ENVIRONMENTAL MANAGEMENT PROGRAMME

for

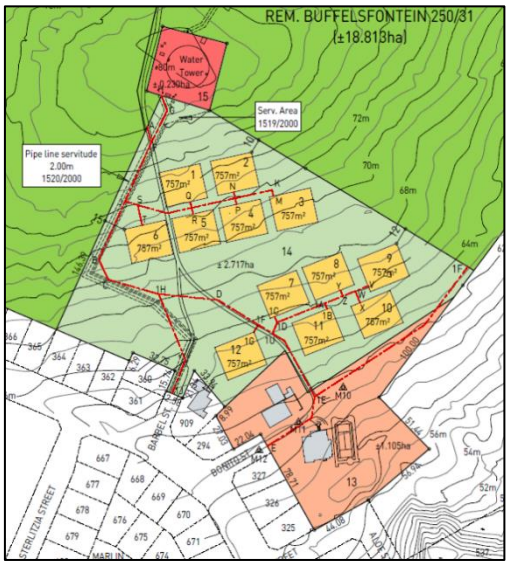
ORBAAI VILLAGE

on

A Portion of Portion 31 of Farm Buffelsfontein 250, Mossel Bay Municipal District

In terms of the

National Environmental Management Act (Act No. 107 of 1998, as amended) & 2014 Environmental Impact Regulations (as amended)



<u>Prepared for Applicant:</u> Orbaai (Pty) Ltd

<u>Date:</u> 8 May 2023

<u>Author of Report</u>: Ms Louise-Mari van Zyl
<u>Author Email</u>: louise@cape-eaprac.co.za
<u>Report Reference</u>: MOS735/10
<u>Department Reference</u>: 16/3/3/1/D6/3/0003/23
Case Officer: Shireen Pullen

Cape EAPrac
Cape Environmental Assessment Practitioners

Tel: +27 44 874 0365 PO Box 2070, George 6530
Fax: +27 44 874 0432 17 Progress Street, George

www.cape-eaprac.co.za

DOCUMENT TRACKING

DOCUMENT HISTORY

DOC REF	REVISION	DATE	AUTHOR
MOS735/07	Draft EMPr	2023-02-20	Ms Louise-Mari van Zyl
MOS735/10	Final EMPr	2023-05-08	Ms Louise-Mari van Zyl

APPROVAL FOR RELEASE

NAME	TITLE	SIGNATURE
Ms Louise-Mari van Zyl	Ms	To be signed for Final EMPr

DISTRIBUTION

DESIGNATION	NAME	EMAIL / FAX
DEA&DP: Case officer	Shireen Pullen	Electronic submission

APPOINTED ENVIRONMENTAL ASSESSMENT PRACTITIONER:

***Cape EAPrac* Environmental Assessment Practitioners**

PO Box 2070

George

6530

Tel: 044-874 0365

Fax: 044-874 0432

Report written & compiled by: **Louise-Mari van Zyl** (MA Geography & Environmental Science) who has over 20 years' experience as an environmental practitioner. Registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners of South Africa, EAPSA, **Registration Number 2019/1444.**

Registrations: Director **Louise-Mari van Zyl** (MA Geography & Environmental Science [US]; Registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners of South Africa, EAPSA, **Registration Number 2019/1444**. Ms van Zyl has over twenty years' experience as an environmental practitioner.

PURPOSE OF THIS REPORT:

Environmental Management Programme

APPLICANT:

Orbaai (Pty) Ltd

CAPE EAPRAC REFERENCE NO:

MOS735/10

SUBMISSION DATE

08 May 2023

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Submitted for:

Stakeholder Review & Comment

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Report Issued by:

Cape Environmental Assessment Practitioners

Tel: 044 874 0365
Fax: 044 874 0432
Web: www.cape-eaprac.co.za

PO Box 2070
17 Progress Street
George 6530

ORDER OF REPORT

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ENVIRONMENTAL MANAGEMENT PROGRAMME REQUIREMENTS

Appendix 4 of Regulation 982 of the 2014 EIA Regulations contains the required contents of an Environmental Management Programme (EMPr). The checklist below serves as a summary of how these requirements were incorporated into this EMPr.

Table 1: Checklist in terms of Appendix 4 of Regulation 982 of 2014 EIA Regulations

Requirement	Description
Details and expertise of the EAP who prepared the EMPr; including curriculum vitae.	Ms Louise-Mari van Zyl for Cape Environmental Assessment Practitioners. See Appendix 4.
A detailed description of the aspects of the activity that are covered by the EMPr as identified by the project description.	Section 1
A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that must be avoided, including buffers	Appendix 1
A description of the impact management objectives, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all the phases of the development including – (i) Planning and design; (ii) Pre-construction activities; (iii) Construction activities; (iv) Rehabilitation of the environment after construction and where applicable post closure; and (v) Where relevant, operation activities.	Section 4 – Environmental Impacts & Mitigations Section 5 - Responsibilities Section 6 – Pre-Construction Design Section 7 – Construction Phase Section 8 – Operation Phase
A description and identification of impact management outcomes required for the aspects contemplated above.	Section 4
A description of the proposed impact management actions, identifying the manner in which the impact management objectives and outcomes contemplated above will be achieved and must, where applicable include actions to – (i) Avoid, modify, remedy control or stop any action, activity or process which causes pollution or environmental degradation; (ii) Comply with any prescribed environmental management standards or practises; (iii) Comply with any applicable provisions of the Act regarding closure, where applicable; and (iv) Comply with any provisions of the Act regarding financial provisions for rehabilitation, where applicable.	Section 4 Section 6 Section 7 Section 8
The method of monitoring the implementation of the impact management actions contemplated above.	Section 9 Section 11
The frequency of monitoring the implementation of the impact management actions contemplated above.	Section 9

Requirement	Description
An indication of the persons who will be responsible for the implementation of the impact management actions.	Section 5
The time periods within which the impact management actions must be implemented.	Not Applicable
The mechanism for monitoring compliance with the impact management actions.	Section 9
A program for reporting on compliance, taking into account the requirements as prescribed in the Regulations.	Section 9
An environmental awareness plan describing the manner in which – (i) The applicant intends to inform his or her employees of any environmental risk which may result from their work; and (ii) Risks must be dealt with in order to avoid pollution or the degradation of the environment.	Section 5 Section 6 Section 7 Section 8 Section 9
Any specific information that may be required by the competent authority.	Not Applicable.

ABBREVIATIONS AND ACRONYMS

BSP Biodiversity Sector Plan - to inform land use planning, environmental assessments, land and water use authorisations, as well as natural resource management, undertaken by a range of sectors whose policies and decisions impact on biodiversity.

CARA Conservation of Agricultural Resources Act (Act 43 of 1983) - provides for control over the utilization of the natural agricultural resources of the Republic in order to promote the conservation of the soil, the water sources and the vegetation and the combating of weeds and invader plants; and for matters connected therewith.

CBA Critical Biodiversity Area - areas required to meet biodiversity targets for ecosystems, species and ecological processes, as identified in a systematic biodiversity plan.

DFFE National Department of Forestry, Fisheries & the Environment – the national authority responsible for the sustainable environmental management and integrated planning.

DEA&DP Department of Environmental Affairs and Development Planning – the provincial authority for sustainable environmental management and integrated development planning. The competent authority is this case.

DWS Department of Water & Sanitation Affairs – National authority mandated to enforce the National Water Act (NWA).

EA Environmental Authorisation – Authorisation obtained on completion of an Environmental Impact Assessment in terms of the National Environmental Management Act (NEMA).

ECA Environment Conservation Act, 1989 - To provide for the effective protection and controlled utilization of the environment and for matters incidental thereto.

ECO Ecological Control Officer – independent site agent appointed to observe and enforce the implementation of environmental policies and principles on a development site.

EIA Environmental Impact Assessment - a process of evaluating the likely environmental impacts of a proposed project or development, taking into account inter-related socio-economic, cultural and human-health impacts, both beneficial and adverse.

EMPr Environmental Management Programme – an environmental management tool used to ensure that undue or reasonably avoidable adverse impacts of the construction, operation and decommissioning of a project are prevented and that positive benefits of the projects are enhanced.

GIS Geographic Information System - system designed to capture, store, manipulate, analyse, manage, and present all types of geographical data.

GPS Global Positioning System - a radio navigation system that allows land, sea, and airborne users to determine their exact location, velocity, and time 24 hours a day, in all weather conditions, anywhere in the world.

NEMA National Environmental Management Act (Act 107 of 1998, as amended) – national legislation that provides principles for decision-making on matters that affect the environment.

NEM:BA National Environmental Management: Biodiversity Act (Act No.10 of 2004) – provides for the management and conservation of South African biodiversity within the framework of NEMA.

NFA National Forestry Act (Act No.84 of 1998) - provides for the protection of forests, as well as specific tree species within South Africa.

NSBA National Spatial Biodiversity Assessment – aims to assess the state of South Africa's biodiversity based on best available science, with a view to understanding trends over time and informing policy and decision-making across a range of sectors.

NWA National Water Act (Act No.36 of 1998) - ensures that South Africa's water resources are protected, used and managed.

1. INTRODUCTION

Cape Environmental Assessment Practitioners (*Cape EAPrac*) was appointed by the Applicant, Orbaai (Pty) Ltd to develop an Environmental Management Programme (EMPr) which will be used to promote and ensure environmental monitoring and control during all relevant phases (construction, operational and possible decommissioning) associated with the development of Orbaai Village on a portion of Portion 31 of Farm Buffelsfontein 250, Mossel Bay Municipal District (Figure 1).

Figure 1: Locality Map of Portion 31 of Farm Buffelsfontein Nr. 250 (red outlined property) (CapeFarmMapper, 2022).

Portion 31 of Farm Buffelsfontein Nr. 250 is approximately 23.8ha in size and is currently zoned as Agriculture I. The property is in the southern portion of Boggomsbaai (suburb of Mossel Bay).

The proposed development entailed the following subdivisions (Figure 2):

Single Residential Zone I: Houses proposed will be normal single-storey residential dwellings that must comply with the Municipal By-Laws in terms of design, coverage and building lines. The 13 erven will be ±757m^2 each.

Private Open Space Zone II: The private open space will retain natural vegetation.

Business Zone III: Limited convenience & personal services for residents and visitors at the existing residential homestead. It is proposed to add a few flatlets in accordance with the provisions of this

zoning (minimum of 3 units) on the first floor of the shop.

General Residential Zone V: The existing Sandpiper Leisure Centre (tourist facility) will be expanded by adding 4 guest rooms.

Utility Zone: Erf for existing municipal water reservoir that provides municipal water to Boggomsbaai and surrounds, internal services and roads.

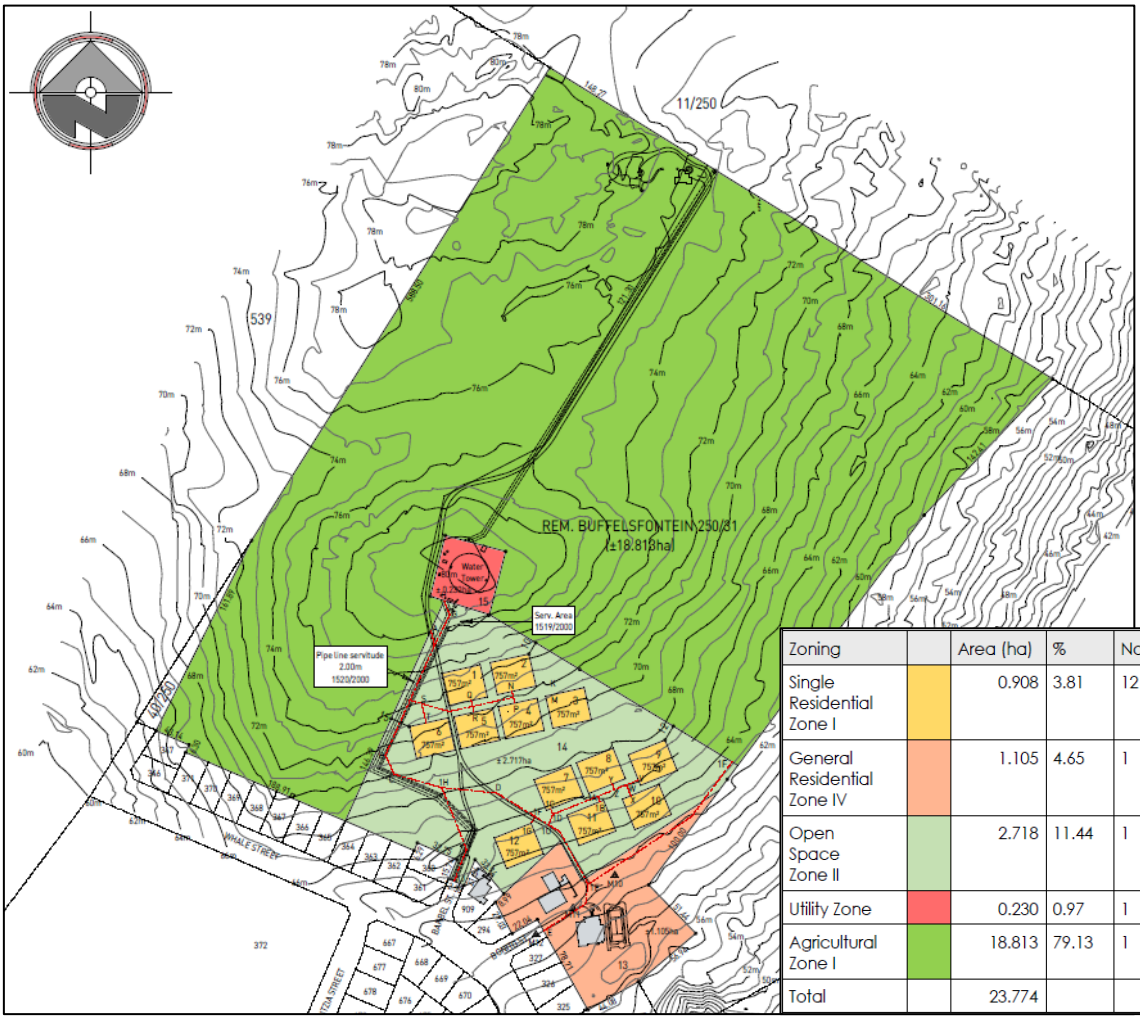
Road access is proposed via Bonito Street and Barbel Street (also serves as the municipal servitude access to the existing reservoir on the property).

Zoning		Area (ha)	%	No.	Erf No.
Single Residential Zone I		0.984	4.14	13	1 - 13
Business Zone III		0.292	1.23	1	15
General Residential Zone V		0.853	3.59	1	16
Open Space Zone II		2.602	10.94	1	14
Utility Zone		0.230	0.97	1	17
Agricultural Zone I		18.813	79.13	1	Remainder
Total		23.774			

Figure 2: Preferred Site Development Plan (Version 1) (Source: Marlize de Bruyn Planning).

Following Public Participation, the **Preferred Alternative was further mitigated** (Figure 3).

- **Twelve (12) Single Residential Zone I erven** instead of thirteen (13)
- **One (1) General Residential IV erf** instead of Business Zone III & General Residential V erven. Proposed guest lodge with three additional guestrooms and consent use for the existing Sandpiper Centre.
- The **alignment of the Internal Gravel Road**, leading to the water reservoir, is slightly altered to follow the Pipeline Servitude.
- The **positions of the twelve (12) erven** are also slightly altered to accommodate for firebreaks and better fire management. The erven are clustered into two nodes.
- **Main access** will only be via Bonito Street (existing access to Sandpiper Centre).



Zoning		Area (ha)	%	No.	Erf No.
Single Residential Zone I		0.908	3.81	12	1 - 12
General Residential Zone IV		1.105	4.65	1	13
Open Space Zone II		2.718	11.44	1	14
Utility Zone		0.230	0.97	1	15
Agricultural Zone I		18.813	79.13	1	Remainder
Total		23.774			

Figure 3: Mitigated Preferred Alternative (Source: Marlize de Bruyn Planning).

This activity requires an Environmental Authorisation in terms of the National Environmental Management Act (NEMA, Act 107 of 1998) before commencing. This document provides part of a series of documents that is being circulated for public and stakeholder input as part of the Environmental Impact Assessment (EIA) process, before being provided to the provincial competent authority, the provincial Department of Environmental Affairs & Development Planning (DEA&DP), for decision-making.

This EMPr contains **management requirements** and **recommendations** made by *Cape EAPrac*, the appointed specialist as well as in terms of the regulations contained in the **National Environmental**

Management Act (NEMA, Act 107 of 1998), and best practice principles. The EMPr should be updated to include any conditions of the **Environmental Authorisation** (EA) as issued.

1.1 PURPOSE OF THE EMPR

The purpose of this EMPr is to ensure that the environmental impacts and management of the various phases, of the proposed activity, on the receiving environment are managed, mitigated and kept to a minimum (ie. the **outcome** of implementing the EMPr). The EMPr must provide easily understood and clearly defined **actions** that must be implemented during each phase of the proposed activity. The EMPr is a dynamic document that is flexible and responsive to new and changing circumstances.

The document is binding on the Applicant, all contractors and sub-contractors to the site. It must be included as part of any documents / agreements, as well as contractual documents between the Applicant and any contractors. Copies of this EMPr must be kept on site and all **senior personnel** are expected to familiarise themselves with the content of this EMPr.

Any changes or deviations to this EMPr must be authorised by the competent authority.

1.2 STATUS OF THE EMPR

It is of utmost importance that this EMPr be read in conjunction with any legally obtained authorisations such as an Environmental Authorisation (EA). This EMPr is viewed as a dynamic document that must be reviewed and updated on a continual basis.

The EMPr is valid for the duration of the project with each applicable phase corresponding to the identified requirements.

2 EMPR PHASING

2.1 PRE-CONSTRUCTION PHASE

The pre-construction phase refers to the design phase of the project. This will ensure that any requirements and best practise mechanisms are built into the planning / design phase to be developed in the construction and operational phase. In term of this application, the pre-construction can be considered as the site selection and engineering designs and mitigations.

2.2 CONSTRUCTION PHASE

The construction phase refers to the actual construction of the development on the property, and includes all earthworks and installation of bulk services (water, sewerage, roads, stormwater, electricity etc.). In terms of this application, this phase relates to the construction of the civil engineering services and infrastructure.

2.3 OPERATIONAL PHASE

The Operation Phase of this project relates to the ongoing management required to ensure sustainable development within designated urban areas. In terms of this application, this refers to all activities that are undertaken once the site is handed over for residential use. Construction of houses undertaken during the operational phases must still apply the principles provided in terms of the Construction Phase of this EMPr.

The Applicant must ensure that the Operational Phase maintains the underpinning principles ‘Duty-of-Care-to-the-Environment’ and ideals of sustainable development.

2.4 CLOSURE AND DECOMMISSIONING PHASE

Decommissioning refers to the process of removing the operating assets of any development after completion of the operating life cycle.

The development is for a residential village which by its nature has a long lifespan, as such it is not possible to provide a specific decommissioning timeframe. However, if this does take place, the legislation applicable at that time must be applied. As a minimum the following should be considered:

- Correct demolition and removal of building structures.

3 LEGISLATIVE REQUIREMENTS

The project Applicant is required to comply with all necessary legislation and policies applicable to development and management of the development. These include but are not limited to:

3.1 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA, ACT 107 OF 1998)

The National Environmental Management Act (**NEMA**, Act 107 of 1998, as amended), makes provision for the identification and assessment of **activities** that are potentially detrimental to the environment and which require authorisation from the competent authority (in this case, the provincial Department of Environmental Affairs & Development Planning (DEA&DP)) based on the findings of an Environmental Impact Assessment (EIA).

NEMA embraces the notion of sustainable development as contained in the Constitution of South Africa (Act 106 of 1996) in that everyone has the right:

- to an environment that is not harmful to their health or wellbeing; and
- to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures.

NEMA aims to provide for cooperative environmental governance by establishing principles for decision-making on all matters relating to the environment and by means of Environmental Implementation Plans (EIP) and Environmental Management Plans/Programmes (EMPr), of which this EMPr is one.

Principles contained in Section 2 of the NEMA, amongst other things, prescribe that environmental management must:

- In order of priority aim to: avoid, minimise or remedy disturbance of ecosystems and loss of biodiversity;
- Avoid degradation of the environment and avoid jeopardising ecosystem integrity;
- Pursue the best practicable environmental option by means of integrated environmental management;
- Protect the environment as the people's common heritage;
- Control and minimise environmental damage; and
- Pay specific attention to management and planning procedures pertaining to sensitive, vulnerable, highly dynamic or stressed ecosystems.

It is incumbent upon the landowner, to ensure that the above-mentioned principles, entrenched in this EMPr are upheld and complied with.

3.2 ENVIRONMENT CONSERVATION ACT, 1989 (ECA)

The EIA regulations contained in the Environmental Conservation Act (ECA) have been replaced by NEMA. However, property owners must comply with the draft regulations pertaining to noise as published in the province of Western Cape Provincial Extraordinary Gazette as provision made in section 25 of the ECA, as well as Section 24 of the ECA regarding waste management and Section 20 of the ECA dealing with waste management under Part IV, Control of Environmental Pollution.

3.3 NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (NEM:BA) (ACT 10 OF 2004)

This Act controls the management and conservation of South African biodiversity within the framework of NEMA. Amongst others, it deals with the protection of species and ecosystems that warrant national protection, as well as the sustainable use of indigenous biological resources. Sections 52 & 53 of this Act specifically make provision for the protection of critically endangered, endangered, vulnerable and protected ecosystems that have undergone, or have a risk of undergoing, significant degradation of ecological structure, function or composition as a result of human intervention through threatening processes.

The National List of Threatened Ecosystems (Notice 1477 of 2009, Government Gazette No. 32689, 6 November 2009) was gazetted in 2014. The list of threatened terrestrial ecosystems supersedes the information regarding terrestrial ecosystem status in the National Spatial Biodiversity Assessment (NSBA) 2004 & 2011.

In addition to the management of ecosystems, this Act makes provision for the management and control of alien invasive vegetation. This includes the listing of invasive species that are a threat to natural ecosystems. These species must be strictly controlled and / or eradicated.

The Mitigated Site Development Plan is designed to avoid highly sensitive biodiversity areas (Thicket) & Critical Biodiversity Areas. Development will be entirely within secondary / degraded areas. Open Spaces between development footprint (currently secondary / degraded) will be rehabilitated with indigenous vegetation.

3.4 NATIONAL WASTE MANAGEMENT STRATEGY

The National Waste Management Strategy presents the South African government's strategy for integrated waste management for South Africa.

It deals among others with: Integrated Waste Management Planning, Waste Information Systems, Waste Minimisation, Recycling, Waste Collection and Transportation, Waste Treatment, Waste Disposal and Implementing Instruments.

It is advisable that an integrated waste management system be adopted, which includes waste minimisation, waste recycling and the proper storage and disposal of waste, which does not impact of the health of the environment and human health.

3.5 NATIONAL WATER ACT (NWA, ACT 36 OF 1998)

The National Water Act (NWA) gives effect to the constitutional right of access to water. The Act's overall purpose is to ensure that South Africa's water resources are protected, used and managed in ways which take into account a number of factors, including inter-generational equity, equitable access, redressing the results of past racial and gender discrimination, promoting sustainable and beneficial use, facilitating social and economic development, and providing for water quality and environmental protection.

The NWA makes persons who own, control, occupy or use land responsible for taking measures to prevent pollution of water resources, and empowers Government authorities to take measures to enforce this obligation.

Since no water resources are being affected by this development, this Act is not applicable.

3.6 NATIONAL FOREST ACT (ACT 84 OF 1998)

The NFA provides for the **protection of forests**, as well as **specific tree species**, quoting directly from the Act: "no person may cut, disturb, damage or destroy any protected tree or possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree or any forest product derived from a protected tree, except under a licence or exemption granted by the Minister to an applicant and subject to such period and conditions as may be stipulated". The Department of Agriculture, Forestry & Fisheries (DAFF) is responsible for the implementation and enforcement of the NFA, which includes **prohibition of damage to indigenous trees in any natural forest without a licence** (Section 7 of the NFA), as well as the prohibition of the cutting, disturbing, damaging destroying or removing **protected trees** without a licence (Section 15 of the NFA).

The patches of thicket (northern and central parts of the site) are the only remaining natural habitat on site. These thicket areas include the protected tree species, *Sideroxylon inerme*. These trees are protected under the National Forest Act. The proposed development is entirely within areas mapped as degraded / secondary; however, it is a requirement that a permit be obtained if any milkwood trees are to be trimmed / removed.

3.7 NATIONAL VELD AND FOREST FIRE ACT (ACT 101 OF 1998)

The purpose of the National Veld and Forest Fire Act is to **prevent and combat veld, forest and mountain fires** throughout the RSA and to provide institutions, methods and practices for achieving this purpose. Institutions include the formations of such bodies as **Fire Protection Associations** (FPA's) and **Working on Fire**. The Act provides the guidelines and constitution for the implementation of these institutions as well as their functions and requirements.

3.8 NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

The purpose of the National Heritage Resources Act is to:

- Introduce an integrated and interactive system for the management of the national heritage resources;
- Promote good government at all levels,
- Empower civil society to nurture and conserve their heritage resources so that they may be bequeathed to future generations;
- To lay down general principles for governing heritage resources management throughout South Africa;
- To introduce an integrated system for the identification, assessment and management of the heritage resources of South Africa;
- To establish the South African Heritage Resources Agency together with its Council to co-ordinate and promote the management of heritage resources at national level;
- To set norms and maintain essential national standards for the management of heritage resources in South Africa and to protect heritage resources of national significance;

- To control the export of nationally significant heritage objects and the import into South Africa of cultural property illegally exported from foreign countries;
- To enable the provinces to establish heritage authorities which must adopt powers to protect and manage certain categories of heritage resources;
- To provide for the protection and management of conservation-worthy places and areas by local authorities; and
- To provide for matters connected therewith.

According to the BID (Perception Planning), the proposal would not impact on any heritage resource and therefore, no further heritage related studies would be required. A NID was submitted to / and received by HWC who will verify the site sensitivity and need for any further heritage/archaeological or paleontological studies. The EMPr will be updated accordingly.

3.9 OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)

The Act provides for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work.

In terms of this Act, a Health and Safety Officer and Protocol must be implemented on any sites. The appointment of a Health and Safety Officer is the responsibility of the proponent and contractor and is included in this report to ensure due diligence on construction sites. It is the responsibility of the appointed to HSO to conduct any required audits and as such only the appointment of an HSO will be auditable in terms of this document.

3.10 SANS 10400 APPLICATION OF THE NATIONAL BUILDING REGULATIONS

The application of the National Building Regulations contains performance parameters relating to fire safety, sanitation systems, moisture penetration, structural safety, serviceability and durability. It also takes into account how the above can be established to reflect social expectations in a manner which supports sustainable development objectives

3.11 NATIONAL BUILDING REGULATIONS

The National Building Regulations and Building Standards Act as amended must be complied with. This act addresses, inter alia:

- Specifications for draftsmen, plans, documents and diagrams;
- Approval by local authorities;
- Appeal procedures;
- Prohibition or conditions with regard to erection of buildings in certain conditions;
- Demolition of buildings;
- Access to building control officers;
- Regulations and directives; and
- Liability.

4 ENVIRONMENTAL IMPACTS & MITIGATIONS

The following specialist impact assessments / studies were undertaken for the proposal:

- Faunal Compliance Statement (Dr Vlok)
- Botanical Compliance Statement (Dr David Hoare)
- Biodiversity Impact Assessment (Dr David Hoare)
- Agricultural Compliance Statement (Johann Lanz)
- Background Information Document for NID (Perception Planning).

The following positive & negative environmental impacts of the proposed activity were identified and considered during the EIA process, based on which the associated mitigation measures were recommended for implementation (to reduce negative impacts & enhance positive ones):

POSITIVE	NEGATIVE
Change in land use from largely vacant to developed.	Degradation of secondary / degraded habitat within an ESA.
Utilisation of largely vacant land in an urban context.	Temporary noise and dust pollution during construction period.
Temporary employment opportunities during construction (to semi-skilled and unskilled workers mostly).	Temporary risk of increase in crime during construction.
Permanent employment opportunities during operational phase (to skilled and semi-skilled workers mostly).	Temporary increase in heavy vehicular traffic along Barbel & Bonito Streets during construction.
Provision of safety (through development) of an otherwise largely vacant piece of land with no access control.	Additional pressure on non-renewable services.
Alien invasive plant species will be actively maintained.	Continued maintenance cost (alien clearing, access control, clearing of dumped materials).
The secondary / degraded habitat will be re-established, with indigenous landscaping, & maintained within Open Spaces in the development footprint.	Change in landscape character and sense-of-place from a rural to peri-urban.
The highly sensitive thicket patch, close to the development site, will be protected by limiting access to these areas.	
The impact of the proposed development on agricultural production capability is low due to the fact that agricultural potential is limited by slope, shallow & sandy soils with little water retention. The site is likely to be suitable only as grazing which there are no scarcity of such land in South Africa.	
No / Negligible Impact: • No impact on Heritage Resources. • No impact on Critical Biodiversity Areas. • No impact on highly sensitive areas (Thicket).	

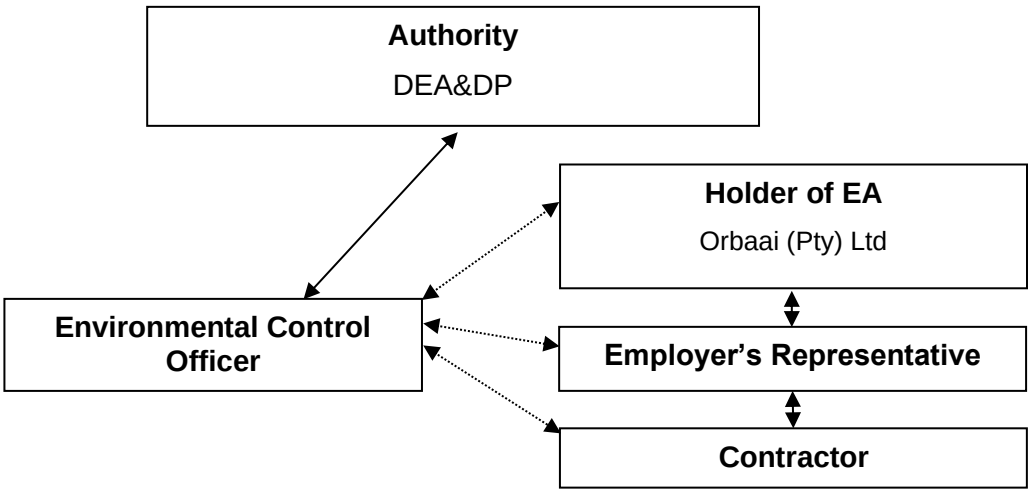
4.1 MITIGATIONS

Table 2: List of Mitigation Measures & Associated Management Requirements

Mitigation	Condition of Approval	Included in EMPr	Construction Phase	Operational Phase	Decomissioning Phase
Mitigations / Recommendations					
Ensure long-term protection of the protected tree species by ensuring that contractors, potential buyers / occupiers are informed of their presence and legal status.		✓	✓	✓	
Protect highly sensitive areas of dune thicket by fencing the development site prior to construction and limit access or activities to areas outside the development footprint.		✓	✓	✓	
Applicant must appoint an ECO to oversee construction.	✓	✓	✓		
Applicant must apply for Forestry Permits should any root/branch trimming, of protected tree species, be required during construction.		✓	✓	✓	
Applicant must apply for Forestry Permits should any root/branch trimming, of protected tree species, be required during operational phase.		✓		✓	
Applicant must continue to eradicate invasive alien plant species within the private open space areas.		✓	✓	✓	
Indigenous landscaping & rehabilitation only.		✓	✓	✓	
Implement resource conservation measures.		✓	✓	✓	
No additional clearing of vegetation should take place without a proper assessment of the environmental impacts; unless for maintenance purposes, in which case all reasonable steps should be taken to limit damage to natural areas.		✓	✓	✓	
Limit access to thicket to appropriate low-impact activities, for example, walking trails.		✓	✓	✓	
Best Practise					
Rainwater harvesting should be implemented.		✓	✓	✓	
Construction work must take place during normal work hours.		✓	✓		
Traffic management must be in place during construction.		✓	✓		

5 RESPONSIBILITIES

This section deals with the responsibilities of various parties during the Construction Phase of any development (see below chart).



5.1 HOLDER OF THE EA

The holder of the EA / property owner is the overseeing entity responsible for ensuring that all activities undertaken on the property comply with the Environmental Authorisation (EA) and associated Environmental Management Programme (EMPr) (& any other approval / licence / permit), as well as the management and maintenance of the open space areas.

The responsibilities of the holder of the EA / property owner include, but are not limited to the following:

- Ensure that **all tender documentation** include reference to, and the need for compliance with, the EA and EMPr as well as any other legally binding documentation, which include and are not limited to:
  - the Municipal Approval/s.
- Be conversant with, and ensure that all Contractors, Sub-contractors, Engineers (and future senior site managers / personnel) are made aware of, and understand the conditions and recommendations, contained in the abovementioned documentation;
- Ensure that all Contractors, Sub-contractors and Engineers (during construction activities) are made aware of their 'Duty of Care to the Environment' and that any damage or degradation of the natural environmental within the bounds of the property will not be tolerated and must be dealt with / remedied at the cost of the perpetrator.
- Take remedial and/or disciplinary action in circumstances where persons are found to be in contravention of the abovementioned legally binding documentation.

5.2 ENGINEERS, CONTRACTORS & SERVICE PROVIDERS

The Engineers, Contractors and Service Providers are often the parties responsible for physically carrying out the activities for which majority of the recommendations in this EMPr are intended. Service providers and Contractors include services, building contractors, 'handy-men' and engineers overseeing the installation and maintenance of services etc. The responsibilities indicated here are also relevant to Sub-Contractors.

The responsibilities of these parties include but are not limited to the following:

- Be conversant and compliant with the EA, the EMPr, and any relevant License, Permit or any legally binding documentation relevant to their operations;

- Have a responsibility to adhering to any conditions and recommendations laid out in above mentioned documentation;
- Prevent actions that may cause harm to the environment;
- Be responsible for any remedial activities in response to an environmental incident within their scope of influence;
- Liaise with the holder of the EA in complying with the EMPr, and in the event that any industry regulated standards are in contradiction with the EMPr or any other authorisations.
- Review and amend to any construction activities to align with the EMPr and Best Practice Principles;
- Ensure compliance of all site personnel and / or visitors to the EMPr and any other authorisations.

5.3 ECOLOGICAL CONTROL OFFICER (ECO)

It is recommended that a suitably qualified Environmental Control Officer (ECO) be appointed to oversee all activities for the duration of the construction phase (i.e. construction activities, services, road works). The ECO must have a minimum of a tertiary level qualification in the natural sciences field. The ECO must have at least 3 years' experience and proven competency as an ECO.

The responsibilities of the ECO include but are not limited to the following:

- Provide environmental induction training to Contractors on site prior to construction activities commencing;
- Provide maintenance, update and review of the EMPr if necessary;
- Liaison between the Project Holder of the EA, Contractors, Authorities and other lead stakeholders on all environmental concerns, including the implementation of the EMPr;
- Compilation of Environmental Control Reports (ECR) to ensure compliance with the EA, EMPr and duty of care requirements, where necessary;
- Compilation of the Environmental Audit Report or Environmental Completion Statement, after completion of construction (or as otherwise defined in the Environmental Authorisation), where necessary;
- Ensuring / guiding and monitoring compliance with the EA and EMPr and any legally binding documentation;
- Facilitating consultation with relevant environmental authorities (e.g. DEA&DP, DFFE, CapeNature or Municipality);
- Facilitating the application for any required environmental authorisation, permit or licence;
- Provide guidance and interpretation of the EA and EMPr where necessary;
- Issuing site instructions to the contractor for corrective actions required;
- The ECO is required to conduct regular site visits for the duration of the construction period, in order to ensure the Contractor receives the necessary induction and that all procedures are in place. Additional visits may be undertaken in the event of any unforeseen environmental accidents;
- The duration and frequency of these visits may be increased or decreased at the discretion of the ECO;
- Attendance of site meetings if required;
- Maintain a record of environmental incidents (e.g. spills, impacts, legal transgressions etc.) as well as corrective and preventative measures taken. This information must also be included in the ECR;

- Maintain a public complaints register in which all complaints and action taken must be recorded. This information must also be included in the ECR.

5.4 ECO SITE VISIT FREQUENCY

The following site frequency for ECO site visits has been determined:

- Every week during site clearing and demarcation activities;
- Monthly after site clearing and final excavations take place (top structure phase). It is advisable that this should coincide with site meetings.
- 6 months post construction and site handover in order to inform the Completion Statement.

Ad hoc site visits may be undertaken in the event of any incidents or specific requests from the project holder of the EA or project team.

5.5 ENVIRONMENTAL INDUCTION & TRAINING

The holder of the EA in consultation with the Contractor shall ensure that adequate environmental awareness training of senior site personnel takes place and that all construction workers receive an induction presentation on the importance and implications of the EA and EMPr. The presentation shall be conducted, as far as is possible, in the employees' language of choice. The Contractor must provide a translator from their staff for the purpose of translating, if this is deemed necessary.

As a minimum, training must include:

- Explanation of the importance of complying with the EA and EMPr and the employees accountability;
- Discussion of the potential environmental impacts of construction activities;
- The benefits of improved personal performance;
- Employees' roles and responsibilities, including emergency preparedness;
- Explanation of the mitigation measures that must be implemented when carrying out their activities;
- Explanation of the specifics of this EMPr and its specification (no-go areas, etc.);
- Explanation of the management structure of individuals responsible for matters pertaining to the EMPr.

Where staff turnover is high and with additional appointment of sub-contractors, it may be necessary to undertake additional induction training sessions. The Contractor must keep records of all environmental training sessions, including names, dates and the information presented.

6 PRE-CONSTRUCTION DESIGN CONSIDERATIONS

It is recommended that sustainable design considerations are implemented during the planning phase to ensure that the impacts associated with the development are avoided, minimised or managed before construction commences.

6.1 STORMWATER MANAGEMENT PREPARATION

Management Statement	Impacts & Risks Avoided
To prepare the site to minimise the negative impacts of stormwater	Damage to the environment caused by stormwater runoff

Management Actions

a. Apply the principles of Low Impact Development (LID) in the design of the drainage systems. Final design of the stormwater system must take place prior to construction to ensure timeous implementation.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site Plans	Once off	Architect / Engineer	Prior to construction	Audit	Once off

6.2 WATER RESOURCE PROTECTION

Management Statement	Impacts & Risks Avoided
To minimise the use of scarce water resources by improving consumption methods	Unsustainable or wasteful use of water for construction and operation purposes

Management Actions

a. Rainwater harvesting must be incorporated into the designs. All rainwater tanks must be shown on building plans.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site Plans	Once off	Architect / Engineer	Prior to construction	Audit	Once off

b. Water efficiency must be incorporated into the design of the units.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site Plans	Once off	Architect	Prior to construction	Audit	Once off

Dual Flush Toilets

Conservative estimates have shown that a saving of more than 22 000 liters per household can be achieved annually with the installation of dual flush toilets (Aquanotion, 2008). All households and ablution facilities should be fitted with dual flush systems.

Low flow shower heads

The installation of low flow shower heads can not only reduce water consumption by up to 50%, but also the energy required for water heating by up to 50% (Eartheasy, 2008).

It has been estimated that a saving of up to 57 000 liters of water per annum per household can be achieved through the installation of low flow shower heads. Low flow shower heads make use of either aerators or pulse systems to reduce the flow without compromising the quality of the shower. The choice of shower head is up to the individual owner, but must have a flow of less than seven liters per minute.

Low flow Taps

Low flow tap use aerators to reduce the flow of the water. These are either built into the faucet or added as an aftermarket product. The faucets in bathrooms should have a peak flow of less than 10 liters per minute.

It is not necessary to install aerators in kitchen sinks as they are seldom run without a plug. All bathroom basins must be fitted with low flow faucets.

Washing machines

It is recommended that all washing machines that are to be installed in houses and shared facilities should be front loading washing machines as opposed to top loading washing machines. Apart from much lower energy and water requirements, front loader washing machines have a number of advantages that make them a better environmental choice:

- **Less wear and tear on washed materials** – Washed materials therefore last longer and result in a net resource saving;
- **Faster drying times** - Because of the horizontal axis and faster spin speeds, more water is removed and the materials dry faster which results in energy saving if a clothes dryer is used.;
- **Quieter operation** – Therefore less noise pollution; and
- **Less detergent** - Far less is required compared to top loaders. Fewer chemicals therefore reach treatment plants and ultimately waterways.

Geyser and pipe insulation

Apart from the savings in terms of energy as detailed below, insulating geysers and pipes save water, as shorter periods of running the tap to get hot water are required.

All structures should have insulation on geysers and all hot water pipes.

Waterwise Landscaping

Waterwise landscaping principles must be incorporated into the detailed landscaping plans. The following principles apply to waterwise gardening:

- Grow water-wise plants – generally the best suited plants are those indigenous to the area, as they seldom need additional watering;
- Group plants according to their water needs – this avoids wasting water on plants that don't need it;
- Consider the quality and type of the lawn. Lawns use unacceptable amounts of water, so consider reducing lawn areas to a minimum. Use tougher, low-water lawn types such as Buffalo (coastal areas) or Kweek (inland) rather than Kikuyu.

- Maintain the garden – remove unwanted plants, plant more perennials than summer annuals, as they have deeper root systems and so need less watering.
- Improve the soil and mulch. Soil water-holding capacity is improved by higher organic matter content. Mulching (covering the soil with a thick layer of bark, compost, straw etc.) keeps the soil much more moist.
- Plant in the right season – For winter rainfall areas this is in autumn and early winter so the plants have a chance to develop their root systems before the dry season. In summer rainfall areas it is spring and early summer for the same reason.
- Water correctly – avoid watering during the heat of the day or in windy conditions.
- The best irrigation system is drip irrigation – it uses 25% of water used by normal irrigation systems with the same effect, and can even be placed under lawns.

Grey Water

Grey water is the water that comes from the bath, shower, basins, laundry and the kitchen sink. It is not to be confused with Black water, which is sewage that comes from the toilet. Black water is toxic and requires very specific methods of treatment in order to be safe for re-use. Grey water, however, can easily be recycled and re-used for a variety of uses. These include:

- Irrigation of gardens;
- Water for flushing toilets;
- Any outdoor use;
- Dampening dusty areas or roads.

Grey water systems require precise methods to clean the water. There are various companies and organizations that can assist with implementing a grey water system.

6.3 ENERGY RESOURCE PROTECTION

Management Statement	Impacts & Risks Avoided
To minimise the use of energy resources by improving consumption methods	Excessive and unnecessary energy consumption

Management Actions

a. Incorporate energy efficiency into the design of the facility

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Energy saving checklist	Once off	Owner	Ad hoc	Audit	Once off

Solar heating water systems

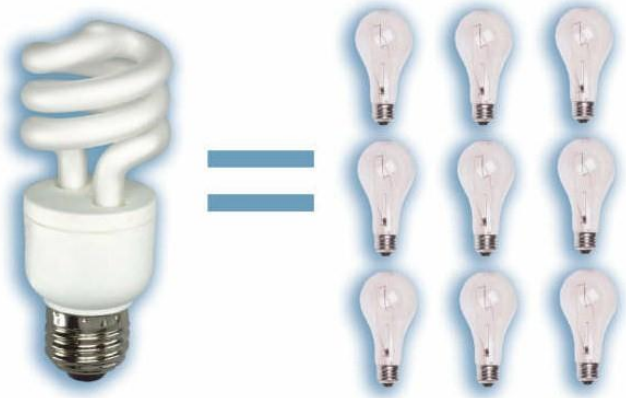
Solar heated water systems are an innovative way of producing hot water without putting additional pressure on gas or municipal power supply. There are many different types available on the market, and home owners should consider all their requirements (number of people using facility, location of house, angles of roof) before making a choice.

Energy Efficient Lighting

In terms of Best Practice, it is required that energy saving lighting fixtures be used throughout the entire development. It is therefore specified that Light Emitting Diode (LED) or Compact Fluorescent (CF) lighting be used as opposed to incandescent lighting. This is required for all internal and external lighting, including street lighting. Proximity switches should be used in areas where lighting for pedestrians is required.

NO external High Pressure Sodium (HPS) or Metal Halide (MH) spot or floodlights should be installed.

CF lighting uses quantities of mercury in the bulbs and tubes which pose serious environmental hazards. The mercury from one CF bulb can pollute many thousand litres of water if not treated correctly (Eden District Municipality, 2011). CF lighting (energy saving bulbs and tubes) must be correctly disposed of at registered Hazardous waste sites. Companies like Pick n Pay and Woolworths offer facilities to collect CF bulbs for recycling and disposal. The following should be considered when handling CF bulbs (eHow Home, 2011):



Disposing of Burnt Out Bulbs

- Seal the bulb inside two plastic bags, or one thick freezer bag, before disposal.
- Find the nearest recycling station that handles hazardous materials. Check with your city's municipal office to see if there is a recycling program in your town.
- Take the bulbs to the recycling station. Ask the people there about the process of giving them your bulbs and follow all their instructions.
- Tell everyone you know who is using energy efficient bulbs how to properly dispose of them as the use of these bulbs is growing.

If a Bulb Breaks

- Open a window and leave the room. Let no one inside for at least 15 minutes.
- Collect the fragments and powder with stiff paper or cardboard. Wear disposable rubber gloves. Do not use a vacuum cleaner.
- Clean the entire area with a wet wipe or wet paper towel. Use adhesive tape to collect excess powder.
- Seal all pieces and cleanup materials in a plastic bag. Follow the above procedures on disposal or recycling. Wash your hands completely afterward.
- Dispose of the vacuum bag in the same manner the next time you vacuum the area. If it's a canister vacuum, wipe it completely clean.

Energy Efficient Appliances

Energy efficient appliances are becoming widely available. Follow the Energy Guide labels on appliances to help selection of correct models. Any appliance that has to heat up water or air will use more energy, as will an appliance that boasts additional extras such as ice making, dispensing and auto defrosting on fridges or heat drying on dishwashers.

Solar Cooling Systems

Where required by homeowners, the home owner should consider the use of solar cooling systems such as absorption or adsorption chillers as opposed to conventional air conditioning units.

Evaporative Cooling Systems

Consideration should be given to evaporative cooling systems as these cut down considerably on energy usage for appliances such as air conditioners. Furthermore, the system ensures that fresh air circulates within housing units, which improves on environmental health risks.

Fresh air is drawn from outside the house (the hotter the better) and passes through moistened pads which cools it down and filters it before flowing through outlets in the house.

There are certain parameters required for evaporative cooling systems, which should be thoroughly investigated prior to installation.

Geyser and pipe insulation

Apart from the savings in terms of energy as detailed below, insulating geysers and pipes save water, as shorter periods of running the tap to get hot water are required.

All structures should have insulation on geysers and all hot water pipes.

6.4 DEMARCATION OF WORK AND NO-GO AREAS

Management Statement	Impacts & Risks Avoided
To clearly define the work area and avoid impacting on non-works areas.	Negative construction impacts on natural and rehabilitated areas

Management Actions

a. Clearly identify and demarcate the development area, area of works and spoiling areas.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Once off	Developer / contractor	Pre implementation	Audit	Once off

b. Fuel and chemicals may only be stored in a designated work area.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Once off	Developer / contractor	Pre implementation	Audit	Once off

c. Provide on-site sanitation and rest areas for personnel.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Once off	Developer / contractor	Pre implementation	Audit	Once off

7 CONSTRUCTION CONSIDERATIONS

These Construction Phase requirements are aimed at using Best Practise Principles and / or specialist recommendations to manage the impacts on the environment during the construction of the development.

7.1 SITE CLEARANCE PLAN

Site clearance should be undertaken in a systematic manner within the demarcated areas to minimise the impacts of construction on the site. The following table provides a methodology to implementing site clearance according to this EMPr and the EA.

Table 3: Site Clearance Methodology.

No	Action	Scheduling
1	**Survey** approved layout on site.	Prior to construction
2	**Establish site camp** and **material stockpile sites** (incl. waste disposal area, portable toilets etc. The construction camp and necessary ablution facilities meant for construction workers must not be in any of the delineated watercourses or wetland areas (including 20m buffer).	Prior to construction.
3	**Demarcate work areas** using correct demarcation methods.	Prior to construction.
4	Demarcate **protected areas as no-go areas**.	Prior to construction.
5	**Erosion control measures** must be put in place prior to any construction activities that would result in soil being exposed.	Prior to construction.
6	Weather forecasts from the South African Weather Bureau of up to three days in advance must be monitored on a daily basis to avoid exposing soil, works or materials during a storm event. This must be considered in conjunction with tide tables for beach construction work.	Construction
7	Commence with mechanical vegetation clearing within the demarcated work areas only.	Construction
8	Vegetation clearing should occur **in parallel with the construction progress** to minimise erosion and/or run-off. Large tracts of bare soil will either cause dust pollution or quickly erode and then cause sedimentation in the lower portions of the catchment.	Construction
9	Any biomass from the clearing activities must be stockpiled within the development footprint at an area / areas approved by the ECO. It is recommended that the biomass must be **chipped in situ** and stockpiled within designated areas within the footprint. Alternatively, it must be removed and taken to an approved disposal site for biomass. NO DUMPING IS ALLOWED.	Construction
10	Any cleared areas that will not be immediately constructed or planted, must be covered with the wood chips or other mulch to prevent wind erosion.	Construction

7.2 STORMWATER MANAGEMENT

Management Statement	Impacts & Risks Avoided
To minimise the generation of contaminated stormwater.	Minimise sedimentation, erosion and / or undercutting

Management Actions

d. Minimise the quantity of stormwater entering cleared areas.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Once off	Developer / contractor	Pre implementation	Audit	Once off

Any areas that are identified by the ECO as being prone to erosion must be suitably protected. During construction, the Contractor shall protect all areas susceptible to erosion by installing necessary temporary and permanent drainage works as soon as possible and by taking any other measures necessary to prevent stormwater from concentrating in streams and scouring slopes, banks, etc.

Any erosion channels developed during construction on steep slopes must be backfilled, compacted and restored to an acceptable condition.

Stabilisation of cleared areas to prevent and control erosion and/or sedimentation shall be actively managed. Consideration and provision shall be made for the following methods (or combination thereof): brush cut packing, mulch or chip cover, straw stabilising, watering, planting/sodding, soil binders and anti-erosion compounds, mechanical cover or packing structures (including the use of geofabric, log/pole fencing, etc.). Traffic and movement over stabilised areas shall be restricted and controlled, and damage to stabilised areas shall be repaired and maintained.

In areas where construction activities have been completed and where no further disturbance would take place, rehabilitation and re-vegetation should commence as soon as possible. A suitable rehabilitation method statement must be submitted to the ECO for approval.

7.3 DUST CONTROL

Management Statement	Impacts & Risks Avoided
To ensure there is no health risk or loss of amenity due to emission of dust to the environment.	Ensure land coverage with biomass chips / vegetation / damping to minimise dust

Management Actions

a. Implement a dust prevention strategy, developed at the project planning stage					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Once off	Developer / contractor	Pre implementation	Audit	Once off

The strategy should include the following amongst others:

- Speed control to minimise dust on site.
- During dry, dusty periods haul roads should be kept dampened to prevent excess dust. No potable water or seawater may be used for damping haul roads.
- Exposed stockpile materials must be adequately **protected** against wind (covered), and should be sited taking into consideration the prevailing wind conditions.
- Trucks bringing in materials must be covered to prevent dust and small particles escaping and potentially causing damage to people and property.

7.4 NOISE & VIBRATION

Management Statement	Impacts & Risks Avoided
To ensure nuisance from noise and vibration does not occur.	Nuisance impacts to neighbours and visitors.

Management Actions

a. Fit and maintain appropriate mufflers on earth-moving and other vehicles on the site.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
As required	Initially when vehicle or machinery is introduced to the site and thereafter monthly. As required if complaints registered.	Contractor	During construction and operation	Audit	As required

b. Enclose noisy equipment such as generators and pumps.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance

		management action			
As required	Initially when vehicle or machinery is introduced to the site and thereafter monthly. As required if complaints registered.	Contractor	During construction	Audit	As required
c. Provide noise attenuation screens, where appropriate.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
As required	Initially when vehicle or machinery is introduced to the site and thereafter monthly. As required if complaints registered.	Contractor	During construction	Audit	As required
d. Where an activity is likely to cause a noise nuisance to nearby residents, restrict operating hours to between 7 am and 6 pm weekdays and 7 am to 1 pm Saturday, except where, for practical reasons, the activity is unavoidable.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
As required	As required if complaints registered.	Contractor	During construction	Audit	As required

7.5 TRAFFIC CONTROL

Management Statement	Impacts & Risks Avoided
To manage and minimise the nuisance effect created by construction traffic.	The development entrance access will be via Grens Street and construction traffic is likely to temporarily affect users.
Management Actions	

a. Implement a traffic management strategy during construction.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method Statement	Daily	Contractor	During construction	Audit	As required

- Construction related activities should be timed where possible to avoid peak periods.
- No construction workers, apart from security personnel, should be allowed to stay on site overnight.
- Contractors appointed by the developer must ensure that workers are transported to and from the site daily.
- Construction related activities should comply with all relevant building regulations. In this regard activities on site should be restricted to between 07h00 and 18h00 during weekdays and 08h00 and 13h00 on Saturdays. No work should be permitted after 13h00 on Saturdays and on Sundays.

7.6 WASTE MANAGEMENT

Management Statement	Impacts & Risks Avoided
To minimise the waste load discharged to the environment.	Improve waste disposal methods during construction Reduce waste volumes to landfill sites

Management Actions

a. Reduce waste by selecting, in order of preference, avoidance, reduction, reuse and recycling.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Record of volumes of material removed	As required	Contractor	As required	Audit	Records

b. Maintain a high quality of housekeeping and ensure that materials are not left where they can be washed or blown away to become litter.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Photographic	Weekly	Contractor	As required	Audit	Records

c. Provide bins for construction workers and staff at locations where they consume food.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Photographic	Weekly	Contractor	As required	Audit	Records
d. Conduct ongoing awareness with staff of the need to avoid littering.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Induction	Once off	Contractor	As required	Audit	Attendance register

7.7 STOCKPILE MANAGEMENT

Management Statement	Impacts & Risks Avoided
To manage soil stockpiles so that dust and sediment in run-off are minimised.	Pollution due to dust and sediment run off

Management Actions					
a. Minimise the number of stockpiles, and the area and the time stockpiles are exposed.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Photographic	As required	Contractor	As required	Audit	Records
b. Keep topsoil and underburden stockpiles separate.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual inspection of stockpiles	Daily when stripping topsoil	Contractor	Continuously during construction	Audit	Records

c. Ensure that stockpiles and batters are designed with slopes no greater than 2:1 (horizontal/vertical).					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual inspection of stockpiles	As required	Contractor	Continuously during construction	Audit	Monthly
d. Stabilise stockpiles and batters that will remain bare for more than 28 days by covering with mulch or anchored fabrics or seeding with sterile grass.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual inspection of stockpiles	As required	Contractor	Continuously during construction	Audit	Monthly
e. Establish sediment controls around unstabilised stockpiles and batters.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual inspection of stockpiles	As required	Contractor	Continuously during construction	Audit	Monthly
f. Suppress dust on stockpiles and batters, as circumstances demand.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual inspection of stockpiles	As required	Contractor	Continuously during construction	Audit	Monthly

7.8 STORING FUELS & CHEMICALS

Management Statement	Impacts & Risks Avoided
To ensure that fuel and chemical storage is safe, and that any materials that escape do not cause environmental damage.	Avoid hydrocarbon pollution to soil and watercourses / coastal environments

Management Actions

a. Minimise fuels and chemicals stored onsite.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

b. Install bunds and take other precautions to reduce the risk of spills.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

c. Implement a contingency plan to handle spills, so that environmental damage is avoided.

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

7.9 MINIMISING EROSION

Management Statement	Impacts & Risks Avoided
To minimise the quantity of soil lost during construction due to land-clearing.	• Avoid overland flow by capture and store water from roof • Avoid siltation by installing silt traps

Management Actions					
a. Schedule measures to avoid and reduce erosion by phasing the work program to minimise land disturbance in the planning and design stage.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records
b. Keep the areas of land cleared to a minimum, and the period areas remain cleared to a minimum					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records
c. Base control measures to manage erosion on the vulnerability of cleared land to soil loss, paying particular attention to protecting slopes.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records
d. Mulch, roughen and seed cleared slopes and stockpiles where no works are planned for more than 28 days, with sterile grasses.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

e. Keep vehicles to well-defined haul roads.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site plan	As required	Contractor	As required	Audit	Final site plan
f. Rehabilitate cleared areas promptly.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual / photographic	As required	Contractor	Continuously during construction	Audit	Final Rehabilitation statement

7.10 REHABILITATION & BOTANICAL MANAGEMENT

Management Statement	Impacts & Risks Avoided
To ensure that degradation to existing botanical components are minimised and that any rehabilitation is undertaken with conservation orientated approach.	To minimise the disturbance to existing flora To minimise the introduction and/or spread of weed species

Management Actions					
a. Demarcate sensitive areas to avoid damage during construction.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor / Owner	Continuously	Audit	Visual / photographic

b. Rehabilitation and landscaping may only make use of indigenous vegetation.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual / photographic	As required	Contractor / Owner	Continuously	Audit	Visual / photographic

7.11 FAUNA MANAGEMENT

Management Statement	Impacts & Risks Avoided
To ensure that impacts to native faunal species is minimised and / or avoided.	To minimise the impact to fauna

Management Actions

a. Prevent unnecessary mortalities of indigenous fauna					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Ad hoc	As required	Contractor	Continuously	Audit	Visual / photographic

7.12 SOCIAL REQUIREMENTS

Management Statement	Impacts & Risks Avoided
To ensure equitable, fair and safe social interaction on construction sites	Loss of employment opportunities to the region

Management Actions

a. It is strongly recommended that the Contractor make use of local labour as far as possible for the construction phase of the project.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing	Time period	Mechanism for monitoring Compliance	Program for reporting

		management action			on Compliance
Employment records	Ad hoc	Contractor	Ad hoc	Audit	Once off
b. Theft and other crime associated with construction sites is not only a concern for surrounding residents, but also the Developer and the Contractor.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site records	Ad hoc	Contractor	Ad hoc	Audit	Once off

Targets

- The contractor should endeavour to source local suppliers that are BEE compliant.
- The contractor must ensure that suitable procurement policies are in place that supports local economic growth.
- Locally manufactured products must be used as far as possible.

Site Security

Theft and other crime associated with construction sites is not only a concern for surrounding residents, but also the developer and the contractor.

Considering this, contractors need to be proactive in order to curtail theft and crime on and resulting from the construction site. It is recommended that the contractor develop a jobsite security plan prior to commencement of construction. This jobsite security plan should take into account protection of the construction site from both internal and external crime elements as well as the protection of surrounding communities from internal crime elements. All incidents of theft or other crime should be reported to the South African Police Service, no matter how seemingly insignificant.

7.13 METHOD STATEMENTS

Management Statement	Impacts & Risks Avoided
To ensure efficient communication mechanisms in the implementation of environmental performance requirements	Prevention of potential impacts are avoided during construction by means of correct communication
Management Actions	

a. Method statements are written submissions by the Contractor to the ECO in response to the requirements of this EMPr or to a request by the ECO. The Contractor shall be required to prepare method statements for several specific construction activities and/or environmental management aspects.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	Ad hoc	Contractor	As required	Audit	Once off
Based on the specifications in this EMPr, the following method statements are required as a minimum (more method statements may be requested as required at any time under the direction of the ECO): • Demarcation of No-Go areas • Site clearing • Hazardous substances and their storage. • Materials requirements & Sourcing. • Solid waste control system. • Fire control and emergency procedures • Petroleum, chemical, harmful and hazardous materials storage, if any. • Stormwater Management and Erosion Control.					

7.14 CEMENT BATCHING

Management Statement	Impacts & Risks Avoided
Cement powder has a high alkaline pH that may contaminate and adversely affect both soil pH and water pH negatively. A rapid change in pH can have consequences on the functioning of soil and water organisms as well as on the botanical component.	Minimises negative impacts to vegetation and soils on areas that will not be hard surfaced.

Management Actions					
a. All concrete batching must take place on an area that is to be hard surfaced as part of the development.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

b. Concrete mixing areas must have bund walls or a settling pond in order to prevent cement run off. Once the settling ponds dry out, the concrete must be removed and dispatched to a suitable disposal site.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records
c. When using Readymix concrete, care must be taken to prevent spills from the trucks while offloading. This form of batching is preferable for large constructions as no on-site batching is required and there is a lesser likelihood of accidental spills and run off. Trucks may not be washed out on site.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Method statement	As required	Contractor	As required	Audit	Method statement records

7.15 HERITAGE REQUIREMENTS

Management Statement	Impacts & Risks Avoided
To minimise the impacts of development, operation and maintenance of the Project on the heritage values in the Project area.	Ensure heritage impacts are minimised, and impacts outside of the approved disturbance area are avoided.

Management Actions

a. No disturbance of heritage values outside of the approved disturbance area.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Site records	Ad hoc	Contractor	Ad hoc	Audit	Once off

- Should any heritage remains of potential cultural value be exposed during excavations, these must be immediately reported to the ECO and the Provincial Heritage Resource Authority of the Western Cape, namely Heritage Western Cape in terms of the national Heritage Resources Act (Act No. 25 of 1999). Heritage remains uncovered or disturbed during earthworks may not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

- Should any archaeological remains including (but not limited to) fossil bones, fossil shells, coins, indigenous ceramics, colonial ceramics, marine shell heaps, stone artefacts, bone remains, rock art, rock engravings and any antiquity be discovered during construction, they must be immediately reported to the ECO and Heritage Western Cape and not disturbed further until the necessary approval has been obtained.
- Should any human remains be uncovered, they must immediately be reported to the ECO and the HWC archaeologist, who can be contacted on **(021) 483 9685**. Construction in the area must cease immediately and the site may not be disturbed further until the necessary approval has been obtained.

7.16 HEALTH AND SAFETY

The Contractor must ensure compliance with the Occupational Health and Safety (No. 85 of 1993). Of key importance is the following (Section 8 of the aforesaid act):

8. General duties of employers to their employees:

(1) Every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his employees.
(2) Without derogating from the generality of an employer's duties under subsection (1), the matters to which those duties refer include in particular-
(a) the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health;
(b) taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment;
(c) making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances;
(d) establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery which is used in his business, and he shall, as far as is reasonably practicable, further establish what precautionary measures must be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and he shall provide the necessary means to apply such precautionary measures;
(e) providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety at work of his employees;
(f) as far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in paragraphs (b) and (d), or any other precautionary measures which may be prescribed, have been taken;
(g) taking all necessary measures to ensure that requirements of this Act are complied with by every person in his employment or on premises under his control where plant or machinery is used;
(h) enforcing such measures as may be necessary in the interest of health and safety;
(i) ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the employer are implemented; and
(j) causing all employees to be informed regarding the scope of their authority as contemplated in section 37 (1) (b).

The Occupational Health and Safety Act aims to provide for the health and safety of persons at work and for the health and safety of persons in connection with the activities of persons at work and to establish an advisory council for occupational health and safety.

Health & Safety on site is the responsibility of the contractor and the proponent.

Although this is not the function of the ECO, it is a standard requirement for building construction and must be monitored and evaluated by a suitably qualified Health & Safety person. It will not form part of any environmental audit in the future.

8 OPERATIONAL PHASE ENVIRONMENTAL MANAGEMENT REQUIREMENTS

The Operational Phase of this EMPr refers to the day to day management activities that are required to ensure sustainability and the achievement of the principles and objectives of the development. The requirements are applicable to the proponent, any HOA that is put in place, all employees and all visitors to the property.

8.1 STORMWATER MANAGEMENT

Management Statement	Impacts & Risks Avoided
To ensure management of stormwater during operation phase	• To prevent erosion due to stormwater impact

Management Actions

a. No stormwater runoff should be allowed to concentrate onto open spaces and roadways downstream of the property .

Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Ensure soft landscaping	Ongoing	Developer / HOA	As required	Audit	Audit

- Concentration of stormwater runoff will be minimised through the application of landscaping techniques, i.e. by creating grass lined swales, undulations and depressions.
- Ensure rainwater harvesting takes place.

8.2 BOTANICAL / LANDSCAPING

Management Statement	Impacts & Risks Avoided
To ensure that indigenous vegetation is encouraged within urban areas.	• Ongoing spread of alien invasive species. • Ensure protected species are taken into consideration.

Management Actions

a. Homeowners must practice ongoing alien invasive management.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual / photographic	Ongoing	Owner	As required	Audit	Audit
b. Retain and manage protected and indigenous vegetation.					
Method of monitoring implementation	Frequency of Monitoring	Responsible Party for implementing management action	Time period	Mechanism for monitoring Compliance	Programme for reporting on Compliance
Visual / photographic	Ongoing	Owner	As required	Audit	Audit

- Rehabilitate with appropriate indigenous vegetation to promote soft landscaping.
- Replace vegetation if it dies off.
- Obtain permits for any pruning or removal of protected species, notably *Sideroxylon inerme* (Milkwoods).

9 MONITORING

Monitoring is an important tool in determining the effectiveness of management actions by measuring changes in the environment. These could be in the form of fixed-point photography where an area is photographed on a regular / seasonal basis to ascertain changes, monitoring of a particular aspect such as landscape integrity parameters, recordings of animal movement from fixed point etc. The most important aspect of any monitoring programme is **consistency and continuity**. This will ensure a level of scientific accuracy to determine baselines / thresholds and measure changes / deviations, which then drive management reactions.

Any required monitoring reports must be made available to the competent authority as required.

The type and frequency of monitoring must include:

- During construction photographs must be taken from pre identified fixed points and a comprehensive record maintained;
- Incident Reports;
- Site meeting minutes.

9.1 MONITORING TIMEFRAMES SUMMARY

Table 4: Monitoring Timeframe Summary

MONITORING TIMEFRAMES		
Type	Frequency	Criteria
ECO visits	As per section 5.4	Site photographs / site diary
Record keeping	Monthly	Site photographs, method statements, site meeting minutes (if applicable)
	6-month post construction	Completion Statement
Auditing	One year post construction	Compliance with the EA, EMPr, municipal permits and any other approvals

9.2 ENVIRONMENTAL AUDITS

A final construction phase Completion Statement must be submitted within 6 months of completion of construction / site handover.

This Completion Statement must include the monitoring results as above, where applicable to construction.

An Environmental Audit should be undertaken two (2) years post construction.

9.3 AUDIT REPORTS FREQUENCIES AND FORMAT

The table below provides a summary of the timeframes for the various Audit Reports specified in the EA.

Table 5: Audit Reports Timeframe Summary

ENVIRONMENTAL AUDIT TIMEFRAMES		
Type	Frequency	Criteria
Final Construction Audit	Two years post construction	Audit on operational aspects of the EA and EMPr

In terms of the 2014 EIA Regulations, Audit Reports must be submitted to the registered Interested & Affected Parties within 7 days of submission to the competent authority.

In order to comply with the 2014 EIA Regulations, any audits must be undertaken using the following format:

Table 6: Environmental Audit Requirements

Appendix 7 of Regulation 326 of the 2014 EIA Regulations, as amended contains the required contents of an Environmental Audit Report. The checklist below serves as a summary of how these objectives & requirements were incorporated into this Audit Report.	
Objective	**Description**
The objective of the environmental audit report is to -	
(a) Report on – (i) the level of compliance with the conditions of the environmental authorisation and the EMPr, and where applicable, the closure plan; and (ii) the extent to which the avoidance, management and mitigation measures provided for in the EMPr, and where applicable, the closure plan achieve the objectives and outcomes of the EMPr, and closure plan.	
(b) Identify and assess any new impacts and risks as a result of undertaking the activity.	
(c) Evaluate the effectiveness of the EMPr, and where applicable, the closure plan.	
(d) Identify shortcomings in the EMPr, and where applicable, the closure plan.	
(e) Identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr, and where applicable, the closure plan.	
Requirement	**Description**
(1) An Environmental audit report prepared in terms of these Regulations must contain -	
(a) Details of – (i) The independent person who prepared the environmental audit report; and (ii) The expertise of independent person that compiled the environmental audit report.	
(b) A declaration that the independent auditor is independent in a form as may be specified by the competent authority.	
(c) An indication of the scope of, and the purpose for which, the environmental audit report was prepared.	
(d) A description of the methodology adopted in preparing the environmental audit report.	
(e) An indication of the ability of the EMPr, and where applicable the closure plan to – (i) Sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an on-going basis;	

Appendix 7 of Regulation 326 of the 2014 EIA Regulations, as amended contains the required contents of an Environmental Audit Report. The checklist below serves as a summary of how these objectives & requirements were incorporated into this Audit Report.	
Objective	**Description**
(ii) Sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the closure of the facility; and (iii) Ensure compliance with the provisions of environmental authorisation, EMPr, and where applicable, the closure plan.	
(f) A description of any assumptions made, and any uncertainties or gaps in knowledge.	
(g) A description of an consultation process that was undertaken during the course of carrying out the environmental audit report.	
(h) A summary and copies of any comments that were received during any consultation process.	
(i) Any other information requested by the competent authority.	

Any other requirements of the EA or any other authorisations must be incorporated into an Audit where necessary.

10 DECOMMISSIONING PHASE ENVIRONMENTAL MANAGEMENT REQUIREMENTS

It is not likely that decommissioning of this facility will take place in the near future. However, in the event that decommissioning does occur, all relevant legislation and policies must be complied with for the given period.

In general, in the future event that the facility be decommissioned, the following must be undertaken:

- Demolition of buildings and removal of rubble must be undertaken without impacting on areas outside of the development area.
- Rubble must be disposed of correctly and to a registered site if not reused on site.
- Decommissioning must comply with any relevant legislation valid at that time.

11 NON-COMPLIANCE

Any person is liable on conviction of an offence in terms of regulation 49(a) of the National Environmental Laws Second Amendment Act (Act 30 of 2013) to imprisonment for a period not exceeding ten (10) years or to a fine not exceeding R10 million or an amount prescribed in terms of the Adjustment of Fines Act, 1991 (Act No. 101 of 1991).

It is the responsibility of the ECO to report matters of non-compliance to the Employer's Representative or the Holder of the EA if no representative is in place. It is the responsibility of the Holder of the EA, and not the ECO, to report such matters of non-compliance to the competent Authority.

11.1 PROCEDURES

The Holder of the EA shall comply with the environmental specifications and requirements of this EMPr, any Approval / License issued and Section 28 of NEMA, on an on-going basis and any failure on his part to do so will entitle the authorities to **impose a penalty**[1].

In the event of non-compliance the following recommended process shall be followed:

- The competent authority shall issue a **Notice of Non-compliance** to the Holder of the EA, stating the nature and magnitude of the contravention.
- The Holder of the EA shall **act to correct the transgression** within the period specified in by the authority.
- The Holder of the EA shall provide the competent authority with a **written statement** describing the actions to be taken to discontinue the non-conformance, the actions taken to mitigate its effects and the expected results of the actions.
- In the case of the Holder of the EA failing to remedy the situation within the predetermined time frame, the competent authority may recommend halting the activity.
- In the case of non-compliance giving rise to physical environmental damage or destruction, the competent authority shall be entitled to undertake or to cause to be undertaken such **remedial works** as may be required to make good such damage at the cost of the Project applicant.
- In the event of a dispute, difference of opinion, etc. between any parties in regard to or arising out of interpretation of the conditions of the EMPr, disagreement regarding the implementation or method of implementation of conditions of the EMPr, etc. any party shall be entitled to require that the issue be referred to **specialists and / or the competent authority** for determination.
- The competent authority shall at all times have the right to **stop work** and/or certain activities on site in the case of non-compliance or failure to implement remediation measures.

[1] A penalty may not necessarily be a monetary fine but could also be a stoppage in work time, additional mechanisms to prevent pollution or degradation at the cost of the proponent or even a directive to cease activities from the competent authority.

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