

THE MAINTENANCE OF TRUNK ROAD 33/4 (MEIRINGSPOORT) BETWEEN KM1.5 AND KM 19.5, WESTERN CAPE

DFFE Ref: 14/12/16/3/3/1/2226

DEA&DP Ref: 16/6/D7/4/0365/24

FORMAL ECO AUDIT REPORT

Prepared for:

Western Cape Government: Department of Infrastructure

9 Dorp Street

Cape Town

8001



**Western Cape
Government**

Prepared by:

Guillaume Nel Environmental Consultants

P.O. Box 2632

Paarl

7620

Tel: 021 870 1874

Fax: 021 870 1873

Cell: 076 453 8829 / 072 157 1321

E-Mail: divan@gnec.co.za / guillaume@gnec.co.za



17 April 2025



ABBREVIATIONS

DEA&DP	Department of Environmental Affairs and Development Planning
DWS.....	Department of Water Affairs and Sanitation
EA	Environmental Authorization
EAP	Environmental Assessment Practitioner
ECO.....	Environmental Control Officer
EIA	Environmental Impact Assessment
EMPr.....	Environmental Management Programme
ER	Employer's representative
DEO	Designated Environmental Officer
GNEC	Guillaume Nel Environmental Consultants
I&AP	Interested and Affected Parties

INTRODUCTION

This Environmental Control Officer (ECO) Report is distributed to the project team after the site audit was undertaken. The contractor has 3 working days after this report is distributed to provide a close out report with photographic evidence of how the findings in this report were rectified, if required.

The ECO Report is compiled in order to ensure continuous improvement with regards to environmental related matters. The aim is furthermore, to increase the contractor's compliance rating in terms of the environmental approvals, and to advise on environmental matters which might occur during construction activities. This ECO report incorporates the monthly environmental findings and furthermore may include corrective measures/actions which were taken by the contractor.

CLOSE OUT ON FINDINGS REQUIRED

	Finding	Close Out Recommendation
1.	Agreement with CapeNature on the fish relocation requirements On the 3rd of November 2022 a meeting was held between the CapeNature team and the contactors of Actophambili Roads discussing a way forward regarding the fish observed along some of the causeways to be cleared. Accordingly the following was determined; <i>We will place sandbags at Derde toll and Rooiuitspannings on the upstream side to prevent fish from entering the work area downstream.</i> <i>We will place sandbags on the downstream side once a trench has been made for water to drain first.</i> <i>The sandbags will be wrapped in knitted orange mesh to ensure no large material will filter through.</i> <i>At Eerste there will be no Sandbags placed in the upstream area as it is too large and deep. We will dig a small trench to drain the water to flow downstream, then we will place sandbags to prevent silt from flowing downstream.</i> <i>The material dug out as discussed will be used to shape a neat berm on the sides to ensure the flow is uniform.</i> <i>The large rocks etc at Derde toll will be used to fill an erosion hole close to the area where the material is being removed.</i> <i>The TLB will only enter the area where we agreed to on site.</i>	The contractor is reminded of this agreement with CapeNature and must comply.

PROJECT DESCRIPTION

The project entails the maintenance activities of Trunk Road (TR) 33/4 between km1.5 and km19.5. The previous maintenance works ended in February 2024, but due to continued high rain during the rainy season maintenance works were again required between km1.5 and km19.5.

TR033/4 is managed in two sections namely, sections (km1.5 – km4.6 and km14.4 – km19.5) is situated outside the World Heritage Area and the Department of Environmental Affairs and Development Planning (DEA&DP) is the competent authority.

The section between km4.6 – km14.4 is within the World Heritage Area and the Department of Forestry, Fisheries and the Environment (DFFE) is the competent authority.

An Environmental Authorisation with reference (14/12/16/3/3/1/2226) is in place for km4.6 – km14.4 which was granted on the 18th of February 2021. The maintenance works taking place within this section is done in terms of the EA and EMP.

The 1st section as mentioned above (km1.5 – km4.6 and km14.4 – km19.5) received a Section 30A verbal directive from DEA&DP for the blocking of the culverts and bridges, the verbal directive was confirmed with the issuing of the Section 30A Directive dated 3 November 2025.

FINDINGS IN TERMS OF THE APPROVED EMPR DURING THE SITE VISIT ON 28TH OF MARCH 2025

Requirement	ECO comments and/or recommendation	Compliance
		Compliant
		Partial-Compliant
		Non-Compliant
		Require Confirmation
		Premature
		Not Auditable
Please refer to approved EMPr for detailed requirements (It should be noted that the EMPr is only applicable for the Heritage Area (the EMPr guidelines can also be used for the sections outside the Heritage Area as part of Duty of Care principle)		
Site camp establishment	No formal site camp is required for the current maintenance works, the rest (picnic areas) are used.	Compliant
Site access	The existing road network is used to access the maintenance site.	Compliant
Toilet facilities	Chemical toilet facilities or other approved toilet facilities (1 for every 30 workers) must be used and located on the site in such a way that the toilets do not cause any form of pollution of the site. Chemical toilets were provided.	Complaint

		
Waste Management	An integrated waste management approach should be adopted. Emphasis must be put on waste minimisation such as reduction, recycling and re-use, where possible. Minimal to no general waste is created by the maintenance activities.	Compliant
Storage and management of hazardous and construction materials	Storage areas must be designated and demarcated, and no unauthorised access shall be permitted. No storage areas are currently known to the ECO. <u>It is important to note the spill which took place within the Heritage Section of the Poort at approx. km7.73 was not construction related, the incident was a member of the public which overturned a truck causing a hydrocarbon and onion seed spill into the watercourse. A spill remediation team was sent out by the insurance company, of the truck company, and the spill was proposed to be contained. In the opinion of the ECO</u>	Not Auditable

	the spill has not been rectified sufficiently. A bad smell is present, the contaminated water must be remediated as a matter of urgency to prevent further pollution of the environment. High flows, after rainfall, on the 24th of March 2025 washed away the remaining contaminated water and the area is clean again. 	
The clearance of vegetation and vegetation brush-cutting	Clearance of vegetation should only be undertaken as a last resort if the vegetation will or is damaging a given structure and/or if the vegetation is completely blocking the flow of water through the structure. Vegetation root systems provide unmatched soil stability and should not be cleared purely for aesthetic purposes. Minimal to no intact vegetation has been cleared or is proposed to be cleared, most of the vegetation removal entails flood debris removal which blocks the structures.	Compliant

	The contractor confirmed the flood debris is disposed at the De Rust or Klaarstroom Municipal dump sites.	
Removal, Moving/Excavation of Ground Material	Only the minimum amount of excavations must be undertaken. Where practical and feasible, excavations should be done by means of manual labour. Use can be made of a TLB where excavation of large amounts of material needs to be excavated, removed, moved and deposited. Sediment removal is done only what is required to allow functionality of the structure. Manual labour was previously done at km19.5 as a TLB could not be used to access below the structure. The contractor confirmed the sediment is used at other locations within the poort.	Compliant
Storage of excavated material	All excavated material must be stored on a flat surface away from any drainage line or area susceptible to erosion. The location should be decided upon in consultation with the ECO. No storage areas have been communicated to the ECO, the contractor should please confirm where excavated material is being stored (if applicable).	Compliant
Activities within or within close proximity to a watercourse	Workers must receive to necessary training to make them aware of the possible pollution they may cause by the actions in close proximity to the watercourse. The construction area must be demarcated to deter labourers from entering the watercourse. <u>No works took place within the watercourse during the audit.</u>	Compliant

Erosion Control	The erosion control taking place on site entails the reinstatement of scoured embankments, cleaning (sediment removal) of the side drains and reinstatement of the side drains where flood damages occurred. Sediment management measures were used, but damaged by the high flows. 	Compliant
General Construction phase nuisances	Put measures in place to allow for the maximum available flow of traffic. Noise generating activities will be limited to normal working hours. Equipment must be in good working condition in order to minimise noise generation.	Compliant

FINDINGS IN TERMS OF THE GRANTED ENVIRONMENTAL AUTHORISATION

EA Condition No.	Description of each Condition	Comments on Compliance
		Compliant
		Partial-Complaint
		Non-Compliant
		Require Confirmation
		Premature
		Note
		Not Auditable
1	The maintenance activities of Trunk Road 33/4 between Km 4.6 and Km 14.4, along the Meiringspoort Pass, within the Oudtshoorn and Prince Albert Local Municipalities, Western Cape Province are approved as per the geographic coordinates cited in the table above.	Not Auditable
2	Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.	Not Auditable
3	The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.	Note The holder holds all responsibility for the actions undertaken by anyone on site.

		Holder of the EA to please take note
4	The activities authorised may only be carried out at the properties as described above.	Compliant All works takes place along TR033/4.
5	Any changes to, or deviations from, the inject description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.	Compliant No changes or deviations of the scope have been made to date.
6	The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.	Note Holder of the EA to please take note
7	This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.	Compliant A letter to notify the Department of the intended commencement of activities was submitted to the Department on the 19 th of April 2022

		notifying the Department that the appointed contractor intends to commence with maintenance activities on the 4th of May 2022 as granted in the Environmental Authorisation (EA) dated 18 February 2021. Formal ECO audit reports were conducted by Guillaume Nel Environmental Consultants (GNEC) up to September 2023. A closure report compiled in February 2024 was also submitted.
8	Construction must be completed within five (05) years of the commencement of the activity on site.	Note Holder of the EA to please take note
9	Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.	Compliant Activities commenced within the validity period of the EA.

10	The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.	It is accepted that Sharples Environmental Services notified all the I&AP's after the approval of the EA on the 8 February 2021. Proofs of the notification were not obtained.
11	The notification referred to must — 11.1. specify the date on which the authorisation was issued; 11.2. inform the Interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014; 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and 11.4. give the reasons of the Competent Authority for the decision.	It is accepted that the notification letter of Sharples Environmental Services contained the information as required in condition 11.
12	The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. J07 of 1998, as amended will suspend the Environmental Authorisation	Compliant Noted and complied with. No appeals were lodged after the I&APs were notified according to the knowledge of the ECO.

	or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.	
13	The Site Maintenance plan by Element Consulting Engineers (Pty) Ltd, attached as Appendix 3 of the BAR dated September 2020 is approved.	Noted
14	The Environmental Management Programme (EMPr) submitted as part of the BAR dated September 2020 is approved and must be implemented and adhered to.	Compliant The EMPr is implemented on site.
15	The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.	Compliant The EMPr is implemented on site.
16	Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.	Compliant No changes have been made to the EMPr to date.
17	The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.	Noted
18	The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with	Noted

	the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	The EMPr did not require updated after the environmental audit.
19	The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.	Noted The EMPr did not require updated after the environmental audit.
20	The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.	Noted The EMPr did not require updates.
21	In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.	Noted
22	The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is described in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on	Noted

	the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.	
23	The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr. 23.1 The ECO must be appointed before commencement of any authorised activities. 23.2 Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of Department. 23.3 The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO. 23.4 The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Compliant Guillaume Nel Environmental Consultants is appointed as ECO on the site and submits monthly reports to DFFE.
24	All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the Director: <i>Compliance Monitoring</i> of the Department.	Compliant

		ECO reports are submitted monthly to DFFE.
25	The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the <i>Director: Compliance Monitoring</i> of the Department.	Compliant Guillaume Nel Environmental Consultants is appointed as ECO on the site and submits monthly reports to DFFE.
26	The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.	Noted Kapp Environmental Consultants (Pty) Ltd. (KAPPEC) was appointed to conduct the required external environmental compliance audit.
27	The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.	Compliant A closure ECO report was compiled in February 2024 by Guillaume Nel Environmental Consultants and subsequently sent to all Departments.

28	The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.	Compliant Kapp Environmental Consultants (Pty) Ltd. (KAPPEC) was appointed to conduct the required external environmental compliance audit.
29	Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.	Noted
30	A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity commence, as well as a reference number.	Compliant A letter to notify the Department of the intended commencement of activities was submitted to the Department on the 19th of April 2022 notifying the Department that the appointed contractor intends to commence with maintenance activities on the 4th of May 2022 as granted in the Environmental

		Authorisation (EA) dated 18 February 2021.
31	A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.	Compliant A closure report compiled in February 2024 was submitted to DFFE.
32	Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.	Noted
33	A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species.	Compliant An authorization was obtained from the relevant conservation agency, Cape Nature in terms of Section 50 (5) of the NEM:PAA (Act) dated 12 June 2020. The comment authorization noted that "CapeNature has provided comment on the Draft Basic Assessment Report (DBAR) application to Department of

		Environment, Forestry and Fisheries (DEFF). The Environmental Assessment Practitioner (EAP) has provided proof that all comments and recommendations outlined within Cape Nature comment have been addressed or will be adhered to. Therefore, CapeNature hereby grants permission for the aforementioned activities, in terms of Section 50(5) of NEM: PAA (Act 57 of 2003), as amended.”
34	The relocation of fish from work areas must be in accordance with the approved method statement for the Fish Relocation Plan, which is attached at Appendix E of the Environmental Management Programme (EMPr) submitted as part of the BAR dated September 2020.	Note On the 3rd of November 2022 a meeting was held between the CapeNature team and the contactors of Actophambili Roads discussing a way forward regarding the fish observed along some of the causeways to be cleared.

		CapeNature hereby confirmed that no relocation is necessary, and the required mitigation has been implemented via the above description.
35	Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during maintenance work, construction must be stopped immediately. The relevant heritage resource agency must be informed and the services of an accredited heritage practitioner must be contacted as soon as possible for further investigation.	Not Auditable No heritage remains were encountered to date.
36	An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).	Minimal rubble and litter are generated by the maintenance works, the approved EMPr is implemented with regards to waste.
37	A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- 37.1. to anyone on request; and 37.2. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.	No site office is available on site, but the documentation can be made available electronically for anyone on request.

38	National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the folder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.	Note
----	--	------

PROGRESS

During the audit minimal to no work took place due to high flows and being a rain day.



The decision was made after the high flows that the removal of sediment at the structures would not be done by the contractor anymore. The embankment reinstatement will be completed at Derde Tol which will be the last work within the watercourse as part of the contract.



After the audit, the works commenced at Derde Tol. The works were interrupted by high flows again.



CONCLUSION

The contractor is herewith requested to please submit a close out report with photographic evidence of rectification for each of the abovementioned findings, if required, within 3 working days from the date of this report or indicate what measures are being done to rectify the findings.

Compiled by:

A handwritten signature in black ink, appearing to read 'Opperman'.

Divan Opperman

for GNEC