



REFERENCE: 14/1/1/E1/9/10/3/0410/17

ENQUIRIES: Aqueel Yasin

BY EMAIL

Bielie van Zyl

Paardekop Boerdery

Piketberg

7320

Email: admin@paardekop.co.za

Dear Sir

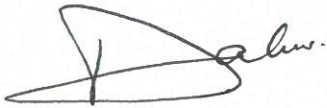
REPRESENTATIONS MADE IN RESPONSE TO THE PRE-DIRECTIVE AND PRE-COMPLIANCE NOTICE ISSUED UNDER SECTIONS 28(4) AND 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 107 OF 1988

1. This Department's Pre-Directive and Pre-Compliance Notice dated 02 June 2017 and your subsequent response received by this Department on 16 June 2017, refers.
2. This Directorate hereby acknowledges receipt of your correspondence and the contents thereof are noted.
3. Based on the evidence gathered during this Directorate's investigation into the matter and your subsequent representations you are hereby informed that the

activities conducted by you do indeed classify as clearing, and as such you have triggered listed Activity 27 of Listing Notice 1 of 2014.

4. This irectorate is cognisant of the fact that you have attempted to minimise the disturbance of the soil through your actions but one cannot deny the evidence and the fact that you intend to cultivate the area which has required you to clear the indigenous vegetation to make way for the agricultural fields.
5. Furthermore, the Sandveld Region supports a rich biodiversity with national biodiversity targets. With an increased conversion of natural vegetation ecosystems in the Sandveld to make way for agricultural expansion, the Sandveld Region is starting to show clear signs of ecological stress due to the irretrievable loss of indigenous vegetation habitats that have a global significance.
6. As a result of the above-mentioned this Directorate considers all illegal clearing matters as significant environmental degradation and a breach of section 28 of the NEMA therefore this Directorate intends to issued you with a Directive in terms of section 28(4) of the NEMA together with a Compliance Notice in terms of section 31L of the NEMA.
7. In light of the above, it is evident that the clearance of vegetation was not done in accordance with an Environmental Authorisation issued to you by the Competent Authority (this Department) and as such this Department's Pre-Directive and Pre-Compliance Notice dated 02 June 2017 remains applicable.
8. You are further advised that should you fail to comply with this Department's Pre-Directive and Pre-Compliance Notice dated 02 June 2017, further administrative enforcement action may be forthcoming.

9. It is an offence to fail to comply with a Compliance Notice. A person convicted of failing to comply with a Compliance Notice is liable to a maximum fine of R5 million or 5 years' imprisonment or both such fine and such imprisonment.
10. Please note that all cases of illegal clearing of indigenous vegetation that are not resolved and require the issuing of a Directive or Compliance Notice are also referred for criminal investigation.



Dr E Palmer

Director: Environmental Law Enforcement

Grade 1 Environmental Management Inspector

Date: 18/8/2017

Cc: S de Kock (Cederberg Environmental Assessment Practice)

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