



REFERENCE: 16/3/3/1/B3/28/1012/23

ENQUIRIES: BERNADETTE OSBORNE

DATE OF ISSUE: 20 June 2023

The Director
Department of Infrastructure
Private Bag X9185
CAPE TOWN
8000

Attention: Mr Azni November

Cell: 076 816 4564

Email: Azni.November@westerncape.gov.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014: THE UPGRADE OF EXISTING CULVERTS AND THE CONSTRUCTION OF A NEW BRIDGE SITUATED WITHIN THE WILDEPERDEJAG RIVER, PAARL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation and **adopt** the Maintenance Management Plan, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties (“I&APs”) are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Cc: (1) Ms Carina Becker (Guillaume Nel Environmental Consultants)

(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: carina@gnec.co.za

E-mail: Cindy.Winter@drakenstein.gov.za



REFERENCE: 16/3/3/1/B3/28/1012/23
NEAS REFERENCE: WCP/EIA/0001236/2023
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 20 June 2023

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE UPGRADE OF EXISTING CULVERTS AND THE CONSTRUCTION OF A NEW BRIDGE SITUATED WITHIN THE WILDEPERDEJAG RIVER, PAARL.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative and the Preferred Design Alternative described in the Basic Assessment Report ("BAR"), dated 11 May 2023.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the upgrade of existing culverts and the construction of a new bridge situated within Wildeperdejag River, Paarl.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Director
Department of Infrastructure
c/o Mr Azni November
Private Bag X9185

CAPE TOWN

8000

Cell: 076 816 4564

Email: Azni.November@westerncape.gov.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 19 <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving-</i></p> <p>(a) <i>Will occur behind a development setback;</i></p> <p>(b) <i>Is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p>(c) <i>Falls within the ambit of activity 21 in this Notice, in which case that activity applies.</i></p> <p>(d) <i>Occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p>(e) <i>Where such development is related to the development of a port or harbor, in which case activity 26 in Listing Notice 2 of 2014 applies.</i></p>	<p>The upgrade of existing culverts and the construction of the bridge will result in the moving of 10m³ of sand/soil within a watercourse.</p>

The abovementioned activity is hereinafter referred to as "**the listed activity**".

The holder is herein authorised to undertake the following alternative that includes the listed activity:

The proposed development will entail the construction of a permanent bridge at the location of the previous damaged culvert bridge, which was removed and the upgrade of culverts within a watercourse. The bridge will be 12,58m long and 14.54m wide including the wingwalls.

The following culverts will be upgraded:

- Culvert: C10352

- Culvert: C10351
- Culvert: Unnumbered Culvert on OP05256
- Culvert: C10472
- Culvert: Unnumbered Culvert on NR00101
- Culvert: C10479
- Culvert: C10478

The upgrades to the culverts will include the following:

- The development of new apron slabs and wingwalls;
- The expansion of apron slabs and wingwalls; and
- The development new gabions and reno-mattresses as erosion protection.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken within existing road reserves in the Wildeperdejag River, Paarl and has the following co-ordinates:

	Latitude (S)	Longitude (E)
Co-ordinates of bridge starting point:	33° 44' 56.48" South	19° 01' 25.23" East
Co-ordinates of bridge middle point:	33° 44' 56.81" South	19° 01' 25.20" East
Co-ordinates of bridge end point:	33° 44' 57.02" South	19° 01' 25.19" East
Co-ordinates of Culvert: C10352	33° 44' 51.00" South	19° 0' 41.40" East
Co-ordinates of Culvert: C10351	33° 45' 0.21" South	19° 0' 3.32" East
Co-ordinates of Culvert: Unnumbered culvert on OP05256	33° 45' 30.62" South	18° 59' 2.46" East
Co-ordinates of Culvert: C10472	33° 45' 30.62" South	18° 59' 2.46" East
Co-ordinates of Culvert: Unnumbered Culvert on NR00101	33° 45' 30.91" South	18° 58' 52.57" East
Co-ordinates of Culvert: C10479	33° 45' 29.98" South	18° 58' 50.76" East
Co-ordinates of Culvert: C10478	33° 45' 31.38" South	18° 58' 48.71" East

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Gaillaume Nel Environmental Consultants
Ms Carina Becker
PO Box 2632

PAARL

7620

Tel: (021) 870 1874

Email: carina@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative and the Preferred Design Alternative described in the BAR dated 11 May 2023 on the site as described in Section C above.
2. The holder must commence with the listed activity on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.

- 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 11 and 18

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
- 7.1 notify all registered Interested and Affected Parties (“I&APs”) of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder,
 - 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.

Management of activity

8. The draft or Environmental Management Programme (“EMPr”) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The Maintenance Management Plan (“MMP”) adopted as part of the EMPr must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct site visits and must submit ECO reports on a monthly basis to the competent authority.
12. A copy of the Environmental Authorisation, EMPr, MMP audit reports and compliance monitoring reports which must be submitted quarterly to the Competent Authority during the construction phase must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and the MMP. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The Audit Reports must be compiled and subsequently submitted to the Department in the following manner:

- The holder must undertake an environmental audit and submit an Environmental Audit Report to the competent authority within 6 (six) months of commencement of construction; and
- A final Environmental Audit Report must be submitted within 3 (three) months of completion of the proposed development.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. Construction activities may take place during the winter months.
18. The development areas must be clearly demarcated prior to the commencement of construction activities. All areas outside the demarcated areas must be regarded as "no-go" areas.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected,

removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs
and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. ZAAHIR TOEFY

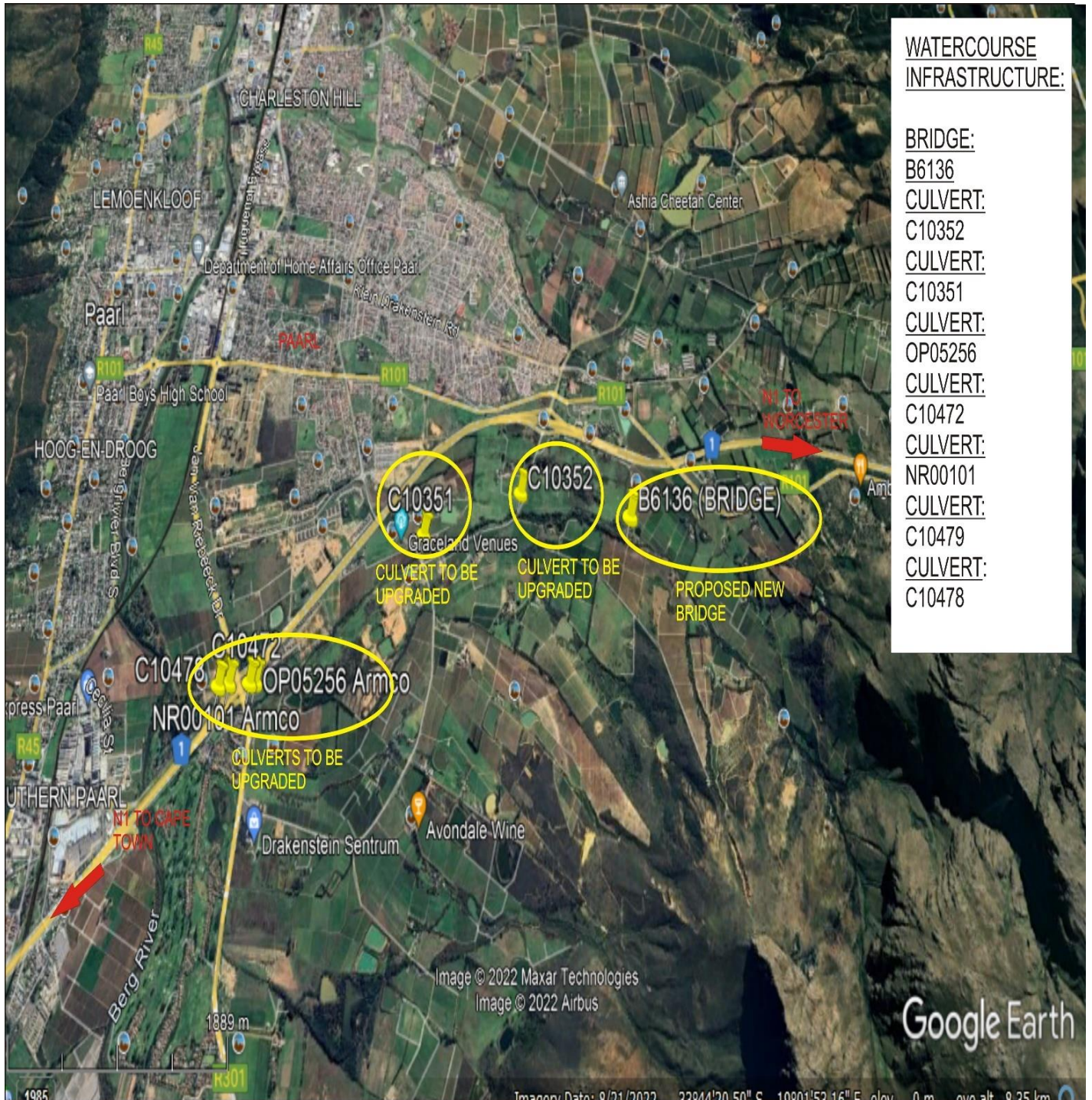
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 20 JUNE 2023



Cc: (1) Ms Carina Becker (Guillaume Nel Environmental Consultants)
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: carina@gnec.co.za
E-mail: Cindy.Winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP

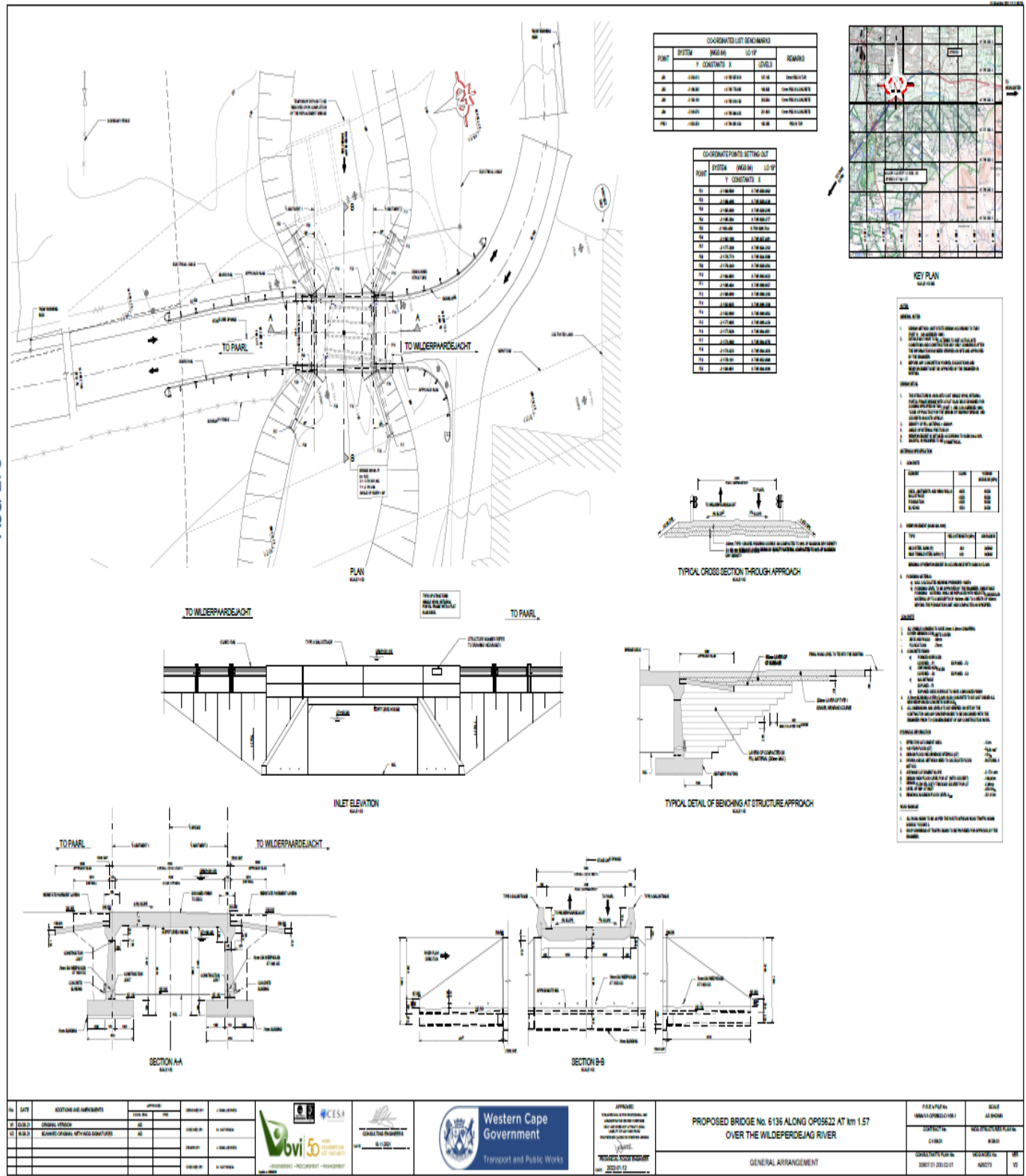


- WATERCOURSE INFRASTRUCTURE:**
- BRIDGE:
 - B6136
 - CULVERT:
 - C10352
 - CULVERT:
 - C10351
 - CULVERT:
 - OP05256
 - CULVERT:
 - C10472
 - CULVERT:
 - NR00101
 - CULVERT:
 - C10479
 - CULVERT:
 - C10478

<p>EXISTING CULVERTS TO BE UPGRADED AND NEW BRIDGE TO BE CONSTRUCTED ALONG THE WILDEPERDEJAG RIVER, PAARL, WESTERN CAPE.</p>	 <p>environmental consultants</p> <p>Tel: (021) 870 1874 Fax: (021) 870 1873 Cell: 072 1571 321</p>	
<p>LOCALITY MAP</p>	<p>Figure 1</p>	

ANNEXURE 2: SITE PLAN BRIDGE DESIGN

A95/ 273



NO.	DATE	REVISIONS AND AMENDMENTS	APPROVED	DESIGNED BY	CHECKED BY	DATE
01	2023-12-01	ORIGINAL APPROVAL	[Signature]	[Signature]	[Signature]	2023-12-01
02	2023-12-01	REVISIONS (NONE)	[Signature]	[Signature]	[Signature]	2023-12-01

Western Cape Government
Transport and Public Works

PROPOSED BRIDGE No. 6136 ALONG OP05622 AT km 1.57
OVER THE WILDERPEIJG RIVER

FILE NO.	SCALE
OP05622-01	A3 (BOM)
DATE	ISSUE
2023-12-01	01
DESIGNED BY	DATE
[Signature]	2023-12-01
CHECKED BY	DATE
[Signature]	2023-12-01

333607-01-200-02-01 REV. V2.DWG

CULVERTS DESIGN

CONDITION		TYPE		INLET		OUTLET	
$V < 3.0 \text{ m/s}$ $R < 1.0 \text{ m/s}$	1					<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY OF NATURAL STREAM AT INLET R = FRICTION NUMBER OF NATURAL STREAM AT INLET 	
		<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT OUTLET R = FRICTION NUMBER AT OUTLET y = WATER DEPTH AT OUTLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT CUT-OFF WALL (SAINS) TO BE OMITTED WHERE ROCK IS PRESENT MINIMUM CONCRETE COVER = 50mm CONCRETE CLASS 30/20 SP = 60mm PILE HT = HIGH TIDE HO (FOR ELEVATION) TO CONCRETE OUTLET STRUCTURE SIMILAR TO COLLECTOR PIPES AND CUT-OFF WALLS FOR CUT-OFF WALL (ELEVATION) AND GARDEN PROTECTION (ELEVATION) REFER TO DSG No. WCS/22/1/10 300 GARDEN MATTERIES AT INLET/OUTLET TO BE INSTALLED WITH SPACING OF 1000mm 					
$3.0 \text{ m/s} < V < 4 \text{ m/s}$ $R < 2.5$	2					<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT INLET R = FRICTION NUMBER AT INLET y = WATER DEPTH AT INLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT GARDENS TO BE OMITTED WHERE ROCK IS PRESENT 	
		<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT OUTLET R = FRICTION NUMBER AT OUTLET y = WATER DEPTH AT OUTLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT CUT-OFF WALL (SAINS) TO BE OMITTED WHERE ROCK IS PRESENT MINIMUM CONCRETE COVER = 50mm CONCRETE CLASS 30/20 SP = 60mm PILE HT = HIGH TIDE HO (FOR ELEVATION) TO CONCRETE OUTLET STRUCTURE SIMILAR TO COLLECTOR PIPES AND CUT-OFF WALLS FOR CUT-OFF WALL (ELEVATION) AND GARDEN PROTECTION (ELEVATION) REFER TO DSG No. WCS/22/1/10 300 GARDEN MATTERIES AT INLET/OUTLET TO BE INSTALLED WITH SPACING OF 1000mm 					
$V > 4 \text{ m/s}$ $2.5 < R < 4.0$	3					<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT INLET R = FRICTION NUMBER AT INLET y = WATER DEPTH AT INLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT GARDENS TO BE OMITTED WHERE ROCK IS PRESENT 	
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$V > 4 \text{ m/s}$ $R > 4.0$ SLOPE < 1:50 SPECIAL COLUMN	4	<p>INLET AS PER TYPE 3</p>				<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT INLET R = FRICTION NUMBER AT INLET y = WATER DEPTH AT INLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT GARDENS TO BE OMITTED WHERE ROCK IS PRESENT 	
		<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT OUTLET R = FRICTION NUMBER AT OUTLET y = WATER DEPTH AT OUTLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT CUT-OFF WALL (SAINS) TO BE OMITTED WHERE ROCK IS PRESENT MINIMUM CONCRETE COVER = 50mm CONCRETE CLASS 30/20 SP = 60mm PILE HT = HIGH TIDE HO (FOR ELEVATION) TO CONCRETE OUTLET STRUCTURE SIMILAR TO COLLECTOR PIPES AND CUT-OFF WALLS FOR CUT-OFF WALL (ELEVATION) AND GARDEN PROTECTION (ELEVATION) REFER TO DSG No. WCS/22/1/10 300 GARDEN MATTERIES AT INLET/OUTLET TO BE INSTALLED WITH SPACING OF 1000mm 					
$V > 4 \text{ m/s}$ $R > 4.0$ SLOPE > 1:50 SPECIAL COLUMN	5	<p>INLET AS PER TYPE 3</p>				<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT INLET R = FRICTION NUMBER AT INLET y = WATER DEPTH AT INLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT GARDENS TO BE OMITTED WHERE ROCK IS PRESENT 	
		<p>NOTE:</p> <ol style="list-style-type: none"> V = INLET VELOCITY AT OUTLET R = FRICTION NUMBER AT OUTLET y = WATER DEPTH AT OUTLET (m) SOIL CONDITIONS TO BE TAKEN INTO ACCOUNT CUT-OFF WALL (SAINS) TO BE OMITTED WHERE ROCK IS PRESENT MINIMUM CONCRETE COVER = 50mm CONCRETE CLASS 30/20 SP = 60mm PILE HT = HIGH TIDE HO (FOR ELEVATION) TO CONCRETE OUTLET STRUCTURE SIMILAR TO COLLECTOR PIPES AND CUT-OFF WALLS FOR CUT-OFF WALL (ELEVATION) AND GARDEN PROTECTION (ELEVATION) REFER TO DSG No. WCS/22/1/10 300 GARDEN MATTERIES AT INLET/OUTLET TO BE INSTALLED WITH SPACING OF 1000mm 					

<table border="1"> <tr> <th>NO.</th> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>CHK.</th> <th>APP.</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	REV.	DATE	BY	CHK.	APP.							Issue Date: 2019	STANDARD PLANS NORTON CAVE (GARDENBOX) DEPARTMENT OF TRANSPORT AND PUBLIC WORKS	L.G. FOURIE CHIEF ENGINEER CIVIL ENGINEERING	CONCRETE CULVERTS INLET AND OUTLET PROTECTION DETAILS	SCALE: 1:10 42 ORIGINAL	INDEX NO. WCS/22/5/D1 PLAN NO. SHEET 1 OF 1
NO.	REV.	DATE	BY	CHK.	APP.													

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form dated 22 February 2023, the EMPr and the MMP submitted together with the final BAR dated 11 May 2023 and the additional information received on 20 June 2023;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated 11 May 2023; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- site notices were placed on 23 February 2023;
- the placing of a newspaper advertisement in the 'Paarl Post' on 23 February 2023;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 23 February 2023; and
- making the Draft BAR available for comment from 23 February 2023.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

2. Alternatives

Preferred alternative (herewith authorised)

This alternative entails the construction of a permanent bridge at the location of the previous damaged culvert bridge, which was removed and the upgrade of culverts within a watercourse. The bridge will be 12,58m long and 14.54m wide including the wingwalls.

The following culverts will be upgraded:

- Culvert: C10352
- Culvert: C10351
- Culvert: Unnumbered Culvert on OP05256
- Culvert: C10472
- Culvert: Unnumbered Culvert on NR00101
- Culvert: C10479
- Culvert: C10478

The upgrades to the culverts will include the following:

- The development of new apron slabs and wingwalls;
- The expansion of apron slabs and wingwalls; and
- The development new gabions and reno-mattresses as erosion protection.

Design Alternatives

Two design alternatives with respect to the construction of the wingwalls at the upstream side of the road were considered. These entailed the construction of the wingwalls with concrete or gabions. The construction of the wingwalls with concrete is preferred (herewith authorised) as this will ensure that the structural integrity of the road, the culvert and the embankment will be better protected against the negative structural impacts of water and erosion.

No-go Alternative

This alternative represents the *status quo* and was not considered as preferred due to the positive impacts the bridge construction and maintenance and upgrades of the existing culverts will have on the safety aspects of the road, storm water infrastructure and related environment.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The existing culverts are degraded, and a temporary bypass has been developed as the bridge culvert was damaged and removed. The development addresses the need for the upgrade of the existing degraded culverts and the replacement of the temporary bypass with a permanent stable structure. The development will create a safer road and ensure effective stormwater flow from the road.

3.2 Biophysical Impacts

The site is mapped to contain Swartland Alluvium Fynbos vegetation, which is classified as endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEM:BA"), List of Threatened Ecosystems in Need of Protection, dated 18 November 2022. However, no indigenous vegetation will be cleared as no indigenous vegetation has been identified within the development footprints of the bridge and the culverts. The areas at the bridge and culverts have been previously disturbed due to road construction, road maintenance, bridge and culvert construction. A Rehabilitation Plan has been compiled to rehabilitate the construction footprints of the bridge and culverts with indigenous vegetation.

The upgrade of the existing culverts and the construction of the bridge are located within the Wildeperdejag River. According to the Freshwater Impact Assessment (dated May 2022, compiled by FEN Consulting), the Wildeperdejag river is regarded to be of moderate significance and the impacts associated with the development within a watercourse will be of low negative significance after mitigation.

Negative Impacts:

- Disturbance to the beds and banks of the watercourse during construction.

Positive impacts:

The construction of the new bridge will:

- Ensure a much safer road and access to the nearby farms;
- Ensure better hydraulic capacity through the new structure; and
- Provide better erosion protection.

The upgrade and maintenance of the culverts will:

- Ensure effective flow of storm water;
- Ensure the removal of alien vegetation and built-up sediment;
- Prevent the siltation of the inlet and outlet structures; and
- Minimise any further erosion and degradation at the culverts.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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