



Hilland Environmental

Environmental Assessment Practitioners

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GEO24/1176/20s
17 October 2024

Dear Philip Venter
Ruwacon
philip.venter@ruwacon.co.za

RE: NON-COMPLIANCE NOTICE: WASTE MANAGEMENT AND HOUSEKEEPING AT ARBOUR ESTATE CONSTRUCTION SITE

This letter serves to notify the contractor, Ruwacon, represented by Mr Philip Venter, of the non-compliance in terms of the Environmental Management Programme (EMPr) for failure to comply with the Waste Management (Section 6.2.9) and general housekeeping on the construction site.

Litter and other construction-related off-cut materials were found to be scattered across the construction site. There are not sufficient disposal facilities (bins/skips) on site to contain the general litter and construction-related waste.

Section 6.2.9 of the EMPr – Waste Management –

- *"The contractor shall ensure that the site is maintained in a neat and tidy condition and kept free of litter (including the open space area). Measures must be taken to reduce the potential for litter and negligent behaviour with regard to the disposal of all refuse. At all places of work, the contractor shall provide litter bins, containers and refuse collection facilities for later disposal. Litter to be removed from the site on a daily basis (through daily litter picking before the site is closed for the day). Rubbish bins must be provided on-site and regularly cleaned / emptied."* – **non-compliant – there is no evidence of sufficient litter bins, containers and refuse collection facilities at all places of work. There is no evidence of litter being removed on a daily basis.**
- *"Waste storage containers shall be covered, tip-proof, weatherproof and scavenger proof. The waste storage area shall be fenced off to prevent wind-blown litter."* – **non-compliant – waste storage containers are not weatherproof to prevent wind-blown litter.**
- *The contract staff must be clearly briefed on the 'no litter policy'. The site is to be kept clean of litter, even if it is not caused by the contractor staff."* – **all staff on-site, during the recent environmental induction session (16 August 2024), were made aware of the "no litter policy". The contractor is failing to enforce the "no litter policy".**

The contractor is hereby requested to rectify the above-mentioned non-compliances in terms of waste management and general housekeeping of the construction site - Arbour Estate and submit photographic proof thereof to the ECO.

Previous warnings have been issued and as such a fine of R5000 is issued to the contractor in terms of Section 12 of the EMPr.

In accordance with the EMPr, as a fund has yet to be established for fines, locally indigenous trees (to be approve by the ECO prior to purchase) to the value of R5000 must be purchased by Ruwacn and the ECO will direct the planting of these trees within the river rehabilitation area (outside the fence).

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GEO22/1176/11

12 PENALTIES FOR NON-COMPLIANCE

Penalties in terms of Chapter 9 of the Western Cape Bill on Planning and Development as published in the Extraordinary Provincial Gazette No 5183, 3 October 1997, are applicable for any action, which leads to damage to the natural environment.

In addition to the penalties in terms of the Act (NEMA), spot fines up to a maximum value of R10 000 per offence can be instituted at the discretion of the ECO for any breach or non-compliance in terms of the EMPr and EA (FINES ISSUED WILL INCREASE EXPONENTIALLY FOR REPEAT OFFENCES).

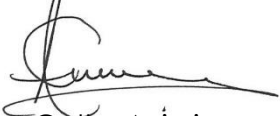
In the event of damage being caused, the contractor will be responsible for the cost of cleanup, repair or rehabilitation as necessary, as well as being liable for the fine.

A fund is to be established for the collection of fines and the spending of this fund is to be at the discretion of the ECO for environmental rehabilitation of the area.



If you require any further information or assistance, please contact us on (044) 889 0229 (Tel) 086 542 5248 (fax) or Email: environmental@hilland.co.za / cathy@hilland.co.za.

Kind Regards

A handwritten signature in black ink, appearing to read 'Cathy', with a long horizontal flourish extending to the right.

Cathy Avierinos
for Hilland Environmental

Copy to: Mr Frans van Aardt – Frans@urbanengineering.co.za
Mr Jonathan Stoller – jonathan@signatura.biz