

Environmental Legislation Update

1st July 2014 to 1st August 2014
Volume 11, Issue 7

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

Infrastructure Development Act 23 of 2014

Date of commencement: 10 July 2014
(Proc N44, GG37824, 10 July 2014, pg 3)

1.2. BILLS, WHITE PAPERS

No new items of relevance during this time period.

1.3. GENERAL / BOARD NOTICES

Gas Act 48 of 2001

Notice of public hearing on Guidelines for the Electricity Reseller Tariffs
(Gen N562, GG37805, 11 July 2014, pg 88)

Petroleum Pipelines Act 60 of 2003

Notice of public hearing on Guidelines for the Electricity Reseller Tariffs
(Gen N562, GG37805, 11 July 2014, pg 88)

National Energy Regulator Act 40 of 2004

Notice of public hearing on Guidelines for the Electricity Reseller Tariffs
(Gen N562, GG37805, 11 July 2014, pg 88)

Electricity Regulation Act 4 of 2006

Notice of public hearing on Guidelines for the Electricity Reseller Tariffs
(Gen N562, GG37805, 11 July 2014, pg 88)

World Heritage Convention Act 49 of 1999

- Declaration of a Management Authority for the Ukhahlamba/Drakensberg Park World Heritage Site
(Gen N568, GG37830, 18 July 2014, pg 48)
- Declaration of a Management Authority for the Robben Island Museum World Heritage Site
(Gen N569, GG37830, 18 July 2014, pg 49)
- Declaration of a Management Authority for the Makapan Valley Serial Park World Heritage Site
(Gen N570, GG37830, 18 July 2014, pg 50)
- Declaration of a Management Authority for the Taung Skull Fossil World Heritage Site
(Gen N571, GG37830, 18 July 2014, pg 51)

National Environmental Management: Biodiversity Act 10 of 2004

- Declaration of the Kwelera National Botanical Garden
(Gov N578, GG37854, 25 July 2014, pg 6)
- Alien and Invasive Species lists, 2014
(Gov N599, GG37886, 1 August 2014, pg 3)

National Water Act 36 of 1998

Little Caledon River and Caledon River: Limiting the use of water for irrigation purposes
(Gov N594, GG37872, 1 August 2014, pg 78)

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

National Environmental Management Act 107 of 1998

Regulations to phase-out the use of Polychlorinated Biphenyls (PCBs) materials and Polychlorinated Biphenyl (PCBs) contaminated materials
(Gov NR549, GG37818, 10 July 2014, pg 3)

National Environmental Management: Air Quality Act 39 of 2004

Regulations regarding Air Dispersion Modelling
(Gov NR533, GG37804, 11 July 2014)

National Environmental Management: Biodiversity Act 10 of 2004

Alien and Invasive Species Regulations, 2014
(Gov NR598, GG37885, 1 August 2014)

1.5. **LEGISLATION FOR COMMENT**

National Environmental Management: Protected Areas Act 57 of 2003

Norms and Standards for the Management of Protected Areas in South Africa
(Gen N528, GG37802, 7 July 2014, pg 3)

National Environmental Management: Air Quality Act 39 of 2004

Draft National Atmospheric Emission Reporting Regulations
(Gen N572, GG37830, 18 July 2014, pg 3)

2. PROVINCIAL LEGISLATION

2.1 EASTERN CAPE

National Environmental Management Act 107 of 1998

Wild Coast Environmental Management Plan
(GN189, PG3210, 3 July 2014, pg 3)

2.2 NORTHERN CAPE

National Environmental Management: Protected Areas Act 57 of 2003

Intention to amend the boundaries of Goegap nature Reserve by means of an exchange of land with the O'Kiep Copper Company (Pty) Limited (OCC)
(GN93, PG1820, 14 July 2014, pg 10)

Northern Cape Planning and Development Act 7 of 1998

Umsobomvu Local Municipality: Adoption of Land Use Management Systems and Regulations
(GN99, PG1825, 28 July 2014, pg 5)

2.3 WESTERN CAPE

National Environmental Management: Protected Areas Act 57 of 2003

- Intention to declare nature reserves
(PN165, PG7283, 4 July 2014, pg 1162)
- Protected Areas Act: Correction Notice
(PN188, PG7286, 18 July 2014, pg 1293)

3. LOCAL LEGISLATION

3.1 FREE STATE:

Local Government Municipal Systems Act 32 of 2000

Guideline to Municipal Land Use Planning By-laws
(N, PG42, 1 August 2014, pg 4)

3.2 GAUTENG

Randfontein Local Municipality

- Tariffs of charges: Sundry Sanitation Services
(LAN870, PG172, 1 July 2014, pg 3)
- Tariffs of charges: Water Supply Tariffs
(LAN872, PG172, 1 July 2014, pg 11)
- Tariffs of charges: Refuse Removal Tariffs
(LAN875, PG172, 1 July 2014, pg 21)
- Tariffs of charges: Sewer Tariffs
(LAN876, PG172, 1 July 2014, pg 22)

City of Tshwane Metropolitan Municipality

- Notice of the Sanitation By-laws
(LAN1003, PG203, 23 July 2014, pg 4)
- Notice of the Water Supply By-laws
(LAN1004, PG203, 23 July 2014, pg 35)

3.3 **KWAZULU-NATAL**

Umtshezi Local Municipality

- By-law relating to Fire Safety
(MN82, PG1180, 8 July 2014, pg 17)
- Keeping of Birds and Animals By-law
(MN83, PG1180, 8 July 2014, pg 49)
- By-law relating to the Control of Public Nuisances
(MN84, PG1180, 9 July 2014, pg 84)
- Pollution Control By-laws
(MN86, PG1180, 8 July 2014, pg 114)
- Stormwater Management By-law
(MN91, PG1180, 8 July 2014, pg 155)

3.4 **NORTHERN CAPE**

Umsobomvu Local Municipality

Public Notice: Approval of Draft Spatial Planning and Land Use By-law
(GN98, PG1825, 28 July 2014, pg 3)

3.5 **NORTH WEST**

Madibeng Local Municipality

Air Quality Management By-law
(LAN95, PG7308, 4 July 2014, pg 3)

3.6 **WESTERN CAPE**

Laingsburg Municipality

- Noise Control Regulations
(LAN, PG7283, 4 July 2014, pg 1207)
- Prevention of public nuisances and public nuisances arising from the keeping of animals By-law
(LAN, PG7283, 4 July 2014, pg 1191)

Drakenstein Local Municipality

- Proposed adoption of the Municipal Land use Planning By-Law
(LAN, PG7286, 18 July 2014, pg 1305)
- Water Services By-law
(LAN51385, PG7291, 25 July 2014, pg 2)



Swartland Local Municipality

- Electricity Supply By-law
(LAN, PG7285, 11 July 2014, pg 23)
- Fire Safety By-law
(LAN, PG7285, 11 July 2014, pg 43)
- Stormwater Management Bylaw
(LAN, PG7285, 11 July 2014, pg 132)
- By-law relating to water supply, sanitation services and industrial effluent
(LAN, PG7285, 11 July 2014, pg 153)

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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