

REFERENCE: 16/3/3/1/D5/16/0005/22
ENQUIRIES: Shireen Pullen
DATE OF ISSUE: 12 May 2023

The Director
Western Cape Government Department of Transport and Public works
PO Box 9185
CAPE TOWN
8000

Attention: Mr. Azni November

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Dear Sir

ACCEPTANCE OF THE AMENDED ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) FOR THE PERIODIC MAINTENANCE OF TRUNK ROAD 83/1, KM 25.78 TO KM 34.00 AND KM 48.50 TO KM 58.00, TRUNK ROAD 83/2 FROM KM 0 TO KM 11,16 AND KM 15.25 TO KM 23.01, MAIN ROAD 365 FROM KM 0 TO KM 14.12, AND TRUNK ROAD 31/5 FROM KM 0.42 TO KM 0.90, BETWEEN RIVERSDALE TO LADISMITH, WESTERN CAPE

1. The abovementioned document received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" on 14 April 2023 refers.
2. In light of the content of the updated document and by virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 (as amended), the competent authority herewith approves the amended EMPr.
3. Kindly note that the maintenance management method statements contained in the EMPr must be strictly implemented and adhered to. Any changes to these method statements must be communicated to this Directorate in advance before implementation thereof. In addition hereto, the maintenance activity disturbance area must be demarcated and all maintenance works must be contained within these disturbance areas.
4. Also note that a compliance monitoring inspection or compliance audit will be undertaken after commencement of construction activities, in order to determine compliance with the Environmental Authorisation issued on 29 August 2022.
5. Your attention is also drawn to the audit requirements of the aforementioned Environmental Authorisation. Please note that in light of the recent official feedback received from the Chief Director: Development Planning regarding environmental audits, neither the Environmental Assessment Practitioner (EAP) or the Environmental Control Officer (ECO) can undertake an audit nor a person from the same company as the EAP or ECO, as it would represent a

circumstance that may compromise the objectivity of the audit. Therefore, all audits to be conducted must be done by an independent auditor (not the EAP/ECO).

6. Please note that it is an offence in terms of Section 49A of the NEMA not to comply with the provisions of an Environmental Authorisation. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
7. Kindly quote the abovementioned reference number in any future correspondence in respect of the abovementioned development.
8. This Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.

Yours faithfully

DIRECTOR
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copies to:

Mr. Divan Opperman
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