

Environmental Legislation Update

4th October 2014 to 10th November 2014
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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 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

National Environmental Management: Integrated Coastal Management Amendment Act 36 of 2014
(Gov N862, GG38171, 31 October 2014, pg 2)

1.2. BILLS, WHITE PAPERS

No new items of relevance during this time period.

1.3. GENERAL / BOARD NOTICES

Agricultural Pests Act 36 of 1983

Plant Health (Phytosanitary) Policy for South Africa, May 2014
(Gen N889, GG38102, 17 October 2014, pg 3)

Water Services Act 108 of 1997

- Disestablishment of Pelladriфт Water Board
(Gov N810, GG38099, 15 October 2014, pg2)
- Extension of area of Sedibeng Water
(Gov N811, GG38100, 15 October 2014, pg2)

National Environmental Management Act 107 of 1998

Guideline on Need and Desirability in terms of the Environmental Impact Assessment (EIA) Regulations, 2010
(Gen N891, GG38108, 20 October 2014, pg 3)

Mineral and Petroleum Resources Development Act 28 of 2002

Prohibition under section 49 (1) of the Act against granting of new applications for prospecting rights, mining rights, reconnaissance permissions and mining permits in terms of sections 16, 22, 13 and 27 respectively of the Act for an indefinite period in respect of farms Rotondo1093, Klein Poortje 1077, Klein Poortje 1052, Poortje 38 and Mooiplaas 1087, district, Free State
(Gen N922, GG38128, 31 October 2014, pg 70)

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

Trade Metrology Act 77 of 1973

Regulations relating to the tariff of fees charged for services rendered in terms of the Act by the National Regulator for Compulsory Specifications (NRCS): Amendments
(Gov N807, GG38089, 17 October 2014, pg 48)

1.5 **LEGISLATION FOR COMMENT**

Spatial Planning and Land Use Management Act 16 of 2013

Draft regulations in terms of the Act: for comments
(Gen N877, GG38077, 10 October 2014, pg 3)

National Water Act 36 of 1998

Preliminary allocation schedule for compulsory licensing published in terms of s. 46(1) of the Act, for s. 21(a), (b) and (d) water use in the Mhlathuze Catchment
(Gen N883, GG38097, 14 October 2014, pg 3)

Petroleum Pipelines Act 60 of 2003

Draft amendment regulation in terms of the Act: for public comments
(Gen N885, GG38088, 17 October 2014, pg 116)

National Environmental Management: Air Quality Act 39 of 2004

Draft National Air Quality Appeal Regulations
(Gen N915, GG38122, 24 October 2014, pg 3)

National Environmental Management Act 107 of 1998

Regulations pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations
(Gov N940, GG38145, 31 October 2014, pg 3)

Financial Markets Act 19 of 2012

Notice of proposed amendments to the JSE Listing Requirements
(BN 134 in GG38175, 4 November 2014, pg 2)



2. PROVINCIAL LEGISLATION

2.1 FREE STATE

Disaster Management Act 57 of 2002

Declaration of the veld fires in the Province to be a provincial disaster: Local Municipalities of Maluti-a-Phofung, Dihlabeng and Mohokare
(PN93, PG63, 10 October 2014, pg 2)

2.2 GAUTENG

National Environmental Management Act: Protected Areas Act 57 of 2003

- Declaration of an area as the Roodeplaat Nature Reserve
(GN3503, PG302, 29 October 2014, pg 109)
- Declaration of an area as the Rietvlei Nature Reserve
(GN3504, PG302, 29 October 2014, pg 111)
- Declaration of an area as the Klapperkop Nature Reserve
(GN3505, PG302, 29 October 2014, pg 113)
- Amendment of boundaries of Groenkloof Nature Reserve
(GN3506, PG302, 29 October 2014, pg 115)
- Declaration of an area as the Voortrekker Monument Nature Reserve
(GN3507, PG302, 29 October 2014, pg 117)
- Declaration of an area as the Leeuwfontein Nature Reserve
(GN3508, PG302, 29 October 2014, pg 119)

3. LOCAL LEGISLATION

3.1 NORTH WEST

Ramotshere Moiloa Local Municipality

Electricity Supply By-laws
(LAN189, PG7357, 8 October 2014, pg 14)

3.2 GAUTENG


City of Johannesburg Metropolitan City Council

By-laws on Problem Properties
(LAN1482, PG286, 15 October 2014, pg 142)

3.3 MPUMALANGA

Umjindi Local Municipality

Review of existing By-laws (Street and Miscellaneous By-laws; and Refuse (Solid Waste) and Sanitary By-Laws)



(LAN216, PG2375, 24 October 2014, pg 29)

3.4 **WESTERN CAPE**

City of Cape Town Metropolitan Municipality

Draft Coastal Management Programme
(N, PG7325, 31 October 2014, pg 1829)

3.5 **FREE STATE**

Masilonyana Local Municipality

- Notice of Promulgation of By-laws
(PG71, 31 October 2014)
 - Standard Building Regulation By-law
(PG173, 9 December 2011)
 - Standard Commonage By-law
(PG176, 9 December 2011)
 - Standard Littering and Dumping By-law
(PG184, 9 December 2011)
 - Standard Waste Management By-law
(PG211, 9 December 2011)
 - Standard Control of street vendors By-law
(PG179, 9 December 2011)
 - Standard Public Nuisance By-law
(PG178, 9 December 2011)
 - Standard Storm Water By-law
(PG211, 9 December 2011)

3.6 **KWAZULU-NATAL**

UThungulu District Municipality

Water Service By-laws
(MN142, PG1261, 30 October 2014, 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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