

## Environmental Legislation Update

9<sup>th</sup> August 2013 to 30<sup>th</sup> August 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

No new items of relevance during this time period.

#### 1.2 BILLS, WHITE PAPERS

##### **National Environmental Management Laws Amendment Bill**

(B26 – 2013)

##### **National Environmental Management: Air Quality Amendment Bill**

(B27 – 2013)

##### **National Environmental Management: Protected Areas Amendment Bill**

(B28-2013)

##### **National Environmental Management Laws Amendment Bill 2013**

- Draft National Environmental Management: Air Quality Amendment Bill, 2013
- Draft National Environmental Management: Protected Areas Amendment Bill, 2013
- Draft National Environmental Management: Waste Amendment Bill, 2013

Request for public comments

(Gen N854, GG36765, 16 August 2013, pg 3)

### 1.3 **GENERAL / BOARD NOTICES**

#### **National Water Act 36 of 1998**

Review of the National Water Resources Strategy  
(Gen N845, GG36736, 16 August 2013, pg 3)

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

Extension to the invitation to apply for rights to undertake commercial fishing of demersal shark, hake handline, KwaZulu-Natal prawn trawl, oyster, squid, traditional linefish, tuna pole-line and white mussel  
(Gen N86, GG36773, 22 August 2013, pg3)

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

- National Norms and standards for the assessment of waste for landfill disposal  
(Gov NR635, GG36784, 23 August 2013, pg 22)
- National norms and standards for disposal of waste and landfill  
(Gov NR636, GG36784, 23 August 2013, pg 34)

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

#### **National Environmental Management: Biodiversity Act 10 of 2004**

Convention on International Trade in Endangered Species (CITES) Regulations  
(Gov NR629, GG36770, 23 August 2013, pg 3)

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

Waste Classification and Management Regulations  
(Gov NR634, GG36784, 23 August 2013, pg 3)

### 1.5 **LEGISLATION FOR COMMENT**

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

Proposed regulations to phase-out the use of polychlorinated biphenyls (PCB) materials and polychlorinated biphenyl (PCB) contaminated materials  
(Gen N849, GG36749, 15 August 2013, pg 3)

#### **National Environmental Management: Biodiversity Act 10 of 2004**

- Regulations for the registration of professional hunters, hunting outfitters and trainers  
(Gen N846, GG36744, 13 August 2013, pg 3)
- Exemption of veterinarians from certain restrictions relating to the carrying out of restricted activities involving threatened or protected species  
(Gen N853, GG36758, 19 August 2013, pg 3)

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

Proposed regulations regarding the phasing-out and management of ozone-depleting substances  
(Gen N850, GG36750, 15 August 2013, pg 3)

### **National Water Act 36 of 1998**

Proposed declaration of the exploration for and or production of onshore unconventional oil or gas resources and any activities incidental thereto including but not limited to hydraulic fracturing as a controlled activity

(Gen N863, GG36760, 23 August 2013, pg 59)

### **Department of Water Affairs: National Water Policy Review**

Invitation for general public comment

(Gen N888, GG36798, 30 August 2013, pg 3)

## **2. PROVINCIAL LEGISLATION**

### **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  
(GN275, PG2197, 9 August 2013, pg 17)
- Intention to declare a protected environment  
(GN276, PG2197, 9 August 2013, pg 24)

#### **Town-planning and Townships Ordinance 15 of 1986**

Approval of Chief Albert Luthuli Land Use Management Scheme, 2011

(LAN150, PG2202, 23 August 2013, pg 18)

### **WESTERN CAPE:**

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

Amendment of Zoning Scheme Regulations

(PN257, PG7157, 8 August 2013, pg 1790)

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

- Assignment of the Management Authority of the Dyer Island Nature Reserve  
(PN254, PG7157, 8 August 2013, Pg 1787)
- Assignment of the Management Authority of the Dyer Island Nature Reserve Complex  
(PN255, PG7157, 8 August 2013, pg 1787)
- Declaration of the Rolbaken Nature Reserve  
(PN265, PG7160, 16 August 2013, pg 1830)
- Amendment to Provincial notice 50869 published on 10 May 2013 for the intention to declare the Robberg Coastal Corridor Protected Environment  
(PN270, PG7160, 16 August 2013, pg 1849)
- Intention to declare a protected environment  
(PN264, PG7160, 16 August 2013, pg 1824)
- Intention to declare Nature Reserves  
(PN274, PG7161, 23 August 2013, pg 1989)

### 3. LOCAL LEGISLATION

#### EASTERN CAPE:

##### **Ingquza Hill Local Municipality**

- Control of nuisance Bylaw
  - Removal of Refuse By-law
  - Management of Cemeteries By-law
- (LAN37, PG3019, 27 August 2013, pg 33, 71 and 81)

#### GAUTENG:

##### **City of Tshwane Metropolitan Municipality**

Standard Electricity Supply by-laws  
(LAN1076, PG227, 7 August 2013, pg 3)

#### NORTH WEST:

##### **City of Matlosana**

Amendment of Solid Waste and Sanitation By-law  
(LAN174, PG7160, 30 August 2013, 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 -*

##### **Ian Sampson (Partner)**

Johannesburg:	Tel: +27 11 290 2540	Fax: +27 11 783 1301
Durban:	Tel: +27 31 575 7205	Fax: +27 31 575 7200
	Cell: +27 82 775 3720	Email: sampson@wylie.co.za

##### **Melissa Groenink (Associate)**

Durban:	Tel: +27 31 575 7214	Fax: +27 31 575 7200
	Cell: +27 82 466 5012	Email: groenink@wylie.co.za

##### **Janice Tooley (Associate)**

Durban:	Tel: +27 31 575 7212	Fax: +27 31 575 7200
	Cell: +27 82 450 5671	Email: tooley@wylie.co.za

##### **Matthew Thornton-Dibb (Candidate Attorney)**

Durban:	Tel: +27 31 575 7224	Fax: +27 31 575 7200
	Cell: +27 82 487 4676	Email: thornton-dibb@wylie.co.za