



# Hilland Environmental

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GEO24/1134/32  
18 October 2024

Dear Conrad van den Berg  
Ruwacon  
[conrad@ruwacon.co.za](mailto:conrad@ruwacon.co.za)

## **RE: NON-COMPLIANCE NOTICE: WASTE MANAGEMENT AND HOUSEKEEPING AT SPRINGFIELD ESTATES CONSTRUCTION SITE**

This letter serves to notify the contractor, Ruwacon, represented by Mr Conrad van den Berg, of the non-compliance in terms of the Environmental Management Programme (EMPr) for failure to comply with the Waste Management (Section 6.2.9), the environmental method statement for stockpiling (Ruwacon, dated 12 September 2024) and general housekeeping on the construction site.

Building rubble and other construction-related off-cut materials were found to be dumped in the future development zone – no-go zone for this construction phase. This matter has already been reported to the contractor at previous site meetings. The previously dumped material was removed, however based on the ECO site inspection on 17 October 2024 it appears as if new building rubble was dumped in the no-go zone.

### **Section 6.2.9 of the EMPr – Waste Management –**

- *“Disposal of all waste materials must be done at suitable facilities. No dumping of any waste material on or off-site is permitted.”* – **non-compliant – building rubble and other construction-related off-cut materials were dumped in the no-go zone.**
- *“Solid waste may be temporarily stored on-site in a designated area approved by the ECO prior to collection and disposal. Solid waste must be removed on a weekly basis to a licensed municipal waste site.”* – **non-compliant – building rubble are being dumped in the no-go zone. It was previously agreed that the contractor can stockpile the building rubble in the construction zone, provided that it must be removed/disposed to an authorized disposal facility by the Friday.**

### **Section 6.2.4 of the EMPr – Demarcation of No-Go Areas**

- *“All people working on site must be made aware of the boundaries within which work is to be done.”* – **Topsoil and subsoil demarcation signs are not maintained. Building rubble are being dumped on/or near the topsoil stockpile.**
- *“As there may be multiple contractors on site at any time it is critical that each contractor is aware of the extent of their work area and remain within the work area.”*
- *“During civil construction the areas not under construction are regarded as NO-GO areas.”* – **Topsoil stockpile position was agreed with the ECO (in the future development zone). No dumping of building rubble is permitted in the no-go zone.**

- *“During construction of top structures, the entire site is regarded as NO-GO with the exception of the site that has been handed over to the specific builder(s).” - Topsoil stockpile position was agreed with the ECO (in the future development zone). No dumping of building rubble is permitted in the no-go zone.*

The contractor is hereby requested to rectify the above-mentioned non-compliances in terms of waste management and general housekeeping of the construction site - Springfield Estates 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 13 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 Ruwacon and the ECO will direct the planting of these trees within the river rehabilitation area (outside the fence).

### 13 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](mailto:environmental@hilland.co.za) / [cathy@hilland.co.za](mailto:cathy@hilland.co.za).

Kind Regards

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for Hilland Environmental

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