No. R. 546

18 June 2010

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

LISTING NOTICE 3: LIST OF ACTIVITIES AND COMPETENT AUTHORITIES IDENTIFIED IN TERMS OF SECTIONS 24(2) AND 24D

[As corrected by "Correction Notice 2" (GN No. R. 1159 of 10 December 2010)]¹

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs hereby, under sections 24(2), 24(5), 24D and 44 of the National Environmental Management Act, 1998, (Act No. 107 of 1998), publish Listing Notice 3 of the activities and competent authorities identified as set out in the Schedule hereto.

BUYELWA SONJICA

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

¹ The corrections to the text of the Regulations were inserted in the original text by staff of the DEA&DP. It is not an official government publication. The DEA&DP accepts no responsibility and will incur no liability whatsoever for any errors or omissions. This document was produced for ease of reference and is not a substitute for the actual published regulations and correction notices.

SCHEDULE

PURPOSE

1. The purpose of this Notice is to list activities and identify competent authorities under sections 24(2), 24(5) and 24D of the National Environmental Management Act, 1998, where environmental authorisation is required prior to commencement of that activity in specific identified geographical areas only.

DEFINITIONS

2. 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—

"bioregional plan" means the bioregional plan contemplated in Chapter 3 of the NEMBA;

"**buffer area**" means, unless specifically defined, an area extending 10 kilometres from the proclaimed boundary of a world heritage site or national park and 5 kilometres from the proclaimed boundary of a nature reserve, respectively, or that defined as such for a biosphere;

"construction" means the building, erection or establishment of a facility, structure or infrastructure that is necessary for the undertaking of a listed or specified activity but excludes any modification, alteration or expansion of such a facility, structure or infrastructure and excluding the reconstruction of the same facility in the same location, with the same capacity and footprint;

"dangerous goods" means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated "List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)" published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;

[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]

"development setback" means a setback line as defined or adopted by the competent authority and where none has been defined or adopted it will be assumed that no setback line applies;

"Environmental Impact Assessment Regulations" means the regulations made under section 24(5) of the Act;

"estuary" means the estuarine functional zone as defined in the National Estuaries Layer, available from the South African National Biodiversity Institute's BGIS website (<u>http://bgis.sanbi.org</u>);

"expansion" means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased;

"Gauteng Agricultural Potential Atlas" means the Gauteng Agricultural Potential Atlas, 2006, which can be obtained from the Gauteng Department of Agriculture and Rural Development;

"Gauteng Conservation Plan" means the Gauteng Conservation Plan (C-Plan) which can be obtained from the Gauteng Department of Agriculture and Rural Development;

"indigenous vegetation" refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years;

"industrial complex" means an area used or zoned for bulk storage, manufacturing, processing or packaging purposes;

"National Protected Area Expansion Strategy (NPAES)" means South Africa's national strategy for expansion of the protected area network, led by the Department of Environmental Affairs and developed in collaboration with national and provincial conservation authorities. The NPAES sets targets for protected area expansion, provides maps of the most important areas for protected area expansion, and makes recommendations on mechanisms for protected area expansion. Focus areas for protected area expansion are identified in the NPAES. They are large, intact,

unfragmented areas of high importance for land-based protected area expansion, suitable for the creation or expansion of large protected areas;

"**NEMBA**" means the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

"NEMPAA" means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

"phased activities" means an activity that is developed in phases over time on the same or adjacent properties to create a single or linked entity through interconnected internal vehicular or pedestrian circulation, sharing of infrastructure, or the continuum of design, style or concept by the same proponent or his or her successors;

"protected area" means those protected areas contemplated in section 9 of the NEMPAA and the core area of a biosphere reserve and shall include their buffers;

"sites or areas listed in terms of an International Convention" means any area and its buffer, unless specifically defined, of 5 kilometres extending from its listed boundary, listed in terms of an international convention but does not include world heritage sites, and shall include but not be limited to the Ramsar Convention on Wetlands (Ramsar, Iran, 1971);

"systematic biodiversity plan" is a plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes;

"the Act" means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

"**urban areas**" means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas; and

["watercourse" means -

(a) a river or spring;

- (b) a natural channel or depression in which water flows regularly or intermittently;
- (c) a wetland, lake or dam into which, or from which, water flows; and
- (d) any collection of water which the Minister may, by notice in the Gazette, declare to be a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998)]

"watercourse" means -

- (a) a river or spring;
- (b) <u>a natural channel or depression in which water flows regularly or</u> intermittently;
- (c) a wetland, lake or dam into which, or from which, water flows; and
- (d) any collection of water which the Minister may, by notice in the Gazette, declare to be a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998)

and a reference to a watercourse includes, where relevant, its bed and banks. [Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]

"wetland" means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]

- (1) The activities listed in Appendix 1 are identified in terms of section 24(2)(a) of the Act as activities that may not commence without an environmental authorisation from the competent authority.
 - (2) The investigation, assessment and communication of potential impact of activities must follow the procedure as prescribed in regulations 21 to 25 of the Environmental Impact Assessment Regulations published in terms of section 24(5) of the Act.

Short title and commencement

4. This Listing Notice is called Environmental Impact Assessment Regulations Listing Notice 3 of 2010, and takes effect on a date determined by the Minister by notice in the Gazette.

APPENDIX 1

Activity number	Activity description	Geographical areas based on environmental attributes	Identification of competent authority
1	The construction of billboards exceeding 18 square metres in size outside urban or mining areas or outside industrial complexes.	 (a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape provinces: A protected area identified in terms of NEMPAA, excluding conservancies; National Protected Area Expansion Strategy Focus areas; World Heritage Sites; Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; Sites or areas identified in terms of an International Convention; Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; Core areas in biosphere reserves; Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; In an estuary. 	[The competent authority in respect of the activities listed in this part of the schedule is the environmental authority in the province in which the activity is to be undertaken unless it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1)(d) of the Act, as amended.] The competent authority in respect of the activities listed in this part of the schedule is the environmental authority in the province in which the activity is to be undertaken unless it is an application for an activity contemplated in section 24C(2) of the Act, in which case the

(b) In	Gauteng:	competent authority is the Minister
i.	A protected area identified in terms of NEMPAA, excluding conservancies;	or an organ of state with power to
ii.	National Protected Area Expansion Strategy Focus areas;	act under delegated authority in
iii.	Sensitive areas as identified in an environmental management framework	terms of section 42(1) of the Act.
	as contemplated in chapter 5 of the Act and as adopted by the competent	[Corrected by "Correction Notice 2" of
	authority;	10 December 2010, GN No. R. 1159]
iv.	Sites or areas identified in terms of an International Convention;	
V.	Sites identified as irreplaceable or important sites in the Gauteng	
	Conservation Plan.	
(c) In	North West:	
i.	Any protected area identified in terms of NEMPAA including municipal or	
	provincial nature reserves but excluding conservancies;	
ii.	National Protected Area Expansion Strategy Focus areas;	
iii.	World Heritage Sites;	
iv.	Sensitive areas as identified in an environmental management framework	
	as contemplated in chapter 5 of the Act and as adopted by the competent	
	authority;	
V.	Sites or areas identified in terms of an International Convention;	
vi.	Critical biodiversity areas as identified in systematic biodiversity plans	
	adopted by the competent authority or in bioregional plans;	
vii.	Core areas in biosphere reserves;	
viii.	Areas within 10 kilometres from national parks or world heritage sites or 5	
	kilometres from any other protected area identified in terms of NEMPAA or	
	biosphere reserve;	

	ix. Any protected area including municipal or provincial nature reserves		
	as contemplated by NEMPAA or other relevant legislation;		
	x. Areas designated for conservation use in adopted Spatial Development		
	Frameworks, or zoned for a conservation purpose, within urban areas.		
	(d) In Western Cape:		
	i. All areas:		
	(aa) Outside urban areas;		
	(bb) In an estuary;		
	(cc) In a protected area identified in terms of NEMPAA, excluding		
	conservancies.		
2 The construction of	(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and		
reservoirs for bulk	Northern Cape provinces:		
water supply with a	i. In an estuary;		
capacity of more than	ii. In a protected area identified in terms of NEMPAA, excluding		
250 cubic metres.	conservancies;		
	iii. Outside urban areas, in:		
	(aa) National Protected Area Expansion Strategy Focus areas;		
	(bb) Sensitive areas as identified in an environmental management		
	framework as contemplated in chapter 5 of the Act and as adopted		
	by the competent authority;		
	(cc) Sites or areas identified in terms of an International Convention;		
	(dd) Critical biodiversity areas as identified in systematic biodiversity		
	plans adopted by the competent authority or in bioregional plans;		
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		(ee)	Core areas in biosphere reserves;
		(ff)	Areas within 10 kilometres from national parks or world heritage
		()	sites or 5 kilometres from any other protected area identified in
			terms of NEMPAA or from the core area of a biosphere reserve;
		(gg)	Areas seawards of the development setback line or within 1
		(00)	kilometre from the high-water mark of the sea if no such
			development setback line is determined.
	iv.	In urb	an areas:
		(aa)	Areas zoned for use as public open space;
		(bb)	Areas designated for conservation use in Spatial Development
		()	Frameworks adopted by the competent authority, or zoned for a
			conservation purpose;
		(cc)	Areas seawards of the development setback line or within urban
			protected areas.
	(b) Ir	Gaute	eng:
	i.	A pro	tected area identified in terms of NEMPAA, excluding conservancies;
	ii.	Natio	nal Protected Area Expansion Strategy Focus areas;
	iii.		tive areas as identified in an environmental management framework
			ntemplated in chapter 5 of the Act and as adopted by the competent
		autho	
	iv.		or areas identified in terms of an International Convention;
	v.		identified as irreplaceable or important sites in the Gauteng
			ervation Plan;
			,

vi	Areas larger than 2 hectares zoned for use as public open space;
vii	Areas zoned for a conservation purpose.
(c)	In North West :
i	A protected area identified in terms of NEMPAA, excluding conservancies;
ii	Outside urban areas, in:
	(aa) National Protected Area Expansion Strategy Focus areas;
	(bb) Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
	(cc) Sites or areas identified in terms of an International Convention;
	(dd) Critical biodiversity areas (Type 1 only) as identified in systematic
	biodiversity plans adopted by the competent authority or in
	bioregional plans;
	(ee) Core areas in biosphere reserves;
	(ff) Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;
	In urban areas:
	(aa) Areas zoned for use as public open space;
	(bb) Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority, or zoned for a
	conservation purpose.

		(d)	In Weste	ern Cape:
		i.		estuary;
		ii.	A pro	ected area identified in terms of NEMPAA, excluding conservancies;
		iii.	All are	as outside urban areas;
		iv.	In urb	an areas:
			(aa)	Areas zoned for use as public open space; and
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority, or zoned for a
				conservation purpose.
3	The construction of	(a)	In Easte	rn Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	masts or towers of any		Norther	n Cape provinces:
	material or type used	i.	In an	estuary;
	for telecommunication	ii.	Outsid	le urban areas,
	broadcasting or radio		(aa)	A protected area identified in terms of NEMPAA, excluding
	transmission purposes			conservancies;
	where the mast:		(bb)	National Protected Area Expansion Strategy Focus areas;
			(cc)	Sensitive areas as identified in an environmental management
	(a) is to be placed on			framework as contemplated in chapter 5 of the Act and as adopted
	a site not			by the competent authority;
	previously used for		(dd)	Sites or areas identified in terms of an International Convention;
	this purpose, and		(ee)	Critical biodiversity areas as identified in systematic biodiversity
	(b) will exceed 15			plans adopted by the competent authority or in bioregional plans;

metres in height,			
		(ff)	Core areas in biosphere reserves;
but excluding		(gg)	Areas within 10 kilometres from national parks or world heritage
attachments to existing			sites or 5 kilometres from any other protected area identified in
buildings and masts on			terms of NEMPAA or from the core areas of a biosphere reserve;
rooftops.		(hh)	Areas seawards of the development setback line or within 1
			kilometre from the high-water mark of the sea if no such
			development setback line is determined.
	iii.	Inside	urban areas; in:
		(aa)	Areas zoned for use as public open space;
		(bb)	Areas designated for conservation use in Spatial Development
			Frameworks adopted by the competent authority or zoned for a
			conservation purpose.
	(b) In	Gaute	ng:
	i	A prote	ected area identified in terms of NEMPAA, excluding conservancies;
	ii.	Nation	al Protected Area Expansion Strategy Focus areas;
	iii.	Sensiti	ve areas as identified in an environmental management framework
		as con	templated in chapter 5 of the Act and as adopted by the competent
		authori	ty;
	iv.	Sites o	r areas identified in terms of an International Convention;
	V.	Sites io	dentified as irreplaceable or important sites in the Gauteng
		Conse	rvation Plan;
	vi.	Areas	larger than 2 hectares zoned for use as public open space;
	vii.	Areas	zoned for a conservation purpose.

(c)	In North	West :
i.	Outsi	de urban areas, in:
	(aa)	A protected area identified in terms of NEMPAA, excluding
		conservancies;
	(bb)	National Protected Area Expansion Strategy Focus areas;
	(cc)	Sensitive areas as identified in an environmental management
		framework as contemplated in chapter 5 of the Act and as adopted
		by the competent authority;
	(dd)	Sites or areas identified in terms of an International Convention;
	(ee)	Critical biodiversity areas (Type 1 only) as identified in systematic
		biodiversity plans adopted by the competent authority or in
		bioregional plans;
	(ff)	Core areas in biosphere reserves;
	(gg)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or biosphere reserve.
ii.	In urb	an areas, the following:
	(aa)	Areas designated for conservation use in adopted Spatial
		Development Frameworks, or zoned for a conservation purpose.
(d)	In West	ern Cape:
i.	In an	estuary;
ii.	All are	eas outside urban areas;
iii.	Areas	inside urban areas but outside commercial and industrial

			areas.	
4	The construction of a	(a)	In Easte	rn Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	road wider than 4		Northeri	n Cape provinces:
	metres with a reserve	i.	In an e	estuary;
	less than 13,5 metres.	ii.		de urban areas, in:
			(aa)	A protected area identified in terms of NEMPAA, excluding
			(000)	conservancies;
			(bb)	National Protected Area Expansion Strategy Focus areas;
			(cc)	Sensitive areas as identified in an environmental management
			()	framework as contemplated in chapter 5 of the Act and as adopted
				by the competent authority;
			(dd)	Sites or areas identified in terms of an International Convention;
			(ee)	Critical biodiversity areas as identified in systematic biodiversity
				plans adopted by the competent authority or in bioregional plans;
			(ff)	Core areas in biosphere reserves;
			(gg)	Areas within 10 kilometres from national parks or world heritage
				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core areas of a biosphere reserve;
			(hh)	Areas seawards of the development setback line or within 1
				kilometre from the high-water mark of the sea if no such
				development setback line is determined.
		iii.	In urba	an areas:

	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose;
	(cc)	seawards of the development setback line or within urban
		protected areas.
(b) I	In Gaute	eng:
i.	A prote	ected area identified in terms of NEMPAA, excluding conservancies;
ii.	Nationa	al Protected Area Expansion Strategy Focus areas;
iii.	Sensiti	ve areas as identified in an environmental management framework
	as con	templated in chapter 5 of the Act and as adopted by the competent
	authori	ty;
iv.	Sites ic	dentified in terms of the Ramsar Convention;
v.	Sites ic	dentified as irreplaceable or important in the Gauteng Conservation
	plan;	
vi.	Areas I	arger than 2 hectares zoned for use as public open space;
vii.	Areas a	zoned for a conservation purpose.
viii.	Any d	eclared protected area including Municipal or Provincial Nature
	Reserv	res as contemplated by the Environment Conservation Act, 1989 (Act
	No. 73	of 1989) and the Nature Conservation Ordinance (Ordinance 12 of
	1983);	
ix.	Any s	ite identified as land with high agricultural potential located
	within	the Agricultural Hubs or Important Agricultural Sites identified in
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 (c) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding
(aa) A protected area identified in terms of NEMPAA evoluting
(aa) A protected area identified in terms of NEIMI AA, excluding
conservancies;
(bb) National Protected Area Expansion Strategy Focus areas;
(cc) Sensitive areas as identified in an environmental management
framework as contemplated in chapter 5 of the Act and as adopted
by the competent authority;
(dd) Sites or areas identified in terms of an International Convention;
(ee) Critical biodiversity areas (Terrestrial Type 1 and 2 and Aquatic
Type 1) as identified in systematic biodiversity plans adopted by
the competent authority or in bioregional plans;
(ff) Core areas in biosphere reserves;
(gg) Areas within 10 kilometres from national parks or world heritage
sites or 5 kilometres from any other protected area identified in
terms of NEMPAA or from a biosphere reserve.
ii. In urban areas:
(aa) Areas zoned for use as public open space;
(bb) Areas designated for conservation use in Spatial Development
Frameworks adopted by the competent authority or zoned for a
conservation purpose;
(cc) Natural heritage sites.
(d) In Western Cape:

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		i. In an estuary;					
		ii. All areas outside urban areas;					
		iii. In urban areas:					
		(aa) Areas zoned for use as public open space within urban areas; and					
		(bb) Areas designated for conservation use in Spatial Development					
		Frameworks adopted by the competent authority, or zoned for a					
		conservation purpose.					
5	The construction of	(a) A protected area identified in terms of the NEMPAA.					
	resorts, lodges or other	(b) In an estuary.					
	tourism	(c) Outside urban areas within 10 kilometres from national parks or world					
	accommodation facilities that sleep less than 15 people.	heritage sites or 5 kilometres from any other protected area identified in					
		terms of NEMPAA or from the core area of a biosphere reserve.					
		[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]					
		[(c)] <u>(d)</u> In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga					
		and Northern Cape provinces:					
		[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]					
		i. Outside urban areas, in:					
		(aa) Critical biodiversity areas as identified in systematic biodiversity					
		plans adopted by the competent authority or in bioregional plans;					
		(bb) Areas seawards of the development setback line or within 1					
		kilometre from the high-water mark of the sea if no such					
		development setback line is determined;					
		(cc) Areas within 100 metres of a watercourse or wetland.					
		ii. In urban areas:					

	(aa) Areas zoned for use as public open space;
	(bb) Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for a
	conservation purpose.
[(f)] <u>(</u>	e) In Gauteng:
	[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
i.	Sites that have been identified as irreplaceable or important in the
	Gauteng Conservation Plan;
ii.	Any sites located within the Agricultural Hubs or Important Agricultural
	Sites identified in terms of the applicable Gauteng Agricultural Potential
	Atlas;
iii.	A protected area identified in terms of NEMPAA, excluding conservancies;
iv.	Any declared protected area including Municipal or Provincial Nature
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1983).
[(g)] (<u>f)</u> In North West :
	[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
i.	Any protected area including municipal or provincial nature reserves as
	contemplated by NEMPAA or other relevant legislation;
ii.	Natural Heritage sites;
iii.	Outside urban areas, in:
	(aa) Critical biodiversity areas (Terrestrial Type 1 and Aquatic Type 1)
	as identified in systematic biodiversity plans adopted by the

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				competent authority or in bioregional plans;
			(bb)	Areas on the watercourse side of the development setback line or
				within 100 metres from the edge of a watercourse where no
				such setback line has been determined.
		iv.	In ur	ban areas:
			(aa)	Areas zoned for use as public open space;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority or zoned for a
				conservation purpose.
		[(h)]	<u>(g)</u> In V	Vestern Cape:
			[Corre	ected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
		i.	In an	estuary;
		ii.	Critic	al biodiversity areas as identified in systematic biodiversity plans
			adop	ted by the competent authority or in bioregional plans;
		iii.	Area	s seawards of the development setback line or within 1 kilometre from
			the h	igh-water mark of the sea if no such development setback line is
			deter	mined;
		iv.	Area	s on the watercourse side of the development setback line or within
			100 r	metres from the edge of a watercourse where no such setback line
			has b	been determined.
6	The construction of	(a)	In East	ern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	resorts, lodges or other		Northe	rn Cape provinces:
	tourism	i.	In an	estuary;
	accommodation	ii.	Outsi	ide urban areas, in:
l				

(aa)	A protected area identified in terms of NEMPAA, excluding	
	conservancies;	
(bb)	National Protected Area Expansion Strategy Focus areas;	
(cc)	Sensitive areas as identified in an environmental management	
	framework as contemplated in chapter 5 of the Act and as adopted	
	by the competent authority;	
(dd)	Sites or areas identified in terms of an International Convention;	
(ee)	Critical biodiversity areas as identified in systematic biodiversity	
	plans adopted by the competent authority or in bioregional plans;	
(ff)	Core areas in biosphere reserves;	
(gg)	Areas within 10 kilometres from national parks or world heritage	
	sites or 5 kilometres from any other protected area identified in	
	terms of NEMPAA or from the core area of a biosphere reserve;	
(hh)	Areas seawards of the development setback line or within 1	
	kilometre from the high-water mark of the sea if no such	
	development setback line is determined;	
(ii)	Areas on the watercourse side of the development setback line or	
.,	within 100 metres from the edge of a watercourse where no such	
	setback line has been determined.	
ii. In urba	an areas, the following:	
(bb)	Areas designated for conservation use in Spatial Development	
~ /		
	(bb) (cc) (dd) (ee) (ff) (gg) (hh) (ii) ii. In urba (aa)	 conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (dd) Sites or areas identified in terms of an International Convention; (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Core areas in biosphere reserves; (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; (hh) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; (ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined. ii. In urban areas, the following: (aa) Areas zoned for use as public open space;

(b) I	I Gauteng:
i.	A protected area identified in terms of NEMPAA, excluding conservancies;
ii.	National Protected Area Expansion Strategy Focus areas;
··· · · · · · · · · · · · · · · · · ·	Sensitive areas as identified in an environmental management framework
	as contemplated in chapter 5 of the Act and as adopted by the competent
	authority;
iv.	Sites or areas identified in terms of an International Convention;
V.	Sites identified as irreplaceable or important in the Gauteng Conservation
	Plan;
vi.	Within 100 metres of from the edge of a watercourse;
vii.	Any sites located within the Agricultural Hubs or Important Agricultural
	Sites identified in terms of the applicable Gauteng Agricultural Potential
	Atlas.
(c) I	North West :
(a	a) Any protected area including municipal or provincial nature
	reserves as contemplated by NEMPAA or other relevant legislation;
(b	b) Natural Heritage sites;
(C	c) Outside urban areas, in:
	(aa) Critical biodiversity areas (Terrestrial Type 1 and Aquatic Type 1)
	as identified in systematic biodiversity plans adopted by the
	competent authority or in bioregional plans;
	(bb) Areas on the watercourse side of the development setback line or
	within 100 metres from the edge of a watercourse where no such
	setback line has been determined.

		(dd)	In urban areas:
		i.	Areas zoned for use as public open space;
		ii.	Areas designated for conservation use in Spatial Development
			Frameworks adopted by the competent authority or zoned for a
			conservation purpose.
		(d) In W	Vestern Cape:
			n an estuary;
		ii. A	II areas outside urban areas;
		iii. Ir	n urban areas:
		(8	aa) Areas seawards of the development setback line or within 1
			kilometre from the high-water mark of the sea if no such
			development setback line is determined;
		(k	bb) Areas on the watercourse side of the development setback line or
			within 100 metres from the edge of a watercourse where no such
			setback line has been determined.
7	The conversion of	(a) In E	astern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	existing structures to	Nor	thern Cape provinces:
	resorts, lodges or	i. Ir	n an estuary;
	tourism	ii. C	Dutside urban areas, in:
	accommodation	(8	aa) A protected area identified in terms of NEMPAA, excluding
	facilities that sleep 15		conservancies;
	people or more.	(k	bb) National Protected Area Expansion Strategy Focus areas;
		(0	cc) World Heritage Sites;
		(0	dd) Sensitive areas as identified in an environmental management

		framework as contemplated in chapter 5 of the Act and as adopted
		by the competent authority;
	(ee)	Sites or areas identified in terms of an International Convention;
	(ff)	Critical biodiversity areas as identified in systematic biodiversity
		plans adopted by the competent authority or in bioregional plans;
	(gg)	Core areas in biosphere reserves;
	(hh)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core areas of a biosphere reserve;
	(ii)	Areas seawards of the development setback line or within 1
		kilometre from the high-water mark of the sea if no such
		development setback line is determined;
iii.	In urba	an areas:
	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose.
(b) I	n Gaute	ng:
i.	A prot	ected area identified in terms of NEMPAA, excluding conservancies;
ii.	Natior	nal Protected Area Expansion Strategy Focus areas;
iii.	Sensit	ive areas as identified in an environmental management framework
	as cor	ntemplated in chapter 5 of the Act and as adopted by the competent
	author	ity;
iv.	Sites of	or areas identified in terms of an International Convention;

V.	Sites identified as irreplaceable or important in the Gauteng Conservation
	Plan;
vi.	Within 100 metres of a watercourse;
vii.	Any sites located within the Agricultural Hubs or Important Agricultural
	Sites identified in terms of the applicable Gauteng Agricultural Potential
	Atlas;
viii.	Any declared protected area including Municipal or Provincial Nature
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1983).
(c) I	n North West :
i.	Outside urban areas, in:
	(aa) A protected area identified in terms of NEMPAA, excluding
	conservancies;
	(bb) National Protected Area Expansion Strategy Focus areas;
	(cc) World Heritage Sites;
	(dd) Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and and as
	adopted by the competent authority;
	(ee) Sites or areas identified in terms of an International Convention;
	(ff) Critical biodiversity areas as identified in systematic biodiversity
	plans adopted by the competent authority or in bioregional plans;
	(gg) Core areas in biosphere reserves;
	(hh) Areas within 10 kilometres from national parks or world heritage

				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core area of a biosphere reserve.
		ii.	In urb	an areas:
			(aa)	Areas zoned for use as public open space;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority or zoned for a
				conservation purpose.
		(d) I	n West	ern Cape:
		(a	ia)	In an estuary;
		(b	b)	All areas outside urban areas;
		(C	c)	In urban areas:
			i.	Areas seawards of the development setback line or within 1
				kilometre from the high-water mark of the sea if no such
				development setback line is determined;
			ii.	Areas on the watercourse side of the development setback line or
				within 100 metres from the edge of a watercourse where no such
				setback line has been determined.
8	The construction of	(a)	In Eas	tern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga
	aircraft landing strips	()		orthern Cape provinces:
	and runways [shorter	i.		estuary;
	than 1,4 kilometres] 1.4	ii.		de urban areas, in:
	kilometres and shorter.		(aa)	A protected area identified in terms of NEMPAA, excluding
			(44)	

[Corrected by "Correction			
Notice 2" of 10 December		conservancies;	
2010, GN No. R. 1159]	(bb)	National Protected Area Expansion Strategy Focus areas;	
	(cc)	World Heritage Sites;	
	(dd)	Sensitive areas as identified in an environmental management	
		framework as contemplated in chapter 5 of the Act and as adopted	
		by the competent authority;	
	(ee)	Sites or areas identified in terms of an International Convention;	
	(ff)	Critical biodiversity areas as identified in systematic biodiversity	
		plans adopted by the competent authority or in bioregional plans;	
	(gg)	Core areas in biosphere reserves;	
	(hh)	Areas within 10 kilometres from national parks or world heritage	
		sites or 5 kilometres from any other protected area identified in	
		terms of NEMPAA or from the core of a biosphere reserve;	
	(ii)	Areas seawards of the development setback line or within 1	
		kilometre from the high-water mark of the sea if no such	
		development setback line is determined;	
	(jj)	Areas on the watercourse side of the development setback line or	
		within 100 metres from the edge of a watercourse where no such	
		setback line has been determined.	
	. In urb	an areas:	
	(aa)	Areas zoned for use as public open space;	
	(bb)	Areas designated for conservation use in Spatial Development	

 Frameworks adopted by the competent authority or zoned for a conservation purpose. (b) In Gauteng: A protected area identified in terms of NEMPAA, excluding conservancies; National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; Sites or areas identified in terms of an International Convention; Sites identified as irreplaceable or important in the Gauteng Conservation Plan; Within 100 metres of a watercourse; Areas larger than 2 hectares zoned for use as public open space; Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (b) National Protected Area Expansion Strategy Focus areas; (co) World Heritare Sites: 		
 (b) In Gauteng: A protected area identified in terms of NEMPAA, excluding conservancies; National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; Sites or areas identified in terms of an International Convention; Sites identified as irreplaceable or important in the Gauteng Conservation Plan; Wi Within 100 metres of a watercourse; Areas larger than 2 hectares zoned for use as public open space; Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : Outside urban areas, in: A protected area identified in terms of NEMPAA, excluding conservancies; National Protected Area Expansion Strategy Focus areas; 		
 A protected area identified in terms of NEMPAA, excluding conservancies; National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; Sites or areas identified in terms of an International Convention; Sites identified as irreplaceable or important in the Gauteng Conservation Plan; Within 100 metres of a watercourse; Areas larger than 2 hectares zoned for use as public open space; Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 		· ·
 ii. National Protected Area Expansion Strategy Focus areas; iii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; iv. Sites or areas identified in terms of an International Convention; v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	(b)	
 iii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; iv. Sites or areas identified in terms of an International Convention; v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	i.	A protected area identified in terms of NEMPAA, excluding conservancies;
 as contemplated in chapter 5 of the Act and as adopted by the competent authority; iv. Sites or areas identified in terms of an International Convention; v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West: i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	ii.	National Protected Area Expansion Strategy Focus areas;
 authority; iv. Sites or areas identified in terms of an International Convention; v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	iii.	Sensitive areas as identified in an environmental management framework
 iv. Sites or areas identified in terms of an International Convention; v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 		as contemplated in chapter 5 of the Act and as adopted by the competent
 v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 		authority;
Plan; vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;	iv.	Sites or areas identified in terms of an International Convention;
 vi. Within 100 metres of a watercourse; vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	v.	Sites identified as irreplaceable or important in the Gauteng Conservation
 vii. Areas larger than 2 hectares zoned for use as public open space; viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 		Plan;
 viii. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : Outside urban areas, in:	vi.	Within 100 metres of a watercourse;
Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (C) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;	vii.	Areas larger than 2 hectares zoned for use as public open space;
 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983). (c) In North West : Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	viii.	Any declared protected area including Municipal or Provincial Nature
12 of 1983). (c) In North West : i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;		Reserves as contemplated by the Environment Conservation Act, 1989
 (c) In North West : Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 		(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;		12 of 1983).
 (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; 	(c)	In North West :
conservancies; (bb) National Protected Area Expansion Strategy Focus areas;	i.	Outside urban areas, in:
(bb) National Protected Area Expansion Strategy Focus areas;		(aa) A protected area identified in terms of NEMPAA, excluding
		conservancies;
(cc) World Heritage Sites:		(bb) National Protected Area Expansion Strategy Focus areas;
		(cc) World Heritage Sites;

	above ground	Northern Cape and Western Cape:
9	The construction of	(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga,
		conservation purpose.
		Frameworks adopted by the competent authority or zoned for a
		(bb) Areas designated for conservation use in Spatial Development
		(aa) Areas zoned for use as public open space;
		iii. In urban areas:
		ii. In an estuary;
		i. All areas outside urban areas;
		(d) In Western Cape:
		setback line has been determined.
		within 100 metres from the edge of a watercourse where no such
		(ii) Areas on the watercourse side of the development setback line or
		terms of NEMPAA or from the core areas of a biosphere reserve;
		sites or 5 kilometres from any other protected area identified in
		(hh) Areas within 10 kilometres from national parks or world heritage
		(gg) Core areas in biosphere reserves;
		competent authority or in bioregional plans;
		as identified in systematic biodiversity plans adopted by the
		(ff) Critical biodiversity areas (Terrestrial Type 1 and Aquatic Type 1)
		(ee) Sites or areas identified in terms of an International Convention;
		by the competent authority;
		framework as contemplated in chapter 5 of the Act and as adopted
		(dd) Sensitive areas as identified in an environmental management

cableways and	
funiculars;	i. In an estuary;
	ii. Areas outside urban areas;
	iii. In urban areas:
	(aa) Areas zoned for use as public open space;
	(bb) Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for a
	conservation purpose;
	(cc) Areas on the watercourse side of the development setback line or
	within 100 metres from the edge of a watercourse where no such
	setback line has been determined.
	(dd) Areas seawards of the development setback line or within 1
	kilometre from the high-water mark of the sea if no such
	development setback line is determined.
	[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
	(b) In Gauteng
	i. A protected area identified in terms of NEMPAA, excluding conservancies;
	ii. Sites identified as irreplaceable or important in the Gauteng Conservation
	plan;
	iii. Any declared protected area including Municipal or Provincial Nature
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1983);
	(C) In North West :

		i.	All are	as outside urban areas;	
		ii.	ii. In urban areas:		
			(aa)	Areas zoned for use as public open space;	
			(bb)	Areas designated for conservation use in Spatial Development	
				Frameworks adopted by the competent authority or zoned for a	
				conservation purpose;	
			(cc)	A protected area identified in terms of NEMPAA, excluding	
				conservancies;	
			(dd)	Critical biodiversity areas (Type 1 only) as identified in systematic	
				biodiversity plans adopted by the competent authority or in	
				bioregional plans;	
			(ee)	Areas within 10 kilometres from national parks or world heritage	
				sites or 5 kilometres from any other protected area identified in	
				terms of NEMPAA or from the core of a biosphere reserve;	
			(ff)	Natural heritage sites.	
10	The construction of	(a)	In East	ern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and	
	facilities or		Northe	rn Cape provinces:	
	infrastructure for the	i.	In an	estuary;	
	storage, or storage and	ii.	Outsic	le urban areas, in:	
	handling of a		(aa)	A protected area identified in terms of NEMPAA, excluding	
	dangerous good, where			conservancies;	
	such storage occurs in		(bb)	National Protected Area Expansion Strategy Focus areas;	
	containers with a		(cc)	Sensitive areas as identified in an environmental management	
	combined capacity of			framework as contemplated in chapter 5 of the Act and as adopted	

30 but not exceeding		by the competent authority;
80 cubic metres.	(dd)	Sites or areas identified in terms of an International Convention;
	(ee)	Critical biodiversity areas as identified in systematic biodiversity
		plans adopted by the competent authority or in bioregional plans;
	(ff)	Core areas in biosphere reserves;
	(gg)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core areas of a biosphere reserve;
	(hh)	Areas seawards of the development setback line or within 1
		kilometre from the high-water mark of the sea if no such
		development setback line is determined;
	(ii)	Areas on the watercourse side of the development setback line or
		within 100 metres from the edge of a watercourse where no such
		setback line has been determined;
	(jj)	Within 500 metres of an estuary.
i	ii. In urba	n areas:
	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose;
	(cc)	Within 500 metres of an estuary.
(b)	
(0) In Gaute	ng:
	-	ected area identified in terms of NEMPAA, excluding conservancies;

	National Dustanted Area Evenencian Otratage Facus areas		
П.	National Protected Area Expansion Strategy Focus areas;		
iii.	Sensitive areas as identified in an environmental management framework		
	as contemplated in chapter 5 of the Act and as adopted by the competent		
	authority;		
iv.	Sites or areas identified in terms of an International Convention;		
v.	Sites identified as irreplaceable or important in the Gauteng Conservation		
	Plan;		
vi.	Within 100 metres of a watercourse or within 100 metres of wetland that is		
	not linked to a watercourse;		
vii.	Any declared protected area including Municipal or Provincial Nature		
	Reserves as contemplated by the Environment Conservation Act, 1989 (Act		
	No. 73 of 1989), the Nature Conservation Ordinance (Ordinance 12 of		
	1983) and the NEMPAA.		
(d)	In North West :		
	Outside urban areas, in:		
	(aa) A protected area identified in terms of NEMPAA, excluding		
	conservancies;		
	(bb) National Protected Area Expansion Strategy Focus areas;		
	(cc) Sensitive areas as identified in an environmental management		
	framework as contemplated in chapter 5 of the Act and as adopted		
	by the competent authority;		
	(dd) Sites or areas identified in terms of an International Convention;		
	(ee) Critical biodiversity areas (Terrestrial Type 1 and 2 and Aquatic		
	Type 1) as identified in systematic biodiversity plans adopted by		

I		
		the competent authority or in bioregional plans;
	(ff)	Core areas in biosphere reserves;
	(gg)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core area of a biosphere reserve;
	(hh)	Between the water's edge and the development setback line of a
		watercourse or within 100 metres from the water's edge, where no
		such setback line has been determined.
ii.	In urba	an areas, the following:
	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose;
	(cc)	Areas on the watercourse side of the development setback line or
		within 100 metres from the edge of a watercourse where no such
		setback line has been determined.
(e)	In Weste	ern Cape:
i.	In an e	estuary;
ii.	All are	as outside urban areas;
iii.	Inside	urban areas:
	(aa)	Areas seawards of the development setback line or within 200
		metres from the high-water mark of the sea if no such development
		setback line is determined;
	(bb)	Areas on the watercourse side of the development setback line or

				within 100 metres from the edge of a watercourse where no such	
			setback line has been determined.		
11	The construction of	(a)	In Easte	ern Cape, KwaZulu-Natal, Northern Cape:	
	tracks or routes for the	()			
	testing, recreational	i.	In an	estuary;	
	use or outdoor racing of	ii.	In are	as seawards of the development setback line or within 1 kilometre	
	motor powered vehicles		from	the high-water mark of the sea if no such development setback line is	
	excluding conversion of		determined;		
	existing tracks or routes for the testing, recreational use or	iii.	Within	n areas of indigenous vegetation outside urban areas.	
		(b)	In Free	State, Limpopo and Mpumalanga provinces:	
		iv.	Outsi	de urban areas, in:	
	outdoor racing of motor		(aa)	A protected area identified in terms of NEMPAA, excluding	
	powered vehicles.			conservancies;	
			(bb)	National Protected Area Expansion Strategy Focus areas;	
			(cc)	Sensitive areas as identified in an environmental management	
				framework as contemplated in chapter 5 of the Act and as adopted	
				by the competent authority;	
			(dd)	Sites or areas identified in terms of an International Convention;	
			(ee)	Critical biodiversity areas as identified in systematic biodiversity	
				plans adopted by the competent authority or in bioregional plans;	
			(ff)	Core areas in biosphere reserves;	
			(gg)	Areas within 10 kilometres from national parks or world heritage	
				sites or 5 kilometres from any other protected area identified in	
				terms of NEMPAA or from the core of a biosphere reserve;	

۷.	In urban areas:
	(aa) Areas zoned for use as public open space;
	(bb) Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for a
	conservation purpose.
(c)	In Gauteng:
i.	A protected area identified in terms of NEMPAA, excluding conservancies;
ii.	National Protected Area Expansion Strategy Focus areas;
iii.	
	as contemplated in chapter 5 of the Act and as adopted by the competent
	authority;
iv.	
v.	
	Plan;
vi.	
•••	not linked to a watercourse;
vii.	
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1983);
viii.	
VIII.	
	space;
ix.	Areas zoned for a conservation purpose.

(d) lı	North	West :
i.	Outsic	le urban areas, in:
	(aa)	A protected area identified in terms of NEMPAA, excluding
		conservancies;
	(bb)	National Protected Area Expansion Strategy Focus areas;
	(cc)	Sensitive areas as identified in an environmental management
		framework as contemplated in chapter 5 of the Act and as adopted
		by the competent authority;
	(dd)	Sites or areas identified in terms of an International Convention;
	(ee)	Critical biodiversity areas (Type 1 only) as identified in systematic
		biodiversity plans adopted by the competent authority or in
		bioregional plans;
	(ff)	Core areas in biosphere reserves;
	(gg)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core area of a biosphere reserve;
ii.	In urb	an areas:
	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose;
	(cc)	Natural heritage sites.
(e)	In We	stern Cape:

		(i) In an estuary;		
		(ii) Seawards of the development setback line or within 1 kilometre from the		
		high-water mark of the sea if no such development setback line is		
		determined;		
		(iii) Areas of indigenous vegetation outside urban areas.		
		(iv) In urban areas:		
		(aa) Areas zoned for use as public open space;		
		(bb) Areas designated for conservation use in Spatial Development		
		Frameworks adopted by the competent authority or zoned for a		
		conservation purpose.		
12	The clearance of an	(a) Within any critically endangered or endangered ecosystem listed in terms of		
	area of 300 square	section 52 of the NEMBA or prior to the publication of such a list, within an		
	metres or more of	area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;		
	vegetation where 75%			
	or more of the	(b) Within critical biodiversity areas identified in bioregional plans;		
	vegetative cover	(c) Within the littoral active zone or 100 metres inland from high water mark of		
	constitutes indigenous	the sea or an estuary, whichever distance is the greater, excluding where		
	vegetation.	such removal will occur behind the development setback line on erven in		
		urban areas.		
13	The clearance of an	(a) Critical biodiversity areas and ecological support areas as identified in		
	area of 1 hectare or	systematic biodiversity plans adopted by the competent authority.		
	more of vegetation	(b) National Protected Area Expansion Strategy Focus areas.		
	where 75% or more of	(c) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga,		

the vegetative cover	Northern Cape and Western Cape:		
constitutes indigenous	i.	In an	estuary;
vegetation, except	ii.	Outsi	de urban areas, the following:
where such removal of		(aa)	A protected area identified in terms of NEMPAA, excluding
vegetation is required			conservancies;
for:		(bb)	National Protected Area Expansion Strategy Focus areas;
(1) the undertaking of a		(cc)	Sensitive areas as identified in an environmental management
process or activity			framework as contemplated in chapter 5 of the Act and as adopted
included in the list of			by the competent authority;
waste management		(dd)	Sites or areas identified in terms of an International Convention;
activities published		(ee)	Core areas in biosphere reserves;
in terms of section		(ff)	Areas within10 kilometres from national parks or world heritage
19 of the National			sites or 5 kilometres from any other protected area identified in
Environmental			terms of NEMPAA or from the core area of a biosphere reserve;
Management:		(gg)	Areas seawards of the development setback line or within 1
Waste Act, 2008			kilometre from the high-water mark of the sea if no such
(Act No. 59 of			development setback line is determined.
2008), in which case	iii.	In urb	an areas, the following:
the activity is		(aa)	Areas zoned for use as public open space;
regarded to be		(bb)	Areas designated for conservation use in Spatial Development
excluded from this			Frameworks adopted by the competent authority or zoned for a
list.			conservation purpose;
(2) the undertaking of a		(cc)	Areas seawards of the development setback line;
		(dd)	Areas on the watercourse side of the development setback line or

linear activity falling within 100 metres from the edge of a watercourse where no such	
	ו
below the thresholds setback line has been determined.	
mentioned in Listing (d) In Gauteng:	
Notice 1 in terms of i. A protected area identified in terms of NEMPAA, excluding conservancie	es;
GN No. 544 of 2010. ii. National Protected Area Expansion Strategy Focus areas;	
iii. Any declared protected area including Municipal or Provincial Nature	
Reserves as contemplated by the Environment Conservation Act, 1989	
(Act No. 73 of 1989), the Nature Conservation Ordinance (Ordinance 12	of
1983); (v) Sensitive areas as identified in an environmental managemen	t
framework as contemplated in chapter 5 of the Act and as adopted by th	e
competent authority;	
iv. Sites or areas identified in terms of an International Convention;	
v. Sites identified as irreplaceable or important in the Gauteng Conservation	n
Plan.	
(e) In North West:	
i. Outside urban areas, in:	
(aa) A protected area identified in terms of NEMPAA, excluding	
conservancies;	
(bb) National Protected Area Expansion Strategy Focus areas;	
(cc) Sensitive areas as identified in an environmental management	
framework as contemplated in chapter 5 of the Act and as adopted	əd
by the competent authority;	
(dd) Sites or areas identified in terms of an International Convention;	
(ee) Critical biodiversity areas (Type 1 only) and ecological support	

areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Core areas in biosphere reserves; (gg) Areas within 10 kilometres from national parks or world heritage
(ff) Core areas in biosphere reserves;
(aa) Areas within 10 kilometres from national parks or world beritage
(gg) Areas within to kiometres from hational parks of world hemage
sites or 5 kilometres from any other protected area identified in
terms of NEMPAA or from the core areas of a biosphere reserve.
ii. In urban areas:
(aa) Areas zoned for use as public open space;
(bb) Areas designated for conservation use in Spatial Development
Frameworks adopted by the competent authority or zoned for a
conservation purpose;
(cc) Natural heritage sites.
14 The clearance of an (a) In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo,
area of 5 hectares or Mpumalanga, Northern Cape, Northwest and Western Cape:
more of vegetation i. All areas outside urban areas.
where 75% or more of
the vegetative cover
constitutes indigenous
vegetation, except
where such removal of
vegetation is required
for:
(1) purposes of
agriculture or

	afforestation inside
	areas identified in
	spatial instruments
	adopted by the
	competent
	authority for
	agriculture or
	afforestation
	purposes;
(2)	the undertaking of
	a process or
	activity included in
	the list of waste
	management
	activities published
	in terms of section
	19 of the National
	Environmental
	Management:
	Waste Act, 2008
	(Act No. 59 of
	2008) in which
	case the activity is
	regarded to be

	excluded from this			
	list;			
	(3) the undertaking of			
	a linear activity			
	-			
	falling below the			
	thresholds in			
	Notice 544 of			
	2010.			
15	The construction of	(a)	an estuary;	
	facilities, infrastructure	(b)	a Protected Area identified in the NEMPAA;	
	or structures of any	(c)	reas on the watercourse side of the development setbac	k line or within 100
	size for any form of		etres from the edge of a watercourse where no such set	back line has been
	aquaculture.		etermined.	
16	The construction of:	(a)	Eastern Cape, Free State, KwaZulu-Natal, Limpopo,	Mpumalanga and
	(i) jetties exceeding		orthern Cape:	
	10 square metres	i.	In an estuary;	
	in size;	ii.	Outside urban areas, in:	
	(ii) slipways		(aa) A protected area identified in terms of NEMPAA	, excluding
	exceeding 10		conservancies;	
	square metres in		(bb) National Protected Area Expansion Strategy Fo	cus areas;
	size;		(cc) World Heritage Sites;	
	(iii) buildings with a		(dd) Sensitive areas as identified in an environmenta	al management
	footprint exceeding		framework as contemplated in chapter 5 of the	C C
			by the competent authority;	1
			-, - , - , - , , , , , , , , , , , , ,	

10 square metres		(ee)	Sites or areas identified in terms of an International Convention;
in size; or		(ff)	Critical biodiversity areas or ecosystem service areas as identified
(iv) infrastructure		~ /	in systematic biodiversity plans adopted by the competent authority
covering 10 square			or in bioregional plans;
metres or more		(gg)	Core areas in biosphere reserves;
		(hh)	Areas within 10 kilometres from national parks or world heritage
where such		()	sites or 5 kilometres from any other protected area identified in
construction occurs			terms of NEMPAA or from the core area of a biosphere reserve;
within a watercourse or		(ii)	Areas seawards of the development setback line or within 1
within 32 metres of a		()	kilometre from the high-water mark of the sea if no such
watercourse, measured			development setback line is determined.
from the edge of a	iii.	In urb	an areas:
watercourse, excluding		(aa)	Areas zoned for use as public open space;
where such		(bb)	Areas designated for conservation use in Spatial Development
construction will occur		()	Frameworks adopted by the competent authority, zoned for a
behind the			conservation purpose; or
development setback		(cc)	Areas seawards of the development setback line.
line.	(b)	In Gaute	eng:
	i.		tected area identified in terms of NEMPAA, excluding conservancies;
	ii.	Natio	nal Protected Area Expansion Strategy Focus areas;
	iii.	Sensi	tive areas as identified in an environmental management framework
			ntemplated in chapter 5 of the Act and as adopted by the competent
		autho	rity;
	iv.	Sites	or areas identified in terms of an International Convention;

 v. Sites identified as irreplaceable or important in the Gauteng Conservation Plan; vi. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983); vii. Areas zoned for a conservation purpose. (C) In North West: i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	<u> </u>	0''	
 vi. Any declared protected area including Municipal or Provincial Nature Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983); vii. Areas zoned for a conservation purpose. (c) In North West: i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	V		identified as irreplaceable or important in the Gauteng Conservation
Reserves as contemplated by the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983); vii. Areas zoned for a conservation purpose. (C) In North West: . i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves;		Plan;	
 (Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance 12 of 1983); vii. Areas zoned for a conservation purpose. (c) In North West: i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	vi	. Any d	eclared protected area including Municipal or Provincial Nature
12 of 1983); vii. Areas zoned for a conservation purpose. (c) In North West: i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves;		Reser	rves as contemplated by the Environment Conservation Act, 1989
 vii. Areas zoned for a conservation purpose. (c) In North West: Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		(Act N	lo. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
 (c) In North West: Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		12 of	1983);
 i. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	vii	. Areas	zoned for a conservation purpose.
 (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	(c)	In North	West:
 conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 	i	. Outsic	de urban areas, in:
 (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		(aa)	A protected area identified in terms of NEMPAA, excluding
 (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 			conservancies;
 (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		(bb)	National Protected Area Expansion Strategy Focus areas;
 framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		(cc)	World Heritage Sites;
 by the competent authority; (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 		(dd)	Sensitive areas as identified in an environmental management
 (ee) Sites or areas identified in terms of an International Convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 			framework as contemplated in chapter 5 of the Act and as adopted
 (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; 			by the competent authority;
in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves;		(ee)	Sites or areas identified in terms of an International Convention;
or in bioregional plans; (gg) Core areas in biosphere reserves;		(ff)	Critical biodiversity areas or ecosystem service areas as identified
(gg) Core areas in biosphere reserves;			in systematic biodiversity plans adopted by the competent authority
			or in bioregional plans;
(bb) Areas within 10 kilometros from national narks or world heritage		(gg)	Core areas in biosphere reserves;
(III) Areas within to Niometres normational parks of word heritage		(hh)	Areas within 10 kilometres from national parks or world heritage
sites or 5 kilometres from any other protected area identified in			sites or 5 kilometres from any other protected area identified in
terms of NEMPAA or from the core areas of a biosphere reserve.			terms of NEMPAA or from the core areas of a biosphere reserve.

ii. Inside	urban areas:
(aa)	Areas zoned for use as public open space;
(bb)	Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for a
	conservation purpose.
(d) In Weste	ern Cape:
[i. All wa	tercourses;]
[ii] <u>i</u> . In an e	stuary;
[iii] i <u>i</u> . Outsio	de urban areas, in:
(aa)	A protected area identified in terms of NEMPAA, excluding
	conservancies;
(bb)	National Protected Area Expansion Strategy Focus areas;
(cc)	World Heritage Sites;
(dd)	Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
(ee)	Sites or areas identified in terms of an International Convention;
(ff)	Critical biodiversity areas or ecosystem service areas as identified
	in systematic biodiversity plans adopted by the competent authority
	or in bioregional plans;
(gg)	Core areas in biosphere reserves;
(hh)	Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;

		(ii)	Areas seawards of the development setback line or within 1
			kilometre from the high-water mark of the sea if no such
			development setback line is determined.
		[i v] <u>iii</u> . Insid	e urban areas:
		(aa)	Areas zoned for use as public open space;
		(bb)	Areas designated for conservation use in Spatial Development
			Frameworks adopted by the competent authority or zoned for a
			conservation purpose;
		(cc)	Areas seawards of the development setback line or within 100
			metres of the high water mark where no setback line.
		[Correc	ted by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
17 -	The expansion of	(a) In Easte	rn Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
r i	reservoirs for bulk	Norther	n Cape provinces:
۱ N	water supply where the	i. Outsid	de urban areas, in:
0	capacity will be	(aa)	A protected area identified in terms of NEMPAA, excluding
i	increased by more than		conservancies;
	250 cubic metres.	(bb)	National Protected Area Expansion Strategy Focus areas;
		(CC)	World Heritage Sites;
		(dd)	Sensitive areas as identified in an environmental management
			framework as contemplated in chapter 5 of the Act and as adopted
			by the competent authority;
		(ee)	Sites or areas identified in terms of an International Convention;
		(ff)	Critical biodiversity areas as identified in systematic

	biodiversity plans adopted by the competent authority or in
	bioregional plans;
(gg)	Core areas in biosphere reserves;
(hh)	Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;
(ii)	Areas seawards of the development setback line or within 1
	kilometre from the high-water mark of the sea if no such
	development setback line is determined.
ii. Inside	urban areas:
(aa)	Areas zoned for use as public open space;
(bb)	Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority, or zoned for a
	conservation purpose;
(cc)	Areas seawards of development setback line or within 100 metres
	of the high water mark of the sea where the development setback
	line has not been determined.
(b) In Gaute	eng:
i. A prot	ected area identified in terms of NEMPAA, excluding conservancies;
ii. Natior	nal Protected Area Expansion Strategy Focus areas;
iii. Sensi	ive areas as identified in an environmental management framework
as co	ntemplated in chapter 5 of the Act and as adopted by the competent
autho	rity;

iv.	Sites or areas identified in terms of an International Convention;
v.	Sites identified as irreplaceable or important sites in the Gauteng
	Conservation Plan;
vi.	Areas larger than 2 hectares zoned for use as public open space;
vii.	Areas zoned for a conservation purpose.
(c) In	North West :
(·)	Outside urban areas, in:
	(aa) A protected area identified in terms of NEMPAA, excluding
	conservancies;
	(bb) National Protected Area Expansion Strategy Focus areas;
	(CC) Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
	(dd) Sites or areas identified in terms of an International Convention;
	(ee) Critical biodiversity areas (Type 1 only) as identified in systematic
	biodiversity plans adopted by the competent authority or in
	bioregional plans;
	(ff) Core areas in biosphere reserves;
	(gg) Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core areas of a biosphere reserve.
ii.	Inside urban areas:
	(aa) Areas zoned for use as public open space;

	(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.			
	(d) In Western Cape:			
	i. In an estuary;			
	ii. All areas outside urban areas;			
	iii. Areas inside urban areas:			
	(aa) Areas zoned for use as public open space; and			
	(bb) Areas designated for conservation use in Spatial Development			
	Frameworks adopted by the competent authority, or zoned for a			
	conservation purpose, including residential areas.			
18 The expansion of a	(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and			
resort, lodge, hotel a	Northern Cape provinces:			
tourism or hospitality	i. In an estuary;			
facilities where the	ii. Outside urban areas, in:			
development footpri	nt (aa) A protected area identified in terms of NEMPAA, excluding			
will be expanded.	conservancies;			
	(bb) National Protected Area Expansion Strategy Focus areas;			
	(cc) Sensitive areas as identified in an environmental management			
	framework as contemplated in chapter 5 of the Act and as adopted			
	by the competent authority;			
	(dd) Sites or areas identified in terms of an International Convention;			
	(ee) Critical biodiversity areas as identified in systematic biodiversity			

		plans adopted by the competent authority or in bioregional plans;
	(ff)	Core areas in biosphere reserves;
	(gg)	Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core area of a biosphere reserve;
	(hh)	Areas seawards of the development setback line or within 1
		kilometre from the high-water mark of the sea if no such
		development setback line is determined.
iii.	Inside	urban areas:
	(aa)	Areas zoned for use as public open space;
	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation;
	(cc)	Areas seawards of the development set back line or within 100
		metres from the high-water mark of the sea if no such development
		setback line is determined.
(b)	In Gaute	ng:
i.	A prot	ected area identified in terms of NEMPAA, excluding conservancies;
ii.	Natior	al Protected Area Expansion Strategy Focus areas;
iii.	Sensit	ive areas as identified in an environmental management framework
	as cor	ntemplated in chapter 5 of the Act and as adopted by the competent
	author	ity;
iv.	Sites	or areas identified in terms of an International Convention;

V.	Sites identified as irreplaceable or important in the Gauteng Conservation
	Plan;
vi.	Within 100 metres of a watercourse;
vii.	Any sites located within the Agricultural Hubs or Important Agricultural
	Sites identified in terms of the applicable Gauteng Agricultural Potential
	Atlas.
(c)	In North West :
i.	Outside urban areas, in:
	(aa) A protected area identified in terms of NEMPAA, excluding
	conservancies;
	(bb) National Protected Area Expansion Strategy Focus areas;
	(cc) World Heritage Sites;
	(dd) Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
	(ee) Sites or areas identified in terms of an International Convention;
	(ff) Critical biodiversity areas as identified in systematic biodiversity
	plans adopted by the competent authority or in bioregional plans;
	(gg) Core areas in biosphere reserves;
	(hh) Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;

		ii.	 (ii) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined. Inside urban areas: (aa) Areas zoned for use as public open space; (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. In Western Cape:
		(u)	In an estuary;
		ii.	Critical biodiversity Areas as adopted by the competent authority;
		iii.	Areas seawards of the development setback line or within 1 kilometre from
			the high-water mark of the sea if no such development setback line is
			determined;
		iv.	Areas on the watercourse side of the development setback line or within
			100 metres from the edge of a watercourse where no such setback line
			has been determined.
19	The widening of a road	(a)	In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	by more than 4 metres,		Northern Cape provinces:
	or the lengthening of a	i.	In an estuary;
	road by more than 1	ii.	Outside urban areas, in:
	kilometre.		(aa) A protected area identified in terms of NEMPAA, excluding
			conservancies;

(bb)	National Protected Area Expansion Strategy Focus areas;
(cc)	Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
(dd)	Sites or areas identified in terms of an International Convention;
(ee)	Critical biodiversity areas as identified in systematic biodiversity
	plans adopted by the competent authority or in bioregional plans;
(ff)	Core areas in biosphere reserves;
(gg)	Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;
(hh)	Areas seawards of the development setback line or within 1
	kilometre from the high-water mark of the sea if no such
	development setback line is determined;
(ii)	Areas on the watercourse side of the development setback line or
	within 100 metres from the edge of a watercourse where no such
	setback line has been determined.
iii. Inside	urban areas:
(aa)	Areas zoned for use as public open space;
(bb)	Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for a
	conservation purpose.
(b) In Gaute	eng:
i. A prot	ected area identified in terms of NEMPAA, excluding conservancies;

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ii.	National Protected Area Expansion Strategy Focus areas;
iii.	Sensitive areas as identified in an environmental management framework
	as contemplated in chapter 5 of the Act and as adopted by the competent
	authority;
iv.	Sites or areas identified in terms of an International Convention;
V.	Any site identified as land with high agricultural potential located within the
	Agricultural Hubs or Important Agricultural Sites identified in terms of the
	Gauteng Agricultural Potential Atlas, 2006;
vi.	All sites identified as irreplaceable or important in terms of the applicable
	Gauteng Conservation Plan;
vii.	Any declared protected area including Municipal or Provincial Nature
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989), the Nature Conservation Ordinance (Ordinance 12 of
	1983) and the NEMPAA.
(c)	In North West :
i.	Outside urban areas, in:
	(aa) A protected area identified in terms of NEMPAA, excluding
	conservancies;
	(bb) National Protected Area Expansion Strategy Focus areas;
	(cc) Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
	(dd) Sites or areas identified in terms of an International

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				Convention;
			(ee)	Critical biodiversity areas (Terrestrial Type 1 and 2 and Aquatic
				Type 1) as identified in systematic biodiversity plans adopted by
				the competent authority or in bioregional plans;
			(ff)	Core areas in biosphere reserves;
			(gg)	Areas within 10 kilometres from national parks or world heritage
				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core area of a biosphere reserve.
		ii.	In urb	an areas:
			(aa)	Areas zoned for use as public open space;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority or zoned for a
				conservation purpose;
			(cc)	Natural heritage sites.
		(d)	In Weste	ern Cape:
		i.	In an o	estuary;
		ii.	All are	eas outside urban areas;
		iii.	In urb	an areas:
			(aa)	Areas zoned for use as public open space within urban areas;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority, or zoned for a
				conservation purpose, within urban areas.
20	The expansion of	(a)	In Easte	rn Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	runways or aircraft		Norther	n Cape provinces:

landing strips where the	i.	In an e	estuary;	
expanded runways or	ii.	Outsic	de urban areas, in:	
aircraft landing strips		(aa)	A protected area identified in terms of NEMPAA, excluding	
will be longer than 1,4			conservancies;	
kilometres in length.		(bb)	National Protected Area Expansion Strategy Focus areas;	
		(cc)	Sensitive areas as identified in an environmental management	
			framework as contemplated in chapter 5 of the Act and as adopted	
			by the competent authority;	
		(dd)	Sites or areas identified in terms of an International Convention;	
		(ee)	Critical biodiversity areas as identified in systematic biodiversity	
			plans adopted by the competent authority or in bioregional plans;	
		(ff)	Core areas in biosphere reserves;	
		(gg)	Areas within 10 kilometres from national parks and world heritage	
			sites and 5 kilometres from any other protected area identified in	
			terms of NEMPAA or from the core area of a biosphere reserve;	
		(hh)	Areas seawards of the development setback line or within 1	
			kilometre from the high-water mark of the sea if no such	
			development setback line is determined;	
		(ii)	Areas on the watercourse side of the development setback line or	
			within 100 metres from the edge of a watercourse where no such	
			setback line has been determined.	
	iii.	Inside	urban areas:	
		(aa)	Areas zoned for use as public open space;	

 (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for conservation purpose. (b) In Gauteng: A protected area identified in terms of NEMPAA, excluding conservant ii. National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framewas as contemplated in chapter 5 of the Act and as adopted by the competiat authority; 	nt
 (b) In Gauteng: A protected area identified in terms of NEMPAA, excluding conservantis. National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framewas contemplated in chapter 5 of the Act and as adopted by the competition. 	
 A protected area identified in terms of NEMPAA, excluding conservanti National Protected Area Expansion Strategy Focus areas; Sensitive areas as identified in an environmental management framewas contemplated in chapter 5 of the Act and as adopted by the competition 	
 ii. National Protected Area Expansion Strategy Focus areas; iii. Sensitive areas as identified in an environmental management framewas contemplated in chapter 5 of the Act and as adopted by the competence. 	
iii. Sensitive areas as identified in an environmental management framewas as contemplated in chapter 5 of the Act and as adopted by the compe	incies;
as contemplated in chapter 5 of the Act and as adopted by the compe	
	ework
	etent
iv. Sites or areas identified in terms of an International Convention;	
v. Sites identified as irreplaceable or important in the Gauteng Conserva	ation
Plan;	
vi. Within 100 metres of a watercourse;	
vii. Areas larger than 2 hectares zoned for use as public open space;	
viii. Any declared protected area including Municipal or Provincial Nature	÷
Reserves as contemplated by the Environment Conservation Act, 198	989
(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinal	ance
12 of 1983).	
(c) In North West :	
i. Outside urban areas, in:	
(aa) A protected area identified in terms of NEMPAA, excluding	
conservancies;	
(bb) National Protected Area Expansion Strategy Focus areas;	

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			(cc)	World Heritage Sites;
			(dd)	Sensitive areas as identified in an environmental management
				framework as contemplated in chapter 5 of the Act and as adopted
				by the competent authority;
			(ee)	Sites or areas identified in terms of an International Convention;
			(ff)	Critical biodiversity areas (Terrestrial Type 1 and Aquatic Type 1)
				as identified in systematic biodiversity plans adopted by the
				competent authority or in bioregional plans;
			(gg)	Core areas in biosphere reserves;
			(hh)	Areas within 10 kilometres from national parks or world heritage
				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core area of a biosphere reserve;
			(ii)	Areas on the watercourse side of the development setback line or
				within 100 metres from the edge of a watercourse where no such
				setback line has been determined.
	-	(d)	n Weste	ern Cape:
		i.	In an e	estuary;
		ii.	All are	as outside urban areas.
21 The	e expansion of	(a)	n Easte	rn Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga,
abo	ove ground	I	Northerr	n Cape and Western Cape:
cab	bleways and	i.	In an e	estuary;
funi	iculars where the	ii.	All are	eas outside urban areas;
dev	elopment footprint	iii.	In urba	an areas:
will	be increased.		(aa)	Areas zoned for use as public open space;

	(bb)	Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose;
	(cc)	Areas seawards of the development setback line or within 1
		kilometre from the high-water mark of the sea if no such
		development setback line is determined.
	<u>(dd)</u>	Areas on the watercourse side of the development setback line or
		within 100 metres from the edge of a watercourse where no such
		setback line has been determined.
	[Correc	ted by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
(b)	In Gaute	ng:
i.	A prot	ected area identified in terms of NEMPAA, excluding conservancies;
ii.	Sites i	dentified as irreplaceable or important in the Gauteng Conservation
	Plan;	
iii.	Any de	eclared protected area including Municipal or Provincial Nature
	Reser	ves as contemplated by the Environment Conservation Act, 1989
	(Act N	o. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1	1983).
(a) II	North \	Vest :
i.	Outsic	e urban areas, in:
	(aa)	A protected area identified in terms of NEMPAA, excluding
		conservancies;
	(bb)	National Protected Area Expansion Strategy Focus areas;

			(cc)	Sensitive areas as identified in an environmental management
				framework as contemplated in chapter 5 of the Act and as adopted
				by the competent authority;
			(dd)	Sites or areas identified in terms of an International Convention;
			(ee)	Critical biodiversity areas (Type 1 only) as identified in systematic
				biodiversity plans adopted by the competent authority or in
				bioregional plans;
			(ff)	Core areas in biosphere reserves;
			(gg)	Areas within 10 kilometres from national parks or world heritage
				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core areas of a biosphere reserve.
		ii.	Inside	urban areas:
			(aa)	Areas zoned for use as public open space;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority, or zoned for a
				conservation purpose.
22	The expansion of	(b) In	Free S	tate, Limpopo and Mpumalanga provinces:
	tracks or routes for the	i.	In an e	estuary;
	testing, recreational	ii.	Outsic	de urban areas, in:
	use or outdoor racing of		(aa)	A protected area identified in terms of NEMPAA, excluding
	motor powered vehicles			conservancies;
	excluding conversion of		(bb)	National Protected Area Expansion Strategy Focus areas;
	existing tracks or routes		(cc)	Sensitive areas as identified in an environmental management
	for the testing,			framework as contemplated in chapter 5 of the Act and as adopted
		I		

recreational use or		by the competent authority;
outdoor racing of motor	(c	d) Sites or areas identified in terms of an International Convention;
powered vehicles,	(e	e) Critical biodiversity areas as identified in systematic biodiversity
where the development		plans adopted by the competent authority or in bioregional plans;
footprint will be	(f	f) Core areas in biosphere reserves;
expanded.	(g	g) Areas within 10 kilometres from national parks or world heritage
		sites or 5 kilometres from any other protected area identified in
		terms of NEMPAA or from the core area of a biosphere reserve;
	(h	h) Areas seawards of the development setback line or within 1
		kilometre from the high-water mark of the sea if no such
		development setback line is determined.
	iii. In	urban areas:
	(a	a) Areas zoned for use as public open space;
	(b	b) Areas designated for conservation use in Spatial Development
		Frameworks adopted by the competent authority or zoned for a
		conservation purpose.
	(c) In Eas	stern Cape, KwaZulu-Natal, Northern Cape and Western Cape:
	i. In	an estuary;
	ii. W	ithin areas seaward of the development setback line or within 1
	kil	ometre of the high-water mark if no setback line is determined;
	iii. W	ithin areas of indigenous vegetation outside and inside urban areas.
	(d) In Ga	uteng:
		protected area identified in terms of NEMPAA, excluding conservancies;

	ii. National Protected Area Expansion Strategy Focus areas;	T
i	ii. Sensitive areas as identified in an environmental management framework	
	as contemplated in chapter 5 of the Act and as adopted by the competent	
	authority;	
i	v. Sites or areas identified in terms of an International Convention;	
	v. Sites identified as irreplaceable or important in the Gauteng Conservation	
	Plan;	
,	vi. Within 100 metres of a watercourse or within 100 metres of a wetland that	
	is not linked to a watercourse;	
v	ii. Any declared protected area including Municipal or Provincial Nature	
	Reserves as contemplated by the Environment Conservation Act, 1989	
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance	
	12 of 1983);	
vi	ii. Areas larger than two hectares zoned for use as public open space;	
i	x. Areas zoned for a conservation purpose.	
(e) In North West :	
	i. Outside urban areas, in:	
	(aa) A protected area identified in terms of NEMPAA, excluding	
	conservancies;	
	(bb) National Protected Area Expansion Strategy Focus areas;	
	(cc) Sensitive areas as identified in an environmental management	
	framework as contemplated in chapter 5 of the Act and as adopted	
	by the competent authority;	
	(dd) Sites or areas identified in terms of an International Convention;	

			(ee)	Critical biodiversity areas (Type 1 only) as identified in systematic
				biodiversity plans adopted by the competent authority or in
				bioregional plans;
			(ff)	Core areas in biosphere reserves;
			(gg)	Areas within 10 kilometres from national parks or world heritage
				sites or 5 kilometres from any other protected area identified in
				terms of NEMPAA or from the core area of a biosphere reserve.
		ii.	In urb	an areas:
			(aa)	Areas zoned for use as public open space;
			(bb)	Areas designated for conservation use in Spatial Development
				Frameworks adopted by the competent authority or zoned for a
				conservation purpose;
			(cc)	Natural heritage sites.
23	The expansion of	(a) In	Easter	n Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	facilities or	N	orthern	Cape provinces:
	infrastructure for the	i.	In an o	estuary;
	storage, or storage and	ii.	Outsic	le urban areas, in:
	handling of a		(aa)	A protected area identified in terms of NEMPAA, excluding
	dangerous good, where			conservancies;
	such storage facilities		(bb)	National Protected Area Expansion Strategy Focus areas;
	will be expanded by 30		(cc)	Sensitive areas as identified in an environmental management
	cubic metres or more			framework as contemplated in chapter 5 of the Act and as adopted
	but less than 80 cubic			by the competent authority;
	metres.		(dd)	Sites or areas identified in terms of an International Convention;

	(ee)	Critical biodiversity areas as identified in systematic biodiversity	
		plans adopted by the competent authority or in bioregional plans;	
	(ff)	Core areas in biosphere reserves;	
	(gg)	Areas within 10 kilometres from national parks or world heritage	
		sites or 5 kilometres from any other protected area identified in	
		terms of NEMPAA or from the core area of a biosphere reserve;	
	(hh)	Areas seawards of the development setback line or within 1	
		kilometre from the high-water mark of the sea if no such	
		development setback line is determined;	
	(ii)	Areas on the watercourse side of the development setback line or	
		within 100 metres from the edge of a watercourse where no such	
		setback line has been determined;	
	(jj)	Within 500 metres of an estuary.	
		an areas:	
	(aa)	Areas zoned for use as public open space;	
	(bb)	Areas designated for conservation use in Spatial Development	
	()	Frameworks adopted by the competent authority or zoned for a	
		conservation purpose;	
	(cc)	Areas on the watercourse side of the development setback line or	
	()	within 100 metres from the edge of a watercourse where no such	
		setback line has been determined;	
	(dd)	Within 500 metres of an estuary.	
(b) In	Gauter		
(5)		ected area identified in terms of NEMPAA, excluding conservancies;	
1.	η μοι	eolea area identifica in terris of NEIVIE AA, excluding CONSERVATIONES,	

	ii.	National Protected Area Expansion Strategy Focus areas;
	iii.	Sensitive areas as identified in an environmental management framework
		as contemplated in chapter 5 of the Act and as adopted by the competent
		authority;
	iv.	Sites or areas identified in terms of an International Convention;
	V.	Sites identified as irreplaceable or important in the Gauteng Conservation
		Plan;
	vi.	Within 100 metres of a watercourse or within 100 metres of wetland that is
		not linked to a watercourse;
	vii.	Any declared protected area including Municipal or Provincial Nature
		Reserves as contemplated by the Environment Conservation Act, 1989
		(Act No. 73 of 1989), the Nature Conservation Ordinance (Ordinance 12 of
		1983) and the NEMPAA;
	viii.	Areas larger than two hectares zoned for use as public open space;
	ix.	Areas zoned for a conservation purpose.
	(c) In	North West :
	i.	Outside urban areas, in:
		(aa) A protected area identified in terms of NEMPAA, excluding
		conservancies;
		(bb) National Protected Area Expansion Strategy Focus areas;
		(cc) Sensitive areas as identified in an environmental management
		framework as contemplated in chapter 5 of the Act and as adopted
		by the competent authority;
		(dd) Sites or areas identified in terms of an International Convention;
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(ee)	Critical biodiversity areas (Terrestrial Type 1 and 2 and Aquatic	
	Type 1) as identified in systematic biodiversity plans adopted by	
	the competent authority or in bioregional plans;	
(ff)	Core areas in biosphere reserves;	
(gg)	Areas within 10 kilometres from national parks or world heritage	
	sites or 5 kilometres from any other protected area identified in	
	terms of NEMPAA or from the core area of a biosphere reserve;	
(hh)	Areas on the watercourse side of the development setback line or	
	within 100 metres from the edge of a watercourse where no such	
	setback line has been determined.	
ii. In urba	an areas:	
(aa)	Areas zoned for use as public open space;	
(bb)	Areas designated for conservation use in Spatial Development	
	Frameworks adopted by the competent authority or zoned for a	
	conservation purpose;	
(cc)	Areas on the watercourse side of the development setback line or	
	within 100 metres from the edge of a watercourse where no such	
	setback line has been determined.	
(d) In Wester	rn Cape:	
i. In an e	estuary;	
ii. All are	as outside urban areas;	
iii. Areas	inside urban areas, the following:	
(aa)	Areas seawards of the development setback line or within 200	

					metres from the high-water mark of the sea if no such development
					setback line is determined;
				(bb)	Areas on the watercourse side of the development setback line or
					within 100 metres from the edge of a watercourse where no such
					setback line has been determined.
24	The	expansion of	(a) In	Easter	n Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and
	(a)	jetties where the	N	orthern	Саре:
		jetty will be	i.	In an e	estuary;
		expanded by 10	ii.	Outsic	le urban areas, in:
		square metres in		(aa)	A protected area identified in terms of NEMPAA, excluding
		size or more;			conservancies;
	(b)	slipways where		(bb)	National Protected Area Expansion Strategy Focus areas;
		the slipway will be		(cc)	Sensitive areas as identified in an environmental management
		expanded by 10			framework as contemplated in chapter 5 of the Act and as adopted
		square metres or			by the competent authority;
		more;		(dd)	Sites or areas identified in terms of an International Convention;
	(C)	buildings where		(ee)	Critical biodiversity areas as identified in systematic biodiversity
		the buildings will		. ,	plans adopted by the competent authority or in bioregional plans;
		be expanded by		(ff)	Core areas in biosphere reserves;
		10 square metres		(gg)	Areas within 10 kilometres from national parks or world heritage
		or more in size; or			sites or 5 kilometres from any other protected area identified in
	(d)	infrastructure			terms of NEMPAA or from the core area of a biosphere reserve;
		where the		(hh)	Areas seawards of the development setback line or within 1
		infrastructure will		~ /	kilometre from the high-water mark of the sea if no such
					• •

be expanded by	development setback line is determined.
10 square metres	iii. Inside urban areas:
or more	(aa) Areas zoned for use as public open space;
	(bb) Areas designated for conservation use in Spatial Development
where such	Frameworks adopted by the competent authority or zoned for a
construction occurs	conservation purpose.
within a watercourse or	(b) In Gauteng:
within 32 metres of a	i. A protected area identified in terms of NEMPAA, excluding conservancies;
watercourse, measured	ii. National Protected Area Expansion Strategy Focus areas;
from the edge of a	iii. Sensitive areas as identified in an environmental management framework
watercourse, excluding	as contemplated in chapter 5 of the Act and as adopted by the competent
where such	authority;
construction will occur	iv. Sites or areas identified in terms of an International Convention;
behind the	v. Sites identified as irreplaceable or important in the Gauteng Conservation
development setback	Plan;
line.	vi. Any declared protected area including Municipal or Provincial Nature
	Reserves as contemplated by the Environment Conservation Act, 1989
	(Act No. 73 of 1989) and the Nature Conservation Ordinance (Ordinance
	12 of 1983);
	vii. Areas zoned for a conservation purpose.
	(C) In North West:
	i. Outside urban areas, in:
	(aa) A protected area identified in terms of NEMPAA, excluding
	conservancies;
l	

	(bb) National Protected Area Expansion Strategy Focus areas;	
	(cc) World Heritage Sites;	
	(dd) Sensitive areas as identified in an environmental management	
	framework as contemplated in chapter 5 of the Act and as adopted	
	by the competent authority;	
	(ee) Sites or areas identified in terms of an International Convention;	
	(ff) Critical biodiversity areas or ecosystem service areas as identified	
	in systematic biodiversity plans adopted by the competent authority	
	or in bioregional plans;	
	(gg) Core areas in biosphere reserves;	
	(hh) Areas within 10 kilometres from national parks or world heritage	
	sites or 5 kilometres from any other protected area identified in	
	terms of NEMPAA or from the core area of biosphere reserve.	
i	Inside urban areas:	
	(aa) Areas zoned for use as public open space;	
	(bb) Areas designated for conservation use in Spatial Development	
	Frameworks adopted by the competent authority or zoned for a	
	conservation purpose.	
(d	Western Cape	
	In an estuary;	

[ii. All wa	tercourses;]
[iii] <u>ii</u> . Outsid	de urban areas, in:
(aa)	A protected area identified in terms of NEMPAA, excluding
	conservancies;
(bb)	National Protected Area Expansion Strategy Focus areas;
(cc)	Sensitive areas as identified in an environmental management
	framework as contemplated in chapter 5 of the Act and as adopted
	by the competent authority;
(bb)	Sites or areas identified in terms of an International Convention;
(ee)	Critical biodiversity areas as identified in systematic biodiversity
	plans adopted by the competent authority or in bioregional plans;
(ff)	Core areas in biosphere reserves;
(gg)	Areas within 10 kilometres from national parks or world heritage
	sites or 5 kilometres from any other protected area identified in
	terms of NEMPAA or from the core area of a biosphere reserve;
(hh)	Areas seawards of the development setback line or within 1
	kilometre from the high-water mark of the sea if no such
	development setback line is determined.
[iv] <u>iii</u> . Insi	de urban areas:
(aa)	Areas zoned for use as public open space;
(bb)	Areas designated for conservation use in Spatial Development
	Frameworks adopted by the competent authority or zoned for

		a conservation purpose.
		[Corrected by "Correction Notice 2" of 10 December 2010, GN No. R. 1159]
25	The expansion of	(a) In an estuary;
	facilities, infrastructure	(b) In a Protected Area identified in the NEMPAA;
	or structures of any	(c) Areas on the watercourse side of the development setback line or within 100
	size for any form of	metres from the edge of a watercourse where no such setback line has been
	aquaculture.	determined.
26	Phased activities for all	All the areas as identified for the specific activities listed in this schedule.
	activities listed in this	
	Schedule and as it	
	applies to a specific	
	geographical area,	
	which commenced on	
	or after the effective	
	date of this Schedule,	
	where any phase of the	
	activity may be below a	
	threshold but where a	
	combination of the	
	phases, including	
	expansions or	
	extensions, will exceed	

a specified threshold	
a specified threshold.	