



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref: 164426

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To: **RUSHMERE NOAH ATTORNEYS**
Attention: **Mr C.D. Arnold**
Tel: 041 399 6727
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Dear Sirs

CLOSE-OUT:

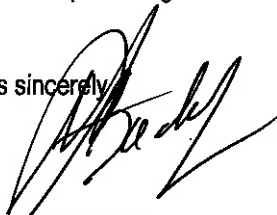
NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 1998 (ACT 107 OF 1998) (NEMA) IN RESPECT OF THE UNLAWFUL CONSTRUCTION OF THE ROADS ON THE FARMS WILDEPAARDEHOEK 245 AND ZWARTBOSCHPLAAT 278, EASTERN CAPE PROVINCE

1. We refer to the following:
 - 1.1. The site investigation conducted by officials from the National Department of Environmental Affairs (DEA), including an Environmental Management Inspector (EMI) duly designated in terms of Section 31B of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) on 17 September 2015 and 10 August 2016 on Portions 2 and 4, and the remainder of Zwartboschplaat 278 as well as Portions 1 and 2 of Wildepaardehoek 245;
 - 1.2. Notice of Intention to issue a Compliance Notice in terms of section 31L of the NEMA (Pre-Compliance Notice) issued to Mr Ronald James Watson and / on behalf of Inyanda Energy Projects (Pty) Ltd / O'Feh Investments (Pty) Ltd dated 21 September 2016; and
 - 1.3. Representations received in response to the abovementioned Pre-Compliance Notice.

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2. Upon consideration of the Pre-Compliance Notice issued by this Department, the representations submitted in response thereto, as well as engagement with the Eastern Cape Department of Economic Development, Environmental Affairs, and Tourism (DEDEA), the DEA has decided that it will not be taking any further enforcement action against Mr Ronald James Watson or Inyanda Energy Projects (Pty) Ltd / O'Feh Investments (Pty) Ltd as it is of the view that the non-compliances in relation to the construction of the roads fall within the mandate of the provincial authority.
3. Accordingly, the DEA is closing its file on this matter, and transferring same to DEDEA for further consideration as to how this matter should be handled further. As such, the DEA will not be commenting on the content of the representations submitted.
4. Any queries pertaining to this matter should therefore be directed to the DEDEA.

Yours sincerely



ISHAAM ABADER

ENVIRONMENTAL MANAGEMENT INSPECTOR

DEPUTY DIRECTOR GENERAL: LEGAL, AUTHORISATIONS, COMPLIANCE AND ENFORCEMENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

DATE: 01/08/2017

CC: Eastern Cape Department of Economic Development, Environmental Affairs, and Tourism (DEDEA)

Email: Ronel.debruin@dedea.gov.za

