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**REFERENCE:** 16/3/3/5/D5/19/0001/22  
**ENQUIRIES:** Shireen Pullen  
**DATE OF ISSUE:** 13 July 2022

The Director  
WH van Schalkwyk Vervoer BK  
Post box 687  
**RIVERSDALE**  
6670

**Attention:** Mr. W. H. van Schalkwyk

Cell: 082 533 9637

Email: [info@vsvgroupp.co.za](mailto:info@vsvgroupp.co.za)

Dear Sir

**ACCEPTANCE OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) FOR THE  
RESIDENTIAL DEVELOPMENT ON THE REMAINDER OF PORTION 60 OF THE FARM PLATTEBOSCH  
NO. 485, STILL BAY, WESTERN CAPE**

1. The abovementioned document received by the Directorate: Development Management (Region 3), hereinafter referred to as "this Directorate" via electronic mail on 15 June 2022 refers.
2. This letter serves as acknowledgment of receipt of the aforementioned document by this Department.
3. In light of the content of the amended EMPr 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 subject to the following:
  - 3.1 It is noted that the plants found during the search and rescue mission will be transplanted at a suitable nursery. This mitigation is very vague. Please ensure that the information

regarding the identified nursery be submitted to this Directorate along with the notice of commencement for record purposes.

- 3.2 Please include a section in the EMPr that deals with penalties to be issued by the appointed Environmental Control Officer (ECO) for any non-compliance by the contractor to ensure that the EMPr is strictly implemented and adhered to. Please provide this Directorate with a final copy of the EMPr which includes this section for record purposes.
4. Please note that it is expected that the ECO is on site before commencement of construction activities to advise on the demarcation of the construction site and no-go areas. This must be followed up with 1-day monthly inspections to verify compliance with the provisions of the EMPr and conditions of the Amended EA.
5. For future purposes, please note that the EMPr is a working document and can be amended at times to address certain changes (if any) that may be required, provided that the outcomes of the EMPr are still the same and remains relevant.
6. Also note that a compliance monitoring inspection will be undertaken after commencement of construction activities, to determine compliance with the Environmental Authorisation issued on 03 May 2022.
7. You are reminded that annual compliance monitoring audits are required during the construction phase and operational audits are required at least every 5 years for the operational aspects. Also note that neither the Environmental Assessment Practitioner (EAP) or the 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 and not by the EAP/ECO.
8. Please note that it is an offence in terms of Section 49A of the NEMA to fail 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.

9. Kindly quote the abovementioned reference number in any future correspondence in respect of the abovementioned development.
10. 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

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**GAVIN BENJAMIN**

**DIRECTOR: DEVELOPMENT MANAGEMENT REGION 3**

Copy: Ms. J. Pienaar

Enviro EAP

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