



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA · 0001· Environment House 473 Steve Biko Road, Arcadia PRETORIA

**DEA Reference:** 14/12/16/3/3/1/1729

**Enquiries:** Mr Thando Booï

**Telephone:** (012) 399 9387 **E-mail:** [TBooi@environment.gov.za](mailto:TBooi@environment.gov.za)

Elma Lourens  
South African National Roads Agency SOC Limited  
Private Bag X 19  
**BELVILLE**  
7535

Tel: (021) 957 4615  
E-mail: [lourense@nra.co.za](mailto:lourense@nra.co.za)

### **PER E-MAIL/ MAIL**

Dear Ms Lourens

### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/985 FOR THE PROPOSED UPGRADE OF THE GWAING BRIDGE ALONG THE N2 NATIONAL ROUTE, SECTION 7, GEORGE LOCAL AND EDEN DISTRICT MUNICIPALITIES, WESTERN CAPE**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za)

By hand: Environment House  
473 Steve Biko,  
Arcadia,  
Pretoria,  
0083; or

By post: Private Bag X 447,  
Pretoria,  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 24/02/2012

cc:	N Maharaj	Kerry Seppings Environmental	Tel: (031) 769 1578	Email: nishkar@ksems.co.za
	F Naude	Western Cape DEA&DP	Tel: (044) 805 8600	Email: francois.naude@westerncape.gov.za
	D Swanepoel	George Local Municipality	Tel: (044) 805 8602	Email: danie.swanepoel@westerncape.gov.za



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# **Environmental Authorisation**

**In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014**

**Proposed upgrade of the Gwaing Bridge along the N2 national route, Section 7,**

**George Local Municipality, Western Cape**

**Eden District Municipality**

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/1729</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>SANRAL SOC Ltd</i>
<b>Location of activity:</b>	<i>Western Cape Province: Within Ward 23 of George Local Municipality</i>

This environmental authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this environmental authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

### **SANRAL SOC Limited**

with the following contact details –

Ms Elma Lourens

South African National Roads Agency SOC Limited

Private Bag X 19

**BELVILLE**

7535

Tel: (021) 957 4615

E-mail: lourense@nra.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 983) and Listing notice 3 GN (985):

Listed activities	Activity/Project description
<p><b><u>GN R.983 item 19:</u></b> <i>The infilling or depositing of any material of more than 5m<sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5m<sup>3</sup> from -</i> <i>i. a watercourse;</i></p>	<p>The construction of the piers and abutments of the new bridge will result in the removal/moving of soil of more than 5m<sup>3</sup> from the Gwaing River.</p>
<p><b><u>GN R.983 item 56:</u></b> <i>The widening of a road by more than 6m, or the lengthening of a road by more than 1km</i> <i>i. where the existing reserve is wider than 13,5m</i></p>	<p>The realignment and widening of the N2 road will be greater than 6m, as the carriageways will tie in with both the existing and new bridges. This remains in the existing road reserve, which is wider than 13,5m.</p> <p>The proposed widening of the existing road is 10.9 m and entails the following:</p> <ul style="list-style-type: none"> <li>• 1 m fast shoulder width (for future lane)</li> <li>• 2 x 3.7m lanes</li> <li>• 2.5 m slow shoulder</li> </ul> <p>The new upstream bridge will contain three 3700mm width lanes, with two shoulders of widths of 2500mm and 1000 mm respectively.</p>
<p><b><u>GN R.985 item 12:</u></b> <i>The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i> <i>(a) In Western Cape:</i></p>	<p>The realignment of the N2 road will result in the clearance of some indigenous vegetation (Cape Lowland Alluvial Vegetation) on either approach to tie into the new bridge, and on the banks of the Gwaing River.</p>

<p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.</i></p>	<p>The construction of the upstream bridge, measuring 28 m in height, 182 m in length and 18 m in width. The project site is located within Critical Biodiversity Area (CBA) and Environmentally Sensitive Area (ESA) region. However, the site has been transformed due to the existing Gwaing Bridge and N2 National Route and is dominated by alien vegetation. Furthermore, the Preferred Alternative will remain in the existing road reserve.</p>
<p><b><u>GN R.985 item 14</u></b>  <i>The development of -</i>  <i>iii. bridges exceeding 10 square metres in size;</i>  <i>xii. infrastructure or structures with a physical footprint of 10 square meters or more.</i>  <i>(f) In Western Cape</i>  <i>i. outside urban areas, in:</i>  <i>ff. Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>The construction of the upstream bridge, measuring 28 m in height, 182 m in length and 18 m in width. The project site is located within Critical Biodiversity Area (CBA) and Environmentally Sensitive Area (ESA) region. However, the site has been transformed due to the existing Gwaing Bridge and N2 National Route and is dominated by alien vegetation. Furthermore, the Preferred Alternative will remain in the existing road reserve.</p>
<p><b><u>GN R.985 item 18</u></b>  <i>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1km.</i>  <i>(f) In Western Cape:</i>  <i>i. all areas outside urban areas:</i>  <i>ff. Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>The realignment and widening of the N2 road will be greater than 6m, as the carriageways will tie in with both the existing and new bridges.          The proposed widening of the existing road is 10.9 m and entails the following:</p> <ul style="list-style-type: none"> <li>• m fast shoulder width (for future lane)</li> <li>• 2 x 3.7m lanes</li> <li>• 2.5 m slow shoulder</li> </ul> <p>The project site is located within Critical Biodiversity Area (CBA) and</p>

	<p>Environmentally Sensitive Area (ESA) region. However, the site has been transformed due to the existing Gwaing bridge and N2 National Route and is dominated by alien vegetation. Furthermore, the Preferred Alternative will remain in the existing road reserve.</p>
<p><b><u>GN R.985 item 23</u></b>  <i>The expansion of</i>  <i>iii. bridges where the bridge is expanded by 10 square metres or more in size;</i>  <i>where such development occurs –</i>  <i>a. within a watercourse.</i>  <i>(g) In Western Cape</i>  <i>i. outside urban areas, in:</i>  <i>ff. Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent or in bioregional plans</i></p>	<p>The upgrade of the Gwaing River Bridge, by constructing a new bridge 16m upstream from the existing bridge, measuring 28 m in height, 182 m in length and 18 m in width.</p> <p>The project site is located within Critical Biodiversity Area (CBA) and Environmentally Sensitive Area (ESA) region. However, the site has been transformed due to the existing Gwaing Bridge and N2 National Route and is dominated by alien vegetation. Furthermore, the Preferred Alternative will remain in the existing road.</p>

as described in the Basic Assessment Report (BAR) dated May 2017 at:

Farm name: Gwayang No.208

Portion: RE 90, RE 103, 104, RE 105

21 Digit SG code:

C	0	2	7	0	0	0	0	0	0	0	0	0	2	0	8	0	0	0	0
C	0	2	7	0	0	0	0	0	0	0	0	0	2	0	8	0	0	0	9
C	0	2	7	0	0	0	0	0	0	0	0	0	2	0	8	0	0	1	0
C	0	2	7	0	0	0	0	0	0	0	0	0	2	0	8	0	0	1	0
C	0	2	7	0	0	0	0	0	0	0	0	0	2	0	8	0	0	1	0



<b>Preferred alternative</b>	<b>Latitude</b>	<b>Longitude</b>
Starting point	34° 0' 33.61"S	22° 23' 23.53"E
Centre point	34° 0' 31.32"S	22° 23' 56.27"E
End point	34° 0' 31.43"S	22° 24' 55.91"E

- for the construction of the proposed upgrade of the Gwaing Bridge along the N2 National Route, section 7, George Local and Eden District Municipalities, Western Cape, hereafter referred to as "the property"

### **Scope of the development**

The South African National Roads Agency Limited SOC Limited propose to upgrade the existing Gwaing Bridge and the associated N2 National Route Section 7 (km 16 to km 18.5) located near the George Airport within the George Local and Eden District Municipalities in the Western Cape.

The project entails the design and construction of a new bridge structure, adjacent to the existing structure, the realignment of the carriageways to tie into the new bridge structure, geotechnical drilling during design and possible piling during construction in the river course, and the widening of existing cuts to accommodate the new alignment.

## **Conditions of this Environmental Authorisation**

### **Scope of authorisation**

1. Proposed upgrade of the Gwaing Bridge along the N2 National Route, Section 7 within George Local and Eden District Municipalities in the Western Cape is approved as per the geographic coordinates indicated above.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.

5. Any changes to, or deviations from, the project description set out in this environmental authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further environmental authorisation in terms of the regulations.
6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. Construction must be completed within five (05) years of the commencement of the activity on site.
8. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

#### **Notification of authorisation and right to appeal**

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons of the competent authority for the decision.

#### **Commencement of the activity**

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014 and no appeal has been lodged against the decision. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.
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### **Management of the activity**

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is **not approved**.

### **Frequency and process of updating the EMPr**

13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
16. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

### **Monitoring**

18. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this

environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

- 18.1. The ECO must be appointed before commencement of any authorised activities.
- 18.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
- 18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 18.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### **Recording and reporting to the Department**

19. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
  20. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at [Directorcompliance@environment.gov.za](mailto:Directorcompliance@environment.gov.za).
  21. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
  22. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
  23. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
  24. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.
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### **Notification to authorities**

25. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

### **Operation of the activity**

26. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

### **Site closure and decommissioning**

27. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

### **Specific conditions**


28. No exotic plants must be used for rehabilitation purposes, only indigenous plants of the area may be utilised.
29. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
30. A pre-construction walk through of the project site must be conducted by a botanist in order to assess the area for red data and protected species especially bulbous and succulent species that are to be transplanted as recommended in Vegetation Impact Assessment Report prepared by Dr PJ du Preez from Envrio Niche dated April 2017 and the results of the walk-through be included in the EMPr.
31. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.

32. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated May 2017 must be implemented to reduce the risk of erosion and the invasion of alien species.
33. Weed control measures must be applied to eradicate the noxious weeds on disturbed areas as recommended in the Vegetation Impact Assessment Report prepared by Dr PJ du Preez from Envrio Niche dated April 2017.
34. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work must cease and it must be reported immediately to Heritage Western Cape so that a professional investigation can be undertaken. Sufficient time should be allowed to investigate and to remove/collect such material. Recommendations made after the investigation must be adhered to.
35. Any solid waste must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

#### **General**

36. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 36.1. at the site of the authorised activity;
  - 36.2. to anyone on request; and
  - 36.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
37. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 24/08/2017



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**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Environmental Affairs**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the BAR dated May 2017;
- b) The comments received from interested and affected parties as included in the BAR dated May 2017;
- c) Mitigation measures as proposed in the BAR dated May 2017.
- d) The information contained in the specialist studies contained within Appendix D of the BAR; and
- e) 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).

### 2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The widening and realignment of the N2 route will allow for improved safety for motorists in the area, as a result of the wider shoulders and separate traffic flow lanes on the existing and proposed new bridge.
- c) The BAR dated May 2017 identified all legislations and guidelines that have been considered in the preparation of the BAR dated May 2017
- d) The methodology used in assessing the potential impacts identified in the BAR dated May 2017 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 for public involvement.

### 3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated May 2017 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and were included in the BAR. The EMPr will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.