

## Environmental Legislation Update

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*Shepstone & Wylie's Environmental and Clean Energy Department advises clients in both the public and private sector on a range of environmental and clean energy issues. Assistance is given to companies in a number of industries, including mining and resources, utilities, chemicals, steel, agriculture, automotive, waste, storage, building and transport. Issues covered include environmental compliance assessments; due diligence assessments; contracts; structured finance; environmental management systems; new and pending legislation, and permitting and licence requirements.*

### 1. NATIONAL LEGISLATION

#### 1.1. ACTS

No new items of relevance during this time period.

#### 1.2. BILLS, WHITE PAPERS

No new items of relevance during this time period.

#### 1.3. GENERAL / BOARD NOTICES / REGULATIONS

##### **National Environmental Management Act 107 of 1998**

- Environmental Impact Assessment Regulations (w.e.f. 8 December 2014)  
(Gov N982, GG38282, 4 December 2014, pg 3)
- Environmental Impact Assessment Regulations Listing Notice 1 (w.e.f. 8 December 2014)  
(Gov N983, GG38282, 4 December 2014, pg 3)
- Environmental Impact Assessment Regulations Listing Notice 2 (w.e.f. 8 December 2014)  
(Gov N984, GG38282, 4 December 2014, pg 3)
- Environmental Impact Assessment Regulations Listing Notice 3 (w.e.f. 8 December 2014)  
(Gov N985, GG38282, 4 December 2014, pg 3)
- National Appeal Regulations (w.e.f. 8 December 2014)  
(Gov N993, GG38303, 8 December 2014, pg 3)

- National Exemption Regulations (w.e.f. 8 December 2014)  
(Gov N994, GG38303, 8 December 2014, pg 11)

#### **National Environmental Management: Protected Areas Act 57 of 2003**

- Correction notice: Land declared in terms of the Act to be part of Tankwa-Karoo National Park  
(Gov N976, GG38281, 5 December 2014, pg 3)
- Correction notice: Land declared in terms of the Act to be part of Table Mountain National Park  
(Gov N977, GG38281, 5 December 2014, pg 4)
- Correction notice: Land declared in terms of the Act to be part of Mokala National Park  
(Gov N978, GG38281, 5 December 2014, pg 5)
- Correction notice: Land declared in terms of the Act to be part of Marakele National Park  
(Gov N979, GG38281, 5 December 2014, pg 6)
- Correction notice: Land declared in terms of the Act to be part of Agulhas National Park  
(Gov N980, GG38281, 5 December 2014, pg 7)
- Correction notice: Land declared in terms of the Act to be part of Addo Elephant National Park  
(Gov N981, GG38281, 5 December 2014, pg 8)

#### **National Environmental Management Act 107 of 1998**

- Vredefort Dome World Heritage Site Environmental Management Framework  
(Gov N1150, GG38319, 19 December 2014, pg 58)

### 1.4 **RULES, GUIDELINES & POLICIES**

#### **Petroleum Pipelines Act 60 of 2003**

- Rules made in terms of section 33(3) of the Act: for general information  
(Gen N1140, GG38308, 12 December 2014, pg 3)

### 1.5 **LEGISLATION FOR COMMENT**

#### **National Environmental Management: Protected Areas Act 57 of 2003**

- Intention to declare certain land situated in the Western Cape Province as part of the West Coast National Park  
(Gen N1097, GG38281, 5 December 2014, pg 9)
- Intention to declare certain land situated in the Western Cape Province and Northern Cape Province as part of the Tankwa Karoo National Park  
(Gen N1098, GG38281, 5 December 2014, pg 11)
- Intention to declare certain land situated in the Western Cape Province as part of the Table Mountain National Park  
(Gen N1099, GG38281, 5 December 2014, pg 13)
- Intention to declare certain land situated in the Northern Cape Province as part of the Richtersveld National Park  
(Gen N1100, GG38281, 5 December 2014, pg 15)

- Intention to declare certain land situated in the Northern Cape Province as part of the Namaqua National Park  
(Gen N1101, GG38281, 5 December 2014, pg 17)
- Intention to declare certain land situated in the Eastern Cape Province as part of the Mountain Zebra National Park  
(Gen N1102, GG38281, 5 December 2014, pg 20)
- Intention to declare certain land situated in the Limpopo Province as part of the Marakele National Park  
(Gen N1103, GG38281, 5 December 2014, pg 23)
- Proposed Regulations for the Mountain Zebra Camdeboo Protected Environment  
(Gen N1104, GG38281, 5 December 2014, pg 25)
- Intention to declare certain land situated in the Cradock, Graaff-Reinet, Middelburg, Aberdeen, Pearston, Somerset (Eastern Cape Province) and Murraysburg (Western Cape) Registration Division as a Mountain Zebra-Camdeboo Protected Environment  
(Gen N1105, GG38281, 5 December 2014, pg 31)

#### **National Environmental Management: Biodiversity Act 10 of 2004**

- Regulations for the registration of professional hunters, hunting outfitters and trainers  
(Gen N1147 GG38347, 18 December 2014, pg 3)

#### **Spatial Planning and Land Use Management Act 16 of 2013**

- Draft regulations in terms of the Spatial Planning and Land Use Management Act 16 of 2013  
(Gen N1144, GG38331, 12 December 2014, pg 3)

#### **National Environmental Management Act 107 of 1998**

- Section 24H registration authority regulations, 2014  
(Gen N114, GG38325 12 December 2014, pg 3)

#### **National Water Act 36 of 1998**

- Regulations requiring that the taking of water for irrigation purposes be limited, monitored, measured and recorded  
(Gen N1141, GG38311, 12 December 2014, pg 3p)

#### **National Environmental Management: Integrated Coastal Management Act 24 of 2008**

- Dumping at sea regulations  
(Gen N1110, GG38290, 12 December 2014, pg 29)

## **2. PROVINCIAL LEGISLATION**

### **2.1 NORTH WEST**

- Bophuthatswana Nature Conservation Act (3/1973), Cape Nature and Environmental Conservation Ordinance (19/1974) and the Nature Conservation Ordinance (12/1983): North West Hunting Regulations, 2015  
(GN561, PG7386, 23 December 2014, pg 3)

- Bophuthatswana Nature Conservation Act (3/1973), Cape Nature and Environmental Conservation Ordinance (19/1974), the Nature Conservation Ordinance (12/1983) and the National Environmental Management: Biodiversity Act (10/2004): Draft Regulations for the Management of Birds in the North West Province (GN562, PG7387, 23 December 2014, pg 3)
- Bophuthatswana Nature Conservation Act (3/1973), Cape Nature and Environmental Conservation Ordinance (19/1974), the Nature Conservation Ordinance (12/1983) and the National Environmental Management: Biodiversity Act (10/2004): Draft amendments to the North West Fencing Policy (GN563, PG7387, 23 December 2014, pg 18)

## 2.2 **WESTERN CAPE**

### **Nature Conservation Ordinance 19 of 1974**

- Hunting seasons, daily bag limits and hunting by the use of prohibited hunting methods (PN324, PG7338, 5 December 2014, pg 2058)

### **National Environmental Management: Integrated Coastal Management Act 24 of 2008**

- Notice of proposed official public launch sites for the Western Cape (PN336, PG7338, 5 December 2014, pg 2069)
- Proposed official public launch sites for the Western Cape (PN347, PG7339, 12 December 2014, pg 2251)

## 2.3 **KWAZULU-NATAL**

### **Disaster Management Act 57 of 2002**

- Emnambithi/Ladysmith Local Municipality  
Declaration of Kwazulu-Natal Provincial State of Disaster (MN167, PG1288, 17 December 2014, pg 3)

## 2.4 **EASTERN CAPE**

### **Disaster Management Act 57 of 2002**

- Chris Hani District Municipality  
Declaration of state of local disaster (GN167, PG3315, 12 December 2014, pg 3)

## 2.5 **LIMPOPO**

### **National Environmental Management: Protected Areas Act 57 of 2003**

- Notice of intention to declare various land parcels as nature reserves (Gen N447, PG2449, 5 December 2014, pg 3)

## 2.6 **MPUMALANGA**

### **Nature Conservation Act 10 of 1998**

- Open season: ordinary game  
(ON1, PG2394, 5 December 2014, pg 3)

## **3. LOCAL LEGISLATION**

### 3.1 **NORTH WEST**

#### **Rustenburg Local Municipality**

- Air pollution control by-law  
(LAN264, PG7383, 12 December 2014, pg 3)

#### **Greater Taung Local Municipality**

- By-law relating to the prevention of nuisances  
(LAN266, PG7385, 23 December 2014, pg 3)
- Waste management by-law  
(LAN269, PG7385, 23 December 2014, pg 62)

### 3.2 **WESTERN CAPE**

#### **Knysna Local Municipality**

- Integrated Waste Management by-law, 2014  
(LAN, PG7338, 5 December 2014, p2217)

#### **Swellendam Local Municipality**

- Air pollution control by-law  
(LAN51987, PG 7338, 5 December 2014, pg 2198)
- Prevention of public nuisances by-law  
(LAN51988, PG 7338, 5 December 2014, pg 2189)

#### **Knysna Municipality**

- Prevention of public nuisances and the keeping of animals, poultry, pigeons and bees by-law  
(LAN51968, PG 7338, 5 December 2014, pg 2335)
- Integrated waste management by-law  
(LAN51970, PG 7338, 5 December 2014, pg 2241)

#### **Matzikama Local Municipality**

- By-laws relating to streets, public places and prevention and suppression of nuisances  
(LAN, PG7339, 12 December 2014, p2278)

### 3.3 **KWAZULU-NATAL**

#### **Umtshezi Local Municipality**

- Adoption of various by-laws (MN 165, PG1281, 3 December 2014, p2):
  - By-law relating to Fire Safety (w.e.f. 1 December 2014)
  - By-law relating to the Control of Public Nuisance (w.e.f. 1 December 2014)
  - Pollution Control By-laws (w.e.f. 1 December 2014)
  - Stormwater Management By-laws (w.e.f. 1 December 2014)

#### **Endumeni Local Municipality**

- Date of implementation of By-laws: (MN 44, PG1159, 19 June 2014, p21) :
  - Bylaw relating to Control of Public Nuisances (w.e.f. 1 July 2014)

### 3.4 **FREE STATE**

#### **Kopanong Local Municipality**

- Standard Waste Management By-Law (N, PG87, 12 December 2014, pg 2)

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***The content of this update is intended for information purposes only and should not be considered as legal advice. While every effort has been made to ensure the comprehensive nature of the information, the list of legislation should not be considered as definitively exhaustive. More information on the laws covered, is available from Shepstone & Wylie's Environmental & Clean Energy Law Departments by contacting -***

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