

## Environmental Legislation Update

27<sup>th</sup> February 2012 to 30<sup>th</sup> March 2012  
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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

##### **Compensation for Occupational Injuries and Diseases Act 130 of 1993**

- Proposed amendment of Schedule 4 of the Act (Gen N254, GG35168, 23 March 2012, pg 18)
- Proposed amendment of Schedule 3 of the Act (Gen N235, GG35164, 27 March 2012, pg 3)

#### 1.2 BILLS, WHITE PAPERS

No new items of relevance during this time period.

#### 1.3 GENERAL / BOARD NOTICES

##### **Water Services Act 108 of 1997**

Rand Water: Extra-territorial activities undertaken in the Democratic Republic of Congo (GNR165, GG35073, 2 March 2012, pg 44)

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

Sub-delegation of authority to issue permits relating to the Bio-prospecting activities involving Indigenous Biological Resources and export from the Republic of the Indigenous Biological Resources for the purposes of Bio-prospecting (GNR147, GG35082, 27 February 2012, pg 3)

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

- Declaration of land to be part of Agulhas National Park (GNR154, GG35073, 2 March 2012, pg 14)
- Declaration of land to be part of the Tankwa Karoo National Park (GNR155, GG35073, 2 March 2012, pg 15)
- Declaration of land to be part of the Addo Elephant National Park (GNR156, GG35073, 2 March 2012, pg 16)
- Declaration of land to be part of Namaqua National Park (GNR157, GG35073, 2 March 2012, pg 18)
- Declaration of land to be part of Mokala National Park (Gov N158, GG35073, 2 March 2012, pg 19)

### **National Environmental Management: Air Quality Act 39 of 2004**

Highveld Priority Area Air Management Plan  
(GN144, GG35072, 2 March 2012, pg 3)

### **Occupational Health and Safety Act 85 of 1993**

Explanatory notes on the Electrical Installation Regulations, 2009  
(Gen N258, GG35180, 26 March 2012, pg 3)

### **National Environmental Management: Waste Act 59 of 2008**

Municipal Waste Sector Plan: Challenges with waste service provision in South Africa  
(GN270, GG35206, 30 March 2012, pg 3)

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

### **South African Weather Services 8 of 2001**

Regulations regarding fees for the provision of aviation meteorological services  
(GNR 268, GG35203, 30 March 2012, pg 3)

## 1.5 **LEGISLATION FOR COMMENT**

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

- Intention to declare certain land situated in the Cape Registration Division, Western Cape Province as part of the Table Mountain National Park (Gen N150, GG35073, 2 March 2012, pg 46)
- Intention to declare certain land situated in the Alexandria and Uitenhage Registration Divisions, Eastern Cape Province as part of Addo Elephant National Park (Gen N151, GG35073, 2 March 2012, pg 48)
- Intention to declare certain land situated in the Graaff-Reinet Registration Division, Eastern Cape Province as part of the Camdeboo National Park (Gen N152, GG35073, 2 March 2012, pg 50)
- Intention to declare certain land situated in the Beaufort West Division, Western Cape Province as part of the Karoo National Park (Gen N153, GG35073, 2 March 2012, pg 52)
- Intention to declare certain land situated in the Cradock Registration Division, Eastern Cape Province as part of Mountain Zebra National Park (Gen N154, GG35073, 2 March 2012, pg 54)

- Intention to declare certain land situated in the Namaqualand Registration Division, Northern Cape Province as part of Namaqua National Park (Gen N155, GG35073, 2 March 2012, pg 56)
- Intention to declare certain land situated in the Malmesbury Registration Division, Western Cape Province as part of the West Coast National Park (Gen N156, GG35073, 2 March 2012, pg 58)
- Intention to declare certain land situated in the Calvinia, Ceres and Sutherland Registration Divisions, Northern and Western Cape Province as part of Tankwa Karoo National Park (Gen N157, GG35073, 2 March 2012, pg 60)

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

Proposed restrictions notice regarding the use of certain agricultural remedy (GN186, GG35018, 9 March 2012, pg 18)

**Compensation for Occupational Injuries and Diseases Act 130 of 1993**

Increase of maximum amount of earnings on which the assessment of an employer shall be calculated (Gen N252, GG35168, 23 March 2012, pg 3)

**National Environmental Management: Waste Act 59 of 2008**

- Draft norms and standards for the remediation of contaminated land and soil quality: For public comments (Gen N233, GG35160, 19 March 2012, pg 3)
- Regulations for site assessments and reports: For public comments (Gen N234, GG35161, 19 March 2012, pg 3)

**2. PROVINCIAL LEGISLATION**

**FREE STATE:**

**Basic Services Fezile Dabi District:**

**Metsimaholo Local Municipality:**

Metimaholo Ext 6: Waterborne Sewerage System for 368 stands (PN254, PG104, 16 March 2012, pg 4)

**Free State Nature Conservation Ordinance 8 of 1969**

- The hunting of lions for trophy hunting purposes and the exportation and transportation of such hunting trophies: For general comments (PN259, PG106, 23 March 2012, pg 2)
- The hunting of white and black rhinoceros for trophy hunting purposes and the exportation and transportation of such hunting trophies: For general comments (PN260, PG106, 23 March 2012, pg 5)
- Norms and standards for the keeping and management of Bontebok (*Damaliscus Pygargus Pygargus*) in the Free State: For general comments (PN261, PG106, 23 March 2012, pg 8)

## **GAUTENG:**

### **Midvaal Local Municipality:**

Notice of intention to approve and promulgate certain amendments and/or additions to bylaws (LAN299, PG58, 7 March 2012, pg 109)

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

#### **Ekurhuleni Metropolitan Municipality:**

- Extension of declaration of Duduza Extension 2 (Maseshaba/Cool Breeze) Township as a local state of disaster (LAN331, PG74, 19 March 2012, pg 3)
- Extension of declaration of Duduza Extension 2 (Maseshaba/Cool Breeze) Township as a local state of disaster (LAN431, PG91, 30 March 2012, pg 2)

### **National Environmental Management: Waste Act 59 of 2008**

For public comments: Gauteng Integrated Waste Management Plans Regulations (GN772, PG93, 29 March 2012, pg 9)

## **KWAZULU-NATAL:**

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

Declaration of a KwaZulu-Natal provincial state of disaster (PN36, PG720, 14 March 2012, pg 6)

### **KwaZulu-Natal Planning and Development Act 6 of 2008**

#### **Nongoma Municipality:**

Delegations (PN39, PG724, 26 March 2012, pg 3)

## **LIMPOPO:**

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

Intention to declare certain portions of farms situated in the Waterberg and Mopani Districts, Limpopo Province, as nature reserves (GN89, PG2053, 16 March 2012, pg 3)

## **MPUMALANGA:**

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

Consultation process in terms of the intention to declare a Nature Reserve: Kudu Private Nature Reserve (GN64, PG2020, 9 March 2012, pg 13)

## **WESTERN CAPE:**

### **Department of Environmental Affairs and Development Planning:**

Invitation to public workshop and to comment:

Draft Land Use Planning Bill and Provincial Spatial Development Framework for the Western Cape  
(PG6956, 17 February 2012, Pg 172)

### **Land Use Planning Ordinance 15 of 1985**

#### **Saldanha Bay Municipality:**

Amendment of the St Helena Bay Zoning Scheme Regulations: For comment  
(PG6961, 24 February 2012, pg 186)

## **3. LOCAL LEGISLATION**

### **LIMPOPO:**

#### **Vhembe District Municipality:**

Municipal Health Bylaws  
(LAN30, PG2055, 16 March 2012, pg 3)

### **MPUMALANGA:**

#### **Steve Tshwete Local Municipality:**

Air Quality Management Bylaw  
(LAN59, PG2019, 9 March 2012, pg 3)

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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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