



## NEWSLETTER ENV-3-2024

1 March 2024 – 30 April 2024

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### REGULATIONS:

#### **AGRICULTURAL PESTS ACT 36 OF 1983**

##### *REGULATIONS, 1984: AMENDED*

Table 1 of the Regulations regarding “Fees Payable”, were amended under Government Notice R. 4436 in Government Gazette 50230 of 1 March 2024.

##### *CONTROL MEASURES, 1984: AMENDED*

Schedule 6 regarding “Fees Payable” were amended under Government Notice R. 4434 in Government Gazette 50203 of 1 March 2024.

#### **NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998**

##### *AMENDMENTS TO THE REGULATIONS LAYING DOWN THE PROCEDURE TO BE FOLLOWED FOR THE ADOPTION OF SPATIAL TOOLS OR ENVIRONMENTAL MANAGEMENT INSTRUMENTS*

The Minister of Forestry, Fisheries and the Environment published amendments to the Regulations laying down the procedure to be followed for the adoption of spatial tools or environmental management instruments, as published in GN 542, GG 42380 of 5 April 2019. Published under Government Notice 50289 of 13 March 2019.

### NOTICES:

#### **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004**

##### *CONSULTATION ON NON-DETRIMENT FINDINGS FOR CERTAIN SPECIES LISTED IN TERMS OF THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA*

The Minister of Forestry, Fisheries and the Environment published the non-detriment findings for certain species listed in terms of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973, as made by the Scientific Authority in terms of section 62(3), read with sections 99 and 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) and as set out in the Schedule, for public comment.

Published under Government Notice 4473, Government Gazette 50258 of 5 March 2024.

## **NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004**

### *DRAFT NATIONAL DUST CONTROL AMENDMENT REGULATIONS FOR PUBLIC COMMENT*

The Minister of Forestry, Fisheries and the Environment published the draft National dust Control Amendment Regulations for public comment. The purpose of the amendments is to address the regulatory shortfalls that were identified in the implementation of the existing National dust Control Regulations. The proposed amendments are aimed at providing clarity by:

- Defining activities that are applicable to the regulations.
- Updating the standard test method for the collection and measurement of dustfall to a locally accessible method as adopted by South African Bureau of standards.
- Improving requirements for the development, implementation, and procedural matters with respect to dust management plans.
- Repealing the existing regulations published in GN 827, GG 36974 of 1 November 2013.

Members of the public are invited to submit written comments within 30 days from the date of publication of the Notice in the Government Gazette or newspaper, whichever date is the last date, to the Director-General: Department of Forestry, Fisheries and the Environment.

Published under Government Notice R. 4475, Government Gazette 50272 of 8 March 2024.

## **NATIONAL FORESTS ACT 84 OF 1998**

### *THE PUBLICATION OF THE ANNUAL LIST OF ALL TREE SPECIES WHICH ARE PROTECTED UNDER SECTION 12 OF THE NATIONAL FORESTS ACT*

The Minister of Forestry, Fisheries and the Environment gave notice of the publication of the list of all protected tree species. The trees are declared protected in terms of section 12 of the National Forests Act 84 of 1998.

Published under Government Notice 4496, Government Gazette 50291 of 13 March 2029.

## **NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT 24 OF 2008**

### *DRAFT SOUTH AFRICAN WATER QUALITY GUIDELINES FOR COASTAL MARINE WATERS –VOLUME 1: NATURAL ENVIRONMENT AND MARICULTURE USE*

The Minister of Forestry, Fisheries and the Environment published for public comment, the South African Water Quality Guidelines for Coastal Marine Waters – Volume 1: Natural Environment and Mariculture Use in terms of sections 83(1)(f)(v), (ix) and (xiii) of the National Environmental Management: Integrated Coastal Management Act, 2008. The document can be obtained by email and download from the Department's website. The primary purpose of the draft guidelines is to set the baseline standards of quality for different marine environments. The draft guidelines will replace the standards set in the older guidelines previously developed.

Published under Government Notice 4527, Government Gazette 50311 of 22 March 2024.

## **NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998**

### *CONSULTATION ON THE PROPOSED DOCUMENTS WHICH REPRESENT THE METHODOLOGY FOR DETERMINING THE FINANCIAL PROVISION REQUIRED TO BE SET ASIDE FOR RECONNAISSANCE, PROSPECTING, EXPLORATION AND MINING OF LOW-RISK COMMODITIES AS IDENTIFIED IN THE PROPOSED AMENDMENT TO THE FINANCIAL PROVISIONING REGULATIONS, 2015*

The Minister of Forestry, Fisheries and the Environment published consulted on the documents which represent the methodology for determining the financial provision, required to set aside for rehabilitation and management of environmental impacts associated with final closure and post-closure of reconnaissance, prospecting, exploration and mining operations for low-risk commodities as identified in the proposed amendments to the Financial Provisioning Regulations, 2015, published under GN 2272, GG 47112 of 11 July 2022. The documents are entitled “Rehabilitation Plan template for Operations Mining Low-Risk Commodities and “Financial Provisioning Determination spreadsheet and Master Rates. Published under Government Notice 4567, Government Gazette 50393 of 27 March 2024.

### *ADOPTION OF THE SOLAR EXCLUSION NORM AND EXCLUSION OF THE DEVELOPMENT AND EXPANSION OF SOLAR PHOTOVOLTAIC FACILITIES FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION*

The Minister of Forestry, Fisheries and the Environment adopted the Norm for the Exclusion of the Development and Expansion of Solar Photovoltaic Facilities in areas of low or medium Environmental Sensitivity, in terms of section 24(10) of the National Environmental Management Act, 1998 and to exclude, in terms of section 24(2)(d) of the Act, activities identified in terms of section 24(2)(a) and (b) of the Act, associated with the development and expansion of solar photovoltaic facilities, including any associated activity or infrastructure, from the requirement to obtain environmental authorisation, based on compliance with the Norm. Published under Government Notice 4558, Government Gazette 50388 of 27 March 2024.

### *ADOPTION OF THE BATTERY STORAGE EXCLUSION NORM AND EXCLUSION OF IDENTIFIED ACTIVITIES ASSOCIATED WITH THE DEVELOPMENT AND EXPANSION OF BATTERY STORAGE FACILITIES FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION*

The Minister of Forestry, Fisheries and the Environment adopted the Norm for the Exclusion of Identified Activities associated with the Development and Expansion of Battery Storage Facilities in areas of low or medium Environmental Sensitivity, in terms of section 24(10) of the National Environmental Management Act, 1998 and to exclude, in terms of section 24(2)(d) of the Act, activities identified in terms of section 24(2)(a) and (b) of the Act, associated with the development and expansion of battery storage facilities, from the requirement to obtain an environmental authorisation, based on compliance with the norm. published under Government Notice 4557, Government Gazette 50388 of 27 March 2024.

### *CONSULTATION ON THE INTENTION TO ADOPT A STANDARD FOR THE DEVELOPMENT AND EXPANSION OF ELECTRICITY TRANSMISSION AND DISTRIBUTION POWER LINE INFRASTRUCTURE AND TO EXCLUDE THE INFRASTRUCTURE FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION; AS WELL AS TO REPEAL THE STANDARD FOR THE DEVELOPMENT AND EXPANSION OF POWER LINES AND SUBSTATIONS WITHIN IDENTIFIED GEOGRAPHICAL AREAS AND THE EXCLUSION BASED ON THE STANDARD, PUBLISHED UNDER GN 2313, GG 47095 OF 27 JULY 2022*

The Minister of Forestry, Fisheries and the Environment, consulted on the intention to adopt the Standard for the Development and Expansion of Electricity Transmission and Distribution Power Line Infrastructure, 2024, and to

exclude activities identified in terms of section 24(2)(a) and (b) of the Act for the development and expansion of electricity transmission and distribution power line infrastructure, including any associated activity or infrastructure, from the requirement to obtain environmental authorisation, based on compliance with the standard.

Published under Government Notice 4586, Government Gazette 50417 of 28 March 2024.

*CONSULTATION ON THE INTENTION TO ADOPT A SUBSTATION EXCLUSION NORM AND TO EXCLUDE THE DEVELOPMENT AND EXPANSION OF TRANSMISSION AND DISTRIBUTION SUBSTATIONS FROM THE REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION*

The Minister of Forestry, Fisheries and the Environment consulted on the intention to adopt the Norm for the Exclusion of identified activities associated with the development and expansion of transmission and distribution substations in areas of low or medium environmental sensitivity, in terms of section 24(10) of the National Environmental Management Act, 1998 and to exclude, in terms of section 24(2)(d) of the Act, activities identified in terms of section 24(2)(a) and (b) of the Act, associated with the development and expansion of transmission and distribution substations, from the requirement to obtain environmental authorisation, based on compliance with the Norm. Members of the public are invited to submit written comments within 30 days from the date of the publication of the Notice in the Government Gazette, to the Director-General, Department of Forestry, Fisheries and the environment.

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**CONTACT US**

Lucinda van Rensburg	lucinda@implex.co.za	012 644 0047	(c) 082 890 7695
Robert Steyn	robert@implex.co.za	012 644 0047	(c) 082 880 5604
Tasneem Khan	tasneem@implex.co.za	012 644 0047	(c) 082 858 6319
Bridget Hughes	bridget@implex.co.za	012 644 0047	(c) 082 461 6748
Marlize de Jager	marlize@implex.co.za	012 644 0047	(c) 071 609 8367
Lobry Jansen van Rensburg	lobry@implex.co.za	012 644 0047	(c) 082 631 2564

**SOURCES**

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- SA Government Online Information Services
- DMR
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