

Environmental Legislation Update

30th July 2012 to 31st August 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

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

National Water Act 36 of 1998

Extension of time period of general authorisations in terms of section 39 of the Act (GN702, GG35639, 29 August 2012, pg 2)

National Nuclear Regulator Act 47 of 1999

National Nuclear Regulator: Notice of Public Hearings (Board N147, GG35641, 31 August 2012, pg 3)

1.4 RULES, REGULATIONS, GUIDELINES & POLICIES

National Environmental Management: Biodiversity Act 10 of 2004

Amendment to the Threatened or Protected Species Regulations, 2007 (GNR614, GG35565, 2 August 2012, pg 3)



National Environmental Management: Waste Act 59 of 2008

National Waste Information Regulations
(GNR625, GG35583, 13 August 2012, pg 3)

Water Research Act 34 of 1971

Water Research Fund – Rates and Charges
(Gov N644, GG35602, 24 August 2012, pg 38)

1.5 **LEGISLATION FOR COMMENT**

National Water Act 36 of 1998

Proposed allocation schedule in terms of section 45(2) of the Act
(Gen N645, GG35582, 10 August 2012, pg 3)

National Environmental Management: Waste Act 59 of 2008

- Draft standard for assessment of waste or landfill disposal
(Gen N613, GG35572, 10 August 2012, pg 28)
- Waste Classification and Management Regulations
(Gen N614, GG35572, 10 August 2012, pg 39)
- Standard for disposal of waste to landfill
(Gen N615, GG35572, 10 August 2012, pg 59)

Marine Living Resources Act 18 of 1998

Invitation to comment on the Draft South Africa's National Plan of Action for the Conservation and Management of Sharks: 2012
(Gen N682, GG35613, 22 August 2012, pg 3)

National Environmental Management: Biodiversity Act 10 of 2004

Draft Biodiversity Management Plan for *Spheniscus demersus*
(Gen N663, GG35607, 20 August 2012, pg 3)

National Environmental Management: Integrated Coastal Management Act 24 of 2008

National Action List for the Screening of Dredged Material Proposed for Marine Disposal in terms of section 73 of the National Environmental Management: Integrated Coastal Management Act
(Gov N635, GG35602, 24 August 2012, pg 6)

2. PROVINCIAL LEGISLATION

EASTERN CAPE:

Matatiel Local Municipality:

Application of Land Use Planning Ordinance
(Proc N5, PG2803, 16 August 2012, pg 2)

GAUTENG:

National Heritage Resources Act 25 of 1999

Provincial Heritage Resources Authority Gauteng: Provisional Protection:

- Erf 31931, Pretoria
(GN1935, PG223, 1 August 2012, pg 3)
- Erf 229, Newclare
(GN1936, PG223, 1 August 2012, pg 3)
- Wauchope Home, Soweto
(GN1937, PG223, 1 August 2012, pg 3)
- Naledi High School, Soweto
(GN1938, PG223, 1 August 2012, pg 4)
- Perdeberg Mountain, Walkerville, Midvaal
(GN1939, PG223, 1 August 2012, pg 4)

- Lillian Ngoyi Square, Pretoria
(GN1940, PG223, 1 August 2012, pg 4)

KWAZULU-NATAL:

KwaZulu-Natal Nature Conservation Management Act 9 of 1997

Nomination of persons to be appointed to the KwaZulu-Natal Nature Conservation Board
(PN81, PG796, 15 August 2012, pg 3)

KwaZulu-Natal Planning and Development Act 6 of 2008

Msinga Local Municipality: Key to delegations of power
(PN100, PG808, 27 August 2012, pg 3)

National Environmental Management: Protected Areas Act 57 of 2003

Declaration of nature reserves and assignment of Ezemvelo KZN Wildlife as the Management Authority
(PN83, PG799, 30 August 2012, pg 3)

WESTERN CAPE:

National Environmental Management: Protected Areas Act 57 of 2003

- Declaration of Mooiberg Nature Reserve
(PN231, PG7022, 17 August 2012, pg 1708)
- Declaration of Taaiboschkraal Nature Reserve
(PN239, PG7026, 24 August 2012, pg 1738)
- Declaration of the Hooggelegen Nature Reserve
(PN240, PG7026, 24 August 2012, pg 1741)
- Declaration of the Nieuwe Gift Nature Reserve
(PN241, PG7026, 24 August 2012, pg 1744)

3. LOCAL LEGISLATION

KWAZULU-NATAL:

uMhlathuze Municipality:

Amendment to the Bylaws relating to flammable liquids
(MN78, PG809, 30 August 2012, pg 15)

Umzinyathi District Municipality:

Environmental Health Bylaw
(MN81, PG812, 31 August 2012, pg 3)

MPUMALANGA:

Steve Tshwete Local Municipality:

Integrated Waste Management Bylaws
(LAN176, PG2070, 6 August 2012, pg 3)

NORTHERN CAPE:

Sol Plaatje Municipality:

Promulgation of the Built Environment Bylaws
(GN56, PG1620, 30 July 2012, pg 3)

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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