

Environmental Legislation Update

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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 sectors, including mining, industry, waste, water, construction, utilities, transport, forestry and agriculture. Services include environmental compliance audits; due diligence assessments; legal registers; contracts; structured finance; new and pending legislation; compliance notices and directives; permitting and licence requirements; appeals and training.

1. NATIONAL LEGISLATION

1.1. ACTS / AMENDMENT ACTS

No new items of relevance during this time period.

1.2 NOTICES / REGULATIONS

Electricity Regulation Act 4 of 2006

- Medium term risk mitigation project IPP procurement programme 2012 published under GN1076 in GG36005 of 19 December 2012 amended.
(GN731, GG39111, 18 August 2015, pg 4)
- Baseload IPP procurement programme 2012 published under GN1075 in GG36005 of 19 December 2012 and medium risk mitigation project IPP procurement programme 2012 published under GN1076 in GG36005 of 19 December 2012 amended and new determination published in respect of new generation capacity generated from gas published.
(GN732, GG39111, 18 August 2015, pg 6)
- Renewable energy IPP procurement programme 2015 published.
(GN733, GG39111, 18 August 2015, pg 10)



1.3 **RULES, GUIDELINES & POLICIES**

No new items of relevance during this time period.

1.4 **DRAFT LEGISLATION FOR COMMENT**

Marine Living Resources

- Extension of comment period:
Draft sector specific policies for the allocation of rights in the Abalone, Fish Processing Establishment, Hake Inshore-Trawl, Horse Mackerel, Kwazulu-Natal Sardine Beach Seine, Large Pelagic, Netfish, Patagonian Toothfish, Seaweed, West Coast Rock Lobster Nearshore and West Coast Rock Lobster Offshore; Application Forms and Draft Fees
(Gen N674, GG39057, 5 August 2015, pg 4) *Deadline for comment: 17 August 2015*

World Heritage

- Notice of intention to declare management authority for the Fossil Hominid Sites of Sterkfontein, Swartkrans, Kromdraai and Environs World Heritage Site (Cradle of Humankind)
(Gen N869, GG39141, 28 August 2015, pg 4) *Deadline for comment: 28 September 2015*

2. **PROVINCIAL LEGISLATION**

2.1 **WESTERN CAPE**

National Environmental Management: Protected Areas Act

- Declaration of the Wagenboom and Craigantlet Nature Reserves.
(PNs270 & 271, PG7466, 14 August 2015, pg 1807)
- Declaration of the Elandberg and Buffalo Valley Nature Reserves.
(PN272, PG7466, 14 August 2015, pg 1727) *Deadline for comment: 14 October 2015*
- Declaration of the Vleikraal Nature Reserve.
(PN290, PG7476, 28 August 2015, pg 1807)

2.3 **NORTH WEST**

Spatial Planning and Land Use Management Act 16 of 2013

- Local Municipalities Moses Kotane, Kgetlengrivier and Moretele have entered into an agreement to establish a joint Municipal Planning Tribunal.
(GN417, PG7524, 25 August 2015, pg 4)



3. LOCAL LEGISLATION

3.1 WESTERN CAPE

Bitou Local Municipality

- Land use planning by-law.
(PN273, PG7467, 12 August 2015, pg 2)
- Amendment to the solid waste disposal by-law.
(LAN58017, PG7471, 21 August 2015, pg 1784)

Saldanha Bay Local Municipality

- By-law on Municipal land use planning.
(PN274, PG7468, 13 August 2015, pg 2)

Hessequa Local Municipality

- Land use planning by-law.
(PN287, PG7472, 21 August 2015, pg 2)

Saldanha Bay Local Municipality

- By-law on Municipal land use planning.
(PN288, PG7473, 21 August 2015, pg 2)

George Local Municipality

- Proposed amendment of Town Planning tariffs with effect from implementation date of by-law on Municipal land use planning.
(LAN58343, PG7463, 7 August 2015, pg 1691)

Saldanha Bay Local Municipality

- By-law on Municipal land use planning.
(PN288, PG7473, 21 August 2015, pg 2)

Mossel Bay Local Municipality

- By-law on Municipal land use planning.
(PN288, PG7473, 21 August 2015, pg 2)

Witzenberg Local Municipality

- By-law on Municipal land use planning.
(PN289, PG7474, 21 August 2015, pg 2)

City of Cape Town

- Treated effluent amendment by-law.
(PN299, PG7478, 28 August 2015, pg 2)



3.2 **FREE STATE**

Mohokare Local Municipality

- Amendments to the Municipal land use planning by-laws. (PG82, 28 August 2015, pg 3)

Dihlabeng Local Municipality

- Correction to the Municipal land use planning by-laws (PG82, 28 August 2015, pg 5)

Mantsopa Local Municipality

- Municipal land use planning by-laws (PG82, 28 August 2015, pg 8)

Metsimaholo Local Municipality

- Municipal land use planning by-laws (PG82, 28 August 2015, pg 62)

Letsemeng Local Municipality

- Municipal land use planning by-laws (PG82, 28 August 2015, pg 115)

3.3 **KWAZULU-NATAL**

KwaDukuza Local Municipality

- Spatial planning and land use management by-law. (MN155, PG1474, 21 August 2015, pg 4)

Ugu District Municipality

- Community fire safety by-law 2014 published and Hibiscus Coast Municipality fire brigade by-law and Umdoni fire brigade by-law repealed. (MN149, PG1467, 13 August 2015, pg 12)

3.4 **EASTERN CAPE**

Joe Gqabi District Municipality

- Disaster risk management policy framework. (PN76, PG3477, 21 August 2015, pg 4)



3.5 **NORTH WEST**

Ratlou Local Municipality

- Public notice on Ratlou draft spatial planning and land use management by-law. (LAN117, PG7512, 4 August 2015, pg 40)

Ramotshere Moiloa Local Municipality

- By-law relating to the disposal of contaminated and/or infectious waste, 2015. (LAN106, PG7511, 3 August 2015, pg 79)

3.6 **NORTHERN CAPE**

Tsantsabane Local Municipality

- Approval of a draft spatial planning and land use management by-law. (GN120, PG1944, 3 August 2015, pg 9)

Umsobomvu Local Municipality

- Public notice: approval of a draft spatial planning and land use by-law. (GN124, PG1946, 10 August 2015, pg 8)

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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