

Environmental Legislation Update

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Shepstone & Wylie's Environmental and Clean Energy Departments advise 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

Spatial Planning and Land Use Management Bill [B14B-2012]

1.3 GENERAL / BOARD NOTICES

National Heritage Resources Act 25 of 1999

Provisional Protection as a National Heritage Resource
(Gov N59, GG36102, 1 February 2013, pg 6)

National Water Act 36 of 1998

Preliminary allocation schedule in terms of section 46(1) of the National Water Act, 1998 for the Jan Dissels River Catchment
(Gen N100, GG36144, 8 February 2013, pg 3)

National Water Act 36 of 1998

Correction Notice: Extension of time period of general authorisations in terms of section 39
(Gov N94, GG36153, 11 February 2013, p3)

1.4 **RULES, REGULATIONS, GUIDELINES & POLICIES**

Marine Living Resources Act 18 of 1998

Regulations for fishing for Elasmobranchs (Sharks) in the estuary of the Breede River
(Gov NR105, GG36147, 15 February 2013, p7)

1.5 **LEGISLATION FOR COMMENT**

National Environmental Management: Biodiversity Act 10 of 2004

Non-detriment findings
(Gen N54, GG36117, 1 February 2013, pg 3)

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947

Regulations relating to the registration of fertilizers, farm feed, agricultural remedies, stock remedies, sterilising plants and pest control operators, appeals and imports: Amended
(Gov NR75, GG36124, 8 February 2013, pg 4)

National Environmental Management Act 107 of 1998

Environmental Impact Assessment Guideline for Aquaculture in South Africa
(Gen N101, GG36145, 11 February 2013, p3)

National Environmental Management Act 10 of 2004

Biodiversity Act: Correction notice for the draft Biodiversity Management Plan for African Penguin
(Spheniscus demersus)
Gen N114, GG36160, 15 February 2013, p3)

National Environmental Management Act 39 of 2004

Air Quality Act: Proposed amendments to the 2007 National Framework for Air Quality Management in the Republic of South Africa
(Gen N115, GG36161, 15 February 2013, p3)

2. **PROVINCIAL LEGISLATION**

FREE STATE:

Free State Nature Conservation Ordinance 8 of 1969

- Norms and Standard for keeping and management of Bontebok (*Damaliscus Pygargus Pygargus*) in the Free State
(PN118, PG75, 1 February 2013, pg 2)
- Activities regarding listed large predators by landowners, foreign clients and the exportation of hunting trophies
(PN119, PG75, 1 February 2013, pg 7)
- Activities regarding White and Black Rhinoceros
(PN120, PG75, 1 February 2013, pg 10)

KWAZULU-NATAL:

KwaZulu-Natal Nature Conservation Management Act 9 of 1997

Publication of nominations of members to be appointed to the KwaZulu-Natal Nature Conservation Board
(PN21, PG892, 5 February 2013, pg 2)

LIMPOPO:

Limpopo Environmental Management Act 7 of 2003

- Hunting Season for Limpopo, 2013/2014: Hunting of Game: Mammals
(GN53, PG2168, 19 February 2013 p3)
- Hunting Season for Limpopo, 2013/2014: Hunting of Game: Mammals
(GN54, PG2168, 19 February 2013, p4)
- Hunting Season for Limpopo, 2013/2014: Hunting of Game: Birds
(GN55, PG2168, 19 February 2013, p5)

Disaster Management Act 57 of 2002

Vhembe District Municipality:

Declaration of Makhado, Musina, Thulamela and Mutale Local Municipalities as disaster areas
(GN74, PG2172, 22 February 2013, p2)

MPUMALANGA:

Disaster Management Act 57 of 2002

Thembisile Hani Local Municipality:

Declaration of local state of disaster
(LAN39, PG2144, 22 February 2013, p2)

NORTH WEST:

National Environmental Management Act 107 of 1998

Environmental Management Framework Regulations, 2010:

- Rustenburg Local Municipality: Adoption of the Environmental Management Framework
(GN64, PG7083, 15 February 2013, p4)
- Madibeng Local Municipality: Adoption of the Environmental Management Framework
(GN65, PG7083, 15 February 2013, p5)

WESTERN CAPE:

Nature Conservation Ordinance 19 of 1974

Western Cape Nature Conservation Board: Hunting season, daily bag limits and hunting by the use of prohibited methods
(PN7, PG7081, 18 January 2013, pg 30)

National Environmental Management Act 107 of 1998

Transfer of functions
(Proc N1, PG7092, 15 February 2013, p222)

National Environmental Management Act 24 of 2008

West Coast District Municipality

Integrated Coastal Management Programme: For public comment
(LA, PG7092, 15 February 2013, p253 and p255)

3. LOCAL LEGISLATION

KWAZULU-NATAL:

Greater Kokstad Municipality:

By-law on Unsightly and Neglected Buildings and Premises
(MN6, PG894, 12 February 2013, p30)

Endumeni Municipality:

By-law relating to the Control of Public Nuisances
(MN9, PG897, 15 February 2013, p3)

uThungulu District Municipality:

Environment Health By-laws
(MN10, PG899, 18 February 2013, p3)

MPUMALANGA:

Thembisile Hani Local Municipality:

Animal By-laws
(LAN14, PG2138, 15 February 2013, p3)
Funeral Parlours, Cemeteries and Crematoria By-laws
(LAN14, PG2138, 15 February 2013, p108)
Control of Outdoor Signs By-laws
(LAN14, PG2138, 15 February 2013, p141)
Solid Waste Management By-laws
(LAN14, PG2138, 15 February 2013, p220)
Water Supply and Sanitation Services By-laws
(LAN14, PG2138, 15 February 2013, p244)

NORTH WEST:

City of Matlosana:

Amendment of solid waste and sanitation bylaws
(LAN21, PG7079, 5 February 2013, pg 25)



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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