
GOVERNMENT NOTICE

NO.R.

2015

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)

GOVERNMENT NOTICE PROVIDING FOR EXCEPTIONS TO THE MANNER, THE NEED OR THE ABILITY TO OBTAIN ENVIRONMENTAL AUTHORISATION

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby publish a General Notice in terms of section 24(2), 24(2A), 24A and 24B of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days after the publication of this notice in the *Gazette*, written comments or inputs to the following addresses:

By post to: The Director-General: Department of Environmental Affairs
Attention: Mr Franz Scheepers
Private Bag X447
Pretoria
0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0083,
Attention: Mr Franz Scheepers

By e-mail to: fscheepers@environment.gov.za

Any inquiries in connection with this notice can be directed to Mr Franz Scheepers at 0123999285

Comments received after the closing date will not be considered.

**BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS**

SCHEDULE

PURPOSE

1. The purpose of this Notice is to identify exceptions to the manner, the need or the ability to obtain environmental authorisation and to identify the instances and/or geographical areas in which these exceptions apply.

SCOPE

2. This notice applies to activities which have been identified by the Minister in terms of section 24(2)(a) or (b) of the Act, which activities are:
 - (a) contained in the Environmental Impact Assessment Regulations Listing Notice 2 of 2014 but to which basic assessment, as contemplated in regulation 19 and 20 of the Environmental Impact Assessment Regulations, 2014, as identified by the Minister in a government notice, must be applied, with or without conditions;
 - (b) excluded from obtaining an environmental authorisation but that must comply with a norm or standard, as contemplated in section 24(2)(d) of the Act;
 - (c) delisted in terms of section 24B of the Act and which no longer require environmental authorisation;
 - (d) excluded, in geographical areas based on environmental attributes, from the requirement to obtain environmental authorisation in terms of section 24(2)(c) of the Act, based on a spatial tool or an environmental management instrument adopted in terms of the Act;
 - (e) excluded from the requirement to obtain environmental authorisation in terms of section 24(2)(e) of the Act based on an environmental management instrument adopted in terms of the Act; and
 - (f) prohibited or restricted from the granting of environmental authorisation, as contemplated in section 24(2A) of the Act.

DEFINITIONS

3. (1) In this Notice, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates-

“Environmental Impact Assessment Regulations, 2014” means the regulations published by Notice No. R982 in *Gazette* No. 38282 of 4 December 2014; and

“the Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

EXCEPTIONS TO THE MANNER, THE NEED OR THE ABILITY TO OBTAIN ENVIRONMENTAL AUTHORISATION

PART A

TABLE 1

Table 1 contains a list of activities identified in terms of section 24(2)(a) or (b) of the Act and which are contained in Environmental Impact Assessment Regulations Listing Notice 2 of 2014, including listed and specified activities contained in the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, Environmental Impact Assessment Regulations Listing Notice 2 of 2014 and Environmental Impact Assessment Regulations Listing Notice 3 of 2014 necessary for the realisation of these activities, for which the process as contemplated in regulation 19 and 20 of the Environmental Impact Assessment Regulations, 2014 must be applied, with or without conditions.

ROW	ACTIVITY	ACTIVITY IDENTIFIED IN GAZETTE NR	GEOGRAPHICAL AREA IF APPLICABLE	EFFECTIVE DATE OF EXCEPTION	CONDITIONS TO BE APPLIED, WHERE RELEVANT
1	Example: Activity 1, LN2	Gazette Nr			
2					
3					
4					

PART B

TABLE 2

Table 2 contains a list of activities identified in terms of section 24(2)(a) or (b) of the Act which are excluded from the requirement to obtain an environmental authorisation in terms of section 24(2)(d) but which must comply with a prescribed norm or standard, as adopted in terms of section 24(10) of the Act.

NAME OF NORM OR STANDARD	APPLICABLE TO ACTIVITY	ADOPTED IN GAZETTE NR	GEOGRAPHICAL AREA IF APPLICABLE	EFFECTIVE DATE OF NORM OR STANDARD

PART C

TABLE 3

Table 3 contains a list of activities identified in terms of section 24(2)(a) or (b) of the Act which are delisted in terms of section 24B of the Act and which no longer require environmental authorisation.

ACTIVITY	LISTING NOTICE	GEOGRAPHICAL AREA	EFFECTIVE DATE OF DELISTING

PART D

TABLE 4

Table 4 contains a list of activities identified in terms of section 24(2)(a) or (b) of the Act which are excluded, in geographical areas based on environmental attributes, from the requirement to obtain environmental authorisation in terms of section 24(2)(c) of the Act, based on a spatial tool or an environmental management instrument, as adopted in terms of the Act.

ACTIVITY	LISTING NOTICE	SPATIAL TOOL OR ENVIRONMENTAL MANAGEMENT INSTRUMENT	ADOPTED IN GAZETTE NR	GEOGRAPHICAL AREA	EFFECTIVE DATE OF EXCLUSION

PART E

TABLE 5

Table 5 contains a list of activities identified in terms of section 24(2)(a) or (b) of the Act which are excluded from the requirement to obtain environmental authorisation in terms of section 24(2)(e) of the Act based on an environmental management instrument, adopted in terms of the Act.

ACTIVITY	LISTING NOTICE	ENVIRONMENTAL MANAGEMENT INSTRUMENT	ADOPTED IN GAZETTE NR	EFFECTIVE DATE OF EXCLUSION

PART F

PROHIBITION OR RESTRICTION FROM THE GRANTING OF ENVIRONMENTAL AUTHORISATION AS CONTEMPLATED IN SECTION 24(2A) OF THE ACT

To the extent indicated in Table 6, activities are hereby prohibited or restricted from the granting of environmental authorisation.

TABLE 6

PROHIBITION OR RESTRICTION FROM THE GRANTING OF ENVIRONMENTAL AUTHORISATION

ACTIVITY PROHIBITED/RESTRICTED	GEOGRAPHICAL AREA	EFFECTIVE DATE OF PROHIBITION/RESTRICTION