

TRANSNET



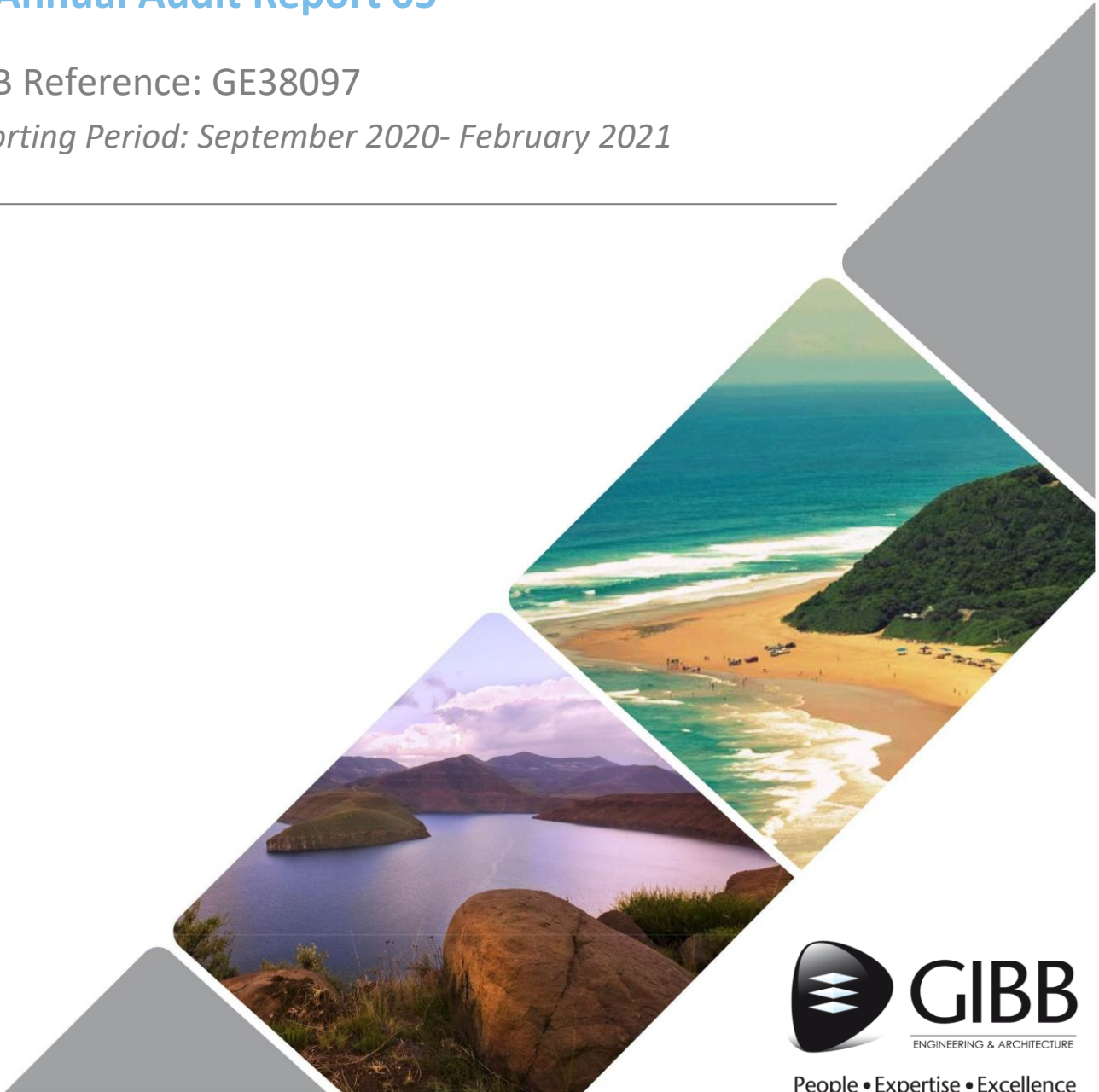
Transnet Group Capital

Development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal

Bi- Annual Audit Report 05

GIBB Reference: GE38097

Reporting Period: September 2020- February 2021



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**Development of Landside Infrastructure at Berths 203 to 205, Port of Durban,
Kwa-Zulu Natal
Bi- Annual Audit Report 5**

CONTENTS

Chapter	Description	Page
	Contact Information	i
	Distribution List	iii
	Appendices	iii
	List of Figures	iii
	List of Tables	iii
	Abbreviations	iv
	Executive Summary	1
1	Introduction	7
2	Audit Findings	11
3	Conclusions and Recommendations	228
	Document Control and Disclaimer	239



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Appendices

Appendix A: Photographs and Site Map	230
Appendix B: Auditor Details and Declaration	236

List of Figures

Figure 1: Breakdown of the compliance achieved for reporting period (September 2020 – February 2021).....	2
Figure 2: Site Layout Map	235

List of Tables

Table 1: Summary of Audit Information and Project Performance	1
Table 2: Summary of non-compliances identified during the Audit	3
Table 3: Project and Audit Information	7
Table 4: Legal requirements for Audit Report as per Appendix 7, GN. 982 of 2014 as amended	8
Table 5: Conformance Rating	9
Table 6: Summary of non-compliances identified during the reporting period	11
Table 7: Compliance summary during 6 months (September 2020 – February 2021)	228
Table 8: Details of Audit Team Members	236



Abbreviations

C	Conformance
CWDP	Coastal Waters Discharge Permit
DEFF	Department of Environmental, Forestry and Fisheries
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
ECO	Environmental Control Officer
EMPr	Environmental Management Programme
EMS	Environmental Method Statements
ER	Engineer's Representative
H&S	Health and Safety
NC	Non Conformance
NCA	Not Currently Applicable
NEMA	National Environmental Management Act, 1998 (Act 107 of 1998), as amended
NWA	National Water Act, 1998 (Act 36 of 1998), as amended
PC	Partial Conformance
PES	Project Environmental Specification
PPE	Personal Protective Equipment
SHE	Safety Health Environmental
TBC	To be confirmed
TGC	Transnet Group Capital
TNPA	Transnet National Ports Authority
TPT	Transnet Port Terminals



Executive Summary

The GIBB Senior Environmental Control Officer (ECO) (Mark Muir) and Junior Environmental Control Officer (Phumela Madubela) drafted this bi-annual audit for the development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal; for the period September 2020 – February 2021.

During the six (6) month period (September 2020 – February 2021), the main developments at the Hamsa Construction Engineers site camp for the construction of the Northern Substation included:

- Preparation of piling activities on site;
- Installation of temporary fencing;
- Removal of cables on site;
- Preparation of concrete platform;
- Site clean-up (removal of weeds);
- Completion of concrete platform.

Table 1: Summary of Audit Information and Project Performance

Contract name:	Development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal.
Construction progress:	Construction of the Northern Substation and associated works continued. Specific activities observed over the 6 month period include: <ul style="list-style-type: none">• Preparation of piling activities on site;• Installation of temporary fencing;• Removal of cables on site;• Preparation of concrete platform;• Site clean-up (removal of weeds);• Completion of concrete platform.
Bi-Annual Audit number:	05.
Reporting Period:	September 2020 – February 2021
Auditor and Representative:	GIBB (Pty) Ltd represented by : <ul style="list-style-type: none">• Mark Muir (Senior ECO);• Phumela Madubela (Junior ECO).
Audit Standard:	<ul style="list-style-type: none">• Environmental Authorisation (DEA Approval Reference No: 14/12/16/3/3/1/1574);• Coastal Waters Discharge Permit (Reference No: 2016/007/KZN/ Transnet Port Terminal-LID);• EMPr (July 2016, Final).
Project Performance:	In terms of environmental performance, the project achieved an average compliance percentage of 98.0% to the environmental specification over the reporting period. Note that all six monthly ECO audits were conducted during this period.
Key Issues identified over Reporting Period:	Non compliances identified over the reporting period related mostly to aspects associated with normal construction operations and included items such as: <ul style="list-style-type: none">• Minor spills were observed next to the stationary plant (<i>refer to photograph 26- finding Audit 19, September 2020</i>);• An oily pump was directly placed on the soil (<i>refer to photograph 27- finding Audit 19, September 2020</i>);• Waste was observed on site (<i>refer to photograph 28-finding Audit 20, October 2020</i>);• No compliance audit reports were available in the environmental file (<i>finding Audit Report 22, December 2020</i>)• The compliance monitoring reports were not uploaded onto the website (<i>finding Audit 23, January 2021</i>)



Six (6) monthly ECO Audits were performed over the reporting period during the construction phase of the Development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal. For the past six ECO Audits (Audit 19 – 24), high levels of compliance were noted with an average compliance of **98.0%** (Refer to **Figure 1 & Table 6**).

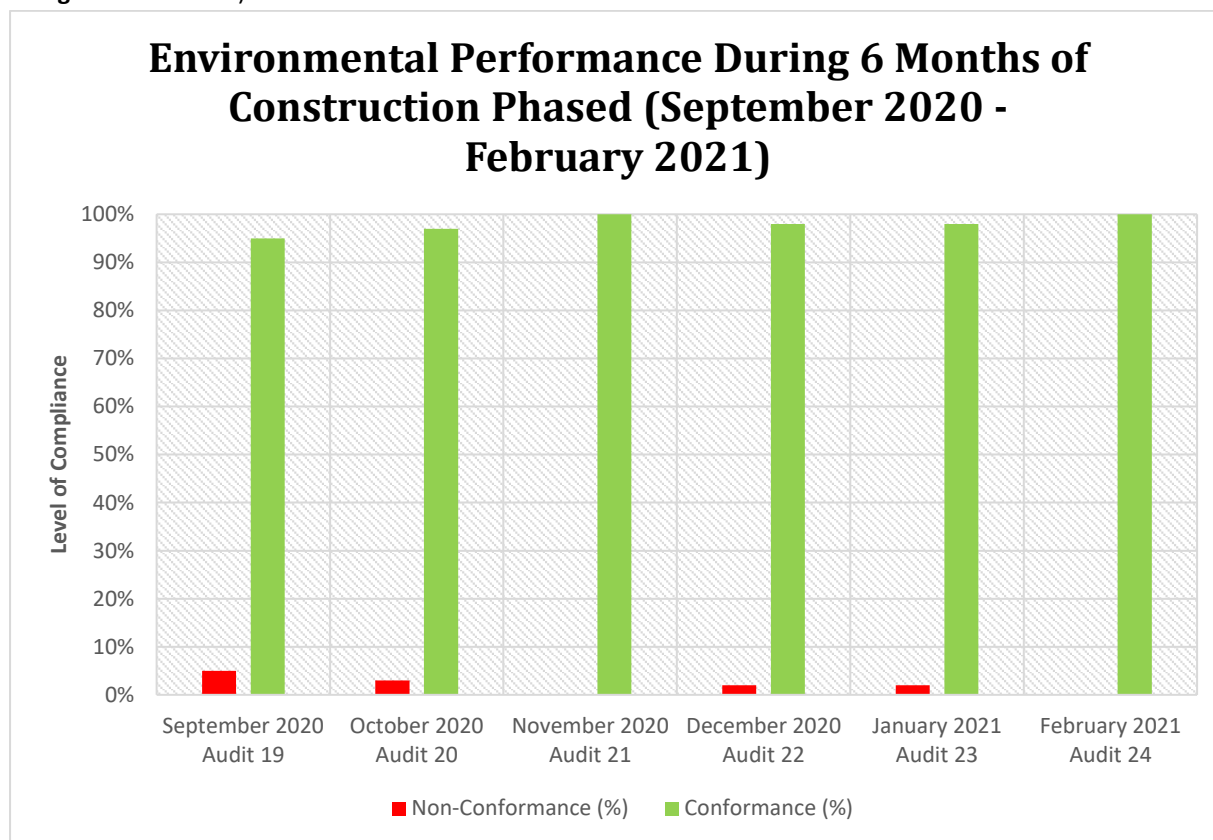


Figure 1: Breakdown of the compliance achieved for reporting period (September 2020 – February 2021)



The table below presents all the non- conformance findings identified for this reporting period. Please refer to Section 2 for detailed findings against the complete Audit Standard.

Table 2: Summary of non-compliances identified during the Audit

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
September 2020 ECO Audits							
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	NC	On the day of the audit, a minor spill was observed on site (<i>refer to photograph 26</i>).	The contractor should ensure that the source spill is isolated and contained.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	NC	On the day of the audit, no suitable remedial measures were undertaken to institute for the minor spill.	The contractor should ensure that suitable remedial measures are implemented depending on the nature of the contaminant and the receiving environment.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	NC	On the day of the audit, minor spills were observed on site and no appropriate clean-up was implemented (<i>refer to photograph 26</i>).	The contractor should ensure appropriate clean up and disposal measures are implemented.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	NC	On the day of the audit, minor spills were observed on site (<i>refer to photograph 26</i>).	The contractor should ensure that spills are cleaned on site.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	NC	On the day of the audit, minor spills were observed on site and the ECO was not notified (<i>refer to photograph 26</i>).	The contractor should ensure that the ECO and Transnet EO is immediately notified of any spills.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	NC	On the day of the audit, a pump was placed directly on soil and not inside a drip tray (<i>prefer to photograph 27</i>).	The contractor should ensure that equipment is placed inside a drip tray.
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	NC	On the day audit, drip trays was observed placed beneath stationary plant however minor spills were observed.	The Contractor should ensure that drip trays are provided for stationary plant and parked plant. Furthermore, drip trays must be adequately used on site.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	NC	On the day of the audit, minor spills were observed next to the plant (<i>refer to photograph 26</i>).	The Contractor should ensure that all plant and equipment is inspected daily to determine serviceability and presence of leaks. Any leaking equipment should be removed from site.
October 2020 ECO Audits							
			Construction Site Planning & Layout				
		14.1.2	General site camp requirements are as follows: o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator.	Contractor	NC	No evidence of waste storage facilities on site.	Waste storage facilities to be provided by the Contractor.
			Waste Management- Disposal				
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised-www.sawic.org.za).	Contractor	NC	On the day of the audit, waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure that all waste is removed from site as disposed of at a licensed waste facility.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	NC	No evidence of adequate waste storage facilities.	Waste storage facilities to be provided by the Contractor.
			Waste Management- General				
		14.2.12	Ensure suitable housekeeping.	Contractor	NC	On the day of the audit, waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure suitable housekeeping on site at all times.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	NC	On the day of the audit, uncontained waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure that litter/waste is cleared of litter on a daily basis.
		14.2.12	Littering shall not be tolerated.	Contractor	NC	On the day of the audit, uncontained waste was observed on site (<i>refer to photograph 28</i>).	The Contractor is reminded that no littering is permitted on site
November 2020 ECO Audits							
No Non-compliances identified- 100% compliant							
December 2020 ECO Audits							
			PRE-CONSTRUCTION PHASE				
			Recording and Reporting to the Department				
	26		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 the development.	Proponent	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
January 2021 ECO Audits							
			PRE-CONSTRUCTION PHASE				
			Recording and Reporting to the Department				
	26		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 the development.	Proponent	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	NC	It is confirmed that the EA and BAR are available on the company website however the compliance monitoring reports need to be uploaded onto the website.	Compliance monitoring reports to be uploaded onto the company website as required.
February 2021 ECO Audits							
No Non-compliances identified- 100% compliant							



1 Introduction

GIBB was appointed by Transnet Group Capital (TGC) as the independent ECO, to undertake monthly and bi-annual compliance audits based on the conditions of the Environmental Authorisation (EA), the requirements of the approved Environmental Management Programme (EMPr) and the Coastal Waters Discharge Permit (CWDP) which form the Project Environmental Specifications (PES) for the development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal.

Monthly ECO Compliance Audits are to be undertaken (to be distributed to TGC and contractors), followed by full compliance Bi-Annual Audit Reports (to be distributed to the applicable authorities as per PES requirements). This report serves as the forth Bi- Annual ECO compliance audit Report.

Table 3: Project and Audit Information

Project Name:	Development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal.
Expected Contract Duration:	80 Months
Contract Commencement Date:	13 June 2018
Expected Completion Date:	24 January 2025
Proponent:	Transnet Port Terminal
Transnet Representative:	Transnet represented by: <ul style="list-style-type: none"> • Hlengiwe Gumede (TGC EO)
Contractor Representative(s):	HCP JV & Atomic Demolishers represented by: <ul style="list-style-type: none"> • Rivani Maharaj (HCP JV EO) • Isaiah Varathan (HCP JV Junior EO)
Auditor and Representative:	GIBB (Pty) Ltd represented by: <ul style="list-style-type: none"> • Mark Muir (GIBB Senior ECO) • Phumela Madubela (GIBB Junior ECO)
Audit scope:	An Environmental Control Officer (ECO) audits all construction areas and site camps for the development of Landside Infrastructure at Berths 203 to 205, Port of Durban, Kwa-Zulu Natal.
Audit Standard:	<ul style="list-style-type: none"> • Environmental Authorisation (DEA Approval Reference No: 14/12/16/3/3/1/1574) • Coastal Waters Discharge Permit (Reference No: 2016/007/KZN/Transnet Port Terminal-LID) • EMPr (July 2016, Final)
Audit Objective:	<ul style="list-style-type: none"> • Identify and document any gaps with respect to management and mitigation measures currently implemented and to provide recommendations on how to address these gaps; • Identify effectiveness and shortcomings of the EMPr; • Identify and assess any new impacts and risks as a result of the undertaking of the activity.
Audit Methodology:	<ul style="list-style-type: none"> • Interviewing of key personnel, involved in management and general operations on site; • Site inspection of the work and storage areas; • Review of Environmental Documentation and Records that should be available in the Environmental file on site; and • The contractor's compliance with the specifications is rated according to the 'Compliance Rating Table' under Section 1.4.
Areas not auditable:	None



Interviewees :	<ul style="list-style-type: none"> • Hlengiwe Gumede (TGC EO) • Rivani Maharaj (HCP JV EO) • Isaiah Varathan (HCP JV Junior EO)
Authority or other consultation:	None

1.1 Information required by the ECO

1.1.1 Documents

All relevant documentation was provided to the ECO for review and approval over this reporting period.

1.1.2 Communication

The ECO should be informed of any incidents with environmental impacts that occur on site. The ECO should be copied into or notified of correspondence with environmental authorities or other stakeholders regarding issues of environmental concern.

1.2 Compliance with Appendix 7, GN. 982 of 2014 as amended

In terms of the requirements of the amended EIA Regulations (07 April 2017) and the prescriptions for environmental audits as contained under Regulation 34 and 35, the following should be noted:

- GIBB follows to the prescribed formatting for audit reports as listed under Appendix 7 of GN. 982 of 2014 as amended
- GIBB will report on the compliance achieved and adequacy of the EMPr
- GIBB does not assume the responsibility of ensuring compliance to all other prescriptions listed under Regulation 34 of GN. 982 of 2014 as amended (such as informing Interested and Affected Parties of any non-compliances or seeking amendment to the EMPr or associated licences/permits). Ensuring compliance is the obligation of the proponent.
- GIBB will submit reports to the relevant authorities.

Table 4: Legal requirements for Audit Report as per Appendix 7, GN. 982 of 2014 as amended

Content of an Environmental Audit report	Section of this report
Details and expertise of independent ECO and author of this audit report.	Appendix B
Declaration that the independent auditor is independent.	Appendix B
Scope and the purpose of environmental audit report.	Section 1, Table 3
Methodology adopted in preparing the environmental audit report.	Section 1, Table 3
Evaluation of the ability of the EMPr to sufficiently: <ol style="list-style-type: none"> 1. provide for continued avoidance, management and mitigation of environmental impacts and at closure 2. ensure compliance with EA, EMPr and if applicable, closure plan. 	Section 3.4
Description of any assumptions, uncertainties or gaps in knowledge.	Section 1, Section 1.3
Description of any consultation process undertaken for this audit report.	Section 1, Table 3
A summary and copies of comments received during any consultation process.	Not applicable for this audit.
Any other information requested by the competent authority.	Section 1, Table 3

1.3 Period of the Audit

This Bi-annual ECO Audit aims to fulfil the requirement of the EMPr (8.3). The period applicable to this Audit will be the period since the previous bi-annual audit and will cover the timeframe from September 2020 to February 2021.



1.4 Assumptions and Limitations

The audit findings are based on information relayed during interviews as well as the observations made during physical site inspections, at a specific point in time. Although the site inspection can reveal some evidence of activities carried out during the month for which the audit covers, it cannot fully show the auditor what activities have been carried out on site. Thus, the auditor must rely on observations made on the day of the audit as well as the information provided by the contractor in order to make conclusions about compliance during the preceding month. The audit is limited to audit scope for the project.

Although the ECO Audits reflects compliance as determined at a specific point in time, this report will present the findings of the audit date as well as a summary of compliance applicable to the Audit Period (as determined on the Audit date for each applicable audit).

As a result of the National Lockdown, monthly ECO audits were not undertaken during the months of April- July, therefore, there was no data to report back on for these specific months.

1.4.1 Areas not auditable

- The Coastal Waters Discharge Permit (CWDP). The current site activities have not triggered the activities authorised by the CWDP (dewatering).

1.5 Compliance Rating

The auditor assessed the contractor's compliance with the environmental requirements and conditions according to the categories in the table below. The system of colour coding shown in the table has also been used in the audit findings table.

The compliance score is based on the number of requirements deemed non-compliant versus total number of compliant conditions.

Table 5: Conformance Rating

Status	Colour
Noted: A condition or recommended action that must be noted for the contractor's attention to ensure that non-compliance as a result of failing to act to ensure a requirement is adhered to.	Noted
Conformance (C): Green signifies that a condition has been adequately complied with at the time of the audit.	
Non-conformance (NC): The requirement is not being adhered to and corrective action must be taken as soon as possible to ensure the finding is addressed.	
Not Currently Applicable (NCA): Where a requirement as stipulated is not relevant or applicable <u>at the time of the audit</u> .	
To be Confirmed (TBC): Where a requirement could not be confirmed at the time of the audit and further information of verification is required.	

Where an aspect previously regarded as non-compliant was considered to be resolved at the time of the audit, this will be reflected by the word RESOLVED under the comments table. Where a previous identified finding was noted to persist at the time of the audit, this will be reflected by either



UNRESOLVED (for the exact same instance) or ONGOING (for the same aspect, but for a new or different instance) in the comments column. The purpose of this is to assist in identifying problem aspects as opposed to potential isolated instances, as well as to track trends.

The comprehensive checklists for the audits under this reporting period has been appended to this report as Appendix A.



2 Audit Findings

The table below presents the findings of this audit and references the photographs contained in Appendix A. The table below should be read in conjunction with the latest approved EMPr, CWDP, EA and legislation.

Table 6: Summary of non-compliances identified during the reporting period

September 2020 ECO Audit

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donavan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation / rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEA as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction was not yet complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	C	No evidence of non compliance identified.	None.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years the date of issue of the EA.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Notification to Authorities				
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced yet.	The Proponent to take note and ensure compliance once relevant.
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or became redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed on site.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	C	On the day of the audit, a copy of the EA, approved EMPr and compliance monitoring reports were available on site.	None.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	C	As above.	None.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	C	No evidence of non compliance identified.	Transnet had placed the EA on the Transnet website when it was issued. HCP JV had a copy of the EA and compliance monitoring audit reports in the environmental file.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.
			Frequency and Process of updating the EMPr				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.
Coastal Water Discharge Permit (CWDP)							



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.
E9			If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the : o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency.	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			All reports & correspondence to the Department relating to this permit must be submitted to: The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
Construction Site Planning & Layout							
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	On the day of the audit, the construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator.	Contractor	C	No evidence of non compliance identified.	None.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	NCA	Not currently applicable as Geotechnical Investigations had not yet been undertaken.	The Proponent and Contractor to take note and should ensure compliance once relevant.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	NCA	As above.	As above.
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	NCA	As above.	As above.
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval , 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill- health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.3			Clear action plan (s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	On the day of the audit, several fire extinguishers were observed on site (<i>refer to photograph 10</i>).	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor has submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	NC	On the day of the audit, a minor spill was observed on site (refer to photograph 26).	The contractor should ensure that the source spill is isolated and contained.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Health & Safety				
		14.2.3	Appointed Safety Agent.	Proponent / Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personal must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personal were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	The contractor was re-inducted in 2020.	A copy of the registers was available in the environmental file.
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	No evidence of non-compliance identified.	All Contractors should ensure that employees and sub-contractors go through the required PES and training.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	No evidence of non-compliance identified.	A copy of the registers was available in the environmental file.
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refreshers induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the induction training register was available in the environmental file.	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	Proof of induction was available in the environmental file.	None.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Specific modules should be developed in regards to: <ul style="list-style-type: none"> o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management. 	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are in line with Transnet's SD Policy as provided by TGC to the ECO.	None.
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (<i>refer to photograph 19</i>).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file (<i>refer to photograph 8</i>).	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to: <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				
		14.2.9	Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to: <ul style="list-style-type: none"> o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it. o Oil drums to be re-used where possible. o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used) o Employees should be encouraged to bring reusable mugs and glasses. o Use of plastic water bottles during meetings should be discouraged. o Where possible, steel should be re-used in the construction of the associated berth infrastructure. o Construction rubble should be re-used for levelling purposes where possible. 	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests. Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed on site.	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Waste Management- Disposal				
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised-www.sawic.org.za).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Waste Management- General				
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	C	Suitable housekeeping was observed on site.	None.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	None.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	C	On the day of the audit, no uncontained waste or litter was observed.	None.
		14.2.12	Littering shall not be tolerated.	Contractor	C	No evidence of non compliance identified.	None.
			On-going Consultation with Affected Parties- Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Environmental Monitoring				
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
			Management of Effluent Quantity (Flow)				
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has yet been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
			Management of Effluent Quality				
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Sample analysis				
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	As above.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	As above.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	As above.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	NC	On the day of the audit, no suitable remedial measures were undertaken to institute for the minor spill.	The contractor should ensure that suitable remedial measures are implemented depending on the nature of the contaminant and the receiving environment.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were available on site.	None.
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	NC	On the day of the audit, minor spills were observed on site and no appropriate clean-up was implemented (<i>refer to photograph 26</i>).	The contractor should ensure appropriate clean up and disposal measures are implemented.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	NC	On the day of the audit, minor spills were observed on site (<i>refer to photograph 26</i>).	The contractor should ensure that spills are cleaned on site.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	All hazardous and non-hazardous material has been stored in the storage container.
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	NC	On the day of the audit, minor spills were observed on site and the ECO was not notified (<i>refer to photograph 26</i>).	The contractor should ensure that the ECO and Transnet EO is immediately notified of any spills.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	NC	On the day of the audit, a pump was placed directly on soil and not inside a drip tray (<i>refer to photograph 26</i>).	The contractor should ensure that equipment is placed inside a drip tray.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	None.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place yet. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: <ul style="list-style-type: none"> o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit. 	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	NC	On the day audit, drip trays was observed placed beneath stationary plant however minor spills were observed (<i>refer to photograph 26</i>).	The Contractor should ensure that drip trays are provided for stationary plant as well as parked plant. Furthermore, drip trays must be adequately used on site.
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	NC	On the day of the audit, minor spills were observed next to the plant (<i>refer to photograph 26</i>).	The Contractor should ensure that all plant and equipment is inspected daily to determine serviceability and presence of leaks. Any leaking equipment should be removed from site.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.
			Erosion -				
		14.2.17	The construction camp, site offices, ablation facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor has installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Electrical Services				
		14.2.18	EThekwini's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekwini Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not Currently Applicable as excessive noise or vibration was not identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	None.
			Management of Archaeological & Cultural Features				
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	Not Currently Applicable.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	No non-compliance observed.	Posters of sensitive species were displayed on site.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction. No rehabilitation yet undertaken.	The Proponent and Contractor to take note and ensure compliance once relevant.
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be reinstated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Reporting				
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had yet occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had yet occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had yet occurred.	None.
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had yet occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had yet occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



October 2020 ECO Audit:

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donavan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation / rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEA as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction was not yet complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	C	No evidence of non compliance identified.	None.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years the date of issue of the EA.	None.
			Notification to Authorities				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced yet.	The Proponent to take note and ensure compliance once relevant.
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or became redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed on site.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	C	On the day of the audit, a copy of the EA, approved EMPr and compliance monitoring reports were available on site.	None.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	C	As above.	None.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	C	No evidence of non compliance identified.	Transnet had placed the EA on the Transnet website when it was issued. HCP JV had a copy of the EA and compliance monitoring audit reports in the environmental file.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Frequency and Process of updating the EMPr				
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Coastal Water Discharge Permit (CWDP)				
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.
E9			If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the: o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency.	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			All reports & correspondence to the Department relating to this permit must be submitted to: The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
			Construction Site Planning & Layout				
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	On the day of the audit, the construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: <ul style="list-style-type: none"> o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and <ul style="list-style-type: none"> o Oil separator. 	Contractor	NC	No evidence of waste storage facilities on site.	Waste storage facilities to be provided by the Contractor.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	NCA	Not currently applicable as Geotechnical Investigations had not yet been undertaken.	The Proponent and Contractor to take note and should ensure compliance once relevant.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	NCA	As above.	As above.
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval , 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill- health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.
F5 5.3			Clear action plan (s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	On the day of the audit, several fire extinguishers were observed on site.	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor has submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	C	On the day of the audit, no non-conformance was observed.	RESOLVED.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.
			Management of Health & Safety				
		14.2.3	Appointed Safety Agent.	Proponent / Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personal must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personal were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	The contractor was re-inducted in 2020.	A copy of the registers was available in the environmental file.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	No evidence of non-compliance identified.	All Contractors should ensure that employees and sub-contractors go through the required PES and training.
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	No evidence of non-compliance identified.	A copy of the registers was available in the environmental file.
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refreshers induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the induction training register was available in the environmental file.	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	Proof of induction was available in the environmental file.	None.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	Specific modules should be developed in regards to: <ul style="list-style-type: none"> o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management. 	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are inline with Transnet's SD Policy as provided by TGC to the ECO.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (<i>refer to photograph 19</i>).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file (<i>refer to photograph 8</i>).	None.
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to: <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	<p>Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to:</p> <ul style="list-style-type: none"> o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it. o Oil drums to be re-used where possible. o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used) o Employees should be encouraged to bring reusable mugs and glasses. o Use of plastic water bottles during meetings should be discouraged. o Where possible, steel should be re-used in the construction of the associated berth infrastructure. o Construction rubble should be re-used for levelling purposes where possible. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests.</p> <p>Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed next to the ablution facilities on site (<i>refer to photograph 19</i>).	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.
			Waste Management- Disposal				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised- www.sawic.org.za).	Contractor	NC	On the day of the audit, waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure that all waste is removed from site as disposed of at a licensed waste facility.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	NC	No evidence of adequate waste storage facilities.	Waste storage facilities to be provided by the Contractor.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Waste Management- General				
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	NC	On the day of the audit, waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure suitable housekeeping on site at all times.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	None.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	NC	On the day of the audit, uncontained waste was observed on site (<i>refer to photograph 28</i>).	The Contractor should ensure that litter/waste is cleared of litter on a daily basis.
		14.2.12	Littering shall not be tolerated.	Contractor	NC	On the day of the audit, uncontained waste was observed on site (<i>refer to photograph 28</i>).	The Contractor is reminded that no littering is permitted on site
			On-going Consultation with Affected Parties- Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.
			Management of Environmental Monitoring				
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
			Management of Effluent Quantity (Flow)				
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has yet been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
			Management of Effluent Quality				
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.
			Management of Sample analysis				
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	Not Currently Applicable as the Department official has not yet undertaken any audit sampling on site.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	Not Currently Applicable.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	Not Currently Applicable.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	C	On the day of the audit, no non-conformance was observed.	RESOLVED.
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were available on site.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	C	The spill was cleaned up by the Contractor.	RESOLVED.
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	C	On the day of the audit, no non-conformance was observed.	RESOLVED.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	All hazardous and non-hazardous material has been stored in the storage container.
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	C	On the day of the audit, no non-conformance was observed.	RESOLVED.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	C	On the day of the audit, no non-conformance was observed and plant was removed from site.	RESOLVED.
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	None.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place yet. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: <ul style="list-style-type: none"> o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit. 	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	C	On the day of the audit, no non-conformance was observed.	RESOLVED.
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	C	On the day of the audit, all plant was removed from site as test pilling is complete.	RESOLVED.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Erosion -				
		14.2.17	The construction camp, site offices, ablution facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor has installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.18	Management of Electrical Services				
		14.2.18	EThekweni's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekweni Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not Currently Applicable as excessive noise or vibration was not identified.	None.
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	None.
			Management of Archaeological & Cultural Features				
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	Not Currently Applicable.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	No non-compliance observed.	Posters of sensitive species were displayed on site.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction. No rehabilitation yet undertaken.	The Proponent and Contractor to take note and ensure compliance once relevant.
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be re-instated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.
			Reporting				
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had yet occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had yet occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had yet occurred.	None.
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had yet occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had yet occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



November 2020 ECO Audit:

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donovan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation/ rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEA as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction is not complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	C	No evidence of non compliance identified.	None.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years the date of issue of the EA.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Notification to Authorities				
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced.	The Proponent to take note and ensure compliance once relevant.
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or became redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed on site.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	C	On the day of the audit, a copy of the EA, approved EMPr and compliance monitoring reports were available on site.	None.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	C	As above.	None.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	C	No evidence of non compliance identified.	Transnet had placed the EA on the Transnet website when it was issued. HCP JV had a copy of the EA and compliance monitoring audit reports in the environmental file.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Frequency and Process of updating the EMPr				
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Coastal Water Discharge Permit (CWDP)				
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.
E9			If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the: <ul style="list-style-type: none"> o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency. 	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			All reports & correspondence to the Department relating to this permit must be submitted to: The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
			Construction Site Planning & Layout				
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	On the day of the audit, the construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator.	Contractor	C	No non-compliance observed. Adequate waste storage facilities were observed.	RESOLVED.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	NCA	Not currently applicable as Geotechnical Investigations had not been undertaken.	The Proponent and Contractor to take note and should ensure compliance once relevant.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	NCA	As above.	As above.
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	NCA	As above.	As above.
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval, 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill- health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.3			Clear action plan(s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	On the day of the audit, several fire extinguishers were observed on site.	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor has submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Health & Safety				
		14.2.3	Appointed Safety Agent.	Proponent/ Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personal must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personal were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	The contractor was re-inducted in 2020.	A copy of the registers was available in the environmental file.
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	No evidence of non-compliance identified.	All Contractors should ensure that employees and sub-contractors go through the required PES and training.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	No evidence of non-compliance identified.	A copy of the registers was available in the environmental file.
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refreshers induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the induction training register was available in the environmental file.	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	Proof of induction was available in the environmental file.	None.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Specific modules should be developed in regards to: <ul style="list-style-type: none"> o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management. 	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are inline with Transnet's SD Policy as provided by TGC to the ECO.	None.
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (<i>refer to photograph 19</i>).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file (<i>refer to photograph 8</i>).	None.
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to: <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	<p>Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to:</p> <ul style="list-style-type: none"> o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it. o Oil drums to be re-used where possible. o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used) o Employees should be encouraged to bring reusable mugs and glasses. o Use of plastic water bottles during meetings should be discouraged. o Where possible, steel should be re-used in the construction of the associated berth infrastructure. o Construction rubble should be re-used for levelling purposes where possible. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests.</p> <p>Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed next to the ablution facilities on site (<i>refer to photograph 19</i>).	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.
			Waste Management- Disposal				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised- www.sawic.org.za).	Contractor	C	On the day of the audit, waste belonging to TPT was removed from site.	RESOLVED. The EO and the Contractor have further contacted TPT to collect the remainder of the pipes.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	C	No evidence of non-compliance as waste was removed from site by TPT.	RESOLVED.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.
			Waste Management- General				
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	C	No evidence of non-compliance as waste was removed from site by TPT.	RESOLVED.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	None.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	C	No evidence of non-compliance as waste was removed from site by TPT.	RESOLVED.
		14.2.12	Littering shall not be tolerated.	Contractor	C	No evidence of non-compliance as waste was removed from site by TPT.	RESOLVED.
			On-going Consultation with Affected Parties- Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.
			Management of Environmental Monitoring				
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
			Management of Effluent Quantity (Flow)				
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
			Management of Effluent Quality				
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.
			Management of Sample analysis				
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	Not Currently Applicable as the Department official has not undertaken any audit sampling on site.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	Not Currently Applicable.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	Not Currently Applicable.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were available on site.	None.
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	C	The spill was cleaned up by the Contractor.	None.
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	All hazardous and non-hazardous material has been stored in the storage container.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	C	On the day of the audit, no non-conformance was observed and plant was removed from site.	None.
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	None.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: <ul style="list-style-type: none"> o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit. 	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	C	On the day of the audit, all plant was removed from site as test pilling is complete.	None.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.
			Erosion -				
		14.2.17	The construction camp, site offices, ablution facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor has installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.18	Management of Electrical Services				
		14.2.18	EThekwini's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekwini Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not Currently Applicable as excessive noise or vibration was not identified.	None.
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has been undertaken.	None.
			Management of Archaeological & Cultural Features				
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	Not Currently Applicable.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	No non-compliance observed.	Posters of sensitive species were displayed on site.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction.	The Proponent and Contractor to take note and ensure compliance once relevant.
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be re-instated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Reporting				
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had occurred.	None.
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



December 2020 ECO Audit:

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donavan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Offer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation / rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEFF as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction was not yet complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years the date of issue of the EA.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Notification to Authorities				
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA now DEFF communicating the details of their ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced yet.	The Proponent to take note and ensure compliance once relevant.
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or become redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed on site.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	TBC	This is to be confirmed with the Proponent and reported on during the January 2021 Audit report.	None.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Frequency and Process of updating the EMPr				
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Coastal Water Discharge Permit (CWDP)				
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.
E9			If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the: o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency.	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			All reports & correspondence to the Department relating to this permit must be submitted to: The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
Construction Site Planning & Layout							
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	On the day of the audit, the construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator.	Contractor	C	No non-compliance observed. Adequate waste storage facilities were observed.	The Contractor should ensure that all storage facilities are locked during the December shutdown.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	C	No evidence of non-compliance identified.	None.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	C	No evidence of non-compliance identified.	None.
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	C	No evidence of non-compliance identified.	None.
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval , 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill- health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.3			Clear action plan (s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	On the day of the audit, a fire extinguishers near the working area was observed on site (<i>refer to photograph 18</i>).	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor has submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	C	On the day of the audit, no non-conformance was observed.	None.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.
			Management of Health & Safety				
		14.2.3	Appointed Safety Agent.	Proponent / Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personnel must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personnel were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	The contractor was re-inducted in 2020.	A copy of the attendance register was available in the environmental file.
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	No evidence of non-compliance identified.	All Contractors should ensure that employees and sub-contractors go through the required PES training.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	No evidence of non-compliance identified.	A copy of the attendance register was available in the environmental file.
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refresher induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the induction training register was available in the environmental file.	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	Proof of induction was available in the environmental file.	None.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Specific modules should be developed in regards to: o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management.	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental features.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are inline with Transnet's SD Policy as provided by TGC to the ECO.	None.
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (<i>refer to photograph 19</i>).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that all ablution facilities are serviced prior to the December shutdown.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file.	None.
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to: <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to: <ul style="list-style-type: none">o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it.o Oil drums to be re-used where possible.o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used)o Employees should be encouraged to bring reusable mugs and glasses.o Use of plastic water bottles during meetings should be discouraged.o Where possible, steel should be re-used in the construction of the associated berth infrastructure.o Construction rubble should be re-used for levelling purposes where possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests.</p> <p>Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed next to the ablution facilities on site.	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.
			Waste Management- Disposal				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised- www.sawic.org.za).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	C	No evidence of non-compliance was identified.	None.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.
			Waste Management- General				
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	The Contractor should ensure that all waste is removed from site before the December shutdown.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Littering shall not be tolerated.	Contractor	C	No evidence of non compliance identified.	None.
			On-going Consultation with Affected Parties- Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.
			Management of Environmental Monitoring				
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
			Management of Effluent Quantity (Flow)				
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has yet been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
			Management of Effluent Quality				
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.
			Management of Sample analysis				
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	Not Currently Applicable as the Department official has not yet undertaken any audit sampling on site.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	Not Currently Applicable.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	Not Currently Applicable.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	The Contractor should ensure that all non-hazardous materials is locked away in the storage container during the December shutdown.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	The Contractor should ensure that all hazardous materials is locked away in the storage container during the December shutdown.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were available on site.	None.
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	C	The spill was cleaned up by the Contractor.	None.
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	As above.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	All hazardous and non-hazardous material has been stored in the storage container.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	C	On the day of the audit, no non-compliance was observed and plant was removed from site.	None.
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	Due to the December shutdown, the Contractor should ensure that all equipment is either stored in a storage container or removed from site.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place yet. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit.	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	C	On the day of the audit, a drip tray was observed on site (refer to photograph 18) .	None.
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.
			Erosion -				
		14.2.17	The construction camp, site offices, ablution facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor has installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.18	Management of Electrical Services				
		14.2.18	EThekwini's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekwini Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not Currently Applicable as excessive noise or vibration was not identified.	None.
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	None.
			Management of Archaeological & Cultural Features				
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	Not Currently Applicable.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	No non-compliance observed.	Posters of sensitive species were displayed on site.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction. No rehabilitation yet undertaken.	The Proponent and Contractor to take note and ensure compliance once relevant.
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be re-instated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.
			Reporting				
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had yet occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had yet occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had yet occurred.	None.
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had yet occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had yet occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



January 2021 ECO Audit:

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donovan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation / rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEFF as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction was not yet complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years from the date of issue of the EA.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Notification to Authorities				
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA now DEFF communicating the details of the ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced yet.	The Proponent to take note and ensure compliance once relevant.
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or become redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	NC	On the day of the audit, compliance audit reports were not available in the environmental file.	UNRESOLVED The Proponent should ensure that the compliance audit reports are made available at the point of the authorised activity.
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	NC	It is confirmed that the EA and BAR are available on the company website however the compliance monitoring reports need to be uploaded onto the website.	Compliance monitoring reports to be uploaded onto the company website as required.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Frequency and Process of updating the EMPr				
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Coastal Water Discharge Permit (CWDP)				
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.
E9			If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the: <ul style="list-style-type: none"> o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency. 	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			All reports & correspondence to the Department relating to this permit must be submitted to: The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
			Construction Site Planning & Layout				
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	The construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator.	Contractor	C	No non-compliance observed. Adequate waste storage facilities were observed.	None.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	C	No evidence of non-compliance identified.	None.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	C	No evidence of non-compliance identified.	None.
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	C	No evidence of non-compliance identified.	None.
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval , 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill- health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.3			Clear action plan (s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	No evidence of non-compliance identified.	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	On the day of the audit, a designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on the notice board on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Health & Safety				
		14.2.3	Appointed Safety Agent.	Proponent / Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personnel must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personnel were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	The ECO again undertook Inductions on 21 January 2021.	A copy of the attendance register was provided to the Transnet EO.
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	As above.	As above.
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that subsequent sessions are in place for any new personnel coming to site.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refresher induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the induction training register was available in the environmental file (<i>refer to photograph 20</i>).	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	The ECO again undertook Inductions on 21 January 2021.	A copy of the attendance register was provided to the Transnet EO.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	The Contractor is reminded that all environmental training is compulsory for all employees.
		14.2.4	Specific modules should be developed in regards to: <ul style="list-style-type: none"> o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management. 	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental features.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are inline with Transnet's SD Policy as provided by TGC to the ECO.	None.
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (<i>refer to photograph 19</i>).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	On the day of the audit, a service provider providing maintenance was observed on site (<i>refer to photograph 22</i>).	None.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file (<i>refer to photograph 22</i>).	None.
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	<p>Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to:</p> <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	<p>Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to:</p> <ul style="list-style-type: none"> o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it. o Oil drums to be re-used where possible. o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used) o Employees should be encouraged to bring reusable mugs and glasses. o Use of plastic water bottles during meetings should be discouraged. o Where possible, steel should be re-used in the construction of the associated berth infrastructure. o Construction rubble should be re-used for levelling purposes where possible. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests.</p> <p>Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed next to the ablution facilities on site.	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.
			Waste Management- Disposal				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised- www.sawic.org.za).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	C	No evidence of non-compliance was identified.	None.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.
			Waste Management- General				
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	None.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Littering shall not be tolerated.	Contractor	C	No evidence of non compliance identified.	None.
			On-going Consultation with Affected Parties- Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.
			Management of Environmental Monitoring				
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
			Management of Effluent Quantity (Flow)				
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has yet been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
			Management of Effluent Quality				
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Management of Sample analysis				
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	Not Currently Applicable as the Department official has not yet undertaken any audit sampling on site.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	Not Currently Applicable.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	Not Currently Applicable.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were present on site.	None.
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	C	The spill was cleaned up by the Contractor.	None.
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	C	On the day of the audit, no non-compliance was observed and plant was removed from site.	None.
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	None.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place yet. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: <ul style="list-style-type: none"> o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit. 	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.
			Erosion -				
		14.2.17	The construction camp, site offices, ablution facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor has installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.18	Management of Electrical Services				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.18	EThekweni's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekweni Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not Currently Applicable as excessive noise or vibration was not identified.	None.
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	None.
			Management of Archaeological & Cultural Features				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	As above.	None.
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	No non-compliance observed.	Poaching was covered in the environmental awareness training conducted by the ECO.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	No non-compliance observed.	Posters of sensitive species were displayed on site.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction. No rehabilitation yet undertaken.	The Proponent and Contractor to take note and ensure compliance once relevant.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be re-instated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.
			Reporting				
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had yet occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had yet occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had yet occurred.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had yet occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had yet occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



February 2021 ECO Audit:

CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			PRE-CONSTRUCTION PHASE				
			Scope of authorisation				
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that the authorisation of the activity is subject to the EA conditions.
	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.	Proponent	Noted	For information purposes.	The Proponent and Contractor are reminded that they are responsible for ensuring compliance with the EA.
	4		The activities authorised must only be carried out at the property as described in the EA.	Proponent	C	Activities were only carried out at the properties described in the EA.	The Proponent and Contractor should continue to ensure that the activities are carried out in the property as per the EA.
	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.	Proponent	NCA	Not currently applicable as no deviations were identified.	The Proponent and Contractor are reminded that changes to, or deviations from the project description set out in the authorisation must be approved, in writing, by the department before such changes or deviations may be effected.
	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.	Proponent	NCA	As above.	The Proponent is reminded to apply for an amendment of the EA, for any alienation, transfer or change of ownership rights in the property.
	7		This activity must commence within a period of five (5) years from the date of issue of this environmental authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Proponent	C	Construction commenced on 24 August 2018, within 5 years from the date of issue of the EA.	The EA was issued 31 October 2016.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	8		Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.	Proponent	Noted	For information purposes.	To be noted by the Proponent.
	9		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.	Proponent	NCA	Not currently applicable as the Proponent has not received any appeals with reference to this development.	To be noted by the Proponent.
	10		The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Proponent	C	The Proponent notified all I&APs by using an email and SMS system, dated 07/11/2016.	The SMS read as follows: "Dear IAP. Environmental Authorisation (EA) dated 31/10/16 has been granted by the Department of Environmental Affairs (Ref: 14/12/16/3/3/1/1574) for the Landside Infrastructure at Berth 203 to 205, Port of Durban. Please contact Donavan Henning (donavanh@nemai.co.za or 0117811730) for a copy of the EA and reasons for the decision as well as for the details on how to lodge an appeal".
	11.1		The notification referred to must specify the date on which the authorisation was issued.	Proponent	C	No evidence of non compliance identified.	The notification to the I&APs specified that the EA was issued on 31/10/2016.
	11.2		Inform the interested and affected part that appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.	Proponent	C	No evidence of non compliance identified.	The notification specifically outlined the procedure which I&APs could undertake should they decide to appeal the decision.
	11.3		Advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Proponent	C	No evidence of non compliance identified.	The notification advised the I&APs that a copy of the EA would be furnished on request.
	11.4		Give the reasons of the competent authority for the decision	Proponent	C	No evidence of non compliance identified.	The notification and attached EA provided reasons of the competent authority for the decision.
	12.1		The holder of the authorisation must publish a notice informing interested and affected parties of the decision	Proponent	C	No evidence of non compliance identified.	Nemai Consulting published a notice to the I&APs of the decision.
	12.2		Informing interested and affected parties of the decision can be accessed; and where it can be addressed.	Proponent	C	No evidence of non compliance identified.	The Proponent had placed the EA on the Transnet website and is available for public access.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	12.3		Drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision.	Proponent	C	No evidence of non compliance identified.	As per above.
			Monitoring				
	20		The holder of the authorisation must appoint an experienced independent Environmental Control Offer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation / rehabilitation measures and recommendation referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.	Proponent	C	GIBB was appointed as the ECO on 13 June 2018.	None.
	20.1		The ECO shall be appointed before commencement of any authorised activities.	Proponent	C	See above comment.	None.
	20.2		Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	Transnet Group Capital (TGC) submitted a letter to the DEA communicating the details of their ECO services and notification of commencement with construction on 27 June 2018.	None.
	20.3		The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	C	The ECO kept record of all activities, problems, transgressions and schedule of ECO tasks.	None.
	20.4		The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Proponent	C	The ECO appointment remained in effect.	None.
			Recording and Reporting to the Department				
	21		All documentation and notifications, required to be submitted to the Department in terms of this EA, must be submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	As the ECO, GIBB submits the ECO audit reports to the applicable authorities.	The Proponent is reminded that all audit/ monitoring/ compliance reports should be submitted to the DEFF as when required.
	22		The holder of the EA must, for the period during which the EA and EMPr remain valid, ensure that project compliance with the conditions of the EA and EMPr are audited, and the audit reports are submitted to the Director: Compliance Monitoring of the Department.	Proponent	C	The Proponent ensures compliance through a competent project team. The ECO audits the project and submit audit reports to the applicable authorities.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	24		The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase and a final environmental audit report within 30 days of completion of rehabilitation activities.	Proponent	NCA	Not currently applicable as construction was not yet complete.	None.
	25		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 EA conditions as well as the requirements of the approved EMPr.	ECO	NCA	Not currently applicable as it is anticipated that this condition relate to the post-construction Environmental Audit.	GIBB will align the monthly ECO Audits to the requirements of Appendix 7 of the 2014 EIA Regulations, as amended.
	26		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 the development.	Proponent	C	Transnet uploaded the reports on their website and proof was submitted to the ECO on 12 February 2021.	RESOLVED.
			Commencement of the activity				
	13		The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation	Proponent	C	The EA was issued on 31 October 2016 and construction commenced on 24 August 2018, approximately 2 years from the date of issue of the EA.	None.
			Notification to Authorities				
	27		Fourteen (14) days written notice must be given to the Department that activity will commence.	Proponent	C	The Department was given approximately 2 month's notice. TGC sent a letter to the DEA now DEFF communicating the details of ECO services and notification of commencement with construction on 27 June 2018. Construction commenced on 24 August 2018.	None.
			Operation of the activity				
	28		Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Proponent	NCA	Not currently applicable as the Operational Phase had not commenced yet.	The Proponent to take note and ensure compliance once relevant.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Site Closure and Decommissioning				
	29		Should the activity ever cease or become redundant, the applicant shall 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.	Proponent	NCA	Not currently applicable as the activity had not ceased or become redundant.	The Proponent to take note and ensure compliance once relevant.
			Specific Conditions				
	30		Construction areas must be clearly demarcated and clear signage must be erected during the construction phase. Only approved areas must be used for storage and cement mixing.	Proponent	C	On the day of the audit, the site was clearly demarcated. No storage of cement or mixing of cement was observed.	None.
	31		An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options.	Proponent	C	No evidence of non compliance identified.	None.
	32		There must be no disturbance of the Little Lagoon Area, or the existing Central Sandbank due to dredging or excavation.	Proponent	C	No evidence of non compliance identified.	No works were observed occurring in close proximity to the Little Lagoon Area or Central Sandbank.
	33		Should any heritage remains be exposed during excavations or any activity on the site, these must immediately be reported to the Provincial Heritage Resources Authority, (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Provincial Authority.	Proponent	NCA	Not currently applicable as no heritage remains were identified during Specialist investigations or on the day of the audit.	None.
			General				
	34.1		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- at the site of the authorised activity;	Proponent/ Contractor	C	All documentation available as required (<i>refer to photograph 25</i>). Transnet uploaded the reports on their website and proof was submitted to the ECO on 12 February 2021.	RESOLVED.
	34.2		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying- to anyone on request; and	Proponent/ Contractor	C	All documentation available as required (<i>refer to photograph 25</i>). Transnet uploaded the reports on their website and proof was submitted to the ECO on 12 February 2021.	RESOLVED.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	34.3		A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-where the holder of the environmental authorisation has a website, on such publicly accessible website.	Proponent/ Contractor	C	All documentation available as required (<i>refer to photograph 25</i>). Transnet uploaded the reports on their website and proof was submitted to the ECO on 12 February 2021.	RESOLVED.
	35		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.	Proponent/ Contractor	Noted	For information purposes.	To be noted by the Proponent.
			Frequency and Process of updating the EMPr				
	15		The EMPr must be updated where the findings of the environmental audit reports, contemplated in environmental audit reports, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.	Proponent	NCA	Not currently applicable as to date, audits by the ECO found that the EMPr is sufficient and compliance levels are acceptable.	None.
	16		The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report	Proponent	NCA	As above.	None.
	17		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.	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
	18		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.	Proponent	NCA	As above.	None.
	19		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.	Proponent	NCA	As above.	None.
			Coastal Water Discharge Permit (CWDP)				
		14.1.1	Seek permit from DEA: Oceans and Coasts in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No 24 of 2008) for dewatering into the estuary.	Proponent	C	The Coastal Waters Discharge Permit (CWDP) was issued 07 March 2018.	None.
E 4			The permit holder will be liable for an annual fee as prescribed by the Minister in the Government Gazette from time to time, as contemplated in section 83 (2) & (3) of the ICM Act, for the purpose of covering the cost to the Department of monitoring compliance with permit conditions.	Proponent	NCA	Not currently applicable as the TGC EO confirmed that no annual fee was imposed to date.	None.
E5			Access to the site must be granted to any authorised official representing the Department who requests access for the purpose of assessing & or monitoring compliance with the conditions of this permit or to collect monitoring samples, at any reasonable time during the validity or review period of this permit.	Proponent	NCA	Not currently applicable as no authorised officials representing the Department visited the project to assess and monitor compliance for the period of this ECO Audit.	Site access should be granted to authorised departmental officials.
E6			A copy of the CWDP must be kept at the construction site and must be produced to any authorised official representing the Department or any employee or agent of the permit holder who works or undertakes work at the site upon request.	Proponent/ Contractor	C	A copy of the CWDP was readily available and present in the Environmental file.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E7			The Department reserves the right to revoke, suspend or cancel this permit or to amend any condition of this permit, other than the permit validity period, if				
E7.1			The holder of the permit contravenes or fails to comply with a condition subject to which this permit is issued;	Proponent	NCA	Not currently applicable no such contravention or failure to comply with the conditions of the permit had been communicated to the ECO.	None.
E7.2			The permitted use is in conflict with a relevant coastal management programme or will significantly prejudice the attainment of a relevant coastal management objective;	Proponent	NCA	Not currently applicable as the permitted use is not in conflict with the relevant coastal management programme.	None.
E7.3			Changes in circumstances require such revocation, suspension, cancellation or amendment of the permit. These circumstances include, inter alia, if action is necessary or desirable to prevent deterioration or further deterioration of the quality of the coastal environment and / or if it is in the interest of the whole community; and / or	Proponent	NCA	Not currently applicable as no changes in circumstances to date.	None.
E7.4			It is necessary to meet the Republic's international obligations.	Proponent	NCA	Not currently applicable as no such obligations affecting the project to date.	None.
E8			The Department reserves the right to instruct the permit holder to modify any monitoring programme or to implement any supplementary monitoring if the Department suspects that the monitoring programme implemented by the permit holder:				
E8.1			does not meet the requirements of this permit,	Proponent	NCA	Not currently applicable as no coastal discharge activities have commenced.	None.
E8.2			does not meet the environmental quality objectives for the receiving environment, and	Proponent	NCA	As above.	None.
E8.3			does not provide adequate information to determine the effects of the effluent on the receiving environment,	Proponent	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
E9			<p>If an incident occurs, the permit holder must report the incident immediately to the Department, at the earliest opportunity, which must be within seven calendar days, providing details of the :</p> <ul style="list-style-type: none"> o Cause of the incident, o alternatives considered other than the discharge of effluent, o the volume of effluent released, o the location of the effluent released, and o any other information requested by the Department subsequent to the reporting of the emergency. 	Proponent	NCA	Not currently applicable as no incidents relating to effluent discharged had occurred thus far.	The Proponent is to note that should an incident occur, the details around it should be reported to the Department immediately in line with the afforded requirements.
E10			The permit holder must, in addition to condition 9 above, comply with the requirements of Section 30 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E11			The permit holder must ensure compliance with the provisions of the duty care and remediation stipulated in Section 58 of the ICM Act & Section 28 of NEMA.	Proponent	C	No evidence of non compliance identified.	None.
E12			<p>All reports & correspondence to the Department relating to this permit must be submitted to:</p> <p>The Deputy-Director General: Oceans & Coasts, Department of Environmental Affairs, P.O. Box / Private Bag X4390, Victoria & Alfred Waterfront , Cape Town, 8002.</p>	Proponent	NCA	Not currently applicable as the activities under the CWDP was not active at the time of the Audit.	The Contractor should ensure that all reports and correspondence is submitted to the department.
E13			Any written agreements entered into between the permit holder and the Department relating to this permit must be attached to the permit as appendices and must be considered to form part of these permit conditions.	Proponent	NCA	Not currently applicable as no additional agreements had been made.	None.
Construction Site Planning & Layout							
		14.1.2	Conduct pre-construction survey of sites to be affected by the construction activities.	Proponent, Contractor & ECO	C	The ECO undertook pre-construction surveys on 16 July 2018.	None.
		14.1.2	Temporary Site offices to be constructed on existing paved area.	Contractor	C	HCP JV constructed all temporary site offices on an existing paved area.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.2	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.1.2	Identify sensitive environmental features (including Little Lagoon, Central Sandbank and Bayhead Mangroves) where special care needs to be taken and implement suitable mitigation measures to safeguard these features (e.g. barricading, signage and awareness creation).	Contractor	C	The sensitive environmental features had been identified and the EMPr provides management.	None.
		14.1.2	Contractor to submit a site plan to the Transnet Environmental Manager/Officer for comment. The site plan must be approved by the Transnet Construction Manager prior to the establishment of the site, which aims to identify construction activities, facilities and structures in relation to sensitive environmental features. This plan will serve as a spatial tool that facilitates the execution of the construction phase with due consideration of sensitive environmental features.	Contractor	C	No evidence of non compliance identified.	A North Quay substation site layout plan was approved by the Construction Manager and received by the ECO.
		14.1.2	Authorised construction footprint to be pegged.	Contractor	C	The construction footprint for the north-substation was completely pegged.	As and when construction phase packages works commence, applicable contractors should ensure that the construction footprint is pegged prior to commencement of works.
		14.1.2	General site camp requirements are as follows: <ul style="list-style-type: none"> o Offices and parking areas; ablution facilities (including screening); o Storage facilities (materials/ equipment/ plant/Hazardous Chemical Substances/ waste); o Workshop; o Vehicle and concrete vehicle wash bay; o Containment of waste water (general use); o Containment of waste water (paint and concrete); and o Oil separator. 	Contractor	C	No non-compliance observed. Adequate waste storage facilities were observed.	None.
		14.1.3	Managing Geotechnical Investigations				
		14.1.3	Safe operation of plant and equipment required for geotechnical investigations.	Contractor	C	No evidence of non-compliance identified.	None.
		14.1.3	Adequate management of domestic and construction waste.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.1.3	Prevent damage to sensitive environmental features.	Contractor	C	No evidence of non-compliance identified.	None.
			CONSTRUCTION PHASE				
			Legislative and Administrative Requirements				
		14.2.1	An EA is in place for all activities.	Proponent/ Contractor	C	The EA was issued 31 October 2016.	None.
		14.2.1	A CWDP permit is available for discharging water from excavations into the bay area.	Proponent/ Contractor	C	The CWDP was issued 07 March 2018.	None.
			Management of Contingency Plans				
F5 5.1			The permit holder must submit a contingency plan to the Department for approval , 6 (six) months after the commencement of the operation, and must consist of stipulated procedures, schedules & responsibilities which include, inter alia:	Proponent	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F5 5.1.1			Standard operating procedures for detection of problems and responding to emergency incidents as well as upset conditions:	Contractor	NCA	As above.	As above.
F5 5.1.2			Staff schedules	Contractor	NCA	As above.	As above.
F5 5.1.3			Programmes for the maintenance replace & surveillance off the physical condition of equipment, facilities & pipelines;	Contractor	NCA	As above.	As above.
F5 5.1.4			Standby/ alternative personnel/service companies for the continued operation and maintenance of effluent discharge facilities during employee shortages (strikes, incidents, ill-health, etc.)	Contractor	NCA	As above.	As above.
F5 5.1.5			Stock lists and suppliers for chemicals, spare parts & equipment's components that can adequately ensure the continued operation of the effluent discharge facility during an emergency or breakdown,	Contractor	NCA	As above.	As above.
F5 5.1.6			Emergency standby power facilities for high-risk areas	Contractor	NCA	As above.	As above.
F5 5.1.7			Emergency standby pumps	Contractor	NCA	As above.	As above.
F5 5.1.8			Provision for sufficient storage capacity to cope with the normal or typical load for the area during power failures, etc.	Contractor	NCA	As above.	As above.
F5 5.1.9			Schedule of monitoring & sampling analyses when emergency or upset conditions occur at the plant.	Contractor	NCA	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F5 5.2			The permit holder must provide the details on the type of mitigation measures to be implemented for discharge into the coastal environment that exceeds the limits prescribed in this permit.	Contractor	NCA	As above.	As above.
F5 5.3			Clear action plan (s) on the mitigation measures to protect other users of the affects coastal environment (such as site notice boards or media releases (newspapers, radio or television) informing users (public) of the potential risks; demarcation of polluted areas, if required and notification of industrial users of seawater, as well as procedures to be followed in assisting with protection of such facilities against pollution), must be provided by the permit holder.	Proponent	NCA	As above.	As above.
F5 5.4			The permit holder must outline reporting procedures and protocols for reporting events of malfunctioning/breakdown of the effluent disposal system, as well as pollution events. These include internal procedures as well as reporting to responsible authorities on local, regional, and national levels (including, but not limited to reporting of emergency incidents in terms of section 30 of the National Environmental Management Act (NEMA) (1998) (Act No. 108 of 1998).	Proponent Contractor	NCA	As above.	As above.
F5 5.5			The permit holder must ensure that the contingency plan, once approved by this Department , is immediately implemented at the facility mentioned in Section D.	Proponent	NCA	As above.	As above.
			Management of Emergency Procedures				
			Fire -				
		14.2.2	All fire control mechanisms (firefighting equipment) will be routinely inspected by a qualified investigator for efficacy thereof and be approved by local fire services.	Contractor	C	No evidence of non-compliance identified.	All fire extinguishers show the date of the next inspection.
		14.2.2	All staff on site will be made aware of general fire prevention and control methods, and the name of the responsible person to alert to the presence of a fire.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	Burning of waste is not permitted.	Contractor	C	No evidence of burning of waste was noted during the audit.	None.
		14.2.2	Suitable precautions will be taken (e.g. suitable fire extinguishers, water bowsers, welding curtains) when working with welding or grinding equipment.	Contractor	NCA	Not currently applicable for this project as the client relayed that welding activities won't take place.	No welding or grinding activities were noted.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.2	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	On the day of the audit, a designated smoking area with a special bin was observed on site.	None.
			Accidental Leaks and Spillages -				
		14.2.2	Proper emergency response procedure (as per Transnet ENV – STD – 002 – Rev 02) to be in place for dealing with spill or leaks.	Contractor	C	The Contractor submitted an Emergency Response Procedure for dealing with spills and leaks.	None.
		14.2.2	Ensure that the necessary materials and equipment for dealing with spills and leaks are available on site, where practicable.	Contractor	C	Spill kits have been provided on site.	None.
		14.2.2	The Contractor will ensure that there is always a supply of an appropriate absorbent material readily available to absorb, breakdown and where possible, encapsulate a minor hydrocarbon spillage.	Contractor	C	Appropriate absorbent material was readily available to absorb and breakdown minor hydrocarbon spills.	None.
		14.2.2	In the event of a hydrocarbon spill, the source of the spillage will be isolated and contained. The area will be cordoned off and secured.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.2	All staff on site will be made aware of actions to be taken in case of a spillage.	Contractor	C	Spill response was covered in staff induction training.	None.
		14.2.2	Provide contact details of person to be notified in a case of spillages – signage to be displayed at strategic points within the construction domain (e.g. workshop, fuel storage area, hazardous material containers).	Contractor	C	Contact details were available on the notice board on site.	None.
		14.2.2	Proper emergency response procedure to be in place for dealing with spills and leaks.	Contractor	C	The contractor had submitted an Emergency Procedure method statement, which was reviewed by the ECO.	None.
		14.2.2	Section 30 emergency incidents must be reported to the authorities as required by legislation.	Contractor	NCA	Not currently applicable as it was communicated that no Section 30 emergency incidents had occurred.	None.
			Management of Health & Safety				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.3	Appointed Safety Agent.	Proponent / Contractor	C	Mr Abram Motshegare has been appointed as the Safety Agent.	None.
		14.2.3	Contractor to submit a Health and Safety Plan, prepared in accordance with the Health and Safety Specification, for approval prior to the commencement of work.	Contractor	C	A Health & Safety Plan was submitted to the Safety Agent.	None.
		14.2.3	Two-Way Radio Systems should be used where cell phone coverage is poor.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.3	All construction personnel must be clearly identifiable. All employees must also be issued with employee cards for identification purposes.	Contractor	C	On the day of the audit, all construction personnel were clearly identifiable.	None.
		14.2.3	All workers will be supplied with the required Personal Protective Equipment as per the Occupational Health and Safety Act (Act No. 85 of 1993).	Contractor	C	On the day of the audit, all workers were supplied with the required PPE.	None.
		14.2.3	Applicable notice boards and hazard warning notices will be put in place and secured. Night hazards will be indicated suitably (e.g. reflectors, lighting, traffic signage).	Contractor	C	Notice boards and hazard warning notices were observed on site.	None.
		14.2.3	Maintain access control to prevent access of the public to the construction areas, as far as practicable.	Contractor	C	The site camp was closed off from public entry and was situated within the port.	None.
			Environmental Awareness Creation				
		14.2.4	ECO to induct relevant contractor managers at the start of the project. This induction should provide an overview of the authorisation and the EMPr. The environmental awareness training course for management shall include all management and foremen.	ECO	C	No evidence of non-compliance. The ECO again undertook Inductions on 21 January 2021.	A copy of the attendance register was provided to the Transnet EO.
		14.2.4	The Contractor must arrange that all of his employees and those of his sub-contractor go through the project specific environmental awareness training courses before the commencement of construction and as and when new staff or sub-contractors are brought on site. A system must be in place to ensure all new employees have received training.	Contractor	C	As above.	As above.
		14.2.4	All attendees shall remain for the duration of the course and sign an attendance register that clearly indicates participant's names on completion. A copy of the attendance register is to be retained by the Environmental Officer.	Contractor	C	As above.	As above.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.4	The Contractor shall allow for sufficient sessions to train all personnel.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that sufficient training sessions are in place for all personnel.
		14.2.4	Subsequent sessions should be run for any new personnel coming onto site.	Contractor	C	No evidence of non-compliance identified.	The Contractor should ensure that subsequent sessions are in place for any new personnel coming to site.
		14.2.4	A Method Statement with respect to the organisation of these courses shall be submitted.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.4	Revised training shall be conducted as and when required.	Contractor	C	No evidence of non-compliance identified.	The ECO and Contractors will undertake a refresher induction session when required.
		14.2.4	The environmental awareness training course for site staff and labour shall be presented by the Contractor from material provided by the EO unless otherwise indicated in the Project Specification.	Contractor	C	On the day of the audit, a copy of the environmental awareness training register was available in the environmental file.	None.
		14.2.4	Proof of induction of all staff and sub-contractors will be required to be kept on file.	Contractor	C	The ECO again undertook Inductions on 21 January 2021.	A copy of the attendance register was provided to the Transnet EO.
		14.2.4	The environmental training is compulsory for all employees and structured in accordance with their relevant rank, level and responsibility, as well as the Environmental Specification as they apply to the works and site.	Contractor	C	No evidence of non-compliance identified.	The Contractor is reminded that all environmental training is compulsory for all employees.
		14.2.4	Specific modules should be developed in regards to: o Sensitive areas such as Little Lagoon, Central Sandbank and Bayhead Mangroves; o Heritage; o Dewatering; and o Waste Management.	Contractor	C	The ECO's Induction Training includes reference to these specific modules.	The Contractor should ensure that the topics are presented as tool box talks.
		14.2.4	Stringent and dedicated control of poaching and illegal fishing by contractor's staff (zero tolerance).	Contractor	C	No evidence of illegal fishing or poaching by the contractors staff was observed on site.	The Contractor is to ensure that no poaching or illegal fishing occurs on site.
			Site Establishment				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.5	Locate construction camp in area where sensitive environmental features will not be impacted on. The location should be approved by the Transnet Construction Manager and Transnet EO.	Contractor	C	The construction site camp was located away from sensitive environmental features.	None.
		14.2.5	Construction camp should be fenced and access control should be exercised.	Contractor	C	The construction camp was fenced off and access control was exercised.	None.
		14.2.5	Control the movement of all vehicles and plant (including suppliers), such that they remain on designated routes and comply with relevant agreements.	Contractor	C	No evidence of non-compliance identified.	The movement of all vehicles and plant is controlled and remain within the designated routes.
		14.2.5	Minimise noise as much as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.5	Minimise disturbance from lighting of the construction camp and site. For example, limit the height from which floodlights are fixed, identifying zones and directions of high and low lighting requirements with the focus of the lights being inward, rather than outward, avoid directing the light towards the direction from where it would be most visible, without compromising safety.	Proponent	C	No evidence of non-compliance identified.	None.
		14.2.6	Management of Labour Force				
		14.2.6	Supplier development and BBBEE target should be included in contractor documents in line with Transnet's supplier development policy.	Contractor	C	The SD and BBBEE are inline with Transnet's SD Policy as provided by TGC to the ECO.	None.
		14.2.6	Prevent trespassing of construction workers on private property (outside the Port of Durban) or tenant areas (within the Port of Durban).	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Construction workers to be clearly identifiable.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Machine/ vehicle operators shall receive clear instructions to remain within demarcated access routes and construction areas.	Contractor	C	No vehicle operators were observed on site.	None.
		14.2.6	Designated smoking areas should be provided, with special bins for discarding of cigarette butts.	Contractor	C	A designated smoking area with a special bin was provided by the Contractor.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.6	Create opportunities for the employment of women as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Where possible use labour-intensive methods of construction.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.6	Use local labour as far as possible.	Contractor	C	No evidence of non-compliance identified.	None.
			Management of Ablution Facilities				
		14.2.7	Provide sufficient ablution facilities (e.g. mobile /portable / VIP toilets), which conform to all relevant health and safety standards and codes.	Contractor	C	On the day of the audit, sufficient ablution facilities were available on site (refer to photograph 19).	None.
		14.2.7	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in anyway negatively impact Durban Bay Estuary.	Contractor	C	Ablution facilities are accessible to the work force and do not negatively impact the Durban bay estuary.	None.
		14.2.7	A sufficient number of toilets shall be provided to accommodate the number of personnel working in any given area. Toilet facilities supplied by the Contractor for the workers shall occur at a maximum ratio of 1 toilet per 15 workers.	Contractor	C	A sufficient number of toilets was provided on site.	None.
		14.2.7	All temporary / portable / mobile toilets shall be secured to the ground to prevent them from toppling over due to wind or any other cause.	Contractor	C	Ablution facilities were secured to the ground.	None.
		14.2.7	Ensure utilisation, maintenance and management of toilet, wash and waste facilities.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	The entrances to the toilets will be adequately screened from public view.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.7	Toilet facilities to be maintained in a hygienic state and serviced regularly.	Contractor	C	Toilets were regularly maintained and serviced. Proof of service receipts were available in the environmental file.	None.
		14.2.7	Toilet paper to be provided.	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.7	The Contractor will ensure that no spillage occurs when the toilets are cleaned or emptied and that a licensed service provider removes the contents from site. Disposal of such waste is only acceptable at a licensed sewerage disposal facility. All disposal slips should be kept on site.	Contractor	C	On the day of the audit, no spills were observed.	None.
			Waste Management- Avoidance and Reduction				
		14.2.8	Avoidance and reduction should be practiced wherever possible. Recommended actions include, but are not limited to: <ul style="list-style-type: none"> o Bulk buying of materials to reduce the volume of packaging required. o Avoidance of materials/items/brands that are heavily packaged, have a short lifespan or are low quality. o Buying items that last longer and can be repaired. o Buying items in refillable containers. o Environmental awareness training should focus on management of waste and all construction workers should be aware of the importance of waste minimisation and avoidance. 	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.9	Waste Management- Re-Use				
		14.2.9	Re-Use should be practiced wherever possible. Recommended actions include: but are not limited to: <ul style="list-style-type: none"> o Waste generators must segregate wastes into different categories to facilitate the reuse/ Skip/bin or waste receptacle has a signage indicating what can go in it. o Oil drums to be re-used where possible. o Plastic containers should be re-used for storage where possible (i.e. no hazardous containers to be re-used) o Employees should be encouraged to bring reusable mugs and glasses. o Use of plastic water bottles during meetings should be discouraged. o Where possible, steel should be re-used in the construction of the associated berth infrastructure. o Construction rubble should be re-used for levelling purposes where possible. 	Contractor	C	No evidence of non-compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.9	Contaminated rubble and hazardous material storage containers from the Straddle Crane Storage Yard may not be re-used.	Contractor	NCA	Not Currently Applicable.	None.
		14.2.10	Waste Management- Recycling				
		14.2.10	<p>Recycling should be practiced whenever waste prevention or reuse is not possible, provided that any such recycling is cost effective, taking into consideration environmental benefits, financial costs and community interests.</p> <p>Potential priority recyclable waste streams include:</p> <ul style="list-style-type: none"> o Used Oil o Paper o Glass o Tyres o Plastics o Building rubble o Electronic waste. <p>To reduce or avoid the need for sorting after collection, the categories of distinctively marked waste receptacles must be provided in order to receive waste as it is generated.</p>	Contractor	C	On the day of the audit, recycle bins were observed next to the ablution facilities on site.	None.
		14.2.10	These receptacles shall be fitted with a tight cover. All types of waste collection receptacles shall be clearly marked with the type of waste they are receiving.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.10	Obtain and label recycling containers for office waste, aluminium, steel, glass, ferrous metals, nonferrous metals, waste timber.	Contractor	C	On the day of the audit, recycle bins were observed on site which had been adequately labelled.	None.
		14.2.10	Locate these containers within temporary office buildings and trailers.	Contractor	C	On the day of the audit, recycle bins were located within the temporary office.	None.
		14.2.10	Establish a recycled material collection schedule.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.10	Arrange full bins to be hauled away.	Contractor	C	No evidence of non-compliance identified.	None.
			Waste Management- Disposal				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.11	The contractor is responsible for removal of all waste from the site, generated through the contractor's activities. The contractor shall ensure that all waste is removed to an appropriate licensed waste management facilities (the following source may be utilised-www.sawic.org.za).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	The classification of waste determines the handling methods and the ultimate disposal of the material. The contractor shall manage hazardous waste that are anticipated to be generated by his operations as follows: o Characterize the waste to determine if it is general or hazardous (Use the Appendix 1 of the Norms and Standards for the Classification of Waste for landfill to determine whether additional classification is required). o Obtain and provide an acceptable container with a label. o Place hazardous waste material in the container. o Haul the full container to the licenced and correct disposal site. Provide documentary evidence of proper disposal of the waste.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Provide waste skips on site. These skips should be sufficient in number, the skip storage area should be kept clean, skips should be emptied and replaced before overflowing or spillage occurs. Skips should be covered to prevent waste blowing away.	Contractor	C	No evidence of non-compliance was identified.	None.
		14.2.11	Vermin/ weatherproof bins will be provided in sufficient numbers and capacity to store domestic waste. These bins must be kept closed to reduce odour build-up and emptied regularly to avoid overfilling and other associated nuisances.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	Ensure that solid waste is transported so as to avoid waste spills en-route.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.11	No waste shall be buried or burned anywhere on the construction site.	Contractor	C	The burning of waste was not observed on site to date.	None.
		14.2.11	Permits to transport/dispose of waste must be in place.	Contractor	C	No evidence of non compliance identified.	None.
			Waste Management- General				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.12	Waste management activities must comply with the National Environmental Management: Waste Act (No. 59 of 2008).	Contractor	C	The Contractor was complying with the Waste Management Act.	None.
		14.2.12	Only temporary storage of waste is allowed (once of storage of waste for a period less than 90 days). The volume of material should be limited to less than 100m ³ of general waste and less than 80m ³ of hazardous waste. Should this be exceeded the Norms and Standards for the Storage of Waste will need to be complied with.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Waste management objectives are included in Service Level Agreements/Contracts.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Ensure suitable housekeeping.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	The Contractor will ensure that no burying, dumping or burning of waste materials, vegetation, litter or refuse occurs. All waste will be disposed of at suitable licensed disposal sites, based on the waste type (general versus hazardous).	Contractor	C	On the day of the audit, no burying, dumping or burning was observed on site.	None.
		14.2.12	The working area and contractor's camp must be cleared of litter on a daily basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.12	Littering shall not be tolerated.	Contractor	C	No evidence of non compliance identified.	None.
			On-going Consultation with Affected Parties-Construction				
		14.2.13	Existing Transnet communication channels need to be duly respected and adhered to.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	Complaints or liaisons with landowners with regard to environmental aspects, compensation or disturbance to activities, must be recorded, reported to the correct person and a record of the response is to be entered in the complaints register.	Contractor	C	No evidence of non-compliance identified.	None.
		14.2.13	List of all tenants' details within 100m of the site so that they can be notified in the event of an emergency.	Proponent	C	No evidence of non-compliance identified.	None.
			Management of Environmental Monitoring				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.14	Water quality monitoring to be undertaken (groundwater) prior to discharge of this water into the Bay. The Recommended Special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	C	Water quality monitoring has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	The Contractor is reminded to ensure effluent limits for physico-chemical properties, organic and inorganic constituents are within the limits described in the Anchor report prior to any dewatering on site.
Management of Effluent Quantity (Flow)							
F1 1.1			The permit holder must not exceed the daily discharge volumes in Section C of the CWDP.	Proponent	NCA	Not currently applicable as no discharge has yet been undertaken.	The Proponent and Contractor are to ensure that the daily discharge volumes (1610 m ³) are not exceeded.
F1 1.2			The authorised discharge volumes in terms of this permit must not exceed without prior authorisation by the delegated authority.	Contractor	NCA	As above.	The Proponent and Contractor are reminded that discharge volumes should not be exceeded prior to authorisation by the delegated authority.
F3 3.2.1			The quantity of effluent discharged must be metered by the continuous recording device OR pump capacity prior to discharge of effluent into coastal waters.	Contractor	NCA	As above.	All effluent quantity discharged should be metered prior to the discharge into coastal waters.
Management of Effluent Quality							
F2 2.1			No Material other than effluent and its constituents authorised by this permit may be discharged.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	The Contractor is to ensure that no other materials except effluent is discharged.
F2 2.2			The maximum limits described in Table 1 of the CDWP, for the constituents of the effluent to be discharged, must not be exceeded.	Contractor	NCA	As above.	The Contractor should ensure that the maximum limits are not exceeded.
F3 3.3.1			The quality of the effluent discharged must comply with the emission limits for constituents/properties by taking a grab sample prior to discharge.	Contractor	NCA	As above.	The Contractor is reminded that the quality of discharged effluent should comply with the emission limits.
F3 3.3.2			The date, time & monitoring points in respect of each sample taken must be recorded, together with the results.	Contractor	NCA	As above.	The Contractor should ensure that the date, time and monitoring points have been recorded.
Management of Sample analysis							



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F4 4.1			All data analysis must be carried out in accordance with methods prescribed by and obtainable from the South African National Accreditation System, in terms of the Standards Act, 1982 (Act No. 30 of 1982), unless another comparable method has been approved of, in writing, by the Department.	Contractor	C	Water quality analysis has commenced on site and a copy of the results was submitted to the Transnet and the ECO.	Dewatering may not have commenced, however the initial process to comply with the permit has been initiated by the Contractor.
F4 4.2			The permit holder must give access to the Department's official/representative undertaking any audit sampling at any given time.	Contractor	NCA	Not Currently Applicable as the Department official has not yet undertaken any audit sampling on site.	The Proponent is to ensure that site access is granted to the Departmental representative when undertaking a site visit.
F4 4.3			The methods of analysis may not be changed without prior notification to, and written approval from the Department.	Contractor	NCA	Not Currently Applicable.	The Proponent is to ensure that the method of analysis is not changed without prior notification to the Department.
F4 4.4			The Department must request the method of analysis to be changed depending on new technologies & requirement.	Contractor	NCA	Not Currently Applicable.	The contractor should provide the method of analysis to the Department upon request.
			Management of Storage and Handling of Hazardous & Non-Hazardous Material				
		14.2.15	Non-hazardous materials to be suitably stored to prevent environmental contamination and visual impacts. Storage requirements to be determined based on chemical qualities of material and Material Safety Data Sheets (MSDS).	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored Non-hazardous materials to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Non-hazardous materials to be appropriately transported to avoid environmental contamination. Loose loads (e.g. sand, stone chip, refuse, paper and cement) to be covered.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Suitable remedial measures, depending on the nature of the contaminant and the receiving environment, to be instituted for spillages.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Non-hazardous materials to be suitably used to prevent environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Hazardous and non-hazardous material storage areas must be located in such a way that they do not negatively affect Durban Bay Estuary. They should be located on existing hard surfaces. If possible, storage areas should be located 100m from the edge of the estuary water line.	Contractor	C	Storage containers were located 100m from the edge of the estuary water line.	None.
		14.2.15	Adequate signage of non-hazardous storage areas must be place.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Hazardous substances must be stored and handled in accordance with the appropriate legislation and standards, which include the Hazardous Substances Act (Act No. 15 of 1973), the Occupational Health and Safety Act (No. 85 of 1993), relevant associated Regulations, and applicable SANS and international standards.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Storage and use of hazardous materials will be strictly controlled to prevent environmental contamination, and must adhere to the requirements stipulated on the MSDS.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Staff that will be handling hazardous materials must be trained to do so.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Any hazardous materials (apart from fuel) must be stored within a lockable store with a sealed floor. Suitable ventilation to be provided.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage tanks containing hazardous materials must be placed in bunded containment areas with impermeable surfaces. The bunded area must be able to contain 110% of the total volume of the stored hazardous material.	Contractor	NCA	Not currently applicable as no storage tanks were present on site.	None.
		14.2.15	MSDSs, which contain the necessary information pertaining to a specific hazardous substance, must be present for all hazardous materials stored on the site.	Contractor	C	On the day of the audit, MSDS's were available on the environmental file.	None.
		14.2.15	In the event of spillages of hazardous substances, the appropriate clean up and disposal measures are to be implemented.	Contractor	C	The spill was cleaned up by the Contractor.	None.
		14.2.15	Hazardous materials will be disposed of at appropriately registered sites or handed to registered hazardous waste disposal facilities for disposal / recycling.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	Proper and timeous notification of any pollution incidents associated with hazardous materials.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Where required, stored material to be protected from rain and run-off to avoid environmental contamination.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	A lockable and roofed structure must be erected on an impermeable surface (e.g. concrete slab) for storing materials, equipment, chemicals etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	All storage facilities including bund walls must be inspected for leaks and corrosion on a regular basis.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	The accidental or negligent spillage of any fuels or hazardous substances must be cleaned up immediately using the most appropriate methodologies, equipment and materials.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	The contractor must ensure that necessary materials and equipment are available on site to deal with spills of any hazardous materials present.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.15	Spill contingency plans must include the procedure to distinguish between spills which can be cleaned up by the contractor and those that require specialist input. The name and contact numbers of various clean up companies must be posted and visible at the construction camp and site office.	Contractor	C	HCP JV submitted a Spill Response method statement and a copy of the Emergency Contact Register in the environmental file.	None.
		14.2.15	The ECO and Transnet EO must immediately be notified of any spills.	Contractor	C	On the day of the audit, no non-compliance was observed.	None.
		14.2.15	Hazardous Chemical Substances (HCS) containers and equipment (e.g. pumps/ generators) to be placed inside drip trays when used temporarily on site.	Contractor	C	On the day of the audit, no non-compliance was observed and plant was removed from site.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.15	HCS to be stored in a designated facility which must meet the following requirements: <ul style="list-style-type: none"> o Earthed; o Fire extinguisher must be present; and o Relevant signage to be displayed: o No Smoking/ No open flames; o Hazardous Chemical Substance Store; o Type of HCS (e.g. Diesel); o Maximum contents volume; o Fire extinguisher. 	Contractor	C	No evidence of non compliance identified.	None.
			Management of Workshop and Equipment				
		14.2.16	Maintenance of equipment and vehicles is not allowed at the construction site. Faulty equipment must be removed from site and repaired at a workshop.	Contractor	C	On the day of the audit, no maintenance of equipment or vehicle was observed on site.	None.
		14.2.16	No washing of plant outside of designated wash bay	Contractor	NCA	Not applicable as no washing of vehicles had taken place yet. No wash bay has been established on site on the day of the audit.	Wash bay to be established should vehicles be washed on site.
		14.2.16	A designated vehicle wash bay must be put in place and must meet the following requirements: <ul style="list-style-type: none"> o Must have an impermeable surface. o Must have drainage measures in place to direct contaminated water towards the oil separator. o Quality of water to be tested prior to release. If not safe then contaminated water must be disposed of as hazardous waste at a licensed waste disposal facility. Safe disposal certificates to be obtained from the final disposal facility. o Emergency spill kit. 	Contractor	NCA	As above.	None.
		14.2.16	A designated concrete wash bay must be used for washing of concrete mixers etc.	Contractor	NCA	As above.	None.
		14.2.16	Drip trays must be provided for the stationary plant and for the "parked" plant.	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.16	All vehicles and equipment must be kept in good working order and serviced regularly. Leaking equipment will be repaired immediately or removed from the site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.16	Suitable storage and disposal of hydraulic fluids and other vehicle oils.	Contractor	C	No evidence of non compliance identified.	None.
			Management of Pollution Generation Potential				
			Noise -				
		14.2.17; 14.2.22	The provisions of SANS 10103:2008 will apply to all areas within audible distance of residents or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Construction activities should not increase noise ambient noise levels to more than 7db above the current.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	No amplified music will be allowed on the site. The use of radios, tape recorders, compact disc players, television sets etc. will not be permitted unless at a level that does not serve as an intrusion to adjacent land-owners or tenants.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures (e.g. screening, muffling, timing and pre-notification of affected parties) to minimise complaints regarding noise and vibration nuisances from sources such as power tools.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No evidence of non compliance identified.	None.
			Dust -				
		14.2.17; 14.2.22	Appropriate dust suppression measures or temporary stabilising mechanisms to be used when dust generation is unavoidable (e.g. dampening with water, chemical soil binders, straw, brush packs, chipping), particularly during prolonged periods of dry weather. Dust suppression to be undertaken for all bare areas, including stockpile areas etc.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	Speed limits to be strictly adhered to.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17; 14.2.22	The Contractor will take preventative measures to minimise complaints regarding dust nuisances (e.g. screening, dust control, timing, pre-notification of affected parties).	Contractor	C	No evidence of non compliance identified.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17	Lights -				
		14.2.17	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All lighting installed on site must not lead to unacceptable light pollution to the surrounding community and natural environment (e.g. use of down-lighters).	Contractor	C	No evidence of non compliance identified.	None.
			Erosion -				
		14.2.17	The construction camp, site offices, ablution facilities and storage areas must all be established on existing paved or concrete areas to prevent any erosion.	Contractor	C	No evidence of non compliance identified.	None.
			Cement and Concrete Batching -				
		14.2.17	Cement mixing to take place on an impervious surface (e.g. plastic or cement mixing pit).	Contractor	NCA	Not currently applicable as no cement or concrete batching related works took place for the period of this audit.	None.
		14.2.17	Batching operations to take place in a designated area, which will be kept clean at all times.	Contractor	NCA	As above.	None.
		14.2.17	Batching operations to take place in a designated area which is 100m away from the edge of Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.17	Separation of clean and dirty water from batching plant.	Contractor	NCA	As above.	None.
		14.2.17	Contaminated water will not be discharged to the environment.	Contractor	NCA	As above.	None.
		14.2.17	Unused cement bags will be stored in an area not exposed to the weather and packed neatly to prevent hardening or leakage of cement.	Contractor	NCA	As above.	None.
		14.2.17	Used cement bags will be stored so as to prevent windblown dust and potential water contamination. Used bags will be disposed of adequately.	Contractor	NCA	As above.	None.
		14.2.17	Concrete transportation will not result in spillage.	Contractor	NCA	As above.	None.
		14.2.17	Cleaning of equipment and flushing of mixers should not result in pollution, with all contaminated wash water entering the waste water collection system.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.17	To prevent spillage onto roads, ready mix trucks will rinse off the delivery shoot into a suitable sump prior to leaving the site.	Contractor	NCA	As above.	None.
		14.2.17	Suitable screening and containment will be in place to prevent windblown contamination from cement storage, mixing, loading and batching operations.	Contractor	NCA	As above.	None.
		14.2.17	All contaminated water and fines from exposed aggregate finishes will be collected and stored in sumps and will be adequately disposed of.	Contractor	NCA	As above.	None.
		14.2.17	All visible remains of excess concrete will be physically removed on completion of the plastering or concrete pouring and disposed of in an acceptable manner.	Contractor	NCA	As above.	None.
			Waste Water -				
		14.2.17	The contractor is to ensure that clean run-off water is diverted away from potentially contaminated areas of the Camp.	Contractor	C	The Contractor had installed waste water tanks in the kitchen and shower room.	None.
		14.2.17	Contaminated liquids and soil from the site must be disposed of at a permitted disposal site.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.17	All waste water and contaminated run-off must be dealt with accordingly.	Contractor	C	No evidence of non compliance identified.	None.
		14.2.18	Management of Electrical Services				
		14.2.18	EThekwini's Electricity main records (1 Jeff Taylor Crescent) must be consulted prior to commencement of activities to determine the exact location of electrical services.	Contractor	C	A decision from eThekwini Municipality was granted on 12 December 2017.	None.
			Management of Avifauna				
			Noise -				
		14.2.19	Noise should be minimised as far as possible.	Contractor	C	No non-compliance observed.	None.
		14.2.19	The Contractor will take preventative measures to minimise noise and vibration nuisances from sources such as power tools.	Contractor	NCA	Not currently applicable as excessive noise or vibration was not identified.	None.
		14.2.19	All equipment to be properly maintained to reduce unnecessary noise and must be kept in proper working order.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
			Lights -				
		14.2.19	Prior to construction the position and type of lighting will be planned to ensure unnecessary light pollution will be eliminated.	Contractor	C	No non-compliance observed.	None.
		14.2.19	All lighting installed on site must not lead to unacceptable light pollution to the natural environment (e.g. use of down-lighters).	Contractor	C	No non-compliance observed.	None.
		14.2.19	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	Poaching was covered in the environmental awareness training conducted by the ECO.	None.
		14.2.19	Photographs/posters of protected and sensitive avifauna species must be displayed in the construction camp to heighten awareness. It should be noted that Birdlife Port Natal has offered to assist in the provision of posters.	Proponent/ Contractor/ Specialist	C	No non-compliance observed.	None.
			Management of Durban Bay Estuary including Little Lagoon, Central Sandbank and Bayhead Mangroves				
			Water quality – general				
		14.2.20	Diffuse pollution sources to be managed to prevent pollution of the Estuary and all spillages should be cleaned out thoroughly to prevent contamination of surface run off.	Contractor	NCA	Not currently applicable as no works have commenced around these sensitive areas.	None.
		14.2.20	Ablution facilities must be located in such a way that they are accessible to the workforce but do not in any way negatively impact Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage of material (including fuel, paint) that could cause water pollution.	Contractor	NCA	As above.	None.
		14.2.20	Ensure proper storage and careful handling of hazardous substances with spill prevention materials at hand.	Contractor	NCA	As above.	None.
		14.2.20	Barges and dredging machinery to be maintained to prevent any oil and diesel pollution during waterside construction activities.	Contractor	NCA	As above.	None.
		14.2.20	Spill management method statements for in situ concrete works to be developed) to ensure adequate management of any spills.	Contractor	NCA	As above.	None.
		14.2.20	Ensure all water quality and pollution general mitigation measures are adhered to.	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.20	Adequate environmental awareness to ensure construction labourers do not pollute Durban Bay Estuary.	Contractor	NCA	As above.	None.
		14.2.20	Water quality monitoring to be undertaken on water in excavations prior to discharging of the water into the Bay. The Recommended special effluent limits for physico-chemical properties and organic and inorganic constituents of the effluent as described in Anchor, 2016 must be met prior to dewatering. Should these not be met, dispersion modelling must be undertaken to confirm impacts on the receiving environment.	Contractor	NCA	Not currently applicable as no discharge has yet been undertaken.	None.
			Management of Archaeological & Cultural Features				
		14.2.21	Should any heritage remains be exposed during excavations or any actions on the site, these must be immediately reported to the Transnet Construction Manager, EO and ECO as well as the provincial heritage authority, in accordance with the applicable legislation.	Contractor	NCA	Not currently applicable as no heritage findings have been made to date.	None.
		14.2.21	The contractors and workers should be notified that archaeological sites might be exposed during the construction activities.	Contractor	NCA	As above.	None.
		14.2.21	Should any heritage artefacts be exposed during excavation, work on the area where the artefacts were discovered, shall cease immediately and the Environmental Control Officer and Transnet and contractor EO and Transnet Construction Manager shall be notified as soon as possible;	Contractor	NCA	As above.	None.
		14.2.21	All discoveries shall be reported immediately to a heritage practitioner so that an investigation and evaluation of the finds can be made. Acting upon advice from these specialists, the ECO will advise the necessary actions to be taken;	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances shall any artefacts be removed, destroyed or interfered with by anyone on the site.	Contractor	NCA	As above.	None.
		14.2.21	Contractors and workers shall be advised of the penalties associated with the unlawful removal of cultural, historical, archaeological or paleontological artefacts, as set out in the NHRA (Act No. 25 of 1999), Section 51. (1).	Contractor	NCA	As above.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.21	A person or entity, e.g. Transnet Construction Manager/Relevant Transnet official, should be tasked to take responsibility for any heritage sites that may be uncovered. This person must take responsibility to contact the heritage practitioner to assess any sites uncovered during the project.	Proponent	NCA	As above.	The Construction Manager (Sanele Biyela) is the immediate person who will be informed if there are any heritage sites discovered during the construction. Additionally, the Construction Manager will refer the matter to the EO.
		14.2.21	Permits to be obtained in terms of the KZN Heritage Act (Act No. 04 of 2008) if heritage resources are to be impacted on and for the removal of graves.	Contractor	NCA	As above.	None.
		14.2.21	Exhumation and relocation of graves once families and affected communities have been consulted and permission received for relocation. All cultural practices in terms of removal of graves as requested by family / community to be complied with.	Contractor	NCA	As above.	None.
		14.2.21	Under no circumstances may any heritage material be destroyed or removed from site.	Contractor	NCA	As above.	None.
		14.2.21	Should any remains be found on site that is potentially human remains, the South African Police Service should also be contacted.	Contractor	NCA	As above.	None.
			Management of Road Upgrades/Repairs				
		14.2.22	Selective repairs (involving infilling of potholes and compacting) to Langeberg Road and Breede Road to be limited to the existing road footprint.	Contractor	NCA	Not currently applicable as no work has commenced on Langeberg Road and Breede Road.	None.
		14.2.22	Stringent and dedicated control of poaching through environmental awareness training and zero tolerance to poaching by contractors' staff.	Contractor	C	Poaching was covered in the environmental awareness training conducted by the ECO.	None.
		14.2.22	Photographs/posters of protected and sensitive species occurring in mangroves must be displayed in the construction camp to heighten awareness.	Contractor	C	Posters of sensitive species were displayed on site.	None.
		14.2.22	Traffic safety measures (e.g. traffic warning signs, flagmen) to be implemented.	Contractor	NCA	Not currently applicable as no traffic safety measures have been required.	None.
		14.2.22	Speed limit of 40km/h on public roads and 30 km/h on other roads within the Port to be adhered to.	Contractor	C	No non-compliance observed.	None.



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
		14.2.22	The movement of any vehicles and/or personnel outside of designated working areas will not be permitted.	Contractor	C	No non-compliance observed.	None.
		14.2.22	Access roads to be maintained in a suitable condition.	Contractor	C	The new access road was completed and well maintained.	None.
			Management of Reinstatement and Rehabilitation				
		14.2.23	After the construction phase, the landside infrastructure construction area must be reinstated to the same or better condition than it was prior to construction.	Contractor	NCA	Not currently applicable as the requirement relates to the rehabilitation, following on construction. No rehabilitation yet undertaken.	The Proponent and Contractor to take note and ensure compliance once relevant.
		14.2.23	Clear and completely remove from site all construction plant, equipment, storage containers, temporary fencing, temporary services and fixtures.	Contractor	NCA	As above.	As above.
		14.2.23	Ensure that all access roads utilised during construction are returned to a usable state and/or a state no worse than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Clear the site of all inert waste and rubble, including surplus rock, foundations and batching plant aggregates. After the material has been removed, the site shall be re-instated and rehabilitated to a level equal to or better than prior to construction.	Contractor	NCA	As above.	As above.
		14.2.23	Load and haul excess spoil and inert rubble to dump sites indicated/approved by the Transnet Construction Manager.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all domestic waste and dispose of in the approved manner at a registered waste disposal site.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all pollution containment structures.	Contractor	NCA	As above.	As above.
		14.2.23	Remove from site all temporary sanitary infrastructure and waste water disposal systems. Take care to avoid leaks, overflows and spills and dispose of any waste in the approved manner.	Contractor	NCA	As above.	As above.
		14.2.23	Control invasive plant species and noxious weeds by means of extraction, cutting or other approved methods if required.	Contractor	NCA	As above.	As above.
		14.2.23	Establish further specifications for maintenance.	Contractor	NCA	As above.	As above.
			Reporting				



CWDP	EA No.	EMPr No.	Requirement	Responsible party	Status	Finding	Comment
F6 6.1			All reporting to the Department must occur on the prescribed forms, where available or in a format as agreed to, in writing, by the Department.	Proponent	NCA	Not currently applicable as no discharge had yet occurred.	The Proponent and Contractor should ensure that the reporting format is as per the Departments requirements.
F6 6.2			The following must be reported on or presented quarterly to the Department:				
F6 6.2.1			The exact volume discharged, showing daily, weekly and monthly discharge volumes;	Proponent/ Contractor	NCA	Not currently applicable as no discharge had yet occurred.	None.
F6 6.2.2			Incidences that have occurred during emergency, malfunction or upset conditions. Such incidences must be reported	Proponent/ Contractor	NCA	Not currently applicable as no such incidents had yet occurred.	None.
F6 6.2.3			The result/ finding of the monitoring requirements in terms of the CWDP and where further monitoring is required.	Proponent/ Contractor	NCA	Not currently applicable as no monitoring in terms of the CWDP had yet occurred.	None.
F6 6.3			A report detailing compliance with Section F of the CWDP must be reported on and presented at the compliance review meeting.	Proponent/ Contractor	NCA	Not currently applicable as no compliance review meeting had yet occurred.	None.
			Management of Compliance Review Committee				
F7 7.1			A compliance review consisting of authorities (as determined by the department) will be established.	Competent Authority	NCA	Not currently applicable as the requirement relates to the Operational Phase of the development.	The Proponent to take note and ensure compliance once relevant.
F7 7.2			The committee will convene when necessary to review the status of compliance to permit conditions.	Competent Authority	NCA	As above.	None.
F7 7.3			The committee may recommend amending, revoking or suspending the permit if it is deemed necessary to prevent further environmental deterioration due to the effluent discharge.	Competent Authority	NCA	As above.	None.
F7 7.4			The committee may invite any specialist or technical experts to participate in the review processes and committee meeting and to make recommendations on prohibiting or continuing with the discharge at any time during the validity period.	Competent Authority	NCA	As above.	None.



3 Conclusions and Recommendations

3.1 Conclusion and Environmental Performance Summary

The contractor showed a high level of compliance with the environmental specification throughout the previous 6 months period of the construction phase (site establishment for North substation). The average compliance with the environmental specification was **98.0%** (see Table 6 and Figure 2 below).

Table 7: Compliance summary during 6 months (September 2020 – February 2021)

Audits	Non-Conformance (%)	Conformance (%)
September 2020 - Audit 19	5%	95%
October 2020 – Audit 20	3%	97%
November 2020 – Audit 21	0%	100%
December 2020 – Audit 22	2%	98%
January 2021 – Audit 23	2%	98%
February 2021 - Audit 24	0%	100%
Average	2.0%	98.0%

General Comments:

- In September 2020, non-compliances was identified based on minor spills observed next to the stationary plant (*refer to photograph 26*). An oily pump was placed directly on the soil (*refer to photograph 27*).
- In October 2020, a non-compliance was identified based on waste observed on site (*refer to photograph 28*).
- In December 2020, no compliance audit reports were available in the environmental file.
- In January 2021, the compliance monitoring reports were not uploaded onto the website.

3.2 Recommendation

All findings should be suitably addressed as quickly as possible.

- The Contractor should ensure that spills are immediately cleaned as soon as they are identified.
- The Contractor should ensure that all plant equipment is properly stored on site.
- The Contractor should ensure that drip trays are used on stationary plant.
- The Contractor should ensure that spills are reported immediately to Transnet EO and ECO.
- The Contractor should ensure that all waste is disposed of or properly stored in a waste skip.
- The Contractor should ensure suitable housekeeping at all times on site.
- The Contractor should ensure that they resolve the water monitoring treatment parameters with the Department, as when they start working they must be compliant with the clauses and permits pertaining to water quality.
- The Proponent should ensure that all compliance audit reports are distributed to the contractor.
- The Proponent should ensure that all compliance monitoring reports are uploaded onto the website
- The Contractor should ensure that the site is managed in an environmental responsible manner during level 1 of the National lockdown.



Please note: The ECO does not dictate the time by which a finding must be closed out due to factors such as the contractor's programme of works, availability of vehicles, equipment, labour and other resources. Findings raised should be addressed as soon as it is possible and in cases where high risks or significant environmental damage is of concern, the ECO may advise the RE / PM to instruct the contractor to address the finding immediately.

Non-compliances identified by the ECO may be viewed as an offense if deemed so by the competent authority. Any person or entity convicted of an offence in terms of the National Environmental Management Act, 1998 (act 107 of 1998) is liable to a fine not exceeding R5 million or a period not exceeding 10 years imprisonment; or both such fine and imprisonment.



Appendix A: Photographs and Site Map

PHOTOGRAPHS INDICATING PROGRESS



1) Plant on site ready for piling. –September 2020



2) Test piling completed on site –October 2020.



3) Test piling completed on site. - November 2020



4) Temporary fencing and the removal of cables on site. – December 2020



5) Preparation for construction of concrete platform on site. – January 2021



6) Site clean-up (removal of weeds) on site. All staff are clearly identifiable. – January 2021



7) Construction of concrete platform on site. - February 2021

PHOTOGRAPH INDICATING GOOD PRACTICE



8) A copy of the waste receipt from Sanitech- September 2020.



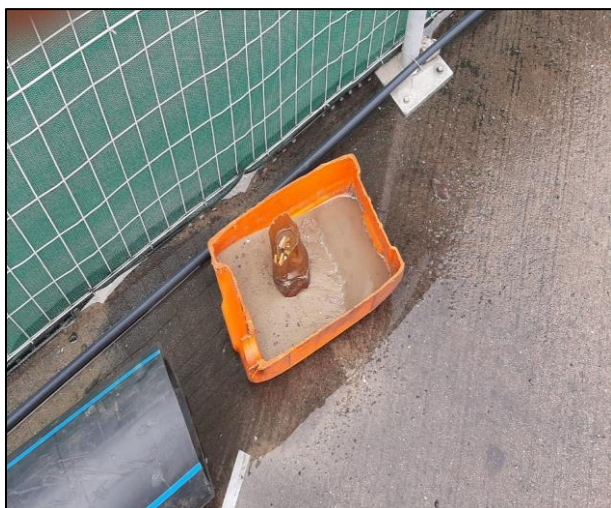
9) A Contractor's notice board on site – September 2020.



10) Provision of fire extinguishers on site – September 2020



11) Use of drip tray on stationary plant – September 2020



12) Provision of smoking area on site – October 2020.



13) Storage container with spill kit bins on site - October 2020.

WASTE DISPOSAL REGISTER							
PROJECT NAME		DOCUMENT NO.					
Tactical Vehicle Upgrade		HCP 7000-01-000					
PROJECT NO:		DATE:					
CONTRACTOR:		CONTRACT NO.:					
SCOPE OF WORK:		Additional Work					
Date	Substance (Name, Description)	Class (Hazardous/Non-Hazardous)	Name of Disposal Site	Disposal Site Reference Number	Method of Transport to Site	Volume/Quantity	Signature of Person with Authority
20/11/20	Oil	Non-Hazardous	...	...	...	...	...
21/11/20	...	...	...	...	...	...	...

14) Solid waste disposal register available on site. – November 2020

WASTE DISPOSAL REGISTER							
PROJECT NAME		DOCUMENT NO.					
Tactical Vehicle Upgrade		HCP 7000-01-000					
PROJECT NO:		DATE:					
CONTRACTOR:		CONTRACT NO.:					
SCOPE OF WORK:		Additional Work					
Date	Substance (Name, Description)	Class (Hazardous/Non-Hazardous)	Name of Disposal Site	Disposal Site Reference Number	Method of Transport to Site	Volume/Quantity	Signature of Person with Authority
20/11/20	Oil	Non-Hazardous	...	...	...	...	...
21/11/20	...	...	...	...	...	...	...

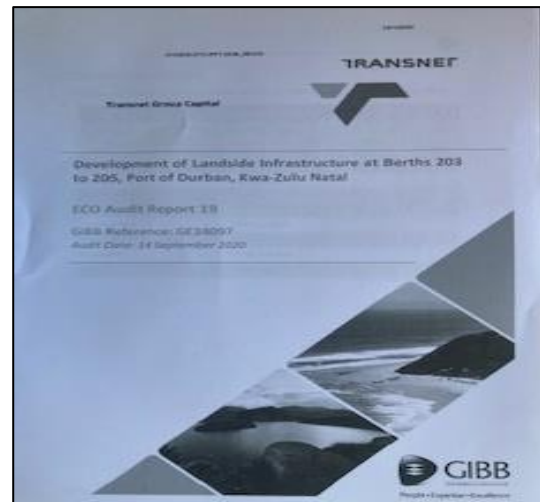
15) Sewage waste disposal register available on site. – November 2020



16) Installation of wastewater tanks at the shower room – November 2020



17) Waste water tank used on site. – November 2020



24) Enviroserv disposal certificate available in the file. – February 2020

25) ECO Audit reports available in the environmental file. – February 2021.

PHOTOGRAPH INDICATING POOR PRACTICE



26) Minor spills observed next to the stationary plant. – September 2020



27) The oily pump was directly placed on the soil – September 2020



28) Waste was observed on site. –October 2020



Figure 2: Site Layout Map



Appendix B: Auditor Details and Declaration

Company Profile in brief

GIBB is a leading multi-disciplinary engineering consulting firm based in South Africa with 67% Black ownership. The firm has a strong African orientation with a wide geographical footprint on the continent. The firm has been operating since 1956 and has proven capabilities in delivering world-class projects of any magnitude. GIBB prides itself on delivering high quality projects underpinned by an independently certified ISO 9001 quality system since 1999.

Particulars of the Independent Environmental Auditor

The particulars of the independent Environmental Auditor are presented in the table below:

Table 8: Details of Audit Team Members

Details of the audit team members	
Independent ECO	GIBB (Pty) Ltd
Contact Person:	Mark Muir
Tel:	+27 31 267 6151
E-Mail:	mmuir@gibb.co.za
Expertise:	Mr Mark Muir is an Environmental Auditor with 10 years' experience. He is a Senior Environmental Auditor at GIBB and has worked on projects across South Africa and Namibia. Mark has experience in a number of environmental fields including Environmental Auditing, implementing and managing Environmental Management Systems (ISO 14001: 2004 & 2015), Carbon Footprint Analysis, Internal Auditing, Waste Management and Legal Compliance. He is an experienced environmental auditor, having audited ISO14001 systems for various construction projects (as Contractors Environmental Manager).

Details of the audit team members	
Independent ECO	GIBB (Pty) Ltd
Contact Person:	Phumela Madubela
Tel:	+27 31 267 6165
E-Mail:	pmadubela@gibb.co.za
Expertise:	Ms Phumela Madubela is a Junior Environmental Scientist with 4 years experience in the environmental field. Her key expertise includes Dust fallout sampling, Water Quality Assessment and Monitoring, Ambient Air Quality Monitoring, Health and Safety and associated field sampling. She also has been involved in Environmental Impact Assessments , Basic Assessments, Waste Management License Applications and Health and Safety Compliance Audits.



Declaration of Independence

I, **Mark Muir**, in my capacity as Environmental Compliance Auditor, hereby declare that I –

- Act as an independent consultant
- Do not have any financial interest in the undertaking of the activity, other than remuneration for the work performed
- Have and will not have vested interest in the activity
- Have no, and will not engage in, conflicting interests in the undertaking of the activity
- Undertake to disclose any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document
- Will provide the competent authority with access to all information at my disposal regarding the report, whether such information is favourable to the Client or not
- Based on information provided to me by the Client and in addition to information obtained during the course of this study, have presented the results and conclusion within the associated document to the best of my professional ability
- Reserve the right to modify aspects pertaining to the present investigation should additional information become available through on-going research and/or further work in this field
- Undertake to have my work peer reviewed on a regular basis by a competent specialist.

Mark Muir

Independent Environmental Compliance Officer

On behalf of GIBB (Pty) Ltd



Declaration of Independence

I, **Phumela Madubela**

, in my capacity as an Environmental Compliance Auditor, hereby declare that I –

- Act as an independent consultant
- Do not have any financial interest in the undertaking of the activity, other than remuneration for the work performed
- Have and will not have vested interest in the activity
- Have no, and will not engage in, conflicting interests in the undertaking of the activity
- Undertake to disclose any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document
- Will provide the competent authority with access to all information at my disposal regarding the report, whether such information is favourable to the Client or not
- Based on information provided to me by the Client and in addition to information obtained during the course of this study, have presented the results and conclusion within the associated document to the best of my professional ability
- Reserve the right to modify aspects pertaining to the present investigation should additional information become available through on-going research and/or further work in this field
- Undertake to have my work peer reviewed on a regular basis by a competent specialist.

Phumela Madubela

Independent Environmental Compliance Officer

On behalf of GIBB (Pty) Ltd

Document Control and Disclaimer



FORM IP180_B

CLIENT	: Transnet Port Terminal
PROJECT NAME	: Transnet Berths ECO: Landside Development
PROJECT No.	: GE38097
TITLE OF DOCUMENT	: Landside Infrastructure at Berths 203 to 205: Bi-Annual Audit Report 05
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Approved By		Reviewed By		Prepared By	
Project Executive					
ORIGINAL	NAME Manie Cilliers	NAME Mark Muir	NAME Phumela Madubela		
DATE 07/04/2021	SIGNATURE 	SIGNATURE 	SIGNATURE 		

Approved By		Reviewed By		Prepared By	
Project Executive					
REVISION 2	NAME Mark Muir	NAME Mark Muir	NAME Phumela Madubela		
DATE 20/04/2021	SIGNATURE 	SIGNATURE 	SIGNATURE 		

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