THE PARTY OF THE P THE PERSON OF THE PERSON WHEN THE PERSON NAMED OF THE PERSON NAMED AND PASSED AND PASSED AS A PA 1

# NUMBER ASSESSED ASSES

- 和學 然於 以外外以其政政外 不然外 無天体 無 好以外 於 好 医院 化原
- のないのでは 日本のでは ののはない
- 10 · 对自己的 10 · 对 10 · があるななな
- THE PROPERTY OF MANAGEMENT AND PROPERTY AND CONTRACTOR OF THE PARTY OF THE
- THE RESIDENCE OF SECURIOR SALES AND SECURIOR SALES AND SECURIOR SALES AND SA THE PERSON OF LANSING
- THE REAL PROPERTY OF THE PROPE が、は、日本の中の日本の日本の日本 SERVE STANDARD
- Contract of the state of the st SALES OF SELECTION CONTRACTOR OF THE PROPERTY OF MARCHAN CO. の 日本 のないのない あい
- THE REPORT OF THE PROPERTY OF THE PARTY OF T 東京 田 の東京 田 田 であると 田田 化 8382

Council September 1985 Managers 1985

Contraction of the Contraction o

100000

imprisonment. exceeding R10 million or to imprisonment for a period not exceeding 10 years or both such fine and such the NEMA. Upon conviction for such offences as set out in section 49B (1), a person is liable to a fine not person to contravene any condition applicable to such an authorization as set out in section 49A (c) of 13 In the Compliance Notice, you will be awarded the right to lodge an objection within 30 (thirty) days of compliance notice or to extend the period to which it relates, by making representations to do so. receipt of the compliance notice (section 31M of NEMA). You will be awarded the chance to vary the

7 Irrespective of any representations you may make to me or to the MEC of the comply with the compliance notice when issued to you, unless the MEC agrees to of that compliance notice Department, you must suspend the operation

15 I wish to make it clear that the instructions contained in this pre-compliance notice are made in the issue. interest of responsible environmental management, and with a view to a co-operative resolution of the

	0
2	Should you have a
	you
	have
	any
ni.	further
	any further queries, p
	s, ple
	please cont
	ac
	t the r
	eleva
	ant of
	ficial
	at the
	abov
	∨е-п
	entione
	d nur
	mber.

...2021 at...

Signed on this .....day of.....

Environmental Management Inspector (Grade 1)

Department of Economic Development, Tourism and Environmental affairs Mr. D. Gwede

100
100
10
1
150
155
10
15
1433
0
1
000
[492
133
13
-
100
155
1972
0
13
-
-
וגו
[ CD
CD
-
103
-
10000

Signature:	on this	On behalf of the company	Received by Mr/Ms
	day of	ecompany	r/Ms
	2021, at		

Department of Economic Development, Tourism and Environmental Affairs, KwaZulu-Natal

DC23/4/C/10/15: Pre - Compliance Not Midway Truck Stop.

Page 4 of

- 2 of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended, hereafter referred to as "NEMA" and sub regulation 8(2) of the Regulations to NEMA (GNR 480 dated 31 May 2017). give written notice of my intention to issue Mr S. Harper with a compliance notice in terms of section 31L Punisani Gwede, in my capacity 日日 日 Grade Environmental Management Inspector (EMI), hereby
- The compliance notice that I intend issuing to you relate NEMA, ElA regulations 2014 (as amended 7 April 2017). relates to your non-compliance with the provisions of

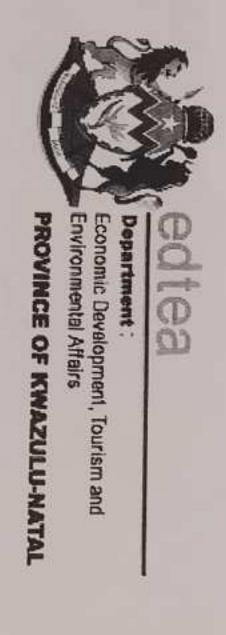
# DETAILS OF CONDUCT CONSTITUTING NON-COMPLIANCE

- Department. The listed activity that you have commenced on site is as follows: ONR 327 have reasonable grounds for belleving that you of NEMA ElA regulations without obtaining an Environmental have unlawfully commenced with a listed Authorization activity from lhe
- 7. The activity that has been triggered on site reads as follows:

2014 EIA Regulations as amended 07 April 2017	Listings Notice 1 (QNR 327)	Activity Triggered
	27	Activity
hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for - (i) undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.	The clearance of an area of 1	Activity Description

- and meeting that was convened on the 6th April 2021 by officials of this Department Mr. D. Gwede and Ms W. Ndaba in the presence of Mr S. Harper, the owner of Midway Truck Stop and Mr Dan Mkhwanazi This information was obtained during the site inspection that was conducted on the 02nd of April 2021 of Environmental Agency. During the site inspection it was observed and confirmed by Mr S Harper that an area that is approximately mre than three (3) hectares of indigenous vegetation was cleared for the establishment of truck stop. Mr S. Harper Informed turned into a truck stop was previously undeveloped and had Blue Quin trees on it. He also confirmed establishment of a truck officials 10 8 Department that there atop. BBM the Department officials that the area that has been Environmental Authorization obtained
- 0 However a Antoniades letter dated 5 February 2016 was issued to the written by this Department following his request of establishing a truck parking area which previous owner of the property Mr Demos

Hotel	
Environmental Affairs, Kwažulu-Natal	
DO23/4/G/10/15: Pre - Compliance Notice Midway Truck Stop.	
Page 2 of 4	



Uthukela Environmental Services winile.ndaba@kznedtea.gov.za info@kznded.gov.za www.kznded.gov.za

Referen Tell: 036 634 6301 ence no: DC23/4/C Date: 8 April 2021 /C/10/15

## Directorate: Environmental services

#### S. Harper

Portion 216 Erf 798 Wagendrift

1 Lowlands Road

Estcourt

Attention: Mr Simon Harper

Email: mtshezicivils@telkomsa.net

Dear Sir

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 TO SIMON HARPER FOR THE COMMENCEMENT WITH A LISTED ACTIVITY WITHOUT AN ENVIRONMENTAL AUTHORIZATION BY ESTABLISHING MIDWAY TRUCK STOP ON AN AREA THAT IS APPROXIMATELY MORE THAN THREE (3) HA OF VIRGIN LANDS, ON PORTION 216 ERF 798 WAGENDRIFT, ESTCOURT, WITHIN INKOSI LANGALIBALELE LOCAL MUNICIPALITY, UNDER UTHUKELA DISTRICT (DC23).

#### INTRODUCTION

Reference is made to the following:

- A site inspection that was conducted by officials of this Department Mr D. Gwede the 02<sup>nd</sup> of April 2021 at Midway Truck Stop as mentioned above. and Ms W. Ndaba on
- 2 A consecutive site meeting which took place between officials of this Department Mr D. Gwede and Ms W. Ndaba and the owner of Midway Truck Stop Mr S. Harper; as well as his Environmental Assessment Practitioner Mr D. Mkhwanazi on the 06th of April 2021 at Midway Truck Stop.

### FINDINGS AND OBSERVATION

S 2014 (as amended 7 April 2017) when establishing a truck stop by clearing indigenous vegetation on an area that is approximately more than three (3) hectares on Portion 216 ERF 798 Wagendrift, Estcourt. contravened the provisions of section 24F (1), and the Environmental Impact Assessment Regulations, The findings and observations that were made during the site inspection indicated that the developer

## INTENDED ENFORCEMENT ACTION

Department of Economic Development, Tourism and Environmental Affairs, KwaZulu-Natal

DC23/4/C/10/15; Pre - Compliance Notic Midway Truck Stop.

Page 1 of