
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 1030

30 OCTOBER 2015

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****AMENDMENTS TO ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AND
LISTING NOTICES 1, 2 AND 3 OF 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby under Sections 24(2), 24(5) and 44, read with Section 47 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), hereby give notice of my intention to make the amendments to the Environmental Impact Assessment Regulations, 2014 and Listing Notices 1, 2 and 3 of 2014, set out 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:

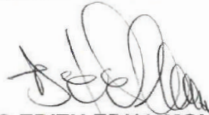
By post to: The Director-General: Department of Environmental Affairs
 Attention: Mr Franz Scheepers
 Private Bag X447
 PRETORIA
 0001

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

By email: fscheepers@environment.gov.za

Any inquiries in connection with the notice can be directed to Mr Franz Scheepers at 012 399 9285.

Comments received after the closing date will not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with a solid line indicate insertions in existing enactments.

Definitions

1. In this Schedule unless the context indicates otherwise—

“the Regulations” means the Environmental Impact Assessment Regulations, 2014, published under Government Notice No. R. 982 of 4 December 2014;

“Listing Notice 1” means the notice published under Government Notice No. R. 983 of 4 December 2014;

“Listing Notice 2” means the notice published under Government Notice No. R. 984 of 4 December 2014;

“Listing Notice 3” means the notice published under Government Notice No. R. 985 of 4 December 2014.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of “Agreement” of the following definition:

“**Agreement**”[, for the purpose of regulation 1(3) and (4)] means the Agreement as contemplated in section 50A(2) of the Act;

Amendment of regulation 4 of the Regulations

3. Regulation 4 of the Regulations is hereby amended—

(a) by the substitution in paragraph (c) of subregulation (1) for the words “National Appeals Regulations” of the words “National Appeal Regulations, 2014”; and

(b) by the substitution in paragraph (b) of subregulation (2) for the words “National Appeals Regulations” of the words “National Appeal Regulations, 2014”.

Amendment of regulation 14 of the Regulations

4. Regulation 14 of the Regulations is hereby amended by the insertion in paragraph (a) of subregulation (5), after the word “question”, of the word “or”.

Amendment of regulation 15 of the Regulations

5. Regulation 15 of the Regulations is hereby amended by the insertion, in subregulation 2(a), after the word “application” of the words “, or when identified by the Minister in a government notice.”

Amendment of regulation 19 of the Regulations

6. Regulation 19 of the Regulations is hereby amended by the substitution in subregulations (3), (4) and (6) for the words “rehabilitation, closure and post closure of prospecting, mining or production operations” of the words “prospecting, exploration, mining or production operations”.

Amendment of regulation 21 of the Regulations

7. Regulation 21 of the Regulations is hereby amended by the substitution for paragraphs (a) and (c) of subregulation (2) of the following paragraphs:
- “(a) in cases where a scoping report was accepted as part of a previous application for environmental authorisation and the application has lapsed or was refused because of insufficient information;
- (c) if the application contemplated in paragraph (b) is submitted by the same applicant for the same development, as applied for and lapsed or refused as contemplated in paragraph (a); and”.

Amendment of regulation 23 of the Regulations

8. Regulation 23 of the Regulations is hereby amended—
- (a) by the substitution in subregulation (2) for the words “receipt of the application” of the words “the acceptance of the scoping report”; and
- (b) by the substitution in subregulations (3) and (4) for the words “rehabilitation, closure and post closure of prospecting, mining or production operations” of the words “prospecting, exploration, mining or production operations”.

Amendment of regulation 30 of the Regulations

9. Regulation 30 of the Regulations is hereby amended by the substitution for paragraph (a) in subregulation (1) of the following paragraph:
- “(a) may request the holder to furnish additional information and such request must accompany the acknowledgement of receipt of the application; **[and] or**”.

Amendment of regulation 32 of the Regulations

10. Regulation 32 of the Regulations is hereby amended by the substitution of subregulation (1) of the following subregulation:

“32. (1) The holder must within 90 days of receipt by the competent authority of the application made in terms of regulation 31 submit to the competent authority—

(a) **[within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority]** a report[,]
reflecting—

- (i) an assessment of all impacts related to the proposed change;
- (ii) advantage and disadvantages associated with the proposed change; and
- (iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and
- (iv) any changes to the EMPR;

which report

[(i)](aa) had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and

[(ii)](bb) reflects the incorporation of comments received, including any comments of the competent authority; or

(b) **[submit to the competent authority]** a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated

in subregulation (1)(a)(iv)(aa) and that the revised report will be subjected to another public participation process of at least 30 days.”.

Amendment of regulation 37 of the Regulations

11. Regulation 37 of the Regulations is hereby amended by the insertion in subregulation (8), after the word “subregulation”, of the words “(5) or”.

Amendment of regulation 38 of the Regulations

12. Regulation 38 of the Regulations is hereby amended by the insertion in paragraph (a) of subregulation (3), after the words “lift the suspension;” of the word “or”.

Amendment of regulation 39 of the Regulations

13. Regulation 39 of the Regulations is hereby amended by the insertion in paragraph (b) of subregulation (2), after the word “activities”, of the words “constituting, or activities”.

Amendment of regulation 41 of the Regulations

14. Regulation 41 of the Regulations is hereby amended by the substitution for subparagraphs (i), (ii) and (iii) of paragraph (b) of subregulation (2) of the following paragraphs:

- “(i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken **[or] and** to any alternative site where the activity is to be undertaken;
- (ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken **[or] and** to any alternative site where the activity is to be undertaken;
- (iii) the municipal councillor of the ward in which the site **[or] and** alternative site is situated and any organisation of ratepayers that represent the community in the area;”.

Amendment of regulation 49 of the Regulations

15. Regulation 49 of the Regulations is hereby amended by the substitution for the definition of “previous NEMA regulations” of the following definition:

“**previous NEMA regulations**” as contemplated in these transitional arrangements means **[either]** the previous Environmental Impact Assessment Regulations published in terms of NEMA (Government Notice No. R. 385 in the Government Gazette of 21 April 2006 or Government Notice No. R. 543 in the Government Gazette of 18 June 2010);”.

Amendment of regulation 51 of the Regulations

16. Regulation 51 of the Regulations is hereby amended by the substitution for the heading of the following heading:

“Pending applications [and appeals] (ECA)”

Amendment of regulation 54 of the Regulations

17. Regulation 54 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (2) for the words “Part 1 or Part 2” of the word “Part 4”;
- (b) by the insertion in subregulation (2), after the words “Environmental Management Programme”, of the words “Environmental Management Plan”; and
- (c) by the substitution for subregulation (3) of the following subregulation:

“(3) Application” for the purpose of subregulation (1) means an application for a permit, right, approval of an Environmental Management Programme or Environmental Management Plan or amendment to such permit, right or Environmental Management Programme or Environmental Management Plan.”.

Insertion of regulation 54A in the Regulations

18. The following regulation is hereby inserted in the Regulations after regulation 54:

“54A. Transitional provisions related to prospecting or exploration of a mineral or petroleum resource or extraction and primary processing of a mineral or petroleum resource

(1) No environmental authorisation is required for the activities contemplated in subregulation (1)(b)(iii) where environmental authorisation was obtained for activities directly related to—

- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource,

and where

- (i) the environmental authorisation is still valid;
- (ii) one or more activities authorised in such environmental authorisation commence between 8 December 2014 and 7 December 2016, and

- (iii) the only additional activities requiring environmental authorisation after 8 December 2014 are activities 20 or 21 of Environmental Impact Assessment Regulations Listing Notice 1 of 2014, or activities 17, 18, 19, 20, 21 or 22 of Environmental Impact Assessment Regulations Listing Notice 2 of 2014.
- (2) No environmental authorisation is required for the activities contemplated in subregulation (2)(b)(iv) where a right or permit was obtained in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for—
- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource,
- and where
- (i) the right or permit is still valid;
- (ii) no environmental authorisation was required prior to 8 December 2014;
- (iii) activities authorised in such right or permit commence between 8 December 2014 and 7 December 2016, and
- (iv) the only activities requiring environmental authorisation after 8 December 2014 are activities 20 or 21 of Environmental Impact Assessment Regulations Listing Notice 1 of 2014, or activities 17, 18, 19, 20, 21 or 22 of Environmental Impact Assessment Regulations Listing Notice 2 of 2014.
- (3) Where a right or permit issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for—
- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource,
- is still in effect in accordance with an Environmental Management Programme or Environmental Manage Plan approved in terms of Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) after 8 December 2014, the requirements contained in Part 3 of Chapter 5 of these Regulations apply to such Environmental Management Programmes or Environmental Manage Plans and the first environmental audit report must be submitted to the competent authority no later than 7 December 2019 and at least every 5 years thereafter for the period during which such right, permit, Environmental Management Programme or Environmental Manage Plan is still in effect.

- (4) Where an environmental authorisation issued in terms of the previous National Environmental Management Act regulations is still in effect by 8 December 2014, the EMPr associated with such environmental authorisation is subject to the requirements contained in Part 3 of Chapter 5 of these Regulations and the first environmental audit report must be submitted to the competent authority no later than 7 December 2019 and at least every 5 years thereafter for the period during which such environmental authorisation is still in effect."

Amendment of Appendix 1 of the Regulations

19. Appendix 1 of the Regulations is hereby amended by the addition to paragraph 3 of the following subparagraph:

"(2) Where a government notice published by the Minister provides for the basic assessment process to be followed, the report content requirements as indicated in such notice will apply."

Amendment of Appendix 3 of the Regulations

20. Appendix 3 of the Regulations is hereby amended by the insertion in—

- (a) paragraph 3(g), after the words "approved site", of the words "as contemplated in the accepted scoping report"; and
- (b) paragraph 3(h), after the words "approved site", of the words "as contemplated in the accepted scoping report", .

Amendment of Appendix 4 of the Regulations

21. Appendix 4 of the Regulations is hereby amended by the addition to paragraph 1 of the following subparagraph:

"(2) Where a government notice published by the Minister provides for the basic assessment process to be followed, the report content requirements as indicated in such notice will apply."

Amendment of Listing Notice 1

22. Listing Notice 1 is hereby amended—

- (a) by the deletion of subparagraph (3) of paragraph 3;
- (b) by the substitution for Activity 1 of the following Activity:

"The development of facilities or infrastructure for the generation of electricity from a renewable resource where—

- (i) the electricity output is more than 10 megawatts but less than 20 megawatts; or

(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare;

excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs—

(a) within an urban area; or

(b) on rooftops.”;

(c) by the substitution for Activity 19 of the following Activity:

“The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—

(i) a watercourse;

(ii) the seashore;

(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or

(iv) the sea; —

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

(a) will occur behind a development setback;

(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or

(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.”;

(d) by the deletion in Activity 32 of the words “or Listing Notice 4 of 2014”;

(e) by the substitution for Activity 36 of the following Activity:

“The expansion of facilities or structures for the generation of electricity from a renewable resource where—

(i) the electricity output will be increased by 10 megawatts or more, excluding where such expansion takes place on the original development footprint; or

(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more;

excluding where such expansion of facilities or structures is for photovoltaic installations and occurs—

- (a) within an urban area; or
- (b) on rooftops.;
- (f) by the deletion in Activity 48 of the words “or expansion and related operation”;
- (g) by the deletion in Activity 49 of the words “or expansion and related operation”;
and
- (h) by the substitution for Activity 67 of the following Activity:

“Phased activities for all activities—

- (i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;

excluding the following activities listed in this Notice-

17(i) (a-d);

17(ii) (a-d);

17(iii) (a-d);

17(iv) (a-d);

17(v) (a-d);

20;

21;

22;

24(i);

29;

30;

31; and

32; or

- (ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(iii) or 27(iv) of Government Notice No. R.984 in Gazette No. 38282 on 4 December 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices,

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.”

Amendment of Listing Notice 2

23. Listing Notice 2 is hereby amended—

- (a) by the deletion of subparagraph (3) of paragraph 3;
- (b) by the substitution for Activity 1 of the following Activity:

“The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs—

(a) within an urban area; or

(b) on rooftops.”;

- (c) by the substitution for Activity 21 of the following Activity:

“Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding—

(i) the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies; or

(ii) activities which are identified and included in Listing Notice 1 of 2014.”; and

- (d) by the deletion in Activity 27 of the words “and related operation”.

Amendment of Listing Notice 3 of 2014

24. Listing Notice 3 is hereby amended by the substitution for Listing Notice 3 of the following:

“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 Act, where environmental authorisation is required prior to commencement of that activity in specific identified geographical areas only.

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—

“**aquatic critical biodiversity areas**” means linkages between catchment, important rivers and sensitive estuaries whose safeguarding is critically required in order to meet biodiversity pattern and process thresholds and are spatially defined as part of a bioregional plan or systematic biodiversity plan, available on the South African National Biodiversity Institute’s BGIS website (<http://bgis.sanbi.org/WCBF14/project.asp>);

“**bioregional plan**” means the bioregional plan contemplated in Chapter 3 of the National Environment Management Biodiversity Act, 2004 (Act No. 10 of 2004);

“**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;

“**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;

“**development**” means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, 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, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

“development footprint” means any evidence of physical alteration as a result of the undertaking of any activity;

“development setback” means a setback line defined or adopted by the competent authority;

“estuarine functional zone” means the area in and around an estuary which includes the open water area, estuarine habitat (*such as sand and mudflats, rock and plant communities*) and the surrounding floodplain area, as defined by the area below the 5 m topographical contour (*referenced from the indicative mean sea level*);

“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, which can be obtained from the Gauteng Provincial Department responsible for environmental affairs;

“Gauteng Conservation Plan” means a systematic conservation planning tool delineating biodiversity priority areas representative of biodiversity pattern, process and species of special concern, which areas have been identified in three broad categories; namely, Critical Biodiversity Areas (CBAs), Ecological Support Areas (ESAs) and Protected Areas;

“Gauteng Protected Area Expansion Strategy” means a framework for protected area expansion in Gauteng, setting out key strategies for protected area expansion and identifying spatial priorities and protected area targets and is aligned to the National Protected Area Expansion Strategy as it identifies finer scaled provincial priorities based on regional and local conservation imperatives;

“Important Bird and Biodiversity Areas (IBA)” means areas / sites that hold significant numbers of globally and/or regionally threatened species (Categories A1 and C1); sites that are known or thought to hold a significant component of a group of species whose breeding distributions define an Endemic Bird Area (EBA) (Category A2); sites that are known or thought to hold a significant component of a group of species whose distributions are largely or wholly confined to one biome (Category A3);

“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 industrial purposes, including bulk storage, manufacturing, processing or packaging purposes;

“maintenance” means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint;

“maintenance management plan” means a management plan for maintenance purposes defined or adopted by the competent authority;

“National Protected Area Expansion Strategy (NPAES)” means South Africa's national strategy for expansion of the protected area network, led by the National Department responsible for 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;

“previous NEMA notices” as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices R. 386 and R. 387 in the Government Gazette of 21 April 2006, as amended, or Government Notice No. R. 544, 545 and 546 in the Government Gazette of 18 June 2010, as amended);

“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), as amended;

“throughput capacity” means the design capacity or maximum capable capacity of a facility, structures or infrastructure, whichever is the greater;

“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;

“watercourse” means –

- (a) a river or spring;
- (b) a natural channel in which water flows regularly or intermittently;
- (c) a wetland, pan, 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; and

“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.

- (2) The following words relevant to coastal activities will have the meaning so assigned to it in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008):

- a) “estuary”;
- b) “high-water mark”;
- c) “littoral active zone”;
- d) “sea”; and
- e) “seashore”.

- (3) The following words will have the meaning assigned to them in terms of section 1 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002):

- a) “mineral”;

- b) "petroleum"; and
 - c) "prospecting".
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.
- (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.

REPEAL OF NOTICE 985 OF 4 December 2014

4. Notice No. 985 published in Gazette 38282 on 4 December 2014 is hereby repealed.

CONTINUATION OF THINGS DONE UNDER GOVERNMENT NOTICE R. 985 OF 4 DECEMBER 2014

5. Anything done in terms of Listing Notice 3 published under Government Notice No. R. 985 of 4 December 2014 and which can be done in terms of this Listing Notice must be regarded as having been done in terms of this Listing Notice.
6. Anything undertaken in terms of Listing Notice 3 published under Government Notice No. R. 985 of 4 December 2014 and which is pending when this Listing Notice take effect, must despite the repeal of Listing Notice 3 published under Government Notice No. R. 985 of 4 December 2014 be dispensed with in terms of that Listing Notice as if that Listing Notice is not repealed.

SHORT TITLE

7. This Listing Notice is called Environmental Impact Assessment Regulations Listing Notice 3 of 2015, and takes effect on the date of publication in the *Gazette*.

APPENDIX 1

Identification of competent authority: The competent authority in respect of the activities listed in this part of the Notice is the competent authority in the province in which the activity is to be undertaken, unless—

- 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;
- b) the listed or specified activity is or is directly related to—
 - i. prospecting or exploration of a mineral or petroleum resource; or
 - ii. extraction and primary processing of a mineral or petroleum resource;
 in which case the competent authority is the Minister responsible for mineral resources.

The exception mentioned in (b) above does not apply to the following activities contained in this Notice: 5; 6; 9; 11; 13; 17; 21; 24; 25 and 26.

Activity number	Activity description	Geographical areas based on environmental attributes
1.	The development of billboards exceeding 18 square metres in size outside urban areas, mining areas or industrial complexes.	<p>a. Eastern Cape</p> <ol style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, 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 from the core area of a biosphere reserve; ix. 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; or x. In an estuarine functional zone, excluding areas falling behind the development setback line. <p>b. Free State</p> <ol style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. National Protected Area Expansion Strategy Focus areas;

		<ul style="list-style-type: none"> 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; or 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 from the core area of a biosphere reserve. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. National Protected Area Expansion Strategy Focus Areas; iii. Gauteng Protected Area Expansion Priority Areas; iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Important Bird and Biodiversity Areas (IBA); vii. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; viii. Sites or areas identified in terms of an International Convention; ix. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); x. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or xi. Sites zoned for conservation use or public open space or equivalent zoning. <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. A protected area identified in terms of NEMPAA, excluding conservancies; v. World Heritage Sites;
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		<ul style="list-style-type: none"> vi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; vii. Sites or areas identified in terms of an International Convention; viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; ix. Core areas in biosphere reserves; x. In an estuarine functional zone; xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; xii. Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or xiii. 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.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, 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; or 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 from the core area of a biosphere reserve.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, 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;

		<p>vii. Core areas in biosphere reserves; or</p> <p>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 from the core area of a biosphere reserve, where such areas comprise indigenous vegetation.</p> <p>g. Northern Cape</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus areas;</p> <p>iii. World Heritage Sites;</p> <p>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;</p> <p>v. Sites or areas identified in terms of an International Convention;</p> <p>vi. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>vii. Core areas in biosphere reserves;</p> <p>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 from the core area of a biosphere reserve;</p> <p>ix. 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; or</p> <p>x. In an estuary.</p> <p>h. North West</p> <p>i. National Protected Area Expansion Strategy Focus areas;</p> <p>ii. World Heritage Sites;</p> <p>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;</p> <p>iv. Sites or areas identified in terms of an International Convention;</p> <p>v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>vi. Core areas in biosphere reserves;</p> <p>vii. 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 a biosphere reserve, excluding areas where no indigenous vegetation will be cleared;</p> <p>viii. Any protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other relevant legislation; or</p> <p>ix. Areas designated for conservation use in adopted Spatial Development Frameworks, or zoned for a conservation purpose, within urban areas.</p> <p>i. Western Cape</p>
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		<ul style="list-style-type: none"> i. All areas outside urban areas, mining areas or industrial complexes.
2.	The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. In a protected area identified in terms of NEMPAA, excluding conservancies; ii. Outside urban areas, in: <ul style="list-style-type: none"> (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; (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) In an estuarine functional zone, excluding areas falling behind the development setback line; (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; or iii. In urban areas: <ul style="list-style-type: none"> (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; or (cc) Areas seawards of the development setback line or within urban protected areas. <p>b. Free State</p> <ul style="list-style-type: none"> i. In a protected area identified in terms of NEMPAA, excluding conservancies; ii. Outside urban areas, in: <ul style="list-style-type: none"> (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;

		<p>(ee) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</p> <p>(cc) Areas within urban protected areas.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites or areas identified in terms of an International Convention;</p> <p>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <p>ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning; or</p> <p>xi. Important Bird and Biodiversity Areas (IBA).</p> <p>d. KwaZulu-Natal</p> <p>i. Trans-frontier protected areas managed under international conventions;</p> <p>ii. Community Conservation Areas;</p> <p>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>iv. World Heritage Sites;</p> <p>v. In an estuarine functional zone;</p> <p>vi. In a protected area identified in terms of NEMPAA, excluding conservancies;</p>
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		<ul style="list-style-type: none"> vii. Sites or areas identified in terms of an International Convention; viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; ix. Core areas in biosphere reserves; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or (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; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; (bb) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or (cc) Within urban protected areas. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. In a protected area identified in terms of NEMPAA, excluding conservancies; ii. Outside urban areas, in: <ul style="list-style-type: none"> (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; (ee) Core areas in biosphere reserves; or (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; or iii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space;
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		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</p> <p>(cc) Areas within urban protected areas.</p> <p>f. Mpumalanga</p> <p>i. In a protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(cc) Sites or areas identified in terms of an International Convention;</p> <p>(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ee) Core areas in biosphere reserves; or</p> <p>(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, where such areas comprise indigenous vegetation; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. In a protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>iii. Outside urban areas, in:</p> <p>(aa) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(cc) Sites or areas identified in terms of an International Convention;</p> <p>(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ee) Core areas in biosphere reserves;</p> <p>(ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>
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		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p> <p>(gg) 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; or</p> <p>iv. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line or within urban protected areas.</p> <p>h. North West</p> <p>i. A protected area identified in terms of NEMPAA;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(cc) Sites or areas identified in terms of an International Convention;</p> <p>(dd) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ee) Core areas in biosphere reserves; or</p> <p>(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; excluding areas where no indigenous vegetation will be cleared; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>i. Western Cape</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. In areas containing indigenous vegetation; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>a. Eastern Cape</p>
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	<p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower—</p> <p>(a) is to be placed on a site not previously used for this purpose; and</p> <p>(b) will exceed 15 metres in height—</p> <p>but excluding attachments to existing buildings and masts on rooftops.</p>	<p>i. Outside urban areas,</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>(ii) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. Inside urban areas; in:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>b. Free State</p> <p>i. Outside urban areas,</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>
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		<p>identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</p> <p>ii. Inside urban areas; in:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites or areas identified in terms of an International Convention;</p> <p>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <p>ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning; or</p> <p>xi. Important Bird and Biodiversity Areas (IBA).</p> <p>d. KwaZulu-Natal</p> <p>i. In an estuarine functional zone;</p> <p>ii. Trans-frontier protected areas managed under international conventions;</p> <p>iii. Community Conservation Areas;</p> <p>iv. World Heritage Sites;</p> <p>v. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>vi. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>vii. Sites or areas identified in terms of an International Convention;</p> <p>viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>ix. Core areas in biosphere reserves;</p>
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		<ul style="list-style-type: none"> x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or (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; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; (bb) Within urban protected areas; (cc) Areas zoned for use as public open space; or (dd) Areas within 1 kilometre from terrestrial protected areas identified in terms of NEMPAA.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, <ul style="list-style-type: none"> (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; or (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; or ii. Inside urban areas; in: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.

		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Outside urban areas, <ul style="list-style-type: none"> (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; or (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, where such areas comprise indigenous vegetation; or ii. Inside urban areas; in: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>g. Northern Cape</p> <ul style="list-style-type: none"> i. In an estuary; ii. Outside urban areas, <ul style="list-style-type: none"> (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 areas of a biosphere reserve; or
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		<p>(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; or</p> <p>iii. Inside urban areas; in:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA,;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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 a biosphere reserve, excluding areas where no indigenous vegetation will be cleared; or</p> <p>ii. In urban areas, in:</p> <p>(aa) Areas designated for conservation use in adopted Spatial Development Frameworks, or zoned for a conservation purpose.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.</p>
4.	The development of a road wider than 4 metres with a reserve less than 13,5 metres.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p>

		<p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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, excluding disturbed areas;</p> <p>(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; or</p> <p>(ii) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Seawards of the development setback line or within urban protected areas.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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, excluding disturbed areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p>
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		<p>(cc) Areas within urban protected areas.</p> <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. National Protected Area Expansion Strategy Focus Areas; iii. Gauteng Protected Area Expansion Priority Areas; iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; viii. Important Bird and Biodiversity Area (IBA); ix. Sites or areas identified in terms of an International Convention; x. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); xi. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or xii. Sites zoned for conservation use or public open space or equivalent zoning. <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Trans- frontier protected areas managed under international conventions; iii. Community Conservation Areas; iv. Biodiversity Stewardship Programme Biodiversity Agreement areas; v. World Heritage Sites; vi. A protected area identified in terms of NEMPAA; vii. Sites or areas identified in terms of an International Convention; viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; ix. Core areas in biosphere reserves; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
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		<p>xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>xii. Outside urban areas:</p> <p>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</p> <p>(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; or</p> <p>xiii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(cc) Within urban protected areas.</p> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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, excluding disturbed areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Areas within urban protected areas.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas;</p>
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		<ul style="list-style-type: none"> (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; or (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, excluding disturbed areas, where such areas comprise indigenous vegetation; or <ul style="list-style-type: none"> ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.
		<p>g. Northern Cape</p> <ul style="list-style-type: none"> i. In an estuary; ii. Outside urban areas, in: <ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA, excluding disturbed areas; (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, excluding disturbed areas; or (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; or iii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space;

		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Seawards of the development setback line or within urban protected areas.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas (Terrestrial Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Natural heritage sites.</p> <p>i. Western Cape</p> <p>i. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>
5.	The development of resorts, lodges, hotels and tourism or hospitality	<p>a. Eastern Cape</p> <p>i. A protected area identified in terms of the NEMPAA;</p> <p>ii. Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>

facilities that sleep less than 15 people.		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve;</p> <p>iii. Outside urban areas, in:</p> <p>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(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;</p> <p>(cc) Areas within 100 metres of a watercourse or wetland; or</p> <p>(dd) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>iv. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p>
		<p>b. Free State</p> <p>i. A protected area identified in terms of the NEMPAA;</p> <p>ii. Outside urban 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;</p> <p>iii. Outside urban areas, in:</p> <p>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(bb) Areas within 100 metres of a watercourse or wetland; or</p> <p>iv. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p>
		<p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>iv. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>v. Sites or areas identified in terms of an International Convention</p>

		<ul style="list-style-type: none"> vi. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); vii. Important Bird and Biodiversity Area (IBA); viii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or x. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. A protected area identified in terms of the NEMPAA; ii. Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; iii. Trans-frontier protected areas managed under international conventions; iv. Community Conservation Areas; v. Biodiversity Stewardship Programme Biodiversity Agreement areas; vi. Provincial Protected Area Expansion Strategy Focus areas; vii. In an estuarine functional zone; viii. World Heritage Sites; ix. A protected area identified in terms of NEMPAA; x. Sites or areas identified in terms of an International Convention; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; xiii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xiv. Outside urban areas: <ul style="list-style-type: none"> (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; or (bb) Areas within 100 metres of a watercourse or wetland; or xv. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined.

		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. A protected area identified in terms of the NEMPAA; ii. Outside urban 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; iii. Outside urban areas, in: <ul style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Areas within 100 metres of a watercourse or wetland; or iv. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. A protected area identified in terms of the NEMPAA; ii. Outside urban 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, where such areas comprise indigenous vegetation. iii. Outside urban areas, in: <ul style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Areas within 100 metres of a watercourse or wetland; or iv. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>g. Northern Cape</p> <ul style="list-style-type: none"> i. A protected area identified in terms of the NEMPAA; ii. Outside urban 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; iii. In an estuary; iv. Outside urban areas, in: <ul style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
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		<p>(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; or</p> <p>(cc) Areas within 100 metres of a watercourse or wetland; or</p> <p>v. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>h. North West</p> <p>i. A protected area identified in terms of the NEMPAA;</p> <p>ii. Outside urban 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;</p> <p>iii. Any protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other relevant legislation;</p> <p>iv. Natural Heritage sites;</p> <p>v. Outside urban areas, in:</p> <p>(aa) Critical biodiversity areas (Terrestrial Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(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; or</p> <p>vi. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>i. Western Cape</p> <p>i. A protected area identified in terms of the NEMPAA;</p> <p>ii. Outside urban 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;</p> <p>iii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>iv. Outside urban areas, in:</p> <p>(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;</p>
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		<p>(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; or</p> <p>(cc) Areas on the estuary side of the development setback line or within an estuarine functional zone where no such setback line has been determined.</p>
6.	The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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;</p> <p>(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; or</p> <p>(jj) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. In urban areas, in:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p>

		<ul style="list-style-type: none"> (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; or (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; or <p>ii. In urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>c. Gauteng</p> <ul style="list-style-type: none"> (i) A protected area identified in terms of NEMPAA, excluding conservancies; (ii) National Protected Area Expansion Strategy Focus Areas; (iii) Gauteng Protected Area Expansion Priority Areas; (iv) Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; (v) Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); (vi) Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; (vii) Sites or areas identified in terms of an International Convention; (viii) Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; (ix) Important Bird and Biodiversity Area (IBA); (x) Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); (xi) Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or
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		<p>(xii) Sites zoned for conservation use or public open space or equivalent zoning.</p> <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Trans-frontier protected areas managed under international conventions; iii. Community Conservation Areas; iv. Biodiversity Stewardship Programme Biodiversity Agreement areas; v. A protected area identified in terms of NEMPAA, excluding conservancies; vi. Sites or areas identified in terms of an International Convention; vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; viii. Core areas in biosphere reserves; ix. World Heritage Sites; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; (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; or (cc) Areas within 100 metres from the edge of a watercourse; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; (bb) Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined; or (cc) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;
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		<ul style="list-style-type: none"> (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; or (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; or <ul style="list-style-type: none"> ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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, where such areas comprise indigenous vegetation; or (hh) Areas within 100 metres of a watercourse or wetland; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or
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		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>(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; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>(i) Any protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other relevant legislation;</p> <p>(ii) Natural Heritage sites;</p> <p>(iii) Outside urban areas, in:</p> <p>(aa) Critical biodiversity areas (Terrestrial Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(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; or</p>
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		<p>(iv) In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>
7.	The development of aircraft landing strips and runways 1.4 kilometres and shorter.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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;</p> <p>(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; or</p> <p>(kk) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>b. Free State</p>

		<p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</p> <p>viii. Sites or areas identified in terms of an International Convention;</p> <p>ix. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation</p>
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		<p>Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <ul style="list-style-type: none"> x. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; xi. Sites zoned for conservation use or public open space or equivalent zoning; or xii. Important Bird and Biodiversity Areas (IBA). <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. A protected area identified in terms of NEMPAA, excluding conservancies; v. World Heritage Sites; vi. Sites or areas identified in terms of an International Convention; vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; viii. Core areas in biosphere reserves; ix. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; x. Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core of a biosphere reserve; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (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; or (bb) Areas within 100 metres from the edge of a watercourse; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas;
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		<ul style="list-style-type: none"> (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; or (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; or <p>ii. In urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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 of a biosphere reserve, where such areas comprise indigenous vegetation; or (ii) 100 metres of a watercourse or wetland; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or

		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>(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; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding areas where no indigenous vegetation will be cleared;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p>
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		<ul style="list-style-type: none"> (ff) Critical biodiversity areas (Terrestrial Type 1 and 2) 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; or (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.
		<p>i. Western Cape</p> <ul style="list-style-type: none"> i. All areas outside urban areas.
8.	The development and related operation of above ground cableways and funiculars.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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. <p>b. Free State</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;

		<ul style="list-style-type: none"> iii. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); iv. Sites or areas identified in terms of an International Convention; v. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); vi. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; vii. Sites zoned for conservation use or public open space or equivalent zoning; or viii. Important Bird and Biodiversity Areas (IBA). <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (aa) In an estuarine functional zone; (bb) A protected area identified in terms of NEMPAA, excluding conservancies; (cc) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (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) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; (ff) Areas zoned for use as public open space; (gg) 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; (hh) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or (ii) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space;
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		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(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.</p> <p>f. Mpumalanga</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Areas within 100 metres of a watercourse or wetland.</p> <p>g. Northern Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(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; or</p> <p>(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.</p> <p>h. North West</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(cc) A protected area identified in terms of NEMPAA;</p> <p>(dd) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(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; or</p> <p>(ff) Natural heritage sites.</p> <p>i. Western Cape</p>
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		i. All areas outside urban areas.
9.	The development and related operation of zip-lines or foefie-slides exceeding 100 metres in length.	<p>a. Eastern Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(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; or</p> <p>(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.</p> <p>b. Free State</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(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.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>iii. Sites or areas identified in terms of an International Convention;</p> <p>iv. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <p>v. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</p> <p>vi. Sites zoned for conservation use or public open space or equivalent zoning; or</p> <p>vii. Important Bird and Biodiversity Areas (IBA).</p> <p>d. KwaZulu-Natal</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p>

		<ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) In an estuarine functional zone; (cc) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (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) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; (ff) Areas zoned for use as public open space; (gg) 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; (hh) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or (ii) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (cc) Areas within 100 metres of a watercourse or wetland.
		<p>g. Northern Cape</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space;

		<ul style="list-style-type: none"> (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; or (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. <p>h. North West</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; (dd) Critical biodiversity areas (Type 1 and 2) 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; or (ff) Natural heritage sites.
10.	The development of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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 areas of a biosphere reserve;

		<ul style="list-style-type: none"> (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 estuarine functional zone, excluding areas falling behind the development setback line; or (kk) In an estuarine functional zone, excluding areas falling behind the development setback line; or <p>ii. In urban areas:</p> <ul style="list-style-type: none"> (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; or (cc) Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line.
		<p>b. Free State</p> <p>i. Outside urban areas, in:</p> <ul style="list-style-type: none"> (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 areas of a biosphere reserve; or (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; <p>ii. In urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or

		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. National Protected Area Expansion Strategy Focus Areas; iii. Gauteng Protected Area Expansion Priority Areas; iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; viii. Sites or areas identified in terms of an International Convention; ix. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); x. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; xi. Sites zoned for conservation use or public open space or equivalent zoning; or xii. Important Bird and Biodiversity Areas (IBA). <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Trans-frontier protected areas managed under international conventions; iii. Community Conservation Areas; iv. Biodiversity Stewardship Programme Biodiversity Agreement areas; v. World Heritage Sites; vi. Within 500 metres of an estuarine functional zone; vii. A protected area identified in terms of NEMPAA, excluding conservancies; viii. Sites or areas identified in terms of an International Convention; ix. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; x. Core areas in biosphere reserves;
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		<ul style="list-style-type: none"> xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xiii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; (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; or (cc) Areas within 100 metres from the edge of a watercourse; or xiv. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. All areas.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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 areas of a biosphere reserve, where such areas comprise indigenous vegetation; or (hh) Areas within 100 metres of a watercourse or wetland; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or

		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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;</p> <p>(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; or</p> <p>(jj) Within 500 metres of an estuary; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Within 500 metres of an estuary.</p> <p>h. North West</p> <p>i. Outside urban areas.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. Inside urban areas:</p> <p>(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;</p>
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		<p>(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; or</p> <p>(cc) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>
11.	The development of tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles excluding conversion of existing tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</p> <p>ii. In 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; or</p> <p>iii. Within areas of indigenous vegetation outside urban areas.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>iv. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p>

		<ul style="list-style-type: none"> v. Sites or areas identified in terms of an International Convention; vi. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); vii. Important Bird and Biodiversity Area (IBA); viii. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or ix. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; iii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; 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. Outside urban areas: <ul style="list-style-type: none"> (aa) Within areas of indigenous vegetation; or (bb) In 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; or vi. In urban areas: <ul style="list-style-type: none"> (aa) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; (bb) Areas within 32 metres from the edge of a watercourse; or (cc) Areas zoned for use as public open space.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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;

		<p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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, where such areas comprise indigenous vegetation ; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. In 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; or</p> <p>iii. Within areas of indigenous vegetation outside urban areas.</p> <hr/> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p>
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		<ul style="list-style-type: none"> (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 and 2) 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; or <ul style="list-style-type: none"> ii. In urban areas: <ul style="list-style-type: none"> (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; or (cc) Natural heritage sites.
12.	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.	<p>i. Western Cape</p> <ul style="list-style-type: none"> i. Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; ii. Seawards of the development setback line or within 200 metres of the high water mark of the sea if no such development setback line is determined; or iii. Areas of indigenous vegetation outside urban areas. <p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; iv. Outside urban areas, within 100 metres inland from an estuarine functional zone; or v. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>b. Free State</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of

		<p>such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <ul style="list-style-type: none"> ii. Within critical biodiversity areas identified in bioregional plans; or iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in the Gauteng Conservation Plan or bioregional plans; or iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; vi. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; vii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; viii. A protected area identified in terms of NEMPAA, excluding conservancies; ix. World Heritage Sites; x. Sites or areas identified in terms of an International Convention; xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or
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		<p>xiii. In an estuarine functional zone.</p> <p>e. Limpopo</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; or iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; or iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning or proclamation in terms of NEMPAA. <p>g. Northern Cape</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>h. North West</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; or iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. <p>i. Western Cape</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of
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		<p>such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <ul style="list-style-type: none"> ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.
13.	The development and related operation of facilities of any size for any form of aquaculture.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line; ii. In a Protected Area identified in the NEMPAA; or iii. 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. <p>b. Free State</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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. <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. In an estuarine functional zone; v. In a Protected Area identified in the NEMPAA; vi. World Heritage Sites; vii. 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; viii. Sites or areas identified in terms of an International Convention; ix. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; x. Core areas in biosphere reserves;

		<ul style="list-style-type: none"> xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or ii. In an aquatic critical biodiversity area.
		<p>g. Northern Cape</p> <ul style="list-style-type: none"> i. In an estuary; ii. In a Protected Area identified in the NEMPAA; or iii. 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.
		<p>h. North West</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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.
		<p>i. Western Cape</p> <ul style="list-style-type: none"> i. Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; ii. In a Protected area identified in terms of NEMPAA; and iii. In an aquatic critical biodiversity area.
14.	The development of— (i) canals exceeding 10 square metres in size ; (ii) channels exceeding 10 square metres in size;	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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;

<p>(iii) bridges exceeding 10 square metres in size;</p> <p>(iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size;</p> <p>(v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size;</p> <p>(vi) bulk storm water outlet structures exceeding 10 square metres in size;</p> <p>(vii) marinas exceeding 10 square metres in size;</p> <p>(viii) jetties exceeding 10 square metres in size;</p> <p>(ix) slipways exceeding 10 square metres in size;</p> <p>(x) buildings exceeding 10 square metres in size;</p> <p>(xi) boardwalks exceeding 10 square metres in size; or</p>	<p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>(jj) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line.</p>
	<p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</p>
	<p>c. Gauteng</p>

	<p>(xii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	<p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites or areas identified in terms of an International Convention;</p> <p>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <p>ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning.</p> <p>d. KwaZulu-Natal</p> <p>i. In an estuarine functional zone;</p> <p>ii. Community Conservation Areas;</p> <p>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>iv. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>v. World Heritage Sites;</p> <p>vi. Sites or areas identified in terms of an International Convention;</p> <p>vii. Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>ix. Core areas in biosphere reserves;</p> <p>x. Outside urban areas:</p> <p>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p> <p>(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; or</p>
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		<p>xi. In urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or (cc) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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; or (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; or ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose. <p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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;
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		<p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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, where such areas comprise indigenous vegetation; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</p> <hr/> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line.</p> <hr/> <p>h. North West</p> <p>i. Outside urban areas, in:</p>
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		<ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA; (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; or (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; or <p>ii. Inside urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.
		<p>i. Western Cape</p> <p>i. Outside urban areas, in:</p> <ul style="list-style-type: none"> (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 listed 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; or (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.
15.	The transformation of land bigger than 1000 square metres in size, to residential, retail,	<p>a. Eastern Cape</p> <p>i. Outside urban areas, or</p> <p>ii. Inside urban areas in:</p> <ul style="list-style-type: none"> (aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;

	commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.	<p>(bb) A protected area identified in terms of NEMPAA, excluding conservancies; or</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</p> <p>b. Gauteng</p> <p>i. All areas.</p> <p>c. Limpopo</p> <p>i. In urban areas.</p> <p>d. Mpumalanga</p> <p>i. In urban areas; or</p> <p>ii. A protected area identified in terms of NEMPAA, excluding conservancies.</p> <p>e. North West</p> <p>i. All areas.</p> <p>f. Western Cape</p> <p>i. Outside urban areas, or</p> <p>ii. Inside urban areas in:</p> <p>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</p> <p>(bb) A protected area identified in terms of NEMPAA, excluding conservancies; or</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</p>
16.	The expansion of reservoirs for bulk water supply where the capacity will be increased by more than 250 cubic metres.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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; or</p>

		<p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</p> <p>(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.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(dd) Areas zoned for use as public open space; or</p> <p>(ee) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p>
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		<ul style="list-style-type: none"> v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites or areas identified in terms of an International Convention; viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or x. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. World Heritage Sites; v. In an estuarine functional zone; vi. In a protected area identified in terms of NEMPAA, excluding conservancies; vii. Sites or areas identified in terms of an International Convention; viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; ix. Core areas in biosphere reserves; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or (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; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space;

		<p>(bb) Areas seawards of the development setback line or within 100 meters from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(cc) Within urban protected areas.</p> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>
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		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation ; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <hr/> <p>g. Northern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</p> <p>(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.</p> <hr/> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p>
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		<ul style="list-style-type: none"> (dd) Sites or areas identified in terms of an International Convention; (ee) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Core areas in biosphere reserves; or (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; or <ul style="list-style-type: none"> ii. Inside urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose. <p>i. Western Cape</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. In areas containing indigenous vegetation; or iii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, including residential areas.
17.	The expansion of a resort, lodge, hotel and tourism or hospitality facilities where the development footprint will be expanded.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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;

		<p>(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; or</p> <p>(ii) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</p> <p>(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.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p>
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		<ul style="list-style-type: none"> v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites or areas identified in terms of an International Convention viii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; ix. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); x. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or xi. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. In an estuarine functional zone; v. A protected area identified in terms of NEMPAA, excluding conservancies; vi. Sites or areas identified in terms of an International Convention; vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; viii. Core areas in biosphere reserves; ix. World Heritage Sites; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; (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; or

		<p>(cc) Areas within 100 metres from the edge of a watercourse; or</p> <p>xiii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(cc) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA</p> <hr/> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</p> <hr/> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
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		<p>(ff) Core areas in biosphere reserves; or</p> <p>(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, where such areas comprise indigenous vegetation ; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</p> <p>(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.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p>
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		<ul style="list-style-type: none"> (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; or (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; or <p>ii. Inside urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>i. Western Cape</p> <ul style="list-style-type: none"> i. A protected area identified in terms of the NEMPAA; ii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or iii. All areas outside urban areas.
18.	The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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

		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve;</p> <p>(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;</p> <p>(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; or</p> <p>(jj) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p>
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		<ul style="list-style-type: none"> ii. National Protected Area Expansion Strategy Focus Areas; iii. Gauteng Protected Area Expansion Priority Areas; iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; viii. Sites or areas identified in terms of an International Convention; ix. Important Bird and Biodiversity Area (IBA); x. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); xi. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or xii. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. World Heritage Sites; v. In an estuarine functional zone; vi. A protected area identified in terms of NEMPAA; vii. Sites or areas identified in terms of an International Convention; viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; ix. Core areas in biosphere reserves; x. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected

		<p>area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</p> <p>(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; or</p> <p>xiii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(cc) Within urban protected areas.</p> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p>
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		<ul style="list-style-type: none"> (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; or (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, where such areas comprise indigenous vegetation; or <p>ii. Inside urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose. <p>g. Northern Cape</p> <ul style="list-style-type: none"> i. In an estuary; ii. Outside urban areas, in: <ul style="list-style-type: none"> (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; or (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; or iii. Inside urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or
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		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas (Terrestrial Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Natural heritage sites.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas:</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>
19.	The expansion of runways or aircraft landing strips where the expanded runways	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p>

<p>or aircraft landing strips will be longer than 1,4 kilometres in length.</p>		<ul style="list-style-type: none"> (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; or (jj) In an estuarine functional zone, excluding areas falling behind the development setback line; or <p>ii. Inside urban areas:</p> <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.
		<p>b. Free State</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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 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; or

		<p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</p> <p>viii. Sites or areas identified in terms of an International Convention;</p> <p>ix. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</p> <p>x. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</p> <p>xi. Sites zoned for conservation use or public open space or equivalent zoning; or</p> <p>xii. Important Bird and Biodiversity Areas (IBA).</p> <p>d. KwaZulu-Natal</p> <p>i. Community Conservation Areas;</p> <p>ii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>iii. In an estuarine functional zone;</p> <p>iv. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>v. World Heritage Sites;</p> <p>vi. Sites or areas identified in terms of an International Convention;</p> <p>vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
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		<ul style="list-style-type: none"> viii. Core areas in biosphere reserves; ix. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; x. Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core of a biosphere reserve; xi. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xii. Outside urban areas: <ul style="list-style-type: none"> (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; or (bb) Areas within 100 metres from the edge of a watercourse; or xiii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined. <p>e. Limpopo</p> <ul style="list-style-type: none"> i. Outside urban areas, in: <ul style="list-style-type: none"> (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 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; or (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; or ii. Inside urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or
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		<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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, where such areas comprise indigenous vegetation; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(gg) Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected</p>
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		<p>area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p> <p>(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; or</p> <p>(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; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas (Terrestrial Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas.</p>
20.	The expansion and related operation of above ground cableways and funiculars where the development	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</p> <p>ii. All areas outside urban areas; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p>

footprint will be increased.	<ul style="list-style-type: none"> (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; or (dd) 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.
	<p>b. Free State</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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.
	<p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; iii. Sites or areas identified in terms of an International Convention; iv. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); v. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; vi. Sites zoned for conservation use or public open space or equivalent zoning; or vii. Important Bird and Biodiversity Areas (IBA).
	<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (aa) In an estuarine functional zone; (bb) A protected area identified in terms of NEMPAA, excluding conservancies; (cc) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;

		<p>(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;</p> <p>(ee) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(ff) Areas zoned for use as public open space;</p> <p>(gg) 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;</p> <p>(hh) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(ii) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</p> <p>e. Limpopo</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(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.</p> <p>f. Mpumalanga</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Areas within 100 metres of a watercourse or wetland.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. All areas outside urban areas; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(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; or</p>
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		<p>(dd) 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.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas;</p>
21.	The expansion of tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles excluding conversion of existing tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles, where the development	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no setback line is determined.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p>

footprint will be expanded		<ul style="list-style-type: none"> (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; or (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; or <ul style="list-style-type: none"> ii. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.
		<p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. Gauteng Protected Area Expansion Priority Areas; iii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; iv. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; v. Sites or areas identified in terms of an International Convention; vi. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); vii. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or viii. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. In an estuarine functional zone; ii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; iii. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; 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. Outside urban areas: <ul style="list-style-type: none"> (aa) Within areas of indigenous vegetation; or

		<p>(bb) In 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; or</p> <p>vi. In urban areas:</p> <p>(aa) In areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;</p> <p>(bb) Areas within 32 metres from the edge of a watercourse; or</p> <p>(cc) Areas zoned for use as public open space.</p> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>
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		<p>(ff) Core areas in biosphere reserves; or</p> <p>(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, where such areas comprise indigenous vegetation ; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary; or</p> <p>ii. Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no setback line is determined;</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas (Type 1 and 2) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Natural heritage sites.</p> <p>i. Western Cape</p> <p>i. Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</p> <p>ii. 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; or</p>
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<p>22.</p> <p>The expansion of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage facilities or infrastructure will be expanded by 30 cubic metres or more but no more than 80 cubic metres.</p>		<p>iii. Areas of indigenous vegetation outside urban areas.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(jj) Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>(kk) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(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; or</p> <p>(dd) Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p>
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		<ul style="list-style-type: none"> (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; or (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; or <p>ii. In urban areas:</p> <ul style="list-style-type: none"> (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; or (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. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. National Protected Area Expansion Strategy Focus Areas; iii. Gauteng Protected Area Expansion Priority Areas; iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority; vii. Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas; viii. Important Bird and Biodiversity Area (IBA); ix. Sites or areas identified in terms of an International Convention;
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		<ul style="list-style-type: none"> x. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); xi. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or xii. Sites zoned for conservation use or public open space or equivalent zoning.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. World Heritage Sites; v. In an estuarine functional zone; vi. Within 500 metres of an estuarine functional zone; vii. A protected area identified in terms of NEMPAA, excluding conservancies; viii. Sites or areas identified in terms of an International Convention; ix. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; x. Core areas in biosphere reserves; xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; xiii. Outside urban areas: <ul style="list-style-type: none"> (aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; (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; or (cc) Areas within 100 metres from the edge of a watercourse; or xiv. In urban areas: <ul style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.
		<p>e. Limpopo</p>

		<p>i. All areas</p> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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, where such areas comprise indigenous vegetation; or</p> <p>(hh) Areas within 100 metres of a watercourse or wetland; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(cc) Areas within 100 metres of a watercourse or wetland.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>
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		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve;</p> <p>(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;</p> <p>(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; or</p> <p>(jj) Within 500 metres of an estuary; or</p> <p>iii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(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; or</p> <p>(dd) Within 500 metres of an estuary.</p> <p>h. North West</p> <p>i. Outside urban areas.</p> <p>i. Western Cape</p> <p>i. All areas outside urban areas; or</p> <p>ii. Areas inside urban areas:</p> <p>(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;</p> <p>(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; or</p> <p>(cc) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>
23.	<p>The expansion of—</p> <p>(i) canals where the canal is expanded by 10 square metres or more in size;</p> <p>(ii) channels where the channel is expanded by 10 square</p>	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>

	<p>(iii) metres or more in size; bridges where the bridge is expanded by 10 square metres or more in size;</p> <p>(iv) dams where the dam is expanded by 10 square metres or more in size;</p> <p>(v) weirs where the weir is expanded by 10 square metres or more in size;</p> <p>(vi) bulk storm water outlet structures where the structure is expanded by 10 square metres or more in size;</p> <p>(vii) marinas where the marina is expanded by 10 square metres or more in size;</p> <p>(viii) jetties where the jetty is expanded by 10 square metres or more in size;</p> <p>(ix) slipways where the slipway is expanded by 10 square</p>	<p>(ff) Core areas in biosphere reserves;</p> <p>(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;</p> <p>(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; or</p> <p>(ii) In an estuarine functional zone, excluding areas falling behind the development setback line; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>b. Free State</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>c. Gauteng</p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p>
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	<p>metres or more in size;</p> <p>(x) buildings where the building is expanded by 10 square metres or more in size;</p> <p>(xi) boardwalks where the boardwalk is expanded by 10 square metres or more in size; or</p> <p>(xii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback adopted in the prescribed manner; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse,</p>	<p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</p> <p>vii. Sites or areas identified in terms of an International Convention;</p> <p>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); or</p> <p>ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning.</p> <p>d. KwaZulu-Natal</p> <p>i. Community Conservation Areas;</p> <p>ii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p> <p>iii. In an estuarine functional zone;</p> <p>iv. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>v. World Heritage Sites;</p> <p>vi. Sites or areas identified in terms of an International Convention;</p> <p>vii. Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>viii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>ix. Core areas in biosphere reserves;</p> <p>x. Outside urban areas:</p> <p>(aa) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p> <p>(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; or</p> <p>xi. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p>
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	<p>measured from the edge of a watercourse;</p> <p>excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</p> <p>(cc) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</p> <hr/> <p>e. Limpopo</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <hr/> <p>f. Mpumalanga</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area</p>
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		<p>identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>g. Northern Cape</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(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;</p> <p>(dd) Sites or areas identified in terms of an International Convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(ff) Core areas in biosphere reserves;</p> <p>(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; or</p> <p>(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; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>h. North West</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas identified in terms of an International Convention;</p>
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		<p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</p> <p>i. Western Cape</p> <p>i. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(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;</p> <p>(ee) Sites or areas listed in terms of an International Convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>
24.	The expansion and related operation of facilities of any size for any form of aquaculture.	<p>a. Eastern Cape</p> <p>i. Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</p> <p>ii. In a Protected Area identified in the NEMPAA; or</p> <p>iii. 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.</p> <p>b. Free State</p> <p>i. In a Protected Area identified in the NEMPAA; or</p> <p>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.</p> <p>c. Gauteng</p> <p>i. In a Protected Area identified in the NEMPAA; or</p>

		<ul style="list-style-type: none"> 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.
		<p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. Trans-frontier protected areas managed under international conventions; ii. Community Conservation Areas; iii. Biodiversity Stewardship Programme Biodiversity Agreement areas; iv. In an estuarine functional zone; v. In a Protected Area identified in the NEMPAA; vi. World Heritage Sites; vii. 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; viii. Sites or areas identified in terms of an International Convention; ix. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; x. Core areas in biosphere reserves; xi. Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or xii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.
		<p>e. Limpopo</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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.
		<p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or ii. In an aquatic critical biodiversity area.
		<p>g. Northern Cape</p> <ul style="list-style-type: none"> i. In an estuary; ii. In a Protected Area identified in the NEMPAA; or iii. 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.
		<p>h. North West</p> <ul style="list-style-type: none"> i. In a Protected Area identified in the NEMPAA; or 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.

		<p>i. Western Cape</p> <ul style="list-style-type: none"> i. Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; ii. In a Protected area identified in terms of NEMPAA; and iii. In an aquatic critical biodiversity area.
25.	The expansion and related operation of zip- lines or foefie-slides, where the zip- line or foefie-slide is expanded by 100 metres in length or more.	<p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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. <p>b. Free State</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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. <p>c. Gauteng</p> <ul style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; iii. Sites or areas identified in terms of an International Convention; iv. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management: Protected Areas Act (Act No. 57 of 2003); v. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; vi. Sites zoned for conservation use or public open space or equivalent zoning; or

		<p>vii. Important Bird and Biodiversity Areas (IBA)</p> <p>d. KwaZulu-Natal</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) In an estuarine functional zone;</p> <p>(cc) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(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;</p> <p>(ee) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(ff) Areas zoned for use as public open space;</p> <p>(gg) 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;</p> <p>(hh) Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(ii) Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</p> <p>e. Limpopo</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</p> <p>(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.</p> <p>f. Mpumalanga</p> <p>i. All areas outside urban areas; or</p> <p>ii. In urban areas:</p> <p>(aa) Areas zoned for use as public open space;</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</p> <p>(cc) Areas within 100 metres of a watercourse or wetland; or</p> <p>g. Northern Cape</p>
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		<ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; or (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. <p>h. North West</p> <ul style="list-style-type: none"> i. All areas outside urban areas; or ii. In urban areas: <ul style="list-style-type: none"> (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; (dd) Critical biodiversity areas (Type 1 and 2) 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; or (ff) Natural heritage sites.
26.	<p>Phased activities for all activities—</p> <ul style="list-style-type: none"> i. listed in this Notice and as it applies to a specific geographical area, which commenced on or after the effective date of this Notice; or ii. similarly listed in any of the previous NEMA notices, and as it applies to a specific 	<p>All the areas as identified for the specific activities listed in this Notice.</p>

	<p>geographical area, which commenced on or after the effective date of such previous NEMA Notices—</p> <p>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; —</p> <p>excluding the following activities listed in this Notice—7;</p> <p>8;</p> <p>11;</p> <p>13;</p> <p>17;</p> <p>20;</p> <p>21; and</p> <p>24.”.</p>	
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