

NOTICE 737 OF 2014**DEPARTMENT OF ENVIRONMENTAL AFFAIRS****NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****LISTING NOTICE 4: LIST OF ACTIVITIES AND COMPETENT AUTHORITIES IDENTIFIED**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to publish the proposed Listing Notice 4 of 2014 under sections 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), in the Schedule hereto.

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

By post to: The Director-General
Department of Environmental Affairs
Attention: Mr N Nkotsoe
Private Bag X447
PRETORIA
0001

By hand at: Reception, Environment House, 473 Steve Biko Street, Arcadia, Pretoria, 0083

By e-mail: NNkotsoe@environment.gov.za

Any inquiries in connection with the notice can be directed to Ms Amanda Britz at (012) 399 9283/9285.

Comments received after the closing date will not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE

PURPOSE

1. The purpose of this Notice is to identify activities in identified geographical areas that have been subjected to a pre-assessment process using a spatial development tool and which require environmental authorisation prior to commencement as well as to identify competent authorities in terms of sections 24(2) and 24D of the Act.

DEFINITIONS

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

“associated structures or infrastructure” means any building or infrastructure that is necessary for the functioning of the development;

“development” means the building, erection, construction or establishment of a facility, structure or infrastructure that is necessary for the undertaking of a listed or specified activity, including any associated post development monitoring but excludes any modification, alteration or expansion of such a facility, structure or infrastructure and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

“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; and

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

IDENTIFIED ACTIVITIES AND COMPETENT AUTHORITIES

3. (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.
3. (2) The investigation, assessment and communication of potential impact of activities must follow the procedure as prescribed in regulations 19 and 20 of the Environmental Impact Assessment Regulations published in terms of section 24(5) of the Act.

SHORT TITLE

4. This Listing Notice is called the Environmental Impact Assessment Regulations Listing Notice 4 of 2014.

APPENDIX 1

Activity number	Activity description	Identification of competent authority
1.	<p>Any development or development and operation, including associated structures and infrastructure, where such development or development and operation—</p> <p>(a) constitutes one or more listed or specified activity in Listing Notice 1 of 2014, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(b) takes place within a geographical area based on environmental attributes, and as specified in a spatial development tool adopted in the prescribed manner;</p> <p>(c) has been subjected to a pre-assessment process using a spatial development tool, of which the output, in the form of a site specific development protocol, has been adopted in the prescribed manner; and</p> <p>(d) has not commenced.</p>	<p>The competent authority in respect of the activities listed in this part of the schedule is the competent authority in the province in which the activity is to be undertaken, unless—</p> <p>(a) 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) of the Act;</p>
2.	<p>The expansion of any development or development and operation including associated structures and infrastructure, where such expansion—</p> <p>(a) constitutes one or more listed or specified activity in Listing Notice 1 of 2014, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(b) takes place within a geographical area based on environmental attributes, and as specified in spatial development tool adopted in the prescribed manner;</p> <p>(c) has been subjected to a pre-assessment process using a spatial development tool, of which the output, in the form of a site specific development protocol, has been adopted in the prescribed manner;</p>	<p>(b) the listed or specified activity is or is directly related to—</p> <p>i. prospecting or exploration of a mineral resource; or</p> <p>ii. extraction and primary processing of a mineral resource;</p> <p>in which case the competent authority is</p>

	and (d) has not commenced.	the Minister responsible for mineral resources.
3.	<p>The decommissioning of any development or development and operation including associated structures and infrastructure, where such decommissioning—</p> <p>(a) constitutes one or more listed or specified activity in GNR 544, 545 and 546 ;</p> <p>(b) takes place within a geographical area based on environmental attributes, and as specified in spatial development tool adopted in the prescribed manner ;</p> <p>(c) has been subjected to a pre-assessment process using a spatial development tool, of which the output, in the form of a protocol, has been adopted in the prescribed manner; and</p> <p>(d) has not commenced.</p>	