

- Pumphouse and tanks approximately 7m² in extent
- A floating jetty and associated infrastructure approximately 12m² in extent
- A pathway / walkway approximately 50m in length
- Associated infrastructure

The total existing development footprint within 100m of the high-water is 218m².

The total proposed development is approximately 264m².

Access to the site will be obtained from the MR4801 via the DR1524 to Riversdale / Still Bay.

Existing electricity capacity (i.e. roof-top solar photovoltaic), potable water and solid waste services are sufficient. Rainwater harvesting (i.e. approximately 15m³ in extent), greywater systems and domestic groundwater supply are proposed to augment water supply in the communal facilities (i.e. kitchen / bathroom / pool). Potable water will be commercially sought for hospitality purposes.

The Preferred Alternative takes cognisance of the botanical sensitivity of the surrounding environment which has been noted by the botanical specialist in terms of the design / layout of the development. No additional municipal resources are required for the continuation of the development. The Preferred Alternative presents a dual purpose, i.e. residential dwelling and an eco-tourism opportunity contributing to the viability and sustainable development of the property. The preferred alternative has been deemed to have an overall low negative impact with the implementation of minimal mitigation.

2.2 The option of not implementing or continuing with the activity ("No-Go" Alternative)

The "no-go" alternative resulting in rehabilitation and not developing on the proposed site was considered. Since the Preferred Alternative will not result in unacceptable environmental impacts, the consideration of the demonstrated Section 2 NEMA principles and the implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

3. **Environmental Impact Assessment (EIA) and Mitigation Measures**

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

3.1. Activity Need and Desirability

The existing and continuation of the development of the site is aligned with the primary use in terms of its current zoning (i.e. agricultural use) as defined in the local municipal zoning scheme and located outside of the urban area. The use of the development for an additional purpose, i.e. tourism accommodation, is a consent use within the current zoning of the property for which approval has been sought.

The property is located within the Vermaaklikheid area which has been identified as a residential and holiday settlement within the Hessequa local municipal Spatial Development Framework ("SDF"). The development is located on a remote property outside the urban area. The development is considered to provide additional positive social and economic opportunities in terms of potential increase in employment opportunities and growth in the eco-tourism market share within the local economy.

Although the development had and will result in the loss of indigenous vegetation approximately 218m² and 264m² in extent, the loss is deemed to be acceptable from a botanical perspective.

Although the site is located within the Duiwenhoks River Estuary which is classed with a high ecological importance, the potential freshwater impacts associated with the continuation of the development within 100m of the high-water mark of the estuary has been deemed to be limited in nature and negligible from a freshwater perspective provided mitigation measures are implemented.

The site is in-keeping with surrounding land uses which include agricultural development and tourism facilities considered to be aligned to the municipal and provincial spatial development plans. The continuation of the eco-tourism development on Portion 9 of Farm Vermaaklikheid No. 499 and Portion 3 of Farm Kleinefontein No. 503, Riversdale will maintain rural livelihood, present income earning opportunities and maintain the cultural rural landscape of the surrounding area on land set aside for agricultural development.

It is therefore considered a sustainable development that is aligned with the land-use of the current zoning of the site and will not require any additional municipal resources. The section 24G report demonstrated the consideration of sensitive biodiversity by the maintaining a precautionary approach to the design / layout the facilities. The Preferred Alternative demonstrates a reduced impact on the identified environmental sensitivities as far as reasonably practical.

Regional/ Planning Context

The site is located within the Hessequa local municipal area wherein it's Municipal Spatial Development Framework ("SDF") has identified the town of Vermaaklikheid as a residential and holiday settlement with limited functions. Although the site is zoned for agricultural purposes, it is not regarded as a viable agricultural opportunity. The SDF further promotes the development of tourism related land uses on agricultural land with the objective to conserve the rural character.

The Hessequa local municipality is the largest of seven municipalities within the Garden Route District. The primary sectors entail agriculture and mining; however, the community services sector is regarded the largest and most important economic sector within the local municipality. It is noted that recreational and subsistence value is intrinsic to the Duiwenhoks River estuary in that small agricultural holdings have transformed to weekend farms, second homes and holiday accommodation ventures. Therefore, resulting in a reduction in agricultural employment opportunities. tourism sector as one of five largest sectors contributing to the regional economic market. The existing and proposed continuation of the development is aligned with the rural cultural landscape character of the surrounding area and will positively contribute to socio-economic aspects within the municipal area. The continuation of the development of the site is deemed to be aligned with the objectives of the municipal Integrated Development Plan (IDP).

An Estuary Management Plan is adopted for the Duiwenhoks River estuary and the activities associated with the development on the site is not regarded to be in conflict with the Estuary Management Plan. The proposed activities on the site related to environmental awareness, provision of employment opportunities and alien vegetation management contribute to the objectives of the Estuary Management Plan.

3.2. Agricultural Impacts

According to the Screening Report (dated 11 March 2024), the site is located within a medium sensitivity area from an agricultural perspective. This has been disputed to a low sensitivity by the EAP since although the site is currently zoned for agricultural purposes, the site is not deemed feasible for agricultural activities given the topography and proximity to the estuary. It is noted that the majority of the catchment consists of privately-owned farms, many of which are undergoing transformation to less intensive farming practices to more viable secondary land uses associate with the agricultural zonation of properties. The loss of agricultural land is considered minimal / insignificant.

3.3. Biodiversity Impacts

According to the Screening Report (dated 11 March 2024), the site is located within a medium sensitivity area from a plant species perspective and a very high sensitivity area from a terrestrial biodiversity perspective. The sensitivity of the terrestrial biodiversity theme has been disputed to a medium to low sensitivity area by the EAP based on the scale and design of the development as well its mapped location partially within a Critical Biodiversity Area. A Biodiversity Impact Assessment was therefore undertaken.

The Botanical Impact Assessment (compiled by PB Consult Environmental Management Services and dated 22 May 2024) revealed that although the site was mapped to be located within the Canca Limestone Fynbos, the site was ground-truthed to occur within the Albany Thicket biome (i.e. Hartenbos Dune Thicket) classified as Endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – The Revised National List of Ecosystems that are Threatened and in Need of Protection, 2022. However, it is noted that the Canca Limestone Fynbos occurs in the northern reaches / upslope of the development site and not impacted. The botanical specialist noted the good condition of the thicket vegetation with low levels of alien invasive species. The small scale (i.e. less than 300m²) and design of the development in relation to the surrounding biodiversity determined the impact on connectivity is unlikely to have added any significant impact on the ecology of the site – low impact. No plant species of conservation concern were observed on site and the presence of a few milkwood trees were noted as avoided on site. Furthermore, the site was ground-truthed with the observation of one protected species (i.e. *Sideroxylon inerme* – white milkwood).

The botanical specialist concluded that the associated impact of the development is a localised impact on indigenous vegetation and conservation priority areas. Therefore,

the specialist has deemed the impact of the development on the surrounding environment as medium / low sensitivity from a terrestrial biodiversity perspective.

3.4. Freshwater Impacts

In accordance with the Screening Report (dated 11 March 2024), the site is located within a very high sensitivity area from an aquatic biodiversity perspective. An Estuary Impact Assessment (compiled by Watsan Africa and dated November 2023) revealed that although the development was located within an ecological important estuary (i.e. the Duiwenshok River Estuary), given the nature, scale and design / layout of the development, the impact on the ecological function of the aquatic environment is deemed negligible.

Further, the specialist indicated that the Present Ecological State of the Duivenhoks River Estuary is deemed moderately impacted with its ecological functioning intact, a high classification in terms of the ecological importance and highlighted the sensitivity of the aquatic environment. In addition, the minimal impact of the pathway through the reedbed and the floating jetty was deemed to be of low to negligible ecological impact by the freshwater specialist. This is based on the contained footprint of the pathway in the reedbed and the floating and side-moored capabilities of the jetty on the bank of the Duiwenhoks River.

The freshwater specialist has provided recommendations with respect to subsistence fishing pressure, sustainable fishing practices and recreational use, monitoring (i.e. resource, compliance and performance) pollution control, erosion control, stormwater management and estuary conservation which have been included in the EMPr.

3.5. Faunal Impacts

In accordance with the Screening Report (dated 11 March 2024), the site is located within a high sensitivity area from an animal species perspective. A Terrestrial Biodiversity Impact Assessment (compiled by PB Consult Environmental Management Services and dated 22 May 2024) revealed that only one of the animal species listed in the Screening Report is associated with the Duiwenhoks River i.e. the half-collared Kingfisher and that the Knysna Woodpecker and Knysna Warbler may have been impacted by the development but has not been identified in the Screening Report as a species of conservation concern. In addition, and in response to comments raised by Cape Nature (dated 06 May 2024), the African Marsh Harrier (i.e. Endangered) is identified as a species of conservation concern that is likely to occur within the region given its preferred wetland habitat (i.e. reedbeds).

The biodiversity specialist concluded that most of the listed animal species contained in the Screening Report are not associated with wetland habitats and instead associated with grasslands, wheatfield or shorter fynbos. Therefore, the development on Portion 9 of farm Vermaaklikheid No. 499, Riversdale is not expected to have had any significant impact on the identified faunal species and an impact on connectivity is deemed low.

3.6. Services/ Bulk Infrastructure

Existing rainwater harvesting, greywater systems and offtake from a groundwater resource are in place for communal non-potable water use on the site and potable water will be commercially sought for hospitality purposes.

The existing domestic solid waste municipal service provision and renewable energy (i.e. rooftop solar photovoltaic energy) are deemed sufficient with respect to the continuation of the hospitality development on the site and alternative effluent management system (i.e. small-scale septic system, conservancy and on-site package plant) is considered.

3.7. Cumulative

The potential cumulative impacts of the development are deemed to be of a probable medium to low significance given the small scale and the design / layout of the development from a botanical perspective.

3.8. Visual, Dust and Noise / Sense of Place

Potential visual, dust and noise impacts associated with the construction and operational phase of the development will be mitigated by the implementation of the mitigation measures included in the EMPr.

3.9. Heritage / Archaeological / Built Environment Aspects

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their comment dated 01 February 2024 that since there is no reason to believe that the existing and proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

Precautionary mitigation measures with respect to the potential discovery of fossils have been included in the EMPr.

3.10. Socio-economic Impacts

No negative socio-economic impacts are envisaged by the continuation of the development of the site since the immediate surrounding communities are limited to farmers and are agricultural developments /properties earmarked for further agricultural and eco-tourism development.

Concerns raised with respect to privacy and proximity to neighbouring properties have been considered and responded to in noting that the eco-tourism development on Portion 9 of Farm Vermaaklikheid No. 499, Riversdale is located approximately 100m

(direct distance) from the nearest neighbour and is nestled within the vegetation thicket at varied elevations.

A positive socio-economic impact is anticipated from the proposed continuation and development of the site with respect to the contribution to the local economy and provision of employment opportunities. The potential positive impact is considered a social upliftment contributing factor and is aligned with the Provincial Spatial Development Framework and National Development Plan.

4. NEMA Principles

The National Environmental Management Principles (set out in section 2 of the NEMA), which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

The development will result in both negative and positive impacts.

Negative Impacts:

- Loss of indigenous vegetation / biodiversity;
- Potential freshwater impacts; and
- Potential dust and noise impacts during construction phase.

Positive impacts:

- Contribution toward eco-tourism;
- Increase in local economic growth;
- Employment opportunities during construction and operational phase of the development;
- Capital gain for the holder.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially

detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, 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, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

-----END-----

Appendix 2: Proof of notification of I&AP's

EA

To Clinton

[↩ Reply](#) [↩ Reply All](#) [→ Forward](#) [...](#)

Thu 2024/10/17 09:21

EA Notification letter Farm Vermaaklikheid No 499 and Portion 3 of Farm Kleinfontein no 503 Riversdale.pdf
199 KB



Decision - J.Gersh_24G Env Auth_100mHWMP9F499-Vermaaklikheid.pdf
812 KB

National Appeal Regulations.pdf
512 KB

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL CONSTRUCTION OF A DEVELOPMENT WITHIN 100M OF THE HIGHWATER MARK OF AN ESTUARY ON THE REMAINDER OF PORTION 9 OF FARM VERMAAKLIKHEID NO. 499 AND PORTION 3 OF FARM KLEINFONTEIN NO. 503, RIVERSDALE.

- Environmental Authorisation (EA)
- The reasons for the decision (Annexure 3 of the EA).
- The National Appeal Regulations, 2014 as amended (Government Notice No. R. 993)

↩ Reply ↶ Reply All ➜ Forward ...

Bcc: 'paul@hesseque.gov.za'; 'info@gardenroute.gov.za'; 'wessel@hesseque.gov.za'; 'maycoomm@hesseque.gov.za'; 'ward4secretary@hesseque.gov.za'; 'corvdW@elsenburg.com'; 'Brandon.Layman@westerncape.gov.za'; 'DanielsD@dws.gov.za'; 'albertim@dws.gov.za'; 'rsmart@capenature.co.za'; 'energy@birdlife.org.za'; 'erossouw@bgcma.co.za'; 'marlene.laros@westerncape.gov.za'; 'ryan.apolles@westerncape.gov.za'; 'mabayi@bocma.co.za'; 'asam@bocma.co.za'; 'rndlumbini@bocma.co.za'; 'rcrowe@capenature.co.za'; 'pab@mweb.co.za'; 'ejborain@iafrica.com'; 'andrew@oilwatch.co.za'; 'conrad@blacksmith.co.za'; 'philipbrink76@gmail.com'; 'rosemary@dupmail.com'; 'rossf@mweb.co.za'

 Decision - J.Gersh_24G Env Auth_100mHWMP9F499-Vermaaklikheid.pdf 812 KB 

Dear Registered Interested and Affected Party

I trust this email finds you well. Kindly find the above-mentioned authorisation. Please find included in this letter:

- Environmental Authorisation (EA)
- The reasons for the decision (Annexure 3 of the EA).

Appendix 3: Copy of the EMP'r

ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr)

for the management of activities relating to the protection of the natural environment during the construction, operation and decommissioning phases of the

THE UNLAWFUL CONSTRUCTION OF A DEVELOPMENT WITHIN 100M FROM HIGH WATER MARK OF AN ESTUARY ON PORTION 9 OF FARM VERMAAKLIKHEID 499 AND PORTION 3 OF FARM KLEINEFONTEIN 503, VERMAAKLIKHEID, RIVERSDALE

MARCH 2024

Compiled by:

EnviroAfrica cc

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1. INTRODUCTION

The main purpose of this Environmental Management Programme (EMP) is to prevent avoidable damage and/or minimise or mitigate unavoidable environmental damage associated with any construction, operational, maintenance, or decommissioning/ demolition work where there is a risk of environmental damage and to enhance positive benefits of the project.

The EMP forms part of the contractual obligations to which all contractors/employees involved in construction, maintenance, or demolition work must be committed. It serves as a guideline and baseline information document for the construction and operational of the proposed project and aims to comply with Section 24N of the National Environmental Management Act (Act no 107 of 1998) also known as NEMA, as well as the Environmental Impact Assessment Regulations, 2014 (Government Notice No R 326) and any additional specific information requested by any State Department, including the Department of Environmental Affairs and Development Planning (D:EA&DP) for specific projects.

This EMP:

- identifies project activities that could cause environmental damage (risks) and provides a summary of actions required;
- identifies persons responsible for ensuring compliance with the EMP and provides their contact information;
- provides standard procedures to avoid and/or minimise the identified negative environmental impacts and to enhance the positive impact of the project on the environment;
- provides site and project specific rules and actions required, including a site plan/s showing:
 - areas where construction, maintenance, or demolition work may be carried out;
 - areas where any material or waste may be stored;
 - allowed access routes, parking and turning areas for construction or construction related vehicles;
- forms a written record of procedures, responsibilities, requirements and rules for Contractor/s, their staff and any other person who must comply with the EMP;
- provides a monitoring and auditing programme to track and record compliance and identify and respond to any potential or actual negative environmental impacts; and
- provides a monitoring programme to record any mitigation measures that are implemented;

The EMP is partly prescriptive (identifying specific people or organisations to undertake specific tasks, in order to ensure that impacts on the environment are minimised), but it is also an open-ended document in that information gained during the construction activities and/or monitoring of procedures on site could lead to changes in the EMP.

This EMP was compiled by Clinton Geyser who has a MSc. Degree in Environmental Management. He has been working as an Environmental Assessment Practitioner since 2009 and is currently employed at EnviroAfrica cc.

Qualifications:

- BSc. Earth Sciences, Majors in Geology and Geography and Environmental Management (1998 – 2000) and;
- BSc. (hons): Geography and Environmental Management (2001) and;
- MSc. Geography and Environmental Management (2002), all from the University of Johannesburg.

Expertise:

Clinton Geyser has over fourteen years' experience in the environmental management field as an Environmental Assessment Practitioner and as an Environmental Control Officer, having worked on a variety of projects in the Western, Eastern and Northern Cape, and Free State Provinces.

EAPASA Registration number: 2021/3287

1.1 PURPOSE

The purpose of the EMP is to give direction and guidance to all responsible parties, which are in turn expected to co-operate closely to minimise or avoid unnecessary environmental impacts or delays. The ECO will ensure compliance with the EMP (and other Environmental issues) and will visit the site on a regular basis during the construction phase, with additional visits at the professional, project-linked, discretion of the ECO or relevant authority.

This EMP binds all contractors, sub-contractors and other persons working on the site to adhere to the terms and conditions of the EMP throughout the construction activities of the project and any other construction activities associated with the construction of the upgrade of the site.

Any other Site-Specific additional activities decided and agreed upon at the "On Site Start-Up Meeting" must be included to form part of the EMP.

1.2 SCOPE

This EMP addresses the construction phase (CEMP) and operational phase (OEMP) and all activities associated with the project. In addition it will deal with all the requirements of regulation 19 (4) of the EIA regulations (R. 982, 04 December 2014) as well as any additional specific information requested by the Department of Environmental Affairs and Development Planning (D:EA&DP) pertaining to some developments.

Compliance to this EMP (which serves as a basis for all the phases of the project) will be monitored by the Environmental Control Officer (ECO). The Construction Engineer/Project Managers, the Contracting Agent(s) and the Client will be responsible for the implementation of this Environmental Management Plan.

1.3 SITE LOCATION

The sites are located on Portion 9 of Farm Vermaaklikheid No. 499 (buildings) and Portion 3 of Farm Kleinefontein No. 503 (jetty and jetty access pathway), just outside Vermaaklikheid, on the eastern bank of the Duiwenhoks River estuary.

The existing road, MR4801, is used for access to the site.

Site co-ordinates (estimated central point): 34° 19' 44.00" South, 21° 01' 40.20" East.

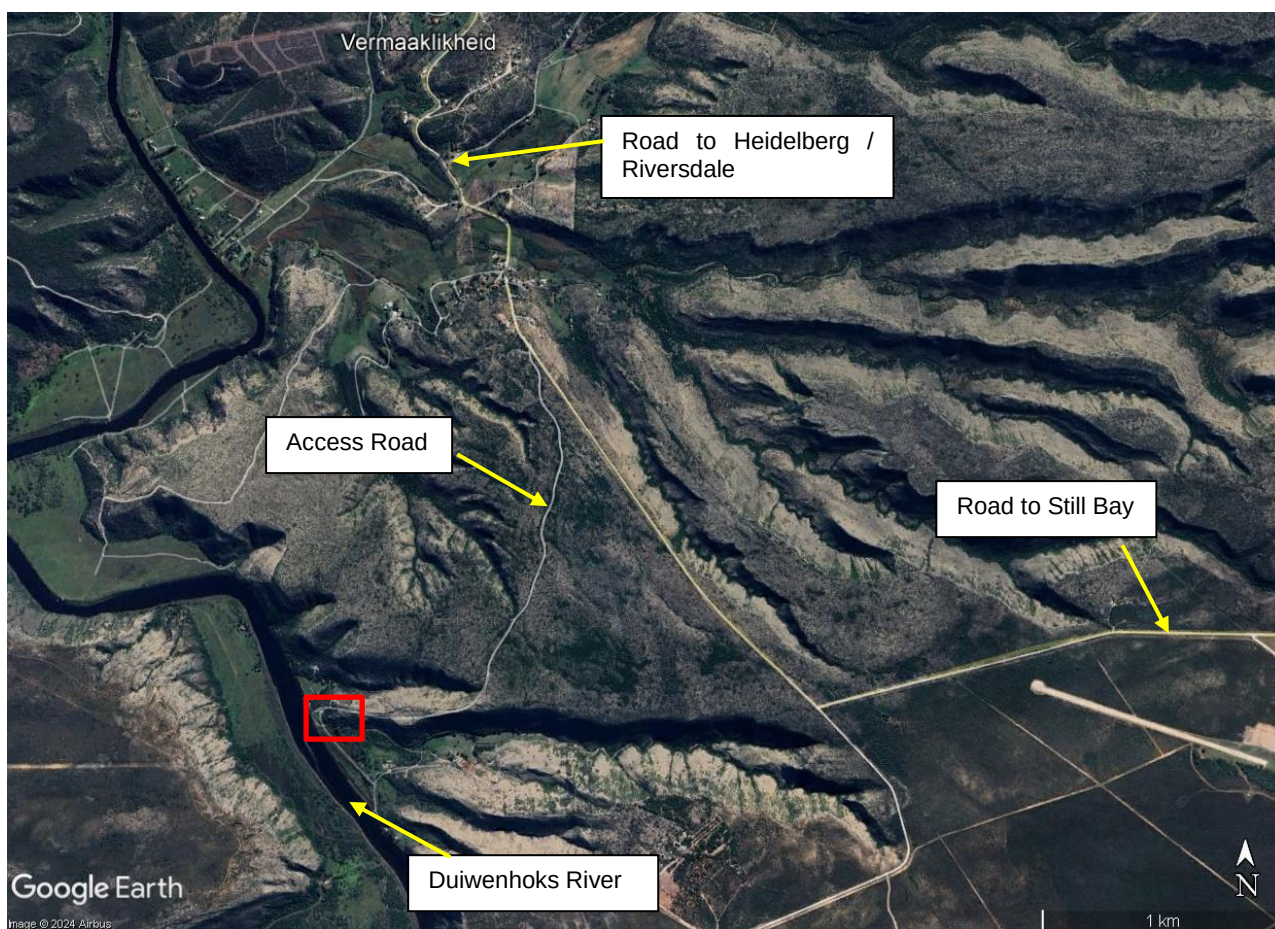


Figure 1: Google Earth image showing the locality of the site.

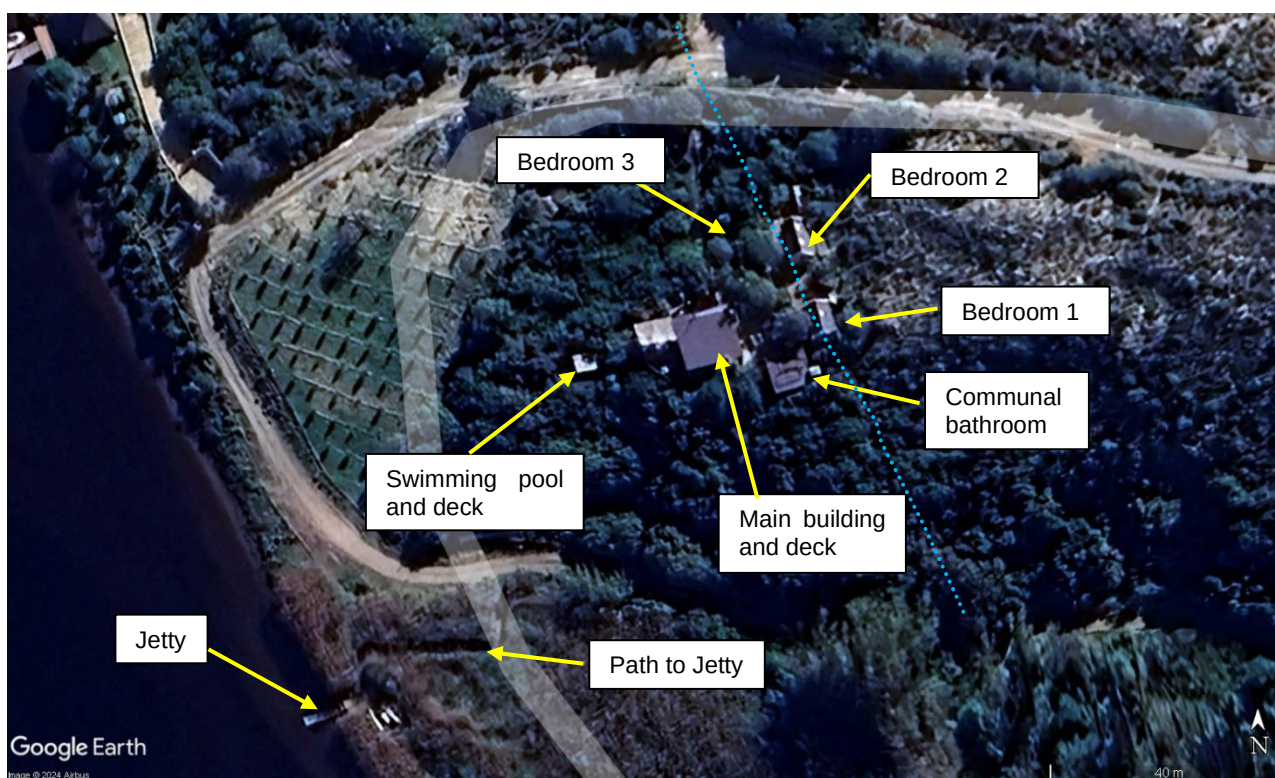


Figure 2: Google Earth image showing the various components of the development. The approximate 100m HWM is indicated by the blue dashed line.

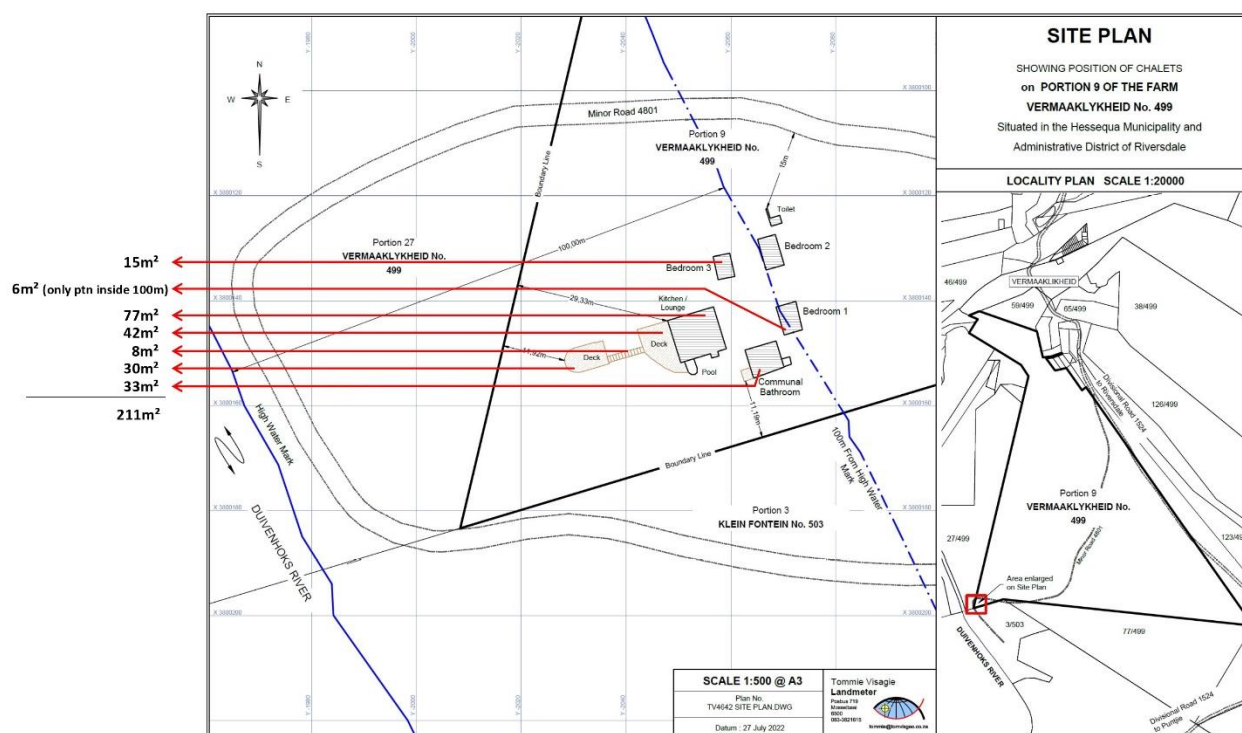


Figure 3: Site Plan showing the development footprint areas within 100m of the High-Water Mark (HWM).

1.4 PROJECT DESCRIPTION

The development includes the construction of the following residential structures used for self-catering tourism accommodation (operating as Thorn and Feather) on Portion 9 of Farm Vermaaklikheid No. 499:

- Main building (Kitchen and lounge)
- Swimming pool
- wooden decks
- 3 separate bedrooms
- Communal bathroom

Only the main building, swimming pool and their decks, 1 complete bedroom, 1 partial building and the communal bathroom are within 100m of the HWM of the Duiwenhoks River estuary. The following indicates the development footprints of the development within 100m of the HWM:

- Main building (Kitchen and lounge) – 77m²
- wooden decks including swimming pool – 80m²
- bedroom 1 – only 6m² within 100m of the HWM
- bedroom 3 – 15m²
- Communal bathroom – 33m²
- - pumphouse and jojo tanks – 7m²

The total development footprint within 100m of the HWM is 218m². The total development is approximately 264m².

A floating jetty and a ~50m pathway from the access road was constructed on Portion 3 of Farm Kleinfontein No. 503, to provide access to the Duiwenhoks River for activities for the guests.

1.5 THE RECEIVING ENVIRONMENT

According to the Botanical and Biodiversity Assessment, according to the 2018 Vegetation map of South Africa, Lesotho and Swaziland (Mucina & Rutherford, 2006-2018), the development footprint(s) would have impacted on **Canca Limestone Fynbos**, while the access path to the river would have impacted on Non-terrestrial (Estuary Vegetation). Canca Limestone Fynbos are classified as “Least Threatened” in terms of the “*Revised National list of ecosystems that are threatened and in need of protection*” (GN. No. 2747 of 18 November 2022).

The buildings had been constructed on the lower almost south facing slope of the limestone plateau as it drops down towards the Duiwenhoks River and is typical of valley-bottom Wetlands Albany Thicket.

According to 2017 Western Cape Biodiversity Spatial Plan (WCBSP) for the Hessequa Municipality:

- The jetty is located within an aquatic CBA (CBA: Estuary)
- Part of the site is within an aquatic CBA (CBA: Wetland)
- Part of the site is with Terrestrial CBA (CBA: Estuary)
- The site is partly within an area identified as a wetland on the NFEPA maps.

Part of the development footprint (deck and swimming pool) is partly within an area identified as a Natural Wetland on the NFEPA overlays. However, this does not appear to be the case, and no wetland features were identified here.

The site is located near the Duiwenhoks River estuary (nearest development footprint is within 65m of the banks of the river). The jetty and jetty path are located on the banks of the Duiwenhoks River.

1.5.1 VEGETATION TYPES EXPECTED

According to the Botanical and Biodiversity Assessment, according to the 2018 Vegetation map of South Africa, Lesotho and Swaziland (Mucina & Rutherford, 2006-2018), the development footprint(s) would have impacted on **Canca Limestone Fynbos**, while the access path to the river would have impacted on Non-terrestrial (Estuary Vegetation). Canca Limestone Fynbos are classified as “Least Threatened” in terms of the “*Revised National list of ecosystems that are threatened and in need of protection*” (GN. No. 2747 of 18 November 2022).

The buildings had been constructed on the lower almost south facing slope of the limestone plateau as it drops down towards the Duiwenhoks River and is typical of valley-bottom Wetlands Albany Thicket. On this slope a deeper sandy soil (probably a more neutral soil) were found which supported a dense thicket vegetation dominated by evergreen, sclerophyllous trees, shrubs and vines (many of which have stem spines) and without a conspicuous grassy ground layer. Protected from fire and within the valley bottom the tree and tall shrub elements had over time grown into a dense thicket.

On farm Kleinefontein No. 503/3 where the footpath and small floating jetty was constructed the vegetation was a typical reedbed, which was subject to occasional flooding, forming part of the estuary wetland area.

Unlike, at most the immediate neighbouring properties where these Wetlands Albany Thicket pockets had been reduced to single trees, the forest patch at Thorn & Feather was still almost intact, and almost without any invasive species (apart from the occasional *Acacia cyclops* on the upper slopes). The tree component showed a close affinity with Hartenbos Dune Thicket and is dominated by *Olea exasperata* and *Buddleja saligna* in combination with a number of other trees and shrubs such *Brachylaena discolor*, *Cunonia capensis* (rooiels), *Cassine peragua*, *Gymnosporia heterophylla*, *Pterocelastrus tricuspidatus*, *Searsia longispina* and *Sideroxylon inerme*.

In between these trees and within the undergrowth smaller plants and climbers such as *Asparagus aethiopicus*, *Azima tetraantha*, *Cynanchum obtusifolium* (melktou), *Myrsine africana* (boxwood) and *Tetragonia fruticosa* was also common, with the climber *Cynanchum obtusifolium* sometimes forming a dense growth on the edges of the tree canopy.

Towards the upper slopes the soils are shallower and the vegetation changes to Canca Limestone Fynbos. In these areas, species such as *Berkheya coriacea*, *Clusia alaternoides*, *Gnidia squarrosa*, *Polygala myrtifolia* and *Searsia glauca* was observed, while on the more disturbed southern edge of the thickets (near the wetland area) species like *Anisodonteia scabrosa*, *Helichrysum patulum*, *Leonotis leonurus* and *Pelargonium capitatum* were also occasionally observed. A small footpath and a floating jetty on Farm Kleinefontein 503/3 was constructed in order to reach the waterfront. The footpath runs through a dense stand of reeds dominated by *Phragmites australis* with the occasional *Cyperus papyrus* as well as a number of weedy species in the undergrowth.

A number of weedy species was associated with the disturbed edge (inland edge) of this reedbed next to the entrance road to Kleinefontein. In areas this edge was dominated by the alien invasive tree *Populus* species, with other weeds like *Cirsium vulgare*, *Gomphocarpus fruticosus*, *Ricinus communis* (kasterolieboom), and *Solanum linnaeanum* also commonly observed. The occasional indigenous Soetdoring (*Vachellia karroo*) was also encountered.

The study area does not contain any intact natural vegetation of any significance and had been cultivated over a long period of time.

The Terrestrial biodiversity assessment concluded that:

The main impacts associated with development would have been:

- The small and localised impact on vegetation;
- The small and localised impact on conservation priority areas.

Lastly, the way in which the accommodation was designed and the material that was used clearly shows a keen desire to minimize the impact on the environment and to maintain the ecological function of the site. In addition, the landowner is busy with a significant alien clearing program (at his own costs) on the larger farm and is also busy replanting indigenous trees and shrubs back into the thicket area to enhance the feeling of a natural "forest".

It is thus considered unlikely that the development would have contributed significantly to any of the following:

- Significant loss of vegetation type and associated habitat.
- Loss of ecological processes (e.g., migration patterns, pollinators, river function etc.) due to construction and operational activities.
- Loss of local biodiversity and threatened species.
- Loss of ecosystem connectivity.

Because of the small size and the way in which the development was done even the cumulative impact is considered to be Medium/Low.

1.5.2 SURFACE WATER

Part of the development footprint (deck and swimming pool) is partly within an area identified as a Natural Wetland on the NFEPA overlays. However, this does not appear to be the case, and no wetland features were identified here.

The site is located near the Duiwenhoks River estuary (nearest development footprint is within 65m of the banks of the river). The jetty and jetty path are located on the banks of the Duiwenhoks River.

According to the Estuary Report, the Duiwenhoks River rises on the high peaks and ridges of the Langeberg Mountains from where it flows to the south into the Southern Indian Ocean on the southern seaboard of the Western Cape.

The southern slopes of the mountains are proclaimed nature reserves and mountain catchment areas, with patches of Afromontane forests. The foothills and the upper catchment are heavily farmed with dairy, fruit and cash crops.

Downstream on the coastal flats the undulating landscape has deeply incised valleys. The area is heavily farmed with wheat and canola. Farm animals such as sheep are prevalent on planted pastures. The valleys with bottom drainage lines are too steep to be ploughed over and may carry a dense stand of natural shrubland vegetation. The catchment is heavily infested in many places with black wattle *Acacia mearnsii*.

Close to the ocean adjacent to the shore is a narrow strip of natural Fynbos, still well-preserved and mostly unimpacted. This strip is separated from the inland farming activities by land that is heavily infested by rooikrans *Acacia cyclops*.

The estuary is 11km long. It is permanently open to the sea with a perpetual tidal exchange. The estuary is in a deep valley with steep sides. The bottom of the valley is wide in places, with a band of tidal flats.

There are strips and patches of *Phragmitis* reeds, which are maintained and supported with fresh water, mainly ground water, that flow in from the drainage lines. One such patch of reeds is in front of Farm 499 and is of importance to this application. This is one of many such stands of reeds along the middle estuary.

The intertidal flats carry the full complement of burrowing and benthic organisms that can be expected in such a habitat (Duiwenhoks Estuary Management Plan, 2019). Likewise, it hosts many species of birds including palearctic waders that feed on these benthic invertebrates. Many species of fish have been recorded, some of which depend on the estuary as a nursing ground.

The Estuary Report concluded:

The Impact Assessment shows that mitigating measures can readily work if properly applied. The Significance Score indicates that the development falls into the “Low” category. The development is so small that it does not alter the resource economics footprint.

The small size of the development and the sensitive way in which it was constructed, preserving as much of the vegetation as possible, the possibility of applying mitigating measures and the negligible impact it has on the estuary all implies that it should go ahead. Obviously, there is a cumulative impact, along with the other holiday destinations and farming activities along the estuary. The development on Farm 499 is negligible if compared to the surrounding impacts, which have huge footprints and with large swaths of natural vegetation removed. If the development on Farm 499 is to be stopped because of environmental reasons, there is much more cause for halting the surrounding operations.

Therefore, it is recommended that the development on Farm 499 and the footpath and jetty in the reeds on the banks of the estuary be allowed and duly authorised, providing that the correct administrative and legal processes are followed.

1.5.3 ARCHAEOLOGICAL, HERITAGE AND PALAEOLOGICAL RESOURCES

A Heritage Notice of Intent was submitted to Heritage Western Cape on 03 December 2023.

Final Comment, dated 01 February 2024 was received with the following response:

You are hereby notified that, since there is no reason to believe that the unauthorized floating jetty and tourism development within 100m of the highwater mark of an estuary on Portion 9 of Farm 499, Vermaaklikheid on Portion 9 of Farm 499, Vermaaklikheid, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

1.6 RECOMMENDATIONS ON IMPACT MITIGATION/MINIMISATION

The following are site/project specific impact mitigation measures recommended by the Specialists and must be enforced if the proposed development were approved.

Estuary:

- Properly maintain the sewerage system.
- Do not over-irrigate the garden, prevent return flow.
- Install and maintain storm water management infrastructure such as berms, swales and trenches in and next to roads.
- Maintain a proper waste collection and disposal protocol.
- Set up house rules that promotes proper behaviour of guests and visitors.
- Record the fish taken.
- Prevent over-utilisation of the estuary.
- Obtain input from conservation authorities.

Biodiversity:

- No specific mitigation measures, but further indigenous vegetation removal must be avoided.

Heritage

No specific mitigation measures required.

1.7 ENVIRONMENTAL AUTHORISATION

The Conditions of approval of the Environmental Authorisation (EA) and other relevant approvals/licences from other authorities will be included as Appendix 1 in the final EMP. The conditions of approval must be adhered to as part of the EMP.

EA (Environmental Authorisation) Conditions of Approval – Appendix 2.

2. DEFINITIONS AND ABBREVIATIONS:

2.1 DEFINITIONS

Applicant: The person or responsible person from an organization who applied for the proposed activity described in the Environmental Authorisation.

Audit (Site Completion): Environmental Site Inspection and verification of construction activities to EMP

Bund: Enclosure under / around a storage facility to contain any spillage

Batch plant: a concrete or plaster mixing facility and associated equipment and materials.

Construction: means the period of the project during which the actual works are carried out, deemed to include site establishment, site preparation, the works, maintenance period and decommissioning.

Construction phase: The construction phase period of a cellular communications Construction site is defined as from the commencement of site establishment up to and including the practical site handover.

Construction site: means the area influenced and affected by the construction activities or under the control of the Contractor often referred to as "the Site".

Construction Supervisor: The person responsible (appointed by the owner) to ensure that the construction is carried out to completion on time, within budget and that the Contractor fulfils his obligations in terms of the EMP.

Contaminated water: means water contaminated by the Contractor's activities, *e.g.* concrete water and runoff from plant/ personnel wash areas.

Contractor: the principal persons / company and all other sub-contractors involved in the construction of the project.

Contractor's camp: means the designated and suitably demarcated areas on the Site within which all site offices and staff facilities are situated and within which equipment will be stored, for instance, batching plant, crusher plant, sand washing plant, workshop, offices, rest areas, ablution areas, etc., whichever is applicable.

Declaration of understanding: Form that is signed by all contractors involved in the construction works of their understanding and acceptance of the EMP and site-specific additions to the EMP.

Development site: boundary and extent of development works and infrastructure.

Environment: means the surroundings within which humans exist and that are made up of:

- the land, water and atmosphere of the earth;
- micro-organisms, plant and animal life;
- any part of the combination of the above two bullets and the interrelationships between them;
- the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being

Environmental Aspect: Any element of any construction activity, product or services that can interact with the environment.

Environmental Audit Report: report done by the ECO and submitted by the Applicant to the satisfaction of the Chief Directorate Environmental Affairs, within six months after construction has been completed and also after the site(s) has been rehabilitated.

Environmental Control Officer: The registered Environmental Scientist (*in terms of section 20(3) of the Natural Scientific Professions Act, 2003 (Act 27 of 2003)*) responsible for overseeing the environmental aspects of the Construction phase of the EMP.

Environmental Completion Statement: A report by the ECO to the relevant authorities stating completion of the project and compliance with the EMP and its conditions.

Environmental Impact: Any change to the environment, whether adverse or beneficial, wholly or partially resulting from any construction activity, product or services.

Method statement: A statement by the Contractor, describing the scope of intended construction works step-by-step, in order for the ECO and Construction Supervisor to understand the Contractors intentions and be able to comment on, so that they could assist with devising mitigating measures should it be necessary to avoid environmental impact.

No-Go Area(s): An area of such (environmental/aesthetical) importance that no person or activity are allowed within a designated boundary surrounding this area.

Owner: The owner, or dedicated person, responsible for the management of the property on which the proposed activity (in terms of the ROD) will be performed.

Stop Works Order: An order which can be issued either by the ECO or Construction Supervisor to the Contractor (or any sub-contractor) if serious environmental damage is about to happen or is happening as a result of construction activities. On receiving such an order the Contractor must immediately stop all activities (or planned activities) relevant to the specific issue until an environmentally friendly resolution has been approved by the ECO.

Site: The area and extent of the development works and infrastructure, including any areas off the main site on which works are to be carried out in order to allow the development to proceed successfully.

Site meetings: Periodic (weekly or monthly) meetings between the ECO, Construction Supervisor and Contractor to discuss construction activities that relate to the environment or any other environmental issues that might arise.

Works: The works to be executed in accordance with a contract.

On-site start-up meeting: a start-up meeting held on site, before any construction has begun to discuss EMP and determine site specific additions that will be included as the basis for the EMP.

Potentially hazardous substance: is a substance, which, in the reasonable opinion of the Engineer, can have a deleterious (detrimental) effect on the environment.

Method statement: is a written submission by the Contractor to the Engineer or relevant responsible person

Reasonable: means unless the context indicates otherwise, reasonable in the opinion of the Engineer/Project Leader after he has consulted with a person, not an employee of the client, suitably experienced in "environmental implementation plans" and "environmental management plans", both as defined in the Environmental Management Act (Act No 107, 1998).

Solid waste: means all solid waste, including construction debris, chemical waste, excess cement/concrete, wrapping materials, timber, tins and cans, drums, wire, nails, food and domestic waste (e.g. plastic packets and wrappers).

Precautionary principle: means the basic principle, that when in doubt or having insufficient or unreliable information on which to base a decision, to then undertake actions that will have minimum risk.

2.2 **ABBREVIATIONS**

CA	Competent Authority
CARA	Conservation of Agricultural Resources Act, 1983 (Act no. 43 of 1983)
CEMP	Construction phase Environmental Management Plan
DEADP	Department Environmental Affairs & Development Planning
DFFE	Department of Forestry, Fisheries and the Environment
ECO	Environmental Control Officer: - Must be a suitably qualified independent environmental consultant appointed to ensure compliance to the EMP
EMP	Environmental Management Plan or Programme
ESO	Environmental Site Officer - Must be a person with adequate environmental knowledge to understand and implement the EMP by conducting on site inspections determined by the ECO and the client.
ER	Engineers representative or Main contractors representative
EA	Environmental Authorisation (Record Of Decision) issued by relevant authority for the authorisation to commence construction under certain environmental compliances
HWC	Heritage Western Cape
MSDS	Material Safety Data Sheet(s)
NEMA	National Environmental Management Act, 1998 (Act no. 107 of 1998)
OEMP	Operational Environmental Management Plan
OSSM	On-site Start-up Meeting
SAHRA	South African Heritage Resources Agency

3. CONSTRUCTION PHASE EMP

3.1 STRUCTURE AND RESPONSIBILITY

Implementation of the EMP and environmental control and management of the construction phase will be achieved through the responsibility structure set out below. The role players include the Owner, the Construction Supervisor, the Environmental Control Officer and the Contractor. All role players must familiarize themselves with the prescriptions of the EMP.

3.1.1 THE CLIENT / APPLICANT / OWNER

The client (or the designated responsible person appointed by him) is responsible for:

- appointing a suitably experienced ECO, the Construction Supervisor and the Contractor for the duration of the construction contract, and
- ensuring that the Construction Supervisor and Contractor fulfil their obligations in terms of this EMP.

3.1.2 THE CONSTRUCTION SUPERVISOR

The Construction Supervisor is responsible to ensure that the construction is carried out to completion on time, within budget and that the Contractor fulfils his obligations in terms of the EMP. In addition, the Construction Supervisor and the ECO are expected to develop a close working relationship and to stay in contact with each other.

The responsibilities of the Construction Supervisor include:

- To issue site instructions to the Contractor.
- To serve as conduit for all communication between the ECO and the Contractor [The only exception is where the ECO or the Construction Supervisor needs to issue a “**STOP WORKS**” order on the contractor if serious environmental harm is about to happen or is happening as a result of construction activity. The “**STOP WORKS**” order must be confirmed by the other party as soon as reasonably possible].
- Discussing any problems that might lead to environmental damage with the ECO.
- When the ECO is not on site the Construction Supervisor will be responsible for the implementation of the EMP.

3.1.3 THE CONTRACTOR

The Contractor shall be responsible to:

- ensure that all sub-contractors, employees, suppliers, agents etc. are fully aware and adhere to the environmental conditions detailed in the EMP;
- liaise closely with the Construction Supervisor and the ECO;
- ensure that works on the site are conducted in an environmentally sensitive manner and in full accordance with the EMP;
- carry out instructions issued in the site instruction book;
- assist with solutions to environmental problems that may arise during the construction phase; and
- ensure that all “**No-Go**” areas are adequately fenced off.
- will report any deviation from the requirements of this EMP to the Principal Agent, and any pollution or environmental contaminant spill events.

- agrees to work stoppage and/or payment of penalties as required by this EMP and directed by the ECO/Construction Supervisor.
- agrees bear full costs for any work stoppage resulting from contravention of the requirements of this EMP, and/or the costs of remedying environmental damage resulting from their or their sub-contractors or employee's contravention of the requirements of this EMP.

NB: All contractors must sign the "Declaration of understanding" (Appendix 1 of this document) of this Environmental Management Plan before construction commences.

3.1.4 THE ENVIRONMENTAL CONTROL OFFICER (ECO)

ECO will be responsible for overseeing the environmental aspects of the Construction phase and will work in close co-ordination with the Construction Supervisor.

3.1.4.1 ECO qualifications

The ECO must be independent and suitably qualified (a diploma or degree in environmental management with at least 2 or more years of environmental site management experience) and must have a sound knowledge of the environment in which the activity will take place.

3.1.4.2 ECO duties

An ECO must be appointed for the duration of the construction phase (or as required by the EA). The ECO:

- will be primarily responsible for ensuring the implementation of the EMP and will perform regular site inspections/audits with the specific aim to ensure environmental conformance by the Contractor;
- to visit the site on a regular basis while construction is in progress. Frequency of site visits is recommended at 1 x site visit per month, or as determined by the Competent Authority;
- will keep environmental records (including photographs) of the construction activities;
- must ensure that "No-Go" and "Open Space" areas are adequately protected and adhered to;
- must approve and be present during the demarcation of the necessary areas for storage of materials, ablutions, eating areas of contract workers etc;
- to conduct a start-up meeting before construction commences and will provide environmental training at the beginning of the project and will provide environmental awareness training throughout the life of the project;
- must be informed of site and technical meetings to be able to comment and report on environmental issues;
- will call for, and approve, method statements for construction activities that might pose an environmental impact and must ensure that method statements are approved before commencement of the work;
- must implement immediate mitigating action in the case of critical environmental impacts
- must deal with public complaints/queries regarding environmental issues;
- will record his findings and all environmental non-conformances in an environmental completion report (which will be forwarded to the Client and the Construction Supervisor);
- will conduct a closing down visit as soon as possible after completion of the Development;
- will commission an independent Environmental Compliance Audit within 6 months after completion of the contract.

3.1.4.3 **ECO Authority**

The ECO has the authority to stop works if there is a serious threat to or impact on, the environment as a direct cause of construction. However, this authority is limited only to emergency situations where immediate consultation with the Construction Supervisor is not possible.

- The ECO is to inform the client/developer and site representative of the reasons for the stoppage as soon as possible. A relevant reason should be supplied as soon as possible after stoppage of such works.
- Upon failure by the contractor or his employee to show adequate consideration to the environmental aspects of this contract i.e. wilful destruction of the environment, the ECO may recommend to the client/developer or site representative to have the contractor's representative or any employee(s) removed from the site or work suspended until the matter is remedied.
- No extension of time will be considered in the case of such suspensions and all costs will be borne by the contractor.

3.1.5 **HEALTH AND SAFETY OFFICER:**

A Health and Safety (H&S) Officer for the project must be designated or appointed by the Contractor or Principal Agent, and his/her role is to support the successful implementation of the EMP through:

- Site evaluation on a regular basis.
- Identifying issues relating to day to day construction activities and that can have a detrimental effect on the environment.
- Subcontractor audits to ensure compliance.
- Assist in the direct implementation of the EMP.
- Ensure that the requirements of the EMP are communicated understood by personnel on site *via* induction sessions.
- Ensure that the contractors on site develop, implement and monitor the required H&S management functions.
- Evaluate the applicability and accuracy of the EMP and the method statements throughout the construction phase.
- Coordinate all statutory requirements including permit authorisation and license requirements.
- Conduct or have conducted a hazard analysis and take the necessary corrective action.
- Where it is not possible to remove any remaining hazard's to inform employees thereof and what precautionary action is to be taken.
- Detail mitigation measures required to be taken, and the procedures for their implementation to the project manager.
- Representing H&S issues at the production meetings.
- Coordinate H&S training of personnel.
- Coordinating spill response personnel.
- The H&S officer shall inspect the integrity of the hazardous waste containers/bins/skips on a weekly basis.

3.1.5.1 **Health and Safety Officer qualifications**

The Health and Safety Officer must be independent and suitably qualified, with a sound knowledge of the Occupational Health & Safety Act (Act no. 85 of 1993), and must have experience of the implementation of the act with regards to the construction and environmental environments in which the activity will take place.

3.2 **COMMENCEMENT OF WORKS**

The site project contractors must timeously receive a copy of the construction phase EMP (CEMP) and any other further additional information that pertains to site conditions/amendments or deviations from original site plan.

- This EMP must be included to form part of the Contractors site specification documentation.
- A copy of the EMP must be on site at all times and available for presentation to any authority requesting to see such document.

NO WORK ON SITE MAY TAKE PLACE UNTIL:

- The Declaration of Understanding/Environmental Contract is signed between the relevant parties.
- At least one week's written notice (or as specified in the EA) given to the Department before commencement of any construction activity (As per EA – if required).
- On-Site Start-Up Meeting has been held
- Site and No-Go areas has been identified **and demarcated**.
- Contractors are in possession of the EMP and other relevant documentation
- Contractors/Sub contractors have signed the Declaration of Understanding
- All mandatory site equipment is in place
- On Site Environmental Education and Awareness training session has taken place with all relevant construction personnel present.

NB: Work refers to: Camp Establishment, Earthmoving activities and any preliminary construction activities.

3.3 **ISSUES OF CONCERN**

Issues of concern that were identified in the Environmental Impact Assessment process and included in the EA or detailed in the Basic Assessment Report must be addressed during the "On Site Start-Up Meeting" and must be included in the On-Site Start-Up Report. Issues of Concern include but shall not be limited or restricted to the following:

- Site demarcation
- Demarcation and protection of any "no-go areas".
- Establishment of temporary laydown areas.
- Waste management and disposal.
- Mandatory site equipment.
- Establishment of construction site compound.
- Above ground bulk fuel storage facilities (if required);
- Ablution & Toilet Facilities.
- Refuse Management.
- Concrete works & batching plant facilities (if required)
- Soil erosion and sediment control.
- Firefighting equipment & emergency fire reaction plan.
- Rehabilitation

3.4 SITE SPECIFIC ARRANGEMENTS & CONSTRUCTION PROCEDURES

Please note that all recommendations summarized in the Basic Assessment Report must be addressed and read as part of the site-specific arrangements & construction procedures which will include:

- General recommendations;
- Site specific mitigations;
- Conditions of approval of the Environmental Authorisation (if required).

3.4.1 ON-SITE START-UP MEETING

The mandatory **On-Site Start-Up Meeting** must be conducted at least **14 days but not less than 5 working days** prior to commencement of any site/camp establishment, earthworks and/or construction activities and will relate to additional discussed information that must be complied with during the entire construction phase.

On-Site Start-Up Meeting points of discussion are:

- The Construction EMP & other relevant site documents
- Project to be discussed and all uncertainties are cleared
- Method statement/s to be discussed
- Power line installation access routes
- Road and construction area to be demarcated
- Materials stockpile and lay down areas to be demarcated
- Method of stockpiling to be discussed
- Firefighting procedures
- Mandatory firefighting equipment & fire preventative measures
- Solid waste removal intentions
- Placement, type and service of toilets to be agreed on
- Placement and type of rubbish bins and removal of rubbish to be agreed on
- Labour overnight camp to be demarcated and services agreed on
- Environmental Education and awareness training session to all contractors & onsite staff/labour.
- Location & establishment of concrete batching plant facility.

3.4.2 START-UP MEETING PARTICIPANTS

Minutes of the onsite Start-Up Meeting will be condensed to a report format and circulated to all attendees of the above-named meeting for their perusal and comments. The On-site Start-up Meeting report will form part of this EMP. If any discrepancies between the start-up report and the EMP arise then the EMP will take precedence until clarification on the discrepancy is clarified. If any discrepancies between the EMP and the EA then the EA will take precedence until clarification on the discrepancy is clarified.

Participants to the start-up meeting can include:

- Applicants Representative.
- Main Contractor's Representative.
- Resident Engineer
- Site foreman.
- Environmental Consultant.
- Environmental Control Officer.

NB: It is the responsibility of the main contractors to ensure that all sub- contractors, that work on the site during and after the civils contract, are informed of the environmental conditions pertaining to the site.

3.5 ENVIRONMENTAL- & AWARENESS TRAINING

3.5.1 ENVIRONMENTAL AWARENESS COURSE

Environmental awareness training courses shall be run for all personnel on site. The ECO will be responsible for the initial awareness course which shall include all relevant management, the Construction Supervisor, the Contractor and all foremen. All attendees shall remain for the duration of the course.

The Contractor shall be responsible to ensure that all his personnel and subcontractors (if applicable) are informed and made aware of the environmental constraints and shall also supply the ECO with a monthly report indicating the number of employees used by him. If refresher courses are deemed necessary, for instance, where personnel disregard the requirements of the EMP, the time lost and the cost of the course would be for the account of the Contractor.

3.5.2 SPECIFIC TRAINING

All contractors and workers shall be informed about any special habitat, biodiversity feature, vegetation and/or rare plant species that might be present on the specific construction site (if applicable).

3.6 METHOD STATEMENTS

Method statements from the contractor will be required for specific sensitive actions on request of the authorities, the Applicant and/or ECO.

A method statement forms the base line information on which sensitive area work takes place and is a “live document” in that modifications are negotiated between the Contractor and ECO/applicant, as circumstances unfold.

All method statements will form part of the EMP documentation and are subject to all terms and conditions contained within the EMP main document.

These documents must be available to the authorities for inspection or on request.

A method statement describes the scope of the intended work in a step-by-step description in order for the ECO and Applicant to understand the contractor’s intentions. This will enable them to assist in devising any mitigation measures, which would minimize environmental impact during these tasks.

The Contractor must submit the method statement before any particular construction activity is due to start. Work may not commence until the ECO and applicant have approved the method statement.

Method statements need to be compiled by the contractor for approval by Applicant and the ECO. The contractor must submit written method statements to Applicant for the purposes of the environmental specification, a “Method Statement” is defined as a written submission by the contractor to Applicant setting out the plant, materials, labour and method the contractor proposes using to carry out an activity, in such detail that Applicant and the ECO is able to assess whether the contractor’s proposal is in accordance with the specifications and/ or will produce results in accordance with specifications.

The method statement must cover applicable details with regard to:

- Construction procedures
- Materials and equipment to be used
- Getting the equipment to and from site
- How the equipment/ material will be moved while on site
- How and where material will be stored
- Location & establishment of concrete batching plant facility.

- The containment (or action to be taken if containment is not possible) of leaks or spills of any liquid or material (of any potential hazardous material) that may occur
- Timing and location of activities
- Compliance/ non-compliance with the Specifications, and
- Any other information deemed necessary by the Applicant and the ECO

The Contractor must abide by these approved method statements, and any activity covered by a method statement must not commence until Applicant and the ECO has approved of such method Statement.

NB: No work may commence or take place before the Method Statement has been approved by all relevant parties.

List of possible Method statements include but shall not be limited or restricted to:

- Demarcation
- Demarcation and protection of “no-go areas”.
- A traffic management plan for the site access road.
- A storm water management plan.
- An erosion management plan.
- Clearing of vegetation and topsoil removal
- Clearing and disposing of alien vegetation
- Stockpiling
- Temporary storage facilities
- Construction camp and site offices
- Fuel storage
- Labourer’s facilities
- Mandatory site equipment
- Waste control
- Cement mixing
- Construction vehicle maintenance
- Heavy earthmoving equipment
- Dust control
- Noise control
- Rehabilitation

3.6.1 ADDITIONAL METHOD STATEMENTS

Any additional method statements (with regards to a specific aspect of construction) that may be required must be **submitted** and approved before commencement of the specific works and must be available at the site offices.

3.7 NON-COMPLIANCE

Applicant (on recommendation by the ECO) reserves the right at all times for the duration of this agreement to impose restrictions and associate penalties on the contractor with respect to the specific nature, timing and extent of construction activities on environmentally sensitive sites.

3.7.1 CORRECTIVE ACTION INSTRUCTION

The ECO may issue an onsite corrective action instruction to the site agent, or, by means of an entry into the Site Instruction Register for remedial work to be carried out to rectify any non-compliance that has been carried out within a reasonable agreeable time frame to carry out and complete the remedial work.

3.7.2 WRITTEN WARNING

In instances of non-compliance with the EMP by the contractor (or any of their employees) or sub-contractor/s (or any of their employees) that move on or off the site, the onsite ECO must issue a written warning indicating the non-conformance to the contractor.

If repeated instructions by the ECO to the site agent to respond to the corrective action instruction have not been carried out the ECO can issue a Written Warning notation instructing the site agent to timeously carry out the corrective measures as per the original non-compliance.

3.7.3 PENALTY FINES

In the event of the site agent negligence to respond and correct the noted non-compliance the ECO may in collaboration with the relevant parties recommend that a Penalty Fine be imposed on the contractor.

- The applicant, in consultation with the ECO must determine the amount of the penalty applicable in accordance with the Penalties for Non-Compliance Schedule of Tariffs.
- Such penalty amount must be in writing and presented to the contractor within seven (7) days of the written warning.
- Applicant may recover penalties by deducting the fine from the offending contractor.
- The contractor will be responsible for all costs incurred where emergency procedures are implemented to deal with accidents impacting on the environment as well as the rehabilitation of such damage in conjunction with the ECO and site engineer.
- In serious cases, at the discretion of Applicant and the Environmental Consultant/ECO, any multiple offences can be added together.

3.7.4 STOP WORKS

The ECO (after consultation with Environmental Consultant/Applicant/Engineer) may also stop the works or part thereof until the situation is resolved; no extension of time is claimable by the contractor.

These penalties do not preclude any prosecution under any law or regulation.

3.8 **CHANGES TO EMP**

Although care has been taken to address all known relevant environmental issues for the construction phase, it may become necessary to add or amend certain procedures or instructions to improve the efficiency of the Environmental Management Plan (EMP).

- Only those additions or amendments of this EMP that will either improve environmental protection or can be proved not to have any negative effect to the immediate and surrounding environment will be considered.
- Changes or deviations have to be motivated in writing by means of a Method Statement and the same procedures for a standard Method Statement have to be followed.
- Any additions or amendments must be submitted by the ECO to the Competent Authority (if so requested and required) after the ECO has consulted with the Environmental Consultant and Applicant.
- No deviation from the contents of the EMP is allowed without the above-named prescribed procedures.

3.9 **RECORD KEEPING**

All records relating to the implementation of this Environmental Management Plan must be kept together, be readily retrievable and available for scrutiny by any relevant authority. Records include the following:

- Declarations of understanding;
- ECO Checklist, audits and/or diary;
- Method Statements
- Environmental incident reports
- Photographs (must be taken before, during and immediately after construction as a visual reference);
- The Environmental completion statement.

These records must be available for scrutiny by any relevant authorities.

3.10 **STANDARD MANAGEMENT PROCEDURES**

3.10.1 **ACCESS AND HAUL ROUTES**

The Contractor must control all access (vehicles and plant) to and from the construction site, including that of his suppliers so that they remain on the pre-approved designated routes. In addition such vehicles and plant must be so routed and operated as to minimise disruption to regular users of the routes.

- Where heavy duty vehicles and construction plant are required, both the type of vehicles/machinery and the area/s these are to access shall be specified in a Method Statement and/or Traffic Management Plan.
- Access routes/haul roads will utilise only existing roads or tracks, unless such routes are not available or new routes are to be constructed as part of the project, in which case a Method Statement must be submitted for the construction of any new access/ haul roads (including temporary routes).
- No new roads or tracks may be created except where such routes are specifically approved by the ECO, in the EA or in this EMP.
- Any new access roads/haul roads must be designed so as to minimise erosion and must run across slopes and not directly up-hill.
- All vehicles and access to the site must remain within demarcated access routes and working areas on site.
- All reasonable measures must be implemented to minimize impacts on road users.

- On gravel or earth roads on site, the vehicles of the Contractor and his suppliers may not exceed a speed of 25 km/h.
- On public roads adjacent to the site, vehicles will adhere to municipal and provincial traffic regulations.
- Any temporary access routes must be rehabilitated at the end of the contract to the satisfaction of the ECO.
- All vehicles used for transportation or construction purpose must be limited to the designated routes to avoid unnecessary compaction of topsoil or to prevent disturbance of animals and plants outside of construction areas.
- The access roads must be covered with gravel to minimize dust pollution and the gravel must be extracted from a permitted quarry.

If so required by the owner of the land the following may also apply with regard to access and vehicular movement on site:

- All Contractors, subcontractors and staff shall be identified by clothing with company logos and be in possession of valid SA identity documents.
- Deliveries, removals etc. to be completed during normal working hours (unless otherwise agreed upon by the Construction Supervisor).
- No personnel shall stay permanently on site, unless permission to stay on site provided as part of the construction contract.
- Access route diversions must be clearly demarcated by orange twine/danger tape on steel posts or temporary fencing.
- The Contractor shall at his cost document the existing condition of all access roads prior to commencement.
- Should any damage occur to the access road as a result of the upgrade activities, the road will be rehabilitated to its original state with all costs borne by the contractor.

3.10.2 APPROPRIATE USE OF MACHINERY

Contractor must at all times carefully consider what machinery is appropriate to the task while minimizing the extent of environmental damage.

- The contractor may not operate any machinery including a fuel driven compressor outside the demarcated area.
- All vehicles and equipment must be routinely inspected for fuel and oil leaks and kept in good working order and serviced regularly. Leaking equipment must be repaired immediately or removed from the Site. When servicing equipment, drip trays must be used to collect the waste oil and other lubricants. Drip trays must also be provided in construction areas for stationary plant (such as compressors) and for "parked" plant (such as scrapers, loaders, vehicles). Drip trays will be kept free of water that will float the oil to overspill. All drip trays / bungs to attain a 120% capacity of the plant fuel / oil capacity.
- Where practical, all maintenance of plant and machinery on Site must be performed in workshops. If it is necessary to do maintenance outside of a workshop area, the Contractor must obtain the approval of the Engineer and the ECO prior to commencing activities.
- Appropriate 4.5 kg (minimum requirement) dry powder SABS approved and service certified fire extinguisher must be a mandatory item on all vehicles working and moving on or off the construction site.
- The servicing, repairs and maintenance of all construction machinery must take place at the designated service and maintenance yard and not along the proposed new road construction route.

3.10.3 “No-Go” AREAS

Specifications of the Environmental Authorisation (EA), the Environmental Management Plan (EMP) or the On Site Start-Up Meeting (OSSM) can require that certain areas are to be considered as "No go" areas as a result of their environmental significance or proximity to environmental significant features.

- Any and all areas identified in site sensitivity overlays as “no-go” areas are to be considered as such, and appropriately demarcated as such.
- All areas of natural vegetation and streams/rivers outside of the development footprint should be considered “no-go” areas.
- A Method Statement is to be submitted to the ECO by the Contractor, detailing the method of demarcation for protection of such conservation areas.
- No-Go areas are out of bounds to the Contractor and his staff, sub-contractors and their staff or suppliers and their staff or any other person involved in the project, without the written permission specified by the ECO.
- The Contractor must ensure that, insofar as he has the authority, no person, machinery, equipment or material enters the designated "No Go" areas at any time.
- All contractors must be made aware of the importance of these features and the consequences of non-compliance. All staff are to be made aware of the “no – go” areas in the induction and environmental awareness training.
- All private property/farms outside of the works area are considered “no-go” areas, unless permission has been received from the ECO and written permission has been received from the land owner.
- Natural vegetation outside of the development area will be considered no-go areas, unless for the purpose of alien vegetation clearing.
- All drainage lines and watercourses outside the development footprint will be regarded as “no-go” areas, except of the installation of the floating jetty.

3.10.4 RESTRICTION OF WORKING AREAS

The approved layout plans will be used to establish the site demarcation (footprint). All relevant parties responsible for the day-to-day activities on the site will be present and made aware of the implication of the site demarcation. They include the:

- Environmental Consultant: EnviroAfrica
- Principle Agent
- Main Contractor: Project Site Manager
- Sub-contractor: Project contractor
- ECO: Environmental Control Officer

The proposed site will be demarcated prior to the commencement of any construction whatsoever, this includes site establishment, the moving of construction material or any other items onto the site, etc.

- The site will be demarcated with appropriate dropper poles. A single strand of orange baler twine is to be attached to the dropper poles to indicate boundaries and no-go areas for site personnel and vehicular movement. (Alternative fencing may be decided upon dependent on-site requirements). Other demarcation measures can be used if approved by the ECO.
- The construction area i.e. road, stockpile areas and development footprint etc. must be demarcated and fenced off with dropper poles and orange baler twine approximately 1m high is considered adequate. The demarcation will be agreed on during the start-up meeting.
- All fencing and fence placement / positioning must be approved by the ECO on site.
- Work areas and access routes must be clearly demarcated to minimise environmental impact.

- In the event that sensitive features are threatened by construction activities, temporary fencing off of these areas (for individual areas such as trees or rocks) or the construction area (when working in a mainly natural environment) is recommended.
- NB: Also note the requirements discussed under the following paragraphs: 3.10.5; 3.10.2; 3.10.8; 3.10.6; 3.10.7.
- The Contractor must maintain in good order all demarcation, fencing and barriers for the duration of construction activities, or as otherwise instructed.
- Demarcation may not be moved, re-located or altered or changed without the approval of the ECO.
- Any temporary fencing removed for the execution of any portion of the works is to be reinstated by the Contractor as soon as practicable.
- The Contractor at the end of the contract must remove all demarcation, fencing or barriers not forming part of the final works on Site.

3.10.5 PROTECTION OF NATURAL VEGETATION

Habitat fragmentation is usually defined as a landscape-scale process involving both habitat loss and the breaking apart of habitat. Habitat loss has large, consistently negative effects on biodiversity. Habitat fragmentation per se has much weaker effects on biodiversity, but could be just as negative. As such the construction activities must endeavour to minimise its impact on any remaining natural features and natural corridors.

- All significant biodiversity features identified during the environmental assessment stage, must be mapped and identified as “No-Go” areas on the site plans and protected measures must be installed (demarcated). Only alien vegetation clearing may take place within the natural areas outside the demarcated works area;
- Except to the extent necessary for the carrying out of the works, no natural indigenous flora may be removed, damaged or disturbed;
- Trapping, poisoning and/or shooting of animals is strictly forbidden. No domestic pets or livestock are permitted on Site;
- Where the use of herbicides, pesticides and other poisonous substances are to be used, the Contractor must submit a Method Statement;
- The Contractor may not deface, paint, damage or mark any natural features, if these should occur (e.g. trees, rock formations, buildings, etc.) situated in or around the Site for survey or other purposes unless agreed beforehand with the Engineer and the ECO. Any features affected by the Contractor in contravention of this clause must be restored/rehabilitated to the satisfaction of the Engineer and the ECO.
- All incidents of harm to any animal or natural vegetation (apart from the agreed upon areas) must be reported to the ECO.

3.10.6 PROTECTION OF FAUNA AND AVI-FAUNA

Trapping, poisoning and/or killing of animals and birds is strictly forbidden. No domestic pets or livestock are permitted on Site. Many slow-moving animals, local amphibian and other species follow instinctive movements along roadside corridors where they travel from place to place.

- Every effort must be implemented on a daily on-going basis by the contractor to ensure that the construction areas have been checked for any animals and to ensure their removal and protection from direct and in-direct impacts during the construction activities. Special cognisance of tortoises must be taken on site.
- Any open trenches must not be left open for extended periods of time. If trenches are to be left open for extended periods, these should be fenced/secured to prevent livestock and other animals from falling into trenches.

- The removal of fauna from the site must be done in accordance with the requirements of the Nature Conservation Ordinance regulating these activities.
- Environmental corridors and “No-Go” areas must be demarcated and protected.

3.10.7 CLEARING OF VEGETATION, STRIPPING AND CONSERVATION OF TOPSOIL

The contractor shall take all reasonable steps to minimise the impact of his activities on the environment. If natural vegetation have to be removed for construction purposes, the natural vegetation shall be rescued, re-used (e.g. stabilizing the area after construction or re-vegetating other impacted areas) in such a way that it enhances the remaining natural veld. By the same principle topsoil (which contains the remaining natural seed store as well as possibly many bulb species) must be carefully removed and stored or re-used for rehabilitation or impacted areas in the immediate vicinity.

Vegetation clearing:

- A Method Statement must be submitted detailing the methods to be used for vegetation clearing.
- All cleared areas must be stabilised as soon as possible.
- Burning of cleared vegetation on site is prohibited.
- The burying of cleared vegetation or use as part of backfill or landscape shaping is prohibited unless written approval is obtained from the ECO.
- Cleared vegetation may be used for mulch or slope stabilisation of the Site.
- Should bulk vegetation be removed from the designated working areas (footprint area) then tall vegetation shall first be removed through brush cutting and chipping of larger shrub material; this may be added to the topsoil material stockpiles as mulch.
- Unless otherwise agreed upon, only indigenous plant material shall be used for this purpose.

Topsoil removal

- Prior to any activities within the demarcated work areas, topsoil material shall be removed to a depth of 300 mm or deeper if specified by the engineer in consultation with the ECO, and stockpiled in a designated area for use in rehabilitation of the site post construction. Only sufficient topsoil is to be stored for rehabilitation purposed.
- Topsoil from the still relatively natural area (the top 15 -20 cm) should be removed and be used for rehabilitation after construction on site or in the immediate vicinity of the site.
- Any area where the topsoil will be impacted by construction activities, including the construction offices and storage areas, must have the topsoil stripped and removed and covered with herbaceous vegetation (other than alien species), overlying grass and other fine organic matter and stockpiled for subsequent use in rehabilitation.
- Topsoil storage areas must be convex and should not exceed 2 m in height. The Contractor must ensure that the material does not blow or wash away. The use of a bund wall should be considered, if appropriate, for the storage of the topsoil.
- The topsoil should be stored outside the 1:50 flood level within demarcated area.
- Topsoil shall be kept separate from overburden and shall not be used for building or maintenance of access roads.
- Topsoil must be treated with care, must not be buried or in any other way be rendered unsuitable for further use (e.g. by mixing with spoil) and precautions must be taken to prevent unnecessary handling and compaction.
- In particular, topsoil must not be subject to compaction greater than 1 500 kg/m² and must not be pushed by a bulldozer for more than 50 m. Trucks may not be driven over the stockpiles.

- Topsoil from different soil types must be stockpiled separately and replaced in the same areas from which they were taken if this proves to be the case. Specific attention should be given to the areas that may house rare and threatened species.
- Topsoil areas must be demarcated in order to ensure the safekeeping of topsoil and to separate different stockpile types.

3.10.8 EROSION AND SEDIMENTATION CONTROL

The Contractor must take appropriate on-going and active measures to prevent erosion resulting from his own construction activities and operations as well as storm water control measures to the satisfaction of the ECO. During construction the Contractor must protect areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible.

In order to achieve erosion and sediment control, the following are applicable to all sites:

- No new development, without written authority approval, will be allowed on slopes greater than 12% (CARA, regulation 3). If applicable terraces will be made in accordance with agricultural regulations.
- Install erosion and sediment controls before work starts and maintain these features throughout the construction and operational phases (as applicable).
- Leave as much vegetation as possible.
- Install temporary fences to define “No Go” areas in those areas that are not to be disturbed.
- Divert run-off from upslope away from the site, but ensure that it does not cause downstream erosion. For example, dig drainage channels (catch drains sized to accommodate the upslope catchment).
- Install sediment controls down slope of the site to catch sediment (if applicable).
- Inspect and maintain erosion and sediment controls regularly.
- Limit vehicle movement to the site and control access points. Clearly mark such access points and inform all suppliers.
- Save and re-use topsoil during revegetation. Never store topsoil around trees as this may kill them. Spread the topsoil back when the work is finished and revegetate the site as soon as possible to control erosion. Remove the sediment and erosion controls only after revegetation was successfully implemented.
- Store all stockpiles and building materials behind sediment fences. Cover them with plastic to prevent erosion by wind.
- It is illegal to discharge water into a public stream if the quality does not conform to the required health or water standards. Other measures as may be necessary must be taken to prevent the surface water from being concentrated in streams and from scouring the slopes, banks or other areas. Any potential hazardous fluids / materials must be protected from the rain to prevent them being washed into storm water channels. All such measures must be discussed with and approved by the ECO.
- If required, build a dam below any works areas. Surround the wash-out area with a sediment fence that slows down the water flow. Filter or settle-out all water pumped off the site. The water must be clear before it enters the storm water system or creeks. Gypsum can be applied to muddy (turbid) water to help clay particles settle.
- Fill in all trenches immediately after services have been laid.
- As far as possible, work must be done during the dry season, low flow conditions.
- Downstream placement of sediment containing measures.
- Due diligence to limit sediments washing down the river.
- Vegetation of ramps and shoulders.

3.10.9 ALIEN INVASIVE MANAGEMENT PLAN

In accordance with Regulation 15 and 16 of the Conservation of Agricultural Resources Act, 1983 (Act no. 43 of 1983) (CARA) as amended, all listed alien invasive plant species must be managed on any land in SA. As such an alien invasive management plan may be required to be implemented during construction and operation phase of the project. If such a plan is required, it must include mitigation measures to reduce the invasion of alien species and ensure that the removal of alien species is undertaken. Wetlands and rivers are especially susceptible to many of species.

- In accordance with CARA all identified alien invasive plants encountered on the property and its immediate surroundings must be controlled.
- All invasive alien plants must be cleared from the site and remainder of the landowner's property).
- An invasive alien plant monitoring, eradication and control plan should be compiled to effectively remove all infestations on the property. This will allow for a degree of natural passive restoration of natural vegetation.
- All alien invasive species must be identified and removed from each site and its immediate surroundings. This is especially true for any remaining natural corridor on site.
- Any exotic trees currently growing in riparian zones on site should be cut and the stumps treated with herbicide to prevent re-growth;
- No vegetation may be buried or burned on site.
- Where the use of herbicides and other poisonous substances are to be used, the Contractor must submit a Method Statement.

The invader status of the various invasive alien species in South Africa is described in accordance with Regulation 15 and 16 of the Conservation of Agricultural Resources Act, 1983 (Act no. 43 of 1983) (CARA) as amended (the 3 categories and its control are summarised underneath).

Category 1 (Declared Weed)

- Prohibited on any land or water surface in South Africa
- Must be controlled or eradicated (except in biological control reserves).

Category 2 (Declared Invader – commercial value)

- Allowed only in demarcated areas under controlled conditions
- Outside of controlled areas invaders must be controlled or eradicated where possible
- Prohibited within 30 m off the 1:50 year flood line of watercourses or wetlands unless authorization has been obtained

Category 3 (Plant Invaders – ornamental value)

- Allowed only in areas where they were already in existence with the promulgation of the regulations.
- Prohibited within 30 m of the 1:50 year flood line of watercourses or wetlands unless authorization has been obtained.
- All reasonable steps must be taken to ensure that they do not spread.
- Propagative materials of these plants (e.g. seeds or cuttings) may no longer be planted, propagated, imported, bought, sold or traded in any way.

3.10.10 PROTECTION OF ARCHAEOLOGICAL & PALEONTOLOGICAL REMAINS

Archaeological remains are ancient man-made objects, structures, or ancient burials that have been preserved on the earth's surface, underground, or underwater and serve as the historical sources that make it possible to reconstruct the past history of human society, including mankind's prehistory. Palaeontology, on the other hand, is the study of prehistoric life. It includes the study of fossils to determine organisms' evolution and

interactions with each other and their environments (their paleoecology). Palaeontology lays on the border between biology and geology, and shares with archaeology a border that is difficult to define.

- Basic archaeological remains include work tools, weapons, domestic utensils, clothing, and ornaments; settlements including campsites, fortified and unfortified settlements, and separate dwellings; ancient fortifications; the remains of ancient hydraulic structures; ancient agricultural fields; roads; mining pits and workshops; ancient burial grounds and various burial and religious structures (stelae, stone figurines, stone fish monoliths (vishaps), menhirs, cromlechs, dolmens, sanctuaries); drawings and inscriptions carved into individual stones and cliffs; and architectural monuments. Archaeological remains also include ancient ships and their cargoes that sank in rivers and seas and settlements that came to be underwater as a result of shifts in the earth's crust
- Should any archaeological remains or palaeontological resources (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to SAHRA and must not be disturbed further until the necessary approval has been obtained from SAHRA.
- Should any human remains/burial or archaeological material be disturbed, exposed or uncovered during construction, these should immediately be reported to the South African Heritage Resources Agency (021 462 4502). The ECO and ER are also to be informed. An archaeologist will be required to remove the remains at the expense of the developer
- Note that the Contractor may not, without a permit issued by the responsible heritage resource authority; destroy, damage, excavate, alter, deface or otherwise disturb any archaeological site or archaeological material. The latter is a criminal offence under the Heritage Resources Act.
- A Fossil Find Procedure must be implemented, should any fossil material be discovered during construction, this must be safeguarded (preferably *in situ*) and the Environmental Control Officer (ECO) should alert SAHRA so that appropriate mitigation (*e. g.* recording, sampling, or collection) can be taken by a professional palaeontologist.

3.10.11 STORAGE OF CONSTRUCTION MATERIAL AND STOCKPILING

The Contractor must provide a method statement (for approval by the ECO) of the construction activities which will indicate:

- the type and quantity of material to be stored;
- whether any oil contaminated/containing equipment will be stored;
- how (including what type of vehicles will be required) it will deliver the material on site at the necessary storage area; and
- whether there is any risk of spill or runoff of any building materials or chemicals and how this is to be mitigated.
- No material is to be stored or stockpiled within any riparian zones or areas of natural vegetation. Disturbed areas should be used for stockpiling.

In addition:

- The Contractor must ensure that any delivery drivers are informed of all procedures and restrictions (including "no go" areas) required to comply with the Specifications. The Contractor must ensure that these delivery drivers are supervised during off-loading, by someone with an adequate understanding of the requirements of the Specifications.
- All manufactured and/or imported material must be stored within the demarcated area, and, if so required, out of the rain. All lay down areas outside of the construction camp must be subject to the Engineer and the ECO's approval in such a way as not to cause a nuisance or environmental damage.
- All building materials are to be prepared at the batching plant, to enable the effects of cement and other substances, and the resulting effluent to be more easily managed.
- It is essential that any imported material i.e. base material for road works, building sand, bedding base sand for pipe / cable lines etc. must be screened and of which the origins must be identified prior to arriving at the receiving environment, this must be approved by the Engineer / ECO.
- Special care must be taken to prevent bringing in materials contaminated with seed of Invasive Alien Plants. Contractors shall not import construction materials such as sand, gravel or fill contaminated with seed of Invasive Alien Plants, or quarried from areas surrounded by Invasive Alien plant species such as Port Jackson or Rooikrans.
- The Contractor must negotiate appropriate space on for this purpose on an area away from natural vegetation and any wetland habitat with the ECO.
- The Contractor must ensure that all staff, contractors and subcontractors are aware of and keep material within these designated storage areas. The Construction Supervisor shall ensure that the consultant team is familiar with same.
- Contractors will not be allowed to store new construction material on the sides of the access road, or within natural vegetation or next to the existing access road.
- Stockpiling of gravel, cut, fill or any other material including spoil should only be allowed in degraded areas or areas within the development footprint.
- Any area used for stockpiling and not covered by building development must be returned to at least the state they were in before stockpiling and it must be ensured that the erosion potential of these areas is not increased.
- The Contractor must ensure that the material does not blow or wash away (especially into riparian zones) or mix with each other. If the stockpiled material is in danger of being washed or blown away, the Contractor must cover it with a suitable material, such as hessian, netting or plastic.

3.10.12 OIL STORAGE AND MANAGEMENT

An important potential environmental impact is oil spills from any oil filled equipment and machinery that may occur during transportation, operation or storage. The following conditions shall apply:

- Vehicles must be checked for oil leaks prior to going on site
- Care should be taken to prevent any potential oil spillage during upgrading activities.
- Sufficient measures should be put in place to ensure that any potential oil spills are mitigated.
- An oil spill kit should be available on site at all times during the construction activities;
- Oil containment facilities should be provided for any oil filled equipment onsite;
- All oil spills must be reported to the ECO within 24 hours, indicating the containment and rehabilitation measures implemented.

3.10.13 STORING OF PETROLEUM PRODUCTS

Petroleum fuels contain harmful substances known to cause health problems and can easily have adverse effects on water quality, and the environment. Petroleum spills can move rapidly into the soil and quickly contaminate drinking water. In order to prevent pollution it is important to, use proper methods when handling, using, and storing diesel fuel, gasoline, kerosene, or other petroleum products.

The South African National Standards pertaining to the installation of a storage tank include:

- SANS 310, which requires that an aboveground storage tank be of sufficient structural strength, based on sound engineering practices, to withstand normal operations and use;
- SANS 1668, for fibre-reinforced plastic tanks for the underground storage of petroleum products;
- SANS 10089-1, which deals with the storage and distribution of petroleum products in aboveground bulk installations; and
- SANS 1535, for glass- reinforced polyester-coated steel tanks, for the underground storage of hydrocarbons and oxygenated solvents, which are intended to be buried horizontally.

Above ground fuel storage tanks (if required)

Any fuel storage proposals must be cleared by the ECO before any storage or stockpiling takes place. If the contractor proposes to install above-ground fuel storage tanks for use during the construction phase of the project, the following basic requirements must be adhered to:

- A Method Statement, explaining the method of storage and mitigation measures to prevent spillages must be submitted to the ECO and accepted prior to the installation of such a fuel storage facility (please note that storage of any dangerous goods/fuel of 30 cubic meters or more require environmental authorisation).
- The fuel tank must be placed within a completely sealed concrete bund (containment structure) which must be able to contain at least 120% of the total capacity of the fuel tank.
- The bunded area should be built to be at least a third wider (on all sides) than the base of the fuel tank in order to maximise its capability to contain spillages and leakages.
- The fuel distributor must also be located within bunded area to better prevent against accidental spillages during refuelling.
- In addition, drip trays are to be used during refuelling.
- All vehicles, equipment, fuel and petroleum services and containers must be maintained in a good condition that prevents leakage and possible contamination of soil or water supplies.
- Fuel storage areas must comply with general fire safety requirements.
- Fuel storage areas must be at least 100m from any watercourses.

Storing of smaller quantities of fuel or oil

Any fuel storage proposals must be cleared by the ECO before any storage or stockpiling takes place. If the contractor proposes to use only small fuel storage facilities (< 200 litres) the following basic requirements must be adhered to:

- Fuels and oils must be safely located out of harm's way from the elements and safety and fire prevention must be strictly adhered to.
- All fuel oil containers must be placed within suitable drip trays to prevent accidental spillage of oils and fuels.
- A suitable leak proof container for the storage of oiled equipment (filters, drip tray contents and oil changes etc.) must be established.
- All spills are to be recorded in the ECO diary.

3.10.14 STORING OF HAZARDOUS SUBSTANCES

If potentially hazardous substances are to be stored on site, the Contractor must submit a Method Statement detailing the substances and/or materials to be used, together with the storage, handling and disposal procedures of the materials to the ECO.

- Hazardous materials must be stored under lock and key in designated areas with properly displayed and visible warning signs.
- No works related to the submitted Method Statement may commence until the Method Statement has been studied and approved in writing.
- An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage must be implemented. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants must be implemented.
- **Paints:** - No paint products may be disposed of on Site and brush/roller wash facilities must be established to the satisfaction of the Engineer and the ECO. Oil based paints and chemical additives and cleaners such as thinners and turpentine must be strictly controlled. A Method Statement detailing the paint management procedures is required.
- **Hazardous building materials:** -Hazardous building materials must be identified and dealt with in accordance with the relevant safety and health legislation. All such material must be separated on Site and disposed off at appropriate licensed disposal sites. The Contractor must supply the ECO with a certificate of disposal.

3.10.15 USE OF CEMENT OR CONCRETE

The Contractor is advised that cement and concrete are highly hazardous to the natural environment because of the high pH levels of the material, and the chemicals contained therein. Wash-out water with high pH is the number one environmental issue for the ready-mix concrete industry. The alkalinity levels of wash water can be as high as pH 12, which is toxic to fish and other aquatic life.

The Site Supervisor or Contractor must indicate the need for and the proposed location of concrete batching plants which includes the location of cement stores, sand and aggregate stockpile areas. A Method Statement indicating the layout, type of concrete batching preparation (dry or wet mix). The site agent must indicate on the Method Statement proposed total volume of concrete that is needed for the completion of the entire project.

Concrete/cement mixing:

- Concrete and cement may only be mixed on existing hard surfaced areas, or edged mortar boards or a suitable container. Concrete may not be mixed or stored directly on the ground under any circumstances.
- The visible remains of the batch and concrete, either solid, or from washings, must be physically removed immediately and disposed of as hazardous waste.
- Washing of equipment shall be done in a container to prevent any runoff of contaminated washing water.
- Extreme care must be taken to limit the amount of water contaminated by washing equipment. Water from concrete washing can be re-used in concrete mixes or must be stored in drums, then removed from the site and disposed of at a licensed municipal dump site.

Concrete batching plants (if required)

The following procedures must be implemented to control waste water run-off from concrete batching plant locations:

- The location of concrete batching areas must be approved by the ECO (if possible/appropriate, the use of ready-mix concrete is preferred).
- Concrete batching facilities must have suitable bunding methods in place to ensure minimal waste water run-off occurs during batching operations.
- Contaminated water may not enter a natural or man-made (e.g. trench / sloop or dam) water system. Preventative measures include establishing sumps from where contaminated water can be either treated in situ or removed to an appropriate waste site.
- Dry mixing batching areas to be carefully placed in consultation with the ECO.
- Cement bags are to be stored securely out of harm's way from the elements (wind and rain). Bags have to be covered and placed on plastic sheeting. Used cement bags must be disposed of on a regular basis via the solid waste management system, and must not be used for any other purpose.
- Sand and stone used for cement or concrete batching must be stored on plastic layers (or on ECO approved disturbed areas) in order to prevent contamination of the natural environment.
- Cleaning of equipment and flushing of mixers must not result in pollution of the surrounding environment. All wastewater resulting from batching of concrete must be disposed of *via* the contaminated water management procedure.
- Excess or spilled concrete must be confined within the works area and all visible remains of excess concrete must be physically removed and disposed of on completion of cement work. Washing the remains into the ground is not acceptable. All excess aggregate must also be removed.
- Wash-down areas must be confined to within the concrete batching areas only.

3.10.16 FIRE FIGHTING

Adequate fire fighting equipment according to the fire hazard during the construction period must be available on site and in good working order (at least one type ABC (all purpose) minimum 4.5 kg extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment.

- The main contractor must provide a list of all authorities involved in fire fighting in the region. This list must include emergency contact numbers and must be visible at the site office.
- Welding, gas cutting or cutting of metal will only be permitted inside the working areas.
- The Contractor must pay the costs incurred to organizations called to put out any fires started by him. The Contractor must also pay any costs incurred to reinstate burnt areas as deemed necessary by the land owner.

- It is required that contractors have available the emergency telephone numbers of the nearest local Fire Fighting Station and that an emergency fire fighting re-action plan has been drawn up with on site workers and the resident land-owner / farmer.
- No on site fires are permitted.
- No firewood may be collected on site or from the surrounding natural area.

3.10.17 EMERGENCY PROCEDURES

It is the responsibility of the contractor to assess the potential risks to the environment as a result of the project. As such, the contractor must have the necessary standard emergency operating procedures in place to deal with any potential emergency such as oil spills or fire.

- All staff should be made aware of the necessary basic emergency procedures in the event of an emergency including injuries to staff. The appropriate equipment and identified personnel to deal with such basic emergencies should be available on site.
- All staff on site should wear hi-viz vests when on site.
- **Fire:** The Contractor must advise the relevant authority of a fire as soon as one starts and must not wait until he can no longer control it. The Contractor must ensure that his employees are aware of the procedure to be followed in the event of a fire.
- **Hazardous Material Spills:** The Contractor must ensure that his employees are aware of the procedure to be followed for dealing with spills and leaks, which must include notifying the Engineer, the ECO and the relevant authorities. Treatment and remediation of the spill areas must be undertaken to the reasonable satisfaction of the ECO and Local Authority.

3.10.18 SOLID WASTE MANAGEMENT

Waste refers to all solid waste, including domestic waste, hazardous waste and construction debris. The Contractor are responsible for the establishment of a refuse control system (which must consider recycling wherever possible) that is acceptable to the ECO. Disposal arrangements must be made in advance and cleared with the ECO before construction starts.

- No littering or on-site burying or dumping of any waste materials, vegetation, litter or refuse may occur.
- All solid waste must be disposed of offsite at an approved landfill site in terms of section 20 of the Environment Conservation Act (Act No. 73 of 1989). The Contractor must supply the ECO with a certificate of disposal.
- The Contractor must provide problem animal- and weatherproof bins with lids of sufficient number and capacity to store the solid waste produced on a daily basis. The lids must be kept firmly on the bins at all times. Bins must not be allowed to become overfull and must be emptied regularly.
- Waste from bins may be temporarily stored on Site in a central waste area that is weatherproof and scavenger proof and which the Engineer and the ECO has approved.
- Any hazardous waste must be disposed of at a registered hazardous waste disposal site and certificates of safe disposal must be obtained.
- All waste generated during the decommissioning and reconstruction activities must be removed by the Contractor as soon as possible, and within the period specified in the EMP and disposed of at a registered landfill site.
- The Contractor must make provision for workers to clean up the Contractor's camp and working areas on a daily basis so that no litter is left lying around and so that the site is in a neat and tidy state. The Contractor must remove from site the refuse collected at least once a week.

- Waste and any excess material (and concrete slabs and pipes) should not be dumped into any riparian zones.

3.10.19 TOILETS AND ABLUTION FACILITIES

The Contractor must provide suitable sanitary arrangements at designated points of the construction site for all site employees. A minimum of one toilet must be provided per 15 persons at each working area (station) or as stipulated in the Management plan.

- The toilet must be within easy reach (max 300m) of the working area and be in good working condition and cleaned on a daily basis. Toilet paper must be provided. The toilets must be emptied on a weekly basis or when full or when instructed by the ECO on site.
- Toilets should be placed at least 50m from any watercourses.
- Toilets should be adequately screened from any public areas or residences.
- Disposal arrangements must be made in advance and cleared with the ECO before construction starts. Sanitation provision and servicing must be to the satisfaction of the ECO.
- The Contractor must ensure that toilets are emptied prior to any builders' holidays, and/or weekends.
- Toilets must be of a neat construction and must be provided with doors and locks and must be secured to prevent them blowing over.
- NB: No burying of any waste material on or near the construction site nor anywhere on the surrounding property is permitted.
- Eating areas that are allocated for workers must be established in an environmentally acceptable manner and in line with all OH&Safety Act regulations. All on site and on route workers temporary eating areas must have acceptable toilet and refuse management systems in place and these areas must have suitable refuse receptacles' available for the containment and disposal of general litter and refuse.

3.10.20 DISCHARGE OF CONSTRUCTION WATER

Potential pollutants of any kind and in any form must be kept, stored, and used in such a manner that any escape can be contained and the water table not endangered. This particularly applies to water emanating from runoff from construction areas/fuel depots/workshops/truck washing areas.

- The contractor, being responsible for the construction and effective containment and maintenance of settlement ponds must ensure that the surrounding environment is not adversely affected as a result of construction activities.
- Wash down areas must be placed and constructed in such a manner so as to ensure that the surrounding areas are not polluted. Contaminated water includes water that is carrying excess sediment due to construction activities.
- Contaminated water storage facilities must not be allowed to overflow and appropriate protection from rain and flooding must be implemented.
- Contaminated water that is removed from site must be disposed of at a facility approved by the ECO and Local Authority.
- No contaminated water that does not meet the water quality standards and criteria under the National Water Act may be released into a natural system, whether it is to surface or groundwater.
- All cement effluent from mixer washings, and run-off from batching areas and other work areas must be contained in suitable sedimentation ponds.
- Sedimentation ponds must be allowed to dry out on a regular basis to allow for solid material to be removed.

- This material must be disposed of in a suitable manner, depending on the nature of the material, and to the discretion of the ECO

3.10.21 EATING FACILITIES

The Contractor must designate eating areas for the approval of the ECO, which must be clearly demarcated. No eating of meals must take place outside these designated areas without the approval of the Contractor/ESO.

- The feeding, or leaving of food for animals are strictly prohibited.
- Sufficient waste bins must be present in this area and emptied regularly.
- The contractor must supply cooking facilities that are suitable for the environment and are not liable to cause the outbreak of fires.
- The contractor must supply all construction staff with adequate clean water, and may not be sourced from surrounding farms/ landowners, unless written permission is granted by the landowner.
- No overnight camping/stay on site allowed. If overnighing is necessary for security purposes then it must be cleared with the ECO on site.
- No washing in dams or streams are allowed.

3.10.22 DUST CONTROL

The Contractor must take all reasonable measures to minimize the generation of dust as a result of construction activities resulting from along-construction-route activities (but must also take into account possible water constrictions of the area).

- The onsite construction site agent must take into account prevailing wind strength and wind direction and must have preventative measures on standby to minimize dust pollution that may cause damage to people and property.
- The liberation of dust into the surrounding environment shall be effectively controlled by the use of, inter alia, water spraying and/or other dust-allaying agents. The speed of haul trucks and other vehicles must be strictly controlled to avoid dangerous conditions, excessive dust or excessive deterioration of the road being used.
- In agricultural areas, earth-works should be done after the harvest season, or as agreed upon by the land-owner.

3.10.23 RESTORATION AND REHABILITATION

The Contractor must ensure that all structures, equipment, materials and facilities used or created on site for or during construction activities are removed once the project has been completed. On completion of the project or phase, all areas impacted by the construction activities must be reinstated and/or rehabilitated to the satisfaction of the ECO with emphasis on the following:

- Immediately after the demolition of the camp site or once construction has been completed, the contractor shall restore the site to its original state, paying particular attention to its appearance relative to the general landscape. This must be done as soon as possible after construction has ended to ensure no possible environmental degradation of the site as a result of erosion, alien vegetation establishment etc.
- The contractor's procedure for rehabilitation shall be approved by the ECO and Engineer.
- Site offices must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO.

- Labourer's facilities (if applicable) must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO.
- All construction site areas must be rehabilitated or reinstated to the satisfaction of the ECO.
- All temporary fencing and demarcation must be removed and the areas reinstated to the satisfaction of the ECO.
- Temporary storage areas must be rehabilitated or reinstated to the satisfaction of the ECO.
- All remaining construction material must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO.
- Any old road sections not used for operational purposes during the operational phase should be rehabilitated after construction to allow for regrowth of vegetation.

Any additional **disturbed** areas must be rehabilitated or reinstated to the satisfaction of the ECO. This shall include but not be limited to:

- Earthworks to reinstate the physical characteristics of the site. Here attention to the natural vertical and lateral heterogeneity in landform shall guide the reinstatement of natural areas.
- Replacement of topsoil material – care shall be taken to ensure that the same material that was removed from each area is replaced there, since this will carry the seed complement appropriate for re-establishment of each plant community type.
- Final landscaping by machine, but landscaping by hand may be required in many areas under rehabilitation.
- Re-seeding and / or replanting of rehabilitated areas.
- The Contractor shall not be permitted to use fertilisers or pesticides.
- It is imperative that any potential erosion problems are addressed. This may require subsequent site visits to monitor the efficacy of erosion control measures.

3.10.24 LAND MANAGEMENT

- Vehicles accessing the construction site must be made aware of driving in hazardous road conditions, sharp bends, narrow roads, bad weather, on or near children or domestic animals along the road.
- Vehicle movements should be kept to a minimum during rain to avoid damage to access roads.
- No fences or gates on the relevant construction property must be damaged. All access gates to the property (construction site) to be kept closed at all times to prevent domestic and or wild animals from getting out. Access by unauthorised personnel should be controlled. The access gates to the construction areas must always be closed.
- Soil erosion must be prevented at all times along the access roads and around construction areas.

3.10.25 SOCIO-CULTURAL ISSUES

- Neighbouring community, adjacent land owners and occupiers etc. must be treated with respect and courtesy at all times.
- The cultural lifestyles of the communities living in close proximity to the construction areas must be respected.
- Hours of work on the site shall be limited to normal working hours, as accepted by the local authority.
- Should construction be required outside of these times, permission is to be obtained from the local municipality, in consultation with the ECO and the surrounding landowners.

3.11 EMERGENCY PREPAREDNESS & RESPONSE

The following potential emergency situations have been identified and include the procedure for responding to, and for preventing and mitigating the environmental impacts that may be associated with them (also refer to Penalties and Fines).

3.11.1 ACCIDENTAL FIRES

Fire safety is a very real risk and must be stringently controlled. No fires will be permitted on site for any reason. If required, a designated smoking area will be provided, and clearly demarcated and signposted, with a facility for safe containment and disposal of cigarette butts.

The following measures must be implemented:

- Adequate fire fighting equipment must be available on site and in good working order (including at least one type ABC (all purpose) minimum 4.5 kg fire extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment.
- The main contractor must provide a list of all authorities involved in fire fighting in the region. This list must include emergency contact numbers and must be visible at the site office.
- The contractors must establish an emergency procedure (with contact numbers) to the satisfaction of ECO (whenever work is done in any fire prone areas).

3.11.2 HYDROCARBON SPILLS

Since the project is in proportion relative small, no fuel storage or distribution facilities are expected to be established. As a result the significance of any spill is much reduced. The following must be observed:

- Vehicles will arrive on site already fuelled for the project.
- If additional fuel is needed, it will be brought in as needed (minimal volumes) and refuelling will be done using a pump and not a funnel (to minimize the risk of spills).
- Spill trays shall be used during re-fuelling.
- In the case of accidental spillages or leakage, the contractor will be responsible for immediate containment and corrective action (e.g. stopping the leakage), and to inform the Construction Supervisor and ECO.
- The ECO will recommend the best possible environmental solution.
- The Contractor will be liable for any costs incurred.

3.11.3 CONCRETE/CEMENT SPILLAGES

The Contractor/supplier will be liable for the safe and correct deliverance of substantial loads of concrete or cement.

- Should a spill occur the Contractor/supplier will be liable for all costs of the rehabilitation needed.

4. OPERATIONAL EMP (OEMP)

The most important part of the operational phase will be to ensure that the site is meticulously maintained and that the operations are carefully monitored. The Applicant will remain overall responsible for the environmental performance of the site and must be aware of the legal requirements and obligations. The applicant must also be aware of the legal action that can be taken against him as a person with regards to negligence leading to environmental pollution.

The owner or delegated responsible person must implement an operational and maintenance management plan for the lodge development. This plan must include:

- Water management and monitoring.
- Erosion management
- Waste and pollution management.
- Fire Management
- Minimise dust
- Protection of indigenous natural vegetation and fauna
- Alien vegetation removal
- Specific monitoring and operational instructions.
- Emergency plans which will cover all reasonable aspects of the operations which might lead to environmental pollution or degradation.

4.1 ENERGY MANAGEMENT

All reasonable steps must be taken to ensure the efficient management of energy. Energy management and conservation measures must be propagated and encouraged. The objective of energy management will be to encourage the conservation of energy, for example:

- Ensure that cooling units are located and operated to conserve energy.
- Install energy-efficient appliances
- Install energy efficient lightning
- Insulate water heaters and hot water pipes (insulating hot water pipes from the water heater to the source are another way to conserve).
- Disconnect or switch- off units/appliances which are not in use.
- Monitor different energy uses (e.g. electricity, fuels and gas).

4.2 WATER MANAGEMENT

- Ensure that all additional water uses are correctly registered with the Department of Water and Sanitation (e.g. agri-industrial use)(if required).
- Water conservation measures such as low flow taps, high pressure hoses, dual flush toilets, water wise gardens, rainwater harvesting and tanks etc. must be encouraged and implemented.
- Every reasonable effort must be made to reduce the long term water demand.
- Environmental training of personnel must include water conservation awareness.
- A monthly water monitor program with the aim of ever reducing the water usage must be implemented (records must be kept).

4.3 **EROSION AND SEDIMENT CONTROL**

Soil erosion (through wind & water) removes valuable topsoil which is the most productive part of the soil profile (containing plant nutrients, seeds and bulbs). Development disturbs and loosens soils which can easily lead to erosion. The plants and animals that depended on that soil can no longer survive, and the plants that once grew that cannot re-establish itself because the seed store is gone. Soil may then have to be brought back from elsewhere, increasing the cost of the project and the risk of importing weeds and other waste or toxic material. In accordance with the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) (CARA), the aim of erosion management is to prevent any form of soil erosion through proactive thinking and prevention as well as immediate rehabilitation.

In order to achieve erosion and sediment control, the following are applicable to all properties:

- Inspect and maintain erosion and sediment controls on a regular basis and ensure that it can accommodate the upslope catchment.
- Leave as much vegetation as possible.
- Install permanent fences to define 'no go' areas in those areas that are not to be disturbed.
- Install sediment catchment controls down slope of the site to catch sediment (if applicable). This must be done as soon as possible by the Applicant and should be permanent.
- Driving off road, or over the edge of the road to avoid puddles, or obstacles, should be avoided. Obstacles should be removed to avoid vehicles from having to drive off the road surface.
- The road surface must be maintained.
- Maintain storm water management infrastructure.
- Due diligence to limit sediments washing down the river.

4.4 **WASTE & POLLUTION MANAGEMENT**

An integrated waste management approach based on waste minimisation (e.g. reduction, recycling, re-use and disposal) must be encouraged. Poor waste management can lead to adverse environmental impacts (e.g. odours, pollution and visual impact) as well as health risks. Sound waste management is thus non-negotiable.

- No on-site burying or dumping of any waste materials, vegetation, litter or refuse may be allowed.
- Organic waste can be disposed of, buried on-site or used as mulch.
- Domestic waste must be stored in approved containers (e.g. bins with removable lids).
- All solid waste will be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act (Act No. 73 of 1989).
- No material should be disposed into any riparian zone, including organic waste.
- All possible pollution sources must be identified and all reasonable steps taken to prevent pollution or accidental spillages.
- Ensure that all concentrated potential sources of pollution are protected (bunded) in order to minimise the risk of accidental spillage or pollution. Storage tanks should be bunded in such a way to contain at least 120% of the storage tank's capacity.

4.5 **MINIMISE DUST**

Refer to erosion and sedimentation control paragraph 3.

4.6 MANAGEMENT OF NATURAL AREAS

The objective regarding the management of natural areas are to identify critical or conservation worthy features and to manage such areas and gardens in such a manner as to promote biodiversity and ecological processes.

- Natural areas must be managed as close to natural as possible (no interference wherever possible).
- Alien vegetation should be removed from the remaining natural areas and disturbed areas that are within or adjacent to any riparian zone and the areas should be kept clear of alien vegetation. This should be implemented as soon as possible, and the alien vegetation removal programme be in place permanently to address any new growth which may occur. The land owner is responsible for the implementation of the alien vegetation removal and control on the site and the property.
- All listed invasive alien vegetation must be removed in accordance with CARA legislation (The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)) as revised.

4.7 EMERGENCY PREPAREDNESS AND RESPONSE

The following potential emergency situations have been identified and include the procedure for responding to, and for preventing and mitigating the environmental impacts that may be associated with them.

4.7.1 ACCIDENTAL FIRES

The following measures must be implemented:

- Adequate fire fighting equipment must be available at an area where works or maintenance is taking place and in good working order (including at least one type ABC (all purpose) minimum 4.5 kg fire extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment.
- The owner must provide a list of all authorities involved in fire fighting in the region, including neighbouring land-owners. This list must include emergency contact numbers and must be visible at the office.
- The owner must establish an emergency procedure (with contact numbers).
- Accidental fires are to be dealt with in terms of the local fire protection association or local regulations.

5. ENVIRONMENTAL AUDIT PROGRAMME

A Final Construction Phase Audit Report is to be undertaken 6 months post construction. This must be undertaken by a qualified Independent Environmental Auditor, and is to be submitted to the Competent Authority.

Since the development includes an operational phase, annual audits for the initial two years is recommended.

In terms of the 2014 EIA Regulations, Audit Reports must be submitted to the registered Interested & Affected Parties within 7 days of submission to the competent authority.

6. DECOMMISSIONING PHASE

The facility is not expected to be decommissioned.

7. IMPACT MANAGEMENT OUTCOMES

Impact Management Outcomes

Planning, Design and Pre-Construction					
Impact	Management Outcomes	Management Actions	Responsible Person/Party	Implementation Monitoring Method	Monitoring Frequency
Demarcation of work areas	Prevent impacts on “no-go areas”, including undisturbed areas, drainage lines and/or natural vegetation	- The site will be demarcated with appropriate dropper poles. Alternative fencing may be decided upon dependent on site requirements). Other demarcation measures can be used if approved by the ECO. - Work areas and access routes must be clearly demarcated to minimise environmental impact.	Contractor	Method Statement	Once-off
Demarcation of no-go areas	Prevent impacts on sensitive features on site, seasonal streams and natural vegetation on or adjacent to the site	- No-Go areas will be demarcated and indicated on a site plan. - Natural vegetation outside of the development area will be considered no-go areas, unless for the purpose of alien vegetation clearing.	Contractor	Method Statement	Once-off
Site camp establishment and access roads	Prevent unnecessary impacts on natural vegetation through the establishment and operations of the site camp and access roads.	The site camp, lay down areas, and access roads must be clearly defined on a plan, taking no-go areas into consideration, as well as proximity to water resources.	Contractor	Method Statement	Once-off

Fuel Storage (if required)	Prevention of fuel spillages and contamination of the soil and/or water resources	• The fuel tank must be placed within a <u>completely sealed concrete bund</u>. • All fuel oil containers must be placed within suitable drip trays to prevent accidental spillage of oils and fuels. • A suitable leak proof container for the storage of oiled equipment (filters, drip tray contents and oil changes etc.) must be established. • Fuel storage areas must be at least 100m from any watercourses.	Contractor	Method Statement	Once-off
Mandatory site equipment	Ensure the correct equipment is on site to meet environmental requirements as per the EMP	• Adequate firefighting equipment must be available on site and in good working order (including at least one type ABC (all purpose) minimum 4.5 kg fire extinguisher and 3 fire beaters per working area. • Drip trays to be used during refuelling or storage of small quantities of fuel on site. • Adequate toilet and ablution facilities must be provided on site. Toilets should be placed at least 50m from any watercourses. Toilets are to be serviced and cleaned on a regular basis. • Adequate waste bins to be provided on site	Contractor	Method Statement	Once-off
Waste Management	To prevent and minimise waste generation and contamination of the site and surrounding areas	• No littering or on-site burying or dumping of any waste materials, vegetation, litter or refuse may occur. • All solid waste, except for the organic waste from the removed vineyards and natural vegetation, must be disposed of offsite at an approved landfill site in terms of section 20 of the Environment Conservation Act (Act No. 73 of 1989). The Contractor must supply the ECO with a certificate of disposal. • The Contractor must provide problem animal- and weatherproof bins with lids of sufficient	Contractor	Method Statement	Once-off

		number and capacity to store the solid waste produced on a daily basis. The lids must be kept firmly on the bins at all times. Bins must not be allowed to become overfull and must be emptied regularly.			
Fire Management	Prevent unnecessary fires which may cause damage and risk to the environment, property and human health, and adequately deal with any fires that may occur on site	• Adequate firefighting equipment according to the fire hazard during the construction period must be available on site and in good working order (at least one type ABC (all purpose) minimum 4.5kg extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment. • The main contractor must provide a list of all authorities involved in firefighting in the region. This list must include emergency contact numbers and must be visible at the site office.	Contractor	Method Statement	Once-off

Construction					
Impact	Management Outcomes	Management Actions	Responsible Person/Party	Implementation Monitoring Method	Monitoring Frequency
Topsoil removal	Topsoil to be removed (if necessary), protected and stockpiled for rehabilitation after construction	• Prior to any activities within the demarcated work areas, topsoil material shall be removed to a depth of 300mm or deeper if specified by the engineer in consultation with the ECO, and stockpiled in a designated area for use in rehabilitation of the site post construction. • Topsoil from the still relatively natural area (the top 15 -20 cm) should be removed and be used for rehabilitation after construction on site or in the immediate vicinity of the site.	Contractor	Method Statement	Once-off
Stockpile Management	Avoid impacts on natural areas and watercourses from stockpiling of material, waste etc.	• Topsoil stockpiles to be separated from waste, building material etc. stockpiles. • Stockpile areas to be demarcated prior to construction.	Contractor	Method Statement	Once-off
Erosion Management	Prevent erosion as a result of construction activities on site	• Install erosion and sediment controls before work starts and maintain these features throughout the construction and operational phases. • Leave as much vegetation as possible. • Implement the Stormwater Management Plan. Adherence to the EMP & Implementation of Standard Management Procedures in terms of erosion and sedimentation.	Contractor	Method Statement	Continually during construction
Cement mixing	Prevent contamination from cement mixing and cement waste water on	• Concrete and cement may only be mixed on existing hard surfaced areas, or edged mortar boards or a suitable container.	Contractor	Method Statement	Continually during construction

	the natural environment, particularly water resources. Due to the high alkaline pH of cement, it is highly hazardous to the natural environment	• The visible remains of the batch and concrete, either solid, or from washings, must be physically removed immediately and disposed of as hazardous waste. • Washing of equipment shall be done in a container to prevent any runoff of contaminated washing water. • Extreme care must be taken to limit the amount of water contaminated by washing equipment. Water from concrete washing can be re-used in concrete mixes or must be stored in drums, then removed from the site and disposed of at a licensed municipal dump site. • Concrete batching facilities must have suitable bunding methods in place to ensure minimal waste water run-off occurs during batching operations. • Cleaning of equipment and flushing of mixers must not result in pollution of the surrounding environment. All wastewater resulting from batching of concrete must be disposed of <i>via</i> the contaminated water management procedure.			
Dust Control	Prevent and minimise dust generation on site which can become a nuisance to neighbouring land owners and residents, as well as being a health risk	• The Contractor must take all reasonable measures to minimize the generation of dust as a result of construction activities resulting from along-construction-route activities (but must also take into account possible water constrictions of the area). • The onsite construction site agent must take into account prevailing wind strength and wind direction and must have preventative measures on standby to minimize dust pollution that may cause damage to people and property. • The liberation of dust into the surrounding	Contractor	Method Statement	Continually during construction

		environment shall be effectively controlled by the use of, inter alia, water spraying and/or other dust-allaying agents. The speed of haul trucks and other vehicles must be strictly controlled to avoid dangerous conditions, excessive dust or excessive deterioration of the road being used.			
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Rehabilitation					
Impact	Management Outcomes	Management Actions	Responsible Person/Party	Monitoring Method	Monitoring Frequency
Rehabilitation of the Construction site	Rehabilitation of areas impacted by construction activities	• All structures, equipment, materials and facilities used or created on site for or during construction activities are removed once the project has been completed. On completion of the project or phase, all areas impacted by the construction activities must be reinstated and/or rehabilitated to the satisfaction of the ECO. • Immediately after the demolition of the camp site or once construction has been completed, the contractor shall restore the site to its original state, paying particular attention to its appearance relative to the general landscape. This must be done as soon as possible after construction has ended to ensure no possible environmental degradation of the site as a result of erosion, alien vegetation establishment etc. • The contractor's procedure for rehabilitation shall be approved by the ECO and Engineer. • Site offices must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO. • Earthworks to reinstate the physical characteristics of the site. Here attention to the natural vertical and lateral heterogeneity in landform shall guide the reinstatement of natural areas. • Replacement of topsoil material – care shall be taken to ensure that the same material that was removed from each area is replaced there, since this will carry the seed	Contractor	Method Statement	Once-off

		complement appropriate for re-establishment of each plant community type. • Final landscaping by machine, but landscaping by hand may be required in many areas under rehabilitation.			
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Operation					
Impact	Management Outcomes	Management Actions	Responsible Person/Party	Monitoring Method	Monitoring Frequency
Erosion Management	Avoid valuable topsoil removal	- Inspect and maintain erosion and sediment controls on a regular basis and ensure that it can accommodate the upslope catchment. - Leave as much vegetation as possible. - Install permanent fences to define 'no go' areas in those areas that are not to be disturbed. - If required, install sediment catchment controls down slope of the site to catch sediment (if applicable). This must be done as soon as possible by the Applicant and should be permanent. - Avoid driving off road, or off the road surface, to avoid puddles or obstacles. - During the operational phase of these gravel roads, prone to erosion exacerbated by heavy rainfall, running water must be deviated from the roads with appropriate storm water management infrastructure. Next to the road shoulders, paved swales will probably be necessary to prevent running storm water to erode deep trenches.	Owner	Visual monitoring	Weekly/after major rain events
Waste and Pollution Management	Avoid contamination of soil and water resources with pollutants.	- No on-site burying or dumping of any waste materials, vegetation, litter or refuse may be allowed. - Organic waste can be disposed of, buried on-site or used as mulch. - Domestic waste must be stored in approved containers (e.g. bins with	Owner	Visual monitoring	Daily - Weekly

		removable lids). • All solid waste will be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act (Act No. 73 of 1989). • No material should be disposed into any riparian zone, including organic waste. • All possible pollution sources must be identified and all reasonable steps taken to prevent pollution or accidental spillages. • Septic tanks are to be checked and serviced on a regular basis. • Properly maintain the sewerage system			
Emergency Preparedness - Fire	Prevent unnecessary fires which may cause damage and risk to the environment, property and human health, and adequately deal with any fires that may occur on site	• Adequate fire fighting equipment must be available on site and in good working order (including at least one type ABC (all purpose) minimum 4.5 kg fire extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment. • The owner must provide a list of all authorities involved in fire fighting in the region, including neighbouring land-owners. This list must include emergency contact numbers and must be visible at the office. • The owner must establish an emergency procedure (with contact numbers). • The project facility must register with the local Fire Fighters Organisation and periodically conduct drills in conjunction with the local fire fighters unit. Fire management and Protection plan should be developed to implement measures that minimise the potential for human cause fires.	Owner	Visual monitoring	Daily- weekly / when required

Management of Natural Areas	Prevent impacts on, and loss of, adjacent natural vegetation	• Natural areas must be managed as close to natural as possible (no interference wherever possible). • Alien vegetation should be removed from the remaining natural areas and disturbed areas that are within or adjacent to any riparian zone and the areas should be kept clear of alien vegetation. This should be implemented as soon as possible, and the alien vegetation removal programme be in place permanently to address any new growth which may occur. Land owner is responsible for the implementation of the alien vegetation removal and control on the site and the property. • All listed invasive alien vegetation must be removed in accordance with CARA legislation (The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)) as revised.	Owner	Visual monitoring	Weekly
Guest activities	Prevent impacts on the estuary and promote conservation	• Establish house rules to promote conservation • Over-fishing and fishing over and above the allowed the official bag limits must not be allowed. • Guests at this holiday destination must be made fully aware of the conservation requirements if it comes to fishing. • A culture of catch-and-release must be cultivated. This is particularly important for target species such as kabeljou, which are prone to over-fishing.	Owner/management	Visual monitoring	Every guest visit.

APPENDIX 1: DECLARATION OF UNDERSTANDING

VERMAAKLIKHEID

DECLARATION OF UNDERSTANDING

I _____

Representing: _____

Declare that the conditions of the EMP were brought to my attention and that I have read and understood the contents of this Environmental Management Plan as prepared by EnviroAfrica, of which a copy has been made available to me.

Site: _____

Date: _____

I also declare that I understand my responsibility in terms of enforcing and implementing the Environmental Specifications as set out in this Environmental Management Programme.

I also undertake to inform all persons under my supervision of these specifications and the contents of the Environmental Management Programme.

Signed: _____

Place: _____

Date: _____

Witness 1: _____

APPENDIX 2: ENVIRONMENTAL AUTHORISATION

To be included on approval (before construction begins).

APPENDIX 3: Maps & Drawings

Site Development Plan including No-go areas and buffers

APPENDIX 4: START-UP REPORT

To be included after start-up meeting.

APPENDIX 5: PENALTIES FOR NON-COMPLIANCE

PENALTIES FOR NON-COMPLIANCE

The contractors / sub-contractors must contact the ECO at any stage if unsure about any matter, or if a pollution incident occurs, or vegetation or animals are damaged.

ECO = Environmental Control Officer ESO= Environmental Site Officer

PHASE	Penalty for Non-compliance	
	Bottom range	Top Range*
PRE-CONSTRUCTION PHASE		
Construction area to be marked off before construction starts.		5000
The demarcated area must be maintained throughout the construction phase	500	1000
Site area for stock piling of building material must be demarcated	500	5000
Site area for storing of waste material must be demarcated	500	5000
Fencing off the construction site with mesh fencing of 1.8m, where necessary or other suitable material as agreed on by ECO	500	1000
Sitting of access road/s to be approved by ECO & demarcated with stakes before any construction starts (if applicable)		5000
Temporary route used for construction must be determined on site with ECO (if applicable)	1000	5000
Telecommunications & AC power routes must be determined with the ECO (if applicable)	1000	5000
Sensitive features that may be harmed must be clearly marked or demarcated.	500	2000
Vegetation that may not be removed must be clearly marked or demarcated.	500	5000
Contractor must make the Construction team and all sub-contractors aware of all environmental aspects that could lead to imposition of penalties	100	5000
Contractor to sign Declaration of understanding (DOU) before construction starts		5000
Contractor to assure that all subcontractors be informed and signed DOU	1000	5000
Method statements must be provided on request by the ECO. No work may commence until the Method Statement is accepted by the ECO and Engineer	1000	5000
CONSTRUCTION PHASE		
Information		
A copy of the EMP & Record of Decision with all the conditions of approval, and the relevant Method Statements must be at site at all times.	200	5000

Construction crew behaviour		
Construction crews may not overnight on site.	200	5000
No amplified music allowed on site	100	200
Construction crew must stay within the demarcated construction area. (Applicable in sensitive sites)	50	500
Eating of meals only allowed in demarcated area	50	500
No pets permitted on site		100
Driving, Parking & Storing of machinery and vehicles are only allowed inside demarcated areas and existing roads	1000	5000
Machinery may only be used on the road and may not disturb the vegetation on the sides of the road except if cleared by ECO. Machinery used must be carefully considered to limit environmental damage	500	5000
No vegetation other than that agreed on may be damaged - i.e. no access to areas outside construction area.	500	2000
No individual may cause unnecessary damage to flora and fauna on, around or near the site	20	2000
No littering allowed (incl. cigarette butts)	50	500
Excavations		
No topsoil may be removed or altered outside the demarcated area and/or which was not specified.		2000
Commercial sources of sand, rock and gravel to be cleared with ECO	200	5000
All surplus material to be taken off-site and be disposed of at approved site	500	5000
Toilets		
Sufficient ablution facilities must be provided		3000
Toilets to be secured to prevent them from falling or blowing over.	100	1000
They must be serviced regularly, (according to the manufacturer's instructions) and kept clean.	100	1000
Everybody on site must make use of ablution facilities	50	1000
Fire Prevention		
All mandatory fire fighting equipment (as specified at start-up) must be on site at all times	500	4000
Fire fighting equipment to be in good working order and serviced.	500	2000
No fires, including cooking fires, allowed on site	1000	5000

Cement		
Concrete may only be mixed within the boundaries of the demarcated area and/or where was agreed on by the ECO.	500	5000
All excess cement & concrete mixes to be contained on construction site prior to disposal off site	200	5000
Any cement / concrete spillage to be cleaned up immediately.	500	5000
Ready-mix delivery trucks must not carry out the wash down of their trucks on or around the site unless arranged with ECO.	1000	3000
Dust pollution control		
Ensure that loose building material is covered to prevent dust pollution	100	1000
Water run-off		
Contamination of water bodies, rivers, dams or wetlands must be prevented at all cost	500	5000
Rainwater from construction & building site/s must be channelled, contained & allowed to dry out, so as not to transport any pollutants into the surrounding area. Temporary trenches, straw stabilising, brush cutting can be used	500	5000
Waste control		
Sufficient refuse bins must be placed on site	500	2000
Refuse bins must be cleaned on a regular basis	100	1000
General litter / building refuse must be cleaned up on a regular basis from the site	500	3000
Cement-contaminated water; paint; oil; cement slurries etc must be stored in watertight containers or as agreed with ECO	500	5000
Store all refuse & waste material in wind & animal proof containers	100	1000
Waste must be disposed of at an official waste deposit site on a regular basis.	500	5000
The absence of or inadequate drip trays or bunding facilities	500	5000
Failure to address oil/fuel leaks from on-site machinery	200	5000
Herbicides		
No herbicides or pesticides whatsoever may be used.	200	2000
Construction road		
Road must be upgraded to prevent degradation and erosion of the road and surrounds.	500	5000

Power and Telecommunications supply		
Demarcate power supply route	500	5000
No vehicles to drive through vegetation unless authorised by ECO	500	5000
Storage of equipment may only take place at an area demarcated by the ECO.	500	5000
Working must be done in phases to prevent trampling of vegetation	N/A	
Use of generators and fuel powered equipment		
A watertight cover must be place under the power generator equipment to prevent accidental spillage of fuel & oil seeping into the soil.	500	5000
Drip tray must be able to take 120% of fuel on site	500	5000
All waste material generated from the use of this equipment must be contained and removed from the site	500	5000
Mobile fuel powered equipment must be well maintained and must not have any fuel or oil leaks.	200	5000
Soil Stabilisation		
Ensure that soil material for filling and stabilisation comes from a source that does not contain seeds alien to the area. The source must be cleared with the ECO.	100	2000
Rehabilitation		
Remove rocks and stones and stock pile in area recommended by ECO	500	5000
Remove all plants that can be used for rehabilitation and store on- or off-site in appropriate manner as agreed with ECO	200	5000
Removal of all old concrete and alien materials from site	500	5000
Site must be cleared of all waste and building material	500	5000

*(Large scale / repeated offence)

APPENDIX 6: INFO ON METHOD STATEMENTS

INFORMATION ON METHOD STATEMENT

Method Statements are to be completed by the person undertaking the work (i.e. the Contractor). The Method Statement will enable the potential negative environmental impacts associated with the proposed activity to be assessed.

The Method Statement can only be implemented once approved by the ECO

The Contractor (and, where relevant, any sub-contractors) must also sign the Method Statement, thereby indicating that the works will be carried out according to the methodology contained in the approved Method Statement.

The ECO will use the Method Statement to audit compliance by the Contractor with the requirements of the approved Method Statement.

Changes to the way the works are to be carried out must be reflected by amendments to the original approved Method Statement; amendments require the signature of the ECO denoting that the changed methodology or works are necessary for the successful completion of the works, and are environmentally acceptable. The Contractor will also be required to sign the amended Method Statement thereby committing him/herself to the amended Method Statement.

This Method Statement **MUST** contain sufficient information and detail to enable the ECO to apply their minds to the potential impacts of the works on the environment. The Contractor will also need to thoroughly understand what is required of him/her in order to undertake the works.

THE TIME TAKEN TO PROVIDE A THOROUGH, DETAILED METHOD STATEMENT IS TIME WELL SPENT. INSUFFICIENT DETAIL WILL RESULT IN DELAYS TO THE WORKS WHILE THE METHOD STATEMENT IS REWRITTEN TO THE ER'S AND ESO'S SATISFACTION.

The page overleaf provides a *pro forma* method statement sheet, which needs to be completed for each activity requiring a method statement in terms of the EMP.

APPENDIX 7: EXAMPLE OF METHOD STATEMENT

PRO-FORMA METHOD STATEMENT

CONTRACT:..... **DATE:**.....

PROPOSED ACTIVITY (give title of method statement and reference number):

--

WHAT WORK IS TO BE UNDERTAKEN (give a brief description of the works):

--

WHERE ARE THE WORKS TO BE UNDERTAKEN (where possible, provide an annotated plan and a full description of the extent of the works):

--

START AND END DATE OF THE WORKS FOR WHICH THE METHOD STATEMENT IS REQUIRED:

Start Date:

End Date:

HOW ARE THE WORKS TO BE UNDERTAKEN (provide as much detail as possible, including annotated maps and plans where possible):

--

Note: please attach extra pages if more space is required

DECLARATIONS

1) ENVIRONMENTAL CONSULTANT AND/OR ENVIRONMENTAL CONTROL OFFICER

The work described in this Method Statement, if carried out according to the methodology described, is satisfactorily mitigated to prevent avoidable environmental harm:

(Signed) (Print name)

(Signed) (Print name)

Dated: _____

2) PERSON UNDERTAKING THE WORKS

I understand the contents of this Method Statement and the scope of the works required of me. I further understand that this Method Statement may be amended on application to other signatories and that the ESO will audit my compliance with the contents of this Method Statement

(Signed) (Print name)

Dated: _____

3) THE APPLICANT

The works described in this Method Statement are approved.

(Signed) (Print name) (Designation)

Dated: _____

APPENDIX 8: CONTACTOR ENVIRONMENTAL CHECKLIST

CONTACTOR/S REPRESENTATIVE: ENVIRONMENTAL WEEKLY CHECKLIST

SITE: _____

PHASE OF WORK AND % OF COMPLETION: _____

ENVIRONMENTAL ASPECT	YES/ NO (✓ or X)	COMMENTS
How many workers are on site		
All new personnel on site are aware of the contents of the EMP and have been through the environmental awareness course.		
Contractor's camp is neat and tidy and the labourers' facilities are of an acceptable standard.		
Sufficient and appropriate fire fighting equipment is visible and readily available.		
Waste control and removal system is being maintained.		
Refuse bins in place and maintained		
Toilets are in place and clean		
Demarcation and other fences are being maintained.		
What machinery are on site		
Drip trays are being utilised where there is a risk of incidental spillage		
Bunds/ drip trays are being emptied on a regular basis (especially after rain).		
No leakages (oil & fuel) are visible from construction vehicles		
No go areas, remaining natural features and trees have not been damaged.		
Dust control measures (if necessary) are in place and are effectively controlling dust.		
Noise Control measures (if necessary) is in place and is working effectively.		
Erosion control measures (if necessary) are in place and are effective in controlling erosion. (Access road, site areas etc.)		
Stockpiles are located within the boundary of the site, do not exceed 2 m in height and are protected from erosion.		

Completed by:..... Sign:..... Date:.....

To be submitted at the end of each week to the Environmental Site Officer (ESO)

Received by:

Environmental Site Officer: :..... Sign:

Date:.....

APPENDIX 9: BASIC RULES OF CONDUCT

BASIC RULES OF CONDUCT

The following list represents the basic Do's and Don'ts towards environmental awareness, which all participants in this project must consider whilst carrying out their tasks. These are not exhaustive and serve as a quick reference aid.

NOTE: ALL new site personnel must attend an environmental awareness presentation. Please inform your foreman or manager if you have not attended such a presentation or contact the ESO.

DO:

- Use the toilet facilities provided – report dirty or full facilities
- Clear your work areas of litter and building rubbish at the end of each day – use the waste bins provided and ensure that litter will not blow away.
- Report all fuel or oil spills immediately & stop the spill continuing.
- Dispose of cigarettes and matches carefully. (Littering is an offence.)
- Confine work and storage of equipment to within the immediate work area.
- Use all safety equipment and comply with all safety procedures.
- Prevent contamination or pollution of streams and water channels.
- Ensure a working fire extinguisher is immediately at hand if any “hot work” is undertaken e.g. welding, grinding, gas cutting etc.
- Report any injury of an animal.
- Drive on designated routes only.
- Prevent excessive dust and noise.

Do not:

- Remove or damage vegetation without direct instruction.
- Make any fires.
- Injure, trap, feed or harm any animals – this includes birds, frogs, snakes, lizards etc.
- Enter any fenced off or marked area.
- Allow cement or cement bags to blow around.
- Speed or drive recklessly
- Allow waste, litter, oils or foreign materials into the stream
- Swim in the dam.
- Litter or leave food laying around

Notes:

If any animals such as tortoises, chameleons or snakes be encountered then do not harm them. The ECO or Site Supervisor must be contacted to remove these safely. The harming of any animal will result in disciplinary action.

Construction and heavy machine operators must be particularly sensitive to staying within access routes and prevention of unnecessary damage. Dust and noise is also of particular concern. Ensure that vehicles and machinery do not leak fuel or oils. Refuelling or maintenance must be done within the maintenance camp area only.

Alien plant clearing and control work teams must be closely supervised.

BASIESE GEDRAGSKODES

Die volgende lys vertenwoordige die moets en moenies vir omgewingsbewustheid wat alle deelnemers aan hierdie projek in ag moet neem tydens die uitvoer van hul take. Hierdie lys is nie volledig nie en dien slegs as 'n vinnige verwysing.

Nota: alle nuwe terreinpersoneel moet 'n aanbieding ten opsigte van omgewingsbewustheid bywoon. Indien u nog nie so 'n aanbieding bygewoon het nie, lig asseblief u voorman of bestuurder in of kontak die omgewings terreinbeampte.

Moets:

- Gebruik die beskikbare toilet-geriewe – rapporteer vuil of vol geriewe.
- Maak u werkplek skoon van rommel of bourommel aan die einde van elke dag – gebruik beskikbare vullisdromme en verseker dat rommel nie rondwaai nie.
- Rapporteer alle brandstof- en olie stortings onmiddellik – stop verdere storting.
- Wees versigtig met die wegdoen van sigarette en vuurhoutjies. (rommelstrooi is 'n oortreding.)
- Beperk werkaktiwiteite en die stoor van toerusting tot die onmiddellike werkarea.
- Gebruik veiligheidstoerusting en voldoen aan alle veiligheids-maatreëls.
- Voorkom besoedeling van strome en waterbane
- Verseker dat 'n brandblusser in werkende toestand byderhand is wanneer “warm” werk verrig word bv. Sweis, wegslyp, gasny, ens.
- Rapporteer beseerde diere.
- Ry slegs op aangewese roetes.
- Voorkom oormatige stof en geraas.

Moenie:

- Plantegroei verwyder of beskadig sonder direkte instruksie nie.
- Enige vure maak nie.
- Enige diere dood, beseer, vang of voer nie, insluitende voëls, paddas, slange, akkedisse, ens.
- Enige omheinde of afgesperde areas binnetree nie.
- Sement of sementsakke laat rondwaai nie.
- Vinnig of roekeloos bestuur nie.
- Enige rommel, afval, olie of enige vreemde materiaal in strome laat beland nie.
- In die dam swem nie.
- Rommelstrooi of kos laat rondlê nie.

Notas:

Indien enige diere soos skilpaaie, verkleurmannetjies of slange teëgekom word, moet hulle nie beseer of dood nie. Kontak die otb of ri om hulle veilig te verwyder. Die besering van diere sal lei tot dissiplinêre optrede.

Operateurs van konstruksie- en swaar masjiene moet veral versigtig wees om binne toegangsroetes te bly en om enige onnodige skade te voorkom. Verseker dat voertuie en masjiene nie olie of brandstof lek nie. Brandstofaanvulling en voertuigonderhoud mag slegs binne die onderhoudsarea gedoen word.

Streng toesig moet gehou word oor indringerplantbeheerspanne.

EZIPPHAMBILI EKUNYANZELEKILEYO UKUBA ZENZIWE

Zonke ezi zinto zilandelayo zizinto ekufuneka zenziwe nekufuneka zingenziwanga.

Wonke umntu ofikayo kufuneka afundiswe ngemigaqo kupala. Needa yazisa iforman yakho ikuba awukhange uye kufundiswa.

Izinto emazenziwe

- Sebenzisa izindlu zangasese, yazisa xa kukho umonakalo.
- Zama ukucoca apho ubusebenza khona.
- Sebenzisa imigqomo yenkukuma ungayeki iphaphtieke.
- Yazisa xa ubona ioil echithskalayo okanye ipetrol.
- Cima lozoli cigarette xa ugqibibile ukutshaya
- Zonke izixhobo usebenza zibuyisele apho zihlaka khona xa ucgibile apho zihlala khona xa ugqibile ukuzisebenzisa.
- Zisebenzise izikhuselixa uzinkwiwe.
- Sukugalela izinto emlanjeni.
- Masibekho isicima mlilo xausebenza ngomlilo.
- Yazisa msinyane xa ubone isilwanyana ezonzakeleyo.
- Xauqhuba isithuthi hamba endleleni qha ungafathulinje.
- Naphina zamaungenzi thuli okanye ingxolo xa usebenza.

Emazingenziwa

- Sukususa nesiphina isityalo ungakhange uxelelwe
- Sukwenza mlilo nokuba sekubanda
- Amagqara ukubulala izilwanyana nokuzifida akuvumelekanga
- Sukungena xa kuvaliwe ngaphandle kwe mvume
- Ingxowa zesamente mazincedwe zingahlwa nje
- Sukuqhuba ngesantya esiphakamileyo
- Sukugalele nayiphi into phaya emlanjeni
- Sukuqubha edameni q oqosha yonk inkukuma

APPENDIX 10: ECO/ESO REPORT/CHECKLIST

ECO / ESO SITE VISIT CHECKLIST / REPORT:

PROJECT NAME: DATE

PROJECT & PHASE: LOCATION

ENVIRONMENTAL ASPECT		ENTS
Note: 1 = Poor, 2 = Average, 3 = Good NA = Not Applicable		
DEMARCATIION METHOD STATEMENT Boundaries of “no go” areas, construction sites, offices, temporary storage areas as well as labourer’s facilities must be demarcated (EMP and ECO requirements) and maintained for the length of the construction period.		
NO-GO AREAS/PROTECTION OF FAUNA & FLORA Identified “No-Go Areas”, remaining natural veld and indigenous- or significant trees are protected features and must be demarcated for protection from construction damage (including secondary impact). All areas outside of the demarcated construction sites and access roads to be regarded as NO-GO areas unless otherwise agreed upon with the client and ECO. All flora identified to be rescued must be removed and placed in an area specifically allocated and taken care off until re-used in pre-approved way. Identified areas with significant vegetation must be protected as NO-GO areas.		
CLEARING OF VEGETATION & TOPSOIL REMOVAL METHOD STATEMENT Before any construction or earthworks, topsoil must be stripped (>150mm) and stockpiled for rehabilitation/ landscaping. Stockpiles: must be protected (may not blow or wash away or gets compacted) and stored separately. may not be moved further than 50m or mixed with any other soil. must be convex and should not exceed 2m in height. In addition: Cleared areas must be stabilized. Burning or burying of cleared vegetation is prohibited, but may be used for mulch or slope stabilisation on site.		
STOCKPILING METHOD STATEMENT Top- and subsoil’s from trenches must be located within site boundaries, stabilised and may not exceed 2m in height.		
TEMPORARY STORAGE FACILITIES METHOD STATEMENT Must be demarcated, organised, neat and tidy and of acceptable standards.		
CONSTRUCTION CAMP & SITE OFFICES METHOD STATEMENT Must be demarcated, organised and free of day-to-day litter (maintaining good housekeeping standards).		

ENVIRONMENTAL ASPECT		RISKS
Note: 1 = Poor, 2 = Average, 3 = Good NA = Not Applicable		
FUEL STORAGE METHOD STATEMENT Fuel storage areas must be situated within the demarcated construction camp site (or an area approved by the ECO). Bunds must be built (EMP and ECO requirements) around larger fuel storage areas (accidental spillages). Drip trays must be used (in accordance with EMP) at all fuel and oil storage and refilling sites and must be cleaned regularly, especially after rain.		
LABOURER'S FACILITIES METHOD STATEMENT Facilities must be of acceptable standards suitably demarcated, well maintained, neat and tidy and with adequate ablution facilities.		
ENTRANCE AND HAUL ROADS METHOD STATEMENT Only approved entrance and haul roads may be used (existing roads and infrastructure). No new roads or parking areas may be developed without written approval from the ECO.		
MANDATORY SITE EQUIPMENT METHOD STATEMENT Mandatory site equipment must be in place, well maintained and in accordance with EMP and ECO requirements. Sufficient refuse bins must be on site (well placed and conspicuous) and must be cleaned regularly. Fire extinguishers must be readily available, maintained and functional. Drip trays must be used (in accordance with EMP) at all fuel and oil storage and refilling sites and must be cleaned regularly, especially after rain. Toilets and sanitation facilities must be kept clean neat and hygienic (toilet paper must be available).		
WASTE CONTROL METHOD STATEMENT The contractor is expected to control all construction related waste material and general litter on actual construction sites and its immediate surroundings. Waste management must be in accordance with the EMP, of acceptable standards, with regular removal of general waste, hazardous waste as well as construction waste (e.g. concrete waste and spoil).		
CEMENT MIXING & BATCHING AREAS METHOD STATEMENT Mixing areas must be approved by the ECO, suitably demarcated and may not result in pollution. Polluted cement water may only be released into sedimentation ponds. Sedimentation ponds must be maintained and cleaned regularly (and reinstated after use).		

ENVIRONMENTAL ASPECT		RISKS
Note: 1 = Poor, 2 = Average, 3 = Good NA = Not Applicable		
CONSTRUCTION VEHICLE MAINTENANCE METHOD STATEMENT Construction vehicles must be in good working order and well maintained to prevent oil and fuel leakages and to reduce noise levels. Maintenance areas must be approved by ECO. Refuelling must be done in accordance with the EMP, using drip trays.		
HEAVY EARTHMOVING EQUIPMENT Construction vehicles and equipment may only operate <u>within</u> the demarcated site boundaries (and approved access roads), especially heavy earthmoving vehicles.		
DUST CONTROL METHOD STATEMENT Adequate control measures must be in place to prevent dust pollution as a result of construction activities (especially with regard to entrance-, haul roads and exposed surfaces). Areas of concern must be watered regularly during construction AND periods of strong winds, BUT must take water saving into account.		
EROSION CONTROL METHOD STATEMENT Erosion resulting from works must be controlled. Temporary and permanent drainage works must be maintained. Erosion damage and damage in drainage courses must be reinstated.		
NOISE CONTROL METHOD STATEMENT Effective noise control measures must be in place and acceptable working hours must be kept (deviations must be approval by the ECO).		
ENVIRONMENTAL CONDUCT Environmental conduct of construction personnel must be acceptable (e.g. no burning or burying of refuse; no littering and no cement bags or other construction waste material lying around).		
ARCHAEOLOGICAL & HERITAGE FINDS METHOD STATEMENT Should any archaeological or heritage remains be exposed during excavations or any activity on site, these must immediately reported to The site agent/engineer, the ECO or SAHRA.		
REHABILITATION METHOD STATEMENT On completion of the project or phase, all areas impacted by the construction activities must be reinstated and/or rehabilitated to the satisfaction of the ECO with emphasis on the following: Site offices must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO. Labourer's facilities must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO. All construction site areas must be rehabilitated or reinstated to		

ENVIRONMENTAL ASPECT		POINTS
Note: 1 = Poor, 2 = Average, 3 = Good NA = Not Applicable		
the satisfaction of the ECO. All temporary fencing and demarcation must be removed and the areas reinstated to the satisfaction of the ECO. Temporary storage areas must be rehabilitated or reinstated to the satisfaction of the ECO. All remaining construction material must be removed and the areas rehabilitated or reinstated to the satisfaction of the ECO. Any additional disturbed areas must be rehabilitated or reinstated to the satisfaction of the ECO.		
ADDITIONAL METHOD STATEMENTS Method statements must be submitted and approved before commencement of the works and must be available at the site offices.		
ENVIRONMENTAL CHECKLIST The contractor must ensure that the weekly environmental checklist is completed at the end of each week and it must be available at the site offices.		
SPOT FINES & PENALTIES Spot fines and penalties must be recorded and documented by the ECO (in accordance with the EMP).		
FIXED POINT PHOTOS Photographs must be taken by the ECO, Site Engineer and or Site Manager, prior to, during and immediately after construction as visual reference. These photographs must be stored with other records relating to the EMP.		

ECO:

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

APPENDIX 11: METHOD STATEMENT REGISTER

METHOD STATEMENT REGISTER		Principle Site Agent:			Project Name:		
		Main Contractor:			Project location:		
No.	METHOD STATEMENT ACTIVITY REFERENCE	DATE CREATED	DATE RECEIVED	CREATED BY	ACCEPTED / REJECTED	DATE approved	Approved By
1	Demarcation						
2	Clearing of vegetation and topsoil removal						
3	Stockpiling						
4	Temporary storage facilities						
5	Construction camp and site offices						
6	Fuel storage						
7	Labourer's facilities						
8	Entrance and haul roads						
9	Mandatory site equipment						
10	Waste management/control						
11	Cement mixing and batching areas						
12	Construction vehicle maintenance						
13	Dust control						
14	Erosion control						
15	Noise control						
16	Archaeological and heritage finds						
17	Rehabilitation						
18							
19	<u>Additional MS (Waste Licence requirements)</u>						
20							
21							
22							

APPENDIX 12: ENVIROMENTAL INCIDENT REPORT FORM

ENVIRONMENTAL INCIDENT REPORT

PROJECT NAME: _____

PROJECT LOCATION: _____

SITE AGENT: _____

DATE OF INCIDENT: _____

TIME: _____

BRIEF DESCRIPTION AND CAUSE OF INCIDENT:

WHAT IMMEDIATE ACTIONS/CONTROL MEASURES WERE TAKEN:

WHAT CORRECTIVE ACTIONS WERE TAKEN TO ENSURE NO REPEATS OF THE INCIDENT:

ECO/ESO RESPONSE TO INCIDENT AND RECOMMENDATIONS:

IS THIS INCIDENT A:

☐ FIRST OFFENCE

☐ SECOND OFFENCE

☐ THIRD OFFENCE

SIGNATURE OF SITE AGENT: _____ DATE: _____

SIGNATURE OF ECO/ESO: _____ DATE: _____

REMEMBER: TO BE FACTUAL WHEN DESCRIBING THE INCIDENT.

APPENDIX 13: COMPLAINTS REGISTER FORM

COMPLAINTS REGISTER FORM

(To be completed by Site Agent/Supervisor)

[illegible]