

## Environmental Legislation Update

3<sup>rd</sup> May 2013 to 31<sup>st</sup> May 2013  
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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

##### **Mineral and Petroleum Resources Development Amendment Act 49 of 2008**

Date of commencement: 7 June 2013  
(Proc N14, GG36512, 31 May 2013, pg 3)

#### 1.2 BILLS, WHITE PAPERS

##### **Gas Amendment Bill, 2013**

For public comments  
(Gen N443, GG36425, 2 May 2013, pg 3)

##### **Marine Living Resources Amendment Bill, 2013**

Correction Notice  
(Gen N472, GG36459, 13 May 2013 pg 3)

##### **Draft Marine Living Resources Amendment Bill, 2013**

Extension of the period to comment  
(Gen N556, GG36491, 27 May 2013, pg 3)

##### **Draft National Forests Amendment Bill, 2013**

For public comments  
(Gen N542, GG36485, 31 May 2013, pg 50)

##### **Draft National Veld and Forest Fire Amendment Bill, 2013**

For public comments  
(Gen N543, GG36485, 31 May 2013, pg 52)

### **Mineral and Petroleum Resources Development Amendment Bill, 2013**

Publication of explanatory summary  
(Gen N567, GG36523, 31 May 2013, pg 3)

## 1.3 **GENERAL / BOARD NOTICES**

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

National Estuarine Management Protocol  
(Gov N341, GG36432, 10 May 2013, pg 6)

### **Astronomy Geographic Advantage Act 21 of 2007**

Withdrawal and replacement of Notice No. 842 of 2012: Declaration to restrict certain activities in Sutherland Core Astronomy Advantage Area  
(Gov N351, GG36454, 17 May 2013, pg 38)

### **Mineral and Petroleum Resources Development Act 28 of 2002**

Restriction under Section 49(1) of the Act on granting of new prospecting, reconnaissance, permission, mining right or mining permits in respect of certain land  
(Gov N367, GG36490, 24 May 2013, pg 3)

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

### **Electricity Act 41 of 1987**

Licence fees payable by licensed generators of electricity  
(Gen N436, GG36418, 3 May 2013, pg 16)

### **Department of Agriculture, Forestry and Fisheries**

Tariff Structure (2013/2014)  
(Gen N452, GG36432, 10 May 2013, pg 37)

### **National Health Act 61 of 2003**

Regulations relating to the management of human remains  
(Gov NR363, GG36473, 22 May 2013, pg 3)

## 1.5 **LEGISLATION FOR COMMENT**

### **World Heritage Convention Act 49 of 1999**

Intention to proclaim the Vredefort Dome World Heritage Site in term of the Act  
(Gen N437, GG36418, 3 May 2013, pg 17)

### **Astronomy Geographic Advantage Act 21 of 2007**

- Notice of intention to declare Karoo Central Astronomy Advantage Areas  
(Gen N468, GG36448, 10 May 2013, pg 3)
- Intention to declare the Sutherland Central Astronomy Advantage Area  
(Gen N471, GG36453, 10 May 2013, pg 3)

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

National norms and standards for the remediation of contaminated land and soil quality in the Republic of South Africa

(Gen N467, GG36447, 10 May 2013, pg 3)

### **Department of Agriculture, Forestry and Fisheries**

Draft revised Sector Specific Fisheries Policies for the Allocation and Management of Fishing Rights, May 2013

(Gen N473, GG36460, 14 May 2013, pg 3)

### **National Road Traffic Act 93 of 1996**

Draft Regulations in terms of the Act: For public comments

(Gen N540, GG36479, 24 May 2013, pg 64)

### **Marine Living Resources Act 18 of 1998**

- Extension to comment on the Draft Revised General Policy on the Allocation and Management of Fishing Rights: April 2013  
(Gen N557, GG36491, 27 May 2013, pg 4)
- Extension to comment on the Draft Revised Sector Specific Fisheries Policies on the Allocation and Management of Fishing Rights: May 2013  
(Gen N558, GG36491, 27 May 2013, pg 5)

## **2. PROVINCIAL LEGISLATION**

### **EASTERN CAPE:**

#### **Nature of Environment Conservation Ordinance and the Problem Animal Control Ordinance (26/1957) 19 of 1974**

Hunting Season

(Proc N1, PG2949, 6 May 2013, pg 3)

#### **Nature Conservation Ordinance 10 of 1987**

Former Ciskei and Transkei: Hunting Seasons

(GN79, PG 2949, 6 May 2013, pg 8)

### **GAUTENG:**

#### **Nature Conservation Ordinance 12 of 1983**

Open Season: Ordinary game

(GN1065, PG116, 30 April 2013, pg 3)

### **KWAZULU-NATAL:**

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

Environmental Impact Assessment Process

(GN53, PG937, 2 May 2013, pg 9)

## **MPUMALANGA:**

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

- Intention to declare a protected environment, intention to declare an area as part of an existing protected environment and intention to declare a nature reserve (GN157, PG2169, 10 May 2013, pg 2)
- Declaration of the Kudu Private Nature Reserve (GN158, PG2170, 10 May 2013, pg 2)

## **NORTHERN CAPE:**

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

Gamagara Local Municipality: Environmental Impact Assessment Process: Environmental scoping of the establishment of a mixed typology development (GN33, PG1695, 20 May 2013, pg 5)

## **WESTERN CAPE:**

### **Western Cape Biosphere Reserves Act 6 of 2011**

Date of commencement: 1 May 2013  
(PROC 6, PG7121, 26 April 2013, pg 818)

### **Western Cape Health Care Waste Management Act 7 of 2007**

Western Cape Health Care Risk Waste Management Regulations, 2013 (PN73, PG7102, 15 March 2013, pg 2)

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

Publication of Western Cape EIA Guidelines (LA, PG7121, 26 April 2013, pg 847)

### **Land Use Planning Ordinance and the Development Facilitation Act (67/1995) 15 of 1985**

Withdrawal of Urban and Regional Structure Plans (former Guide Plans) (LA, PG7129, 10 May 2013, pg 940)

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

- Declaration of a nature reserve (LA, PG7129, 10 May 2013, pg 920)
- Intention to declare a protected environment and approval of appropriate consultation processes in respect of the proposed Robberg Coastal Corridor protected environment (LA, PG7129, 10 May 2013, pg 918)
- Robberg Coastal Corridor Landowners Association: Intention to declare a protected environment and approval of appropriate consultation processes: For public comment (LA, PG7130, 17 May 2013, pg 988)

### **Land Use Planning Ordinance 15 of 1985 and the Local Government Municipal Systems Act 32 of 2000**

Knysna Municipality: Draft Local Area Spatial Plan (LASP): For comment (LA, PG7129, 10 May 2013 pg 930)

### 3. LOCAL LEGISLATION

#### NORTH-WEST:

##### **Moses Kotane Local Municipality:**

Solid Waste Bylaw  
(LAN87, PG7104, 30 April 2013, pg 3)

##### **Ratlou Local Municipality:**

Draft bylaws

- Building Regulation By-law
- Advertising Signs and Hoarding By-law
- Water & Sanitation By-law
- Environmental Health By-law
- Cemeteries and Crematorium By-law
- Refuse/ Waste Management By-law

(LAN88, PG7105, 30 April 2013, pg 3)

#### WESTERN CAPE:

##### **Swellendam Municipality**

Management and Use of Rivers Bylaw  
(LA, PG7131, 24 May 2012, pg 1025)

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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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