

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 324

07 APRIL 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****AMENDMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT
REGULATIONS LISTING NOTICE 3 OF 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby amend the Environmental Impact Assessment Regulations Listing Notice 3 of 2014, published under Government Notice No. 985 in Gazette No. 38282 on 4 December 2014 in terms of sections 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

For ease of reading the full text of the existing list, with the amendments indicated, is published. The amendments take effect on the date that these amendments are published in the *Gazette*.



**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.

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 Environmental 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;

“dam” when used in these Regulations means any barrier dam and any other form of impoundment used for the storage of water, excluding reservoirs;

“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[;], but excludes any activity for which an environmental authorisation has been obtained in terms of the Act or the Environment Conservation Act, 1989 (Act No. 73 of 1989);

“previous NEMA notices” as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices No. R. 386 and R. 387 in the *Government Gazette* of 21 April 2006, as amended, or Government Notices No. R. 544, R. 545 and R. 546 in the *Government Gazette* of 18 June 2010, as amended, or Government Notices No. R 983, R. 984 and R. 985 in the *Government Gazette* of 4 December 2014;

“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.
- [(3) Where Listing Notice 4 applies, an application for environmental authorisation must be submitted for an activity contemplated in that Notice and not for an activity contemplated in this Notice.]**

REPEAL OF NOTICE 546 OF 18 JUNE 2010

4. Notice No. 546 published in Government Gazette 33306 on 18 June 2010 is hereby repealed.

SHORT TITLE

5. This Listing Notice is called Environmental Impact Assessment Regulations Listing Notice 3 of 2014, and takes effect on 08 December 2014.

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 | [Identification of competent authority] |
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| 1. | The development of billboards exceeding 18 square metres in size outside urban areas, mining areas or industrial complexes. | <p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus areas;</u> iii. <u>World Heritage Sites;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vii. <u>Core areas in biosphere reserves;</u> viii. <u>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;</u> | <p>[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—</p> <p>(a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent</p> |

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| <p>ix. <u>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</u> x. <u>In an estuarine functional zone, excluding areas falling behind the development setback line.</u></p> | <p>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.</p> |
| <p>b. Free State i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus areas;</u> iii. <u>World Heritage Sites;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vii. <u>Core areas in biosphere reserves; or</u> viii. <u>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.</u></p> | <p>The exception mentioned in (b) above does not apply to the following activities</p> |
| <p>c. Gauteng i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus Areas;</u> iii. <u>Gauteng Protected Area Expansion Priority Areas;</u> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Important Bird and Biodiversity Areas (IBA);</u> vii. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> | <p>The exception mentioned in (b) above does not apply to the following activities</p> |

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| | <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>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 NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | <p>contained in this Notice: 5; 6; 9; 11; 13; 17; 21; 24; 25; and 26.]</p> |
| <p>d. KwaZulu-Natal</p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>In an estuarine functional zone;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> <p>xii. <u>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</u></p> <p>xiii. <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> | <p>e. Limpopo</p> | |

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| | <ul style="list-style-type: none"> i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus areas;</u> iii. <u>World Heritage Sites;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vii. <u>Core areas in biosphere reserves; or</u> viii. <u>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.</u> | |
| | <p>f. <u>Mpumalanga</u></p> <ul style="list-style-type: none"> i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus areas;</u> iii. <u>World Heritage Sites;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vii. <u>Core areas in biosphere reserves; or</u> viii. <u>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.</u> | |
| | <p>g. <u>Northern Cape</u></p> <ul style="list-style-type: none"> i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> | |

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| | <ul style="list-style-type: none"> ii. <u>National Protected Area Expansion Strategy Focus areas;</u> iii. <u>World Heritage Sites;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vii. <u>Core areas in biosphere reserves;</u> viii. <u>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;</u> ix. <u>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</u> x. <u>In an estuary.</u> | |
| | <p><u>h. North West</u></p> <ul style="list-style-type: none"> i. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> ii. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u> iii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u> iv. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or a biosphere reserve;</u> v. <u>Any protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u> vi. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u> | |
| | <p><u>i. Western Cape</u></p> | |

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| 2. | The development of reservoirs, [for water supply] excluding dams, with a capacity of more than 250 cubic metres. | <p>i. <u>All areas outside urban areas, mining areas or industrial complexes.</u></p> <p>a. Eastern Cape</p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas, in:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves;</u></p> <p>(ff) <u>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;</u></p> <p>(gg) <u>In an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(hh) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within urban protected areas.</u></p> <p>b. Free State</p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> |
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| | <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> |
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| | <p>viii. <u>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 NEMPAA;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xi. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u> (aa) <u>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</u></p> | |

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| | <p>(bb) <u>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</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Within urban protected areas.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> | |

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| | <p>f. Mpumalanga</p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> | |

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| | <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves;</u></p> <p>(ff) <u>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</u></p> <p>(gg) <u>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</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within urban protected areas.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p> <p>i. Western Cape</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>In areas containing indigenous vegetation; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> | |
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| | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> |
| <p>3.</p> | <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>a. Eastern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> |

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| | <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus Areas;</u> iii. <u>Gauteng Protected Area Expansion Priority Areas;</u> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> vii. <u>Sites or areas identified in terms of an international convention;</u></p> | |

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| | <p>viii. <u>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 NEMPAA;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xi. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>vi. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>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</u></p> | |

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| | <p>(bb) <u>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</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>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;</u></p> <p>(bb) <u>Within urban protected areas;</u></p> <p>(cc) <u>Areas zoned for use as public open space; or</u></p> <p>(dd) <u>Areas within 1 kilometre from terrestrial protected areas identified in terms of NEMPAA.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> | |

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| | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | |

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| <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | <p>h. North West</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Ramsar sites; or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> |
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| | | <p>(ff) <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or a biosphere reserve.</u></p> <p><u>i. Western Cape</u></p> <p>i. <u>All areas outside urban areas;</u></p> <p>ii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or</u></p> <p>iii. <u>Areas zoned for use as public open space or equivalent zoning within urban areas.</u></p> |
| <p>4.</p> | <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> | <p><u>a. Eastern Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Inside urban areas:</u></p> |

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| | <p>(aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u> (cc) <u>Seawards of the development setback line or within urban protected areas.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u> (cc) <u>Areas within urban protected areas.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus Areas;</u> iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> | |

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| | <ul style="list-style-type: none"> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u> viii. <u>Important Bird and Biodiversity Area (IBA);</u> ix. <u>Sites or areas identified in terms of an international convention;</u> x. <u>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 NEMPAA;</u> xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u> xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u> | |
| | <p>d. <u>KwaZulu-Natal</u></p> <ul style="list-style-type: none"> i. <u>In an estuarine functional zone;</u> ii. <u>Trans- frontier protected areas managed under international conventions;</u> iii. <u>Community Conservation Areas;</u> iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u> v. <u>World Heritage Sites;</u> vi. <u>A protected area identified in terms of NEMPAA;</u> vii. <u>Sites or areas identified in terms of an international convention;</u> viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> ix. <u>Core areas in biosphere reserves;</u> | |

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| | <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>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</u></p> <p>(bb) <u>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</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Within urban protected areas.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> | |

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| | <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> | |

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| | <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Seawards of the development setback line or within urban protected areas.</u></p> | |
| | | <p>h. <u>North West</u></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> |

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| | <ul style="list-style-type: none"> iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority.</u> v. <u>Core areas in biosphere reserves;</u> vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve;</u> vii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u> viii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u> | |
| | <p>i. <u>Western Cape</u></p> <ul style="list-style-type: none"> i. <u>Areas zoned for use as public open space or equivalent zoning;</u> ii. <u>Areas outside urban areas;</u> <ul style="list-style-type: none"> (aa) <u>Areas containing indigenous vegetation;</u> (bb) <u>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</u> iii. <u>Inside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Areas zoned for conservation use;</u> or (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</u> | |
| | <p>a. <u>Eastern Cape</u></p> <ul style="list-style-type: none"> i. <u>A protected area identified in terms of the NEMPAA;</u> ii. <u>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;</u> iii. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> | <p>5.</p> <p>The development of resorts, lodges, hotels, [and] tourism or hospitality facilities that sleep less than 15 people.</p> |

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| | <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>(dd) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>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;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> | |

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| | <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iv. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>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 NEMPAA;</u></p> <p>vii. <u>Important Bird and Biodiversity Area (IBA);</u></p> <p>viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>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;</u></p> <p>iii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iv. <u>Community Conservation Areas;</u></p> <p>v. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>vi. <u>Provincial Protected Area Expansion Strategy Focus areas;</u></p> <p>vii. <u>In an estuarine functional zone;</u></p> <p>viii. <u>World Heritage Sites;</u></p> <p>ix. <u>A protected area identified in terms of NEMPAA;</u></p> <p>x. <u>Sites or areas identified in terms of an international convention;</u></p> | |

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| | <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>xiii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xiv. <u>Outside urban areas:</u> (aa) <u>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</u> (bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xv. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>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.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>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;</u></p> <p>iii. <u>Outside urban areas:</u> (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u> (bb) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>iv. <u>Inside urban areas:</u></p> | |

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| | <p>(aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u> ii. <u>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.</u> iii. <u>Outside urban areas:</u> (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u> (bb) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u> iv. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u> ii. <u>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;</u> iii. <u>In an estuary.</u> iv. <u>Outside urban areas:</u> (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> | |

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| | <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>v. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p>a. Eastern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | <p>6. The development of resorts, lodges, hotels, [and] tourism or</p> |

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| <p>hospitality facilities that sleeps 15 people or more.</p> | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> |
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| | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> | |

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| | <p>viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>ix. <u>Important Bird and Biodiversity Area (IBA);</u></p> <p>x. <u>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 NEMPAA;</u></p> <p>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | |
| | <p>d. <u>KwaZulu-Natal</u></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>v. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Core areas in biosphere reserves;</u></p> <p>ix. <u>World Heritage Sites;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u> (aa) <u>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;</u></p> | |

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| | <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> | |

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| | <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves;</u> (gg) <u>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</u> (hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape i. <u>In an estuary;</u> ii. <u>Outside urban areas:</u></p> | |

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| | <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> | |

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| | <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p>i. <u>Western Cape</u></p> <p>i. <u>Inside a protected area identified in terms of NEMPAA;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</u></p> <p><u>excluding the conversion of existing buildings where the development footprint will not be increased.</u></p> | |
| <p>7.</p> <p>The development of aircraft landing strips and runways 1,4 kilometres and shorter.</p> | <p>a. <u>Eastern Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> | |

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| | <p>(hh) <u>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;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ji) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(kk) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> | |

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| | <p>(hh) <u>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</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p><u>c. Gauteng</u></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>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 NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> | |

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| | <p>xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p>d. KwaZulu-Natal</p> | |
| i. | <p><u>In an estuarine functional zone;</u></p> | |
| ii. | <p><u>Community Conservation Areas;</u></p> | |
| iii. | <p><u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> | |
| iv. | <p><u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> | |
| v. | <p><u>World Heritage Sites;</u></p> | |
| vi. | <p><u>Sites or areas identified in terms of an international convention;</u></p> | |
| vii. | <p><u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> | |
| viii. | <p><u>Core areas in biosphere reserves;</u></p> | |
| ix. | <p><u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> | |
| x. | <p><u>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;</u></p> | |
| xi. | <p><u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> | |
| xii. | <p><u>Outside urban areas:</u></p> | |
| (aa) | <p><u>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</u></p> | |
| (bb) | <p><u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> | |
| xiii. | <p><u>Inside urban areas:</u></p> | |
| (aa) | <p><u>Areas zoned for use as public open space; or</u></p> | |
| (bb) | <p><u>Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined.</u></p> | |

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| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>World Heritage Sites;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (ee) <u>Sites or areas identified in terms of an international convention;</u> (ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (gg) <u>Core areas in biosphere reserves;</u> (hh) <u>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</u> (ii) <u>A watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>World Heritage Sites;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> | |

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| | <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>A watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> | |

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| | <p>(hh) <u>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;</u></p> <p>(ii) <u>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</u></p> <p>(ji) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p> | |
| | <p>i. Western Cape</p> <p>i. <u>All areas outside urban areas.</u></p> | |
| | <p>a. Eastern Cape</p> | |
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| <p>The development and related operation of above ground cableways and funiculars.</p> | <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>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</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p>b. Free State</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> |
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| | <p>v. <u>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 NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>In an estuarine functional zone;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p> <p>(ii) <u>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</u></p> | |

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| | <p>(jj) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> <p>e. Limpopo</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> | <p>f. Mpumalanga</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p> | <p>g. Northern Cape</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> |
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| | <p>(cd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> | |
| | <p><u>h. North West</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area or within world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA;</u></p> <p>(bb) <u>Core areas in biosphere reserves or 5 kilometres from the core areas of a biosphere reserve;</u></p> <p>(cc) <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>(cd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention; or</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>iii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><u>i. Western Cape</u></p> <p>i. <u>All areas outside urban areas.</u></p> <p><u>a. Eastern Cape</u></p> <p>i. <u>All areas outside urban areas; or</u></p> | |
| | <p>9.</p> <p>The development and related</p> | |

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| | operation of zip-lines or foefie-sides exceeding 100 metres in length. | <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(cd) <u>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</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p>b. Free State</p> <p>i. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in bioregional plans;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>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 NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> |
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| | <ul style="list-style-type: none"> ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> iii. <u>Sites or areas identified in terms of an international convention;</u> iv. <u>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 NEMPAA;</u> v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u> vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u> vii. <u>Important Bird and Biodiversity Areas (IBA).</u> | |
| | <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. <u>All areas outside urban areas; or</u> ii. <u>Inside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>In an estuarine functional zone;</u> (cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u> (ff) <u>Areas zoned for use as public open space;</u> (gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u> (hh) <u>Areas within a watercourse or wetland;</u> | |

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| | <p>(ii) <u>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</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> | |

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| | | <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve;</u></p> <p>iii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iv. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>vi. <u>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</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> |
| <p>10.</p> | <p>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good,</p> | <p>a. Eastern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> |

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| <p>where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</p> | <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(ji) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(kk) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>Within a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line.</u></p> <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> |
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| | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> | |

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| | <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>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 NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p><u>d. KwaZulu-Natal</u></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Within 500 metres of an estuarine functional zone;</u></p> <p>vii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>x. <u>Core areas in biosphere reserves;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xiii. <u>Outside urban areas:</u></p> <p>(aa) <u>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;</u></p> | |

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| | <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>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;</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>All areas.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> | |

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| | <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p><u>g. Northern Cape</u></p> <p>i. <u>In an estuary.</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>Within 500 metres of an estuary; or</u></p> <p>iv. <u>Inside urban areas:</u></p> | |

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| <p>(aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u> (cc) <u>Within 500 metres of an estuary.</u></p> | <p><u>h. North West</u></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u> ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u> iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u> iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u> v. <u>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</u> vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><u>i. Western Cape</u></p> <p>i. <u>Areas zoned for use as public open space or equivalent zoning;</u> ii. <u>All areas outside urban areas; or</u> iii. <u>Inside urban areas:</u> (aa) <u>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;</u> (bb) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> |
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| 11. | <p>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> | <p>(cc) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p> <p>a. Eastern Cape</p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>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</u></p> <p>iii. <u>Within areas of indigenous vegetation outside urban areas.</u></p> <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> |
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| | <p><u>Gauteng Protected Area Expansion Priority Areas:</u></p> <ul style="list-style-type: none"> ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> iv. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> v. <u>Sites or areas identified in terms of an international convention;</u> vi. <u>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 NEMPAA;</u> vii. <u>Important Bird and Biodiversity Area (IBA);</u> viii. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u> ix. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u> | |
| | <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. <u>In an estuarine functional zone;</u> ii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> iii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Within areas of indigenous vegetation; or</u> (bb) <u>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</u> vi. <u>Inside urban areas:</u> | |

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| | <p>(aa) <u>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;</u></p> <p>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(cc) <u>Areas zoned for use as public open space.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | |

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| | | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>g. Northern Cape</p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>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</u></p> <p>iii. <u>Within areas of indigenous vegetation outside urban areas.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> |
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| <p>12.</p> | <p>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> | <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>i. Western Cape</p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>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</u></p> <p>iii. <u>Areas of indigenous vegetation outside urban areas.</u></p> <p>a. Eastern Cape</p> <p>i. <u>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;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>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;</u></p> <p>iv. <u>Outside urban areas, within 100 metres inland from an estuarine functional zone; or</u></p> <p>v. <u>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.</u></p> <p>b. Free State</p> <p>i. <u>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</u></p> |
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| | <p>been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <ul style="list-style-type: none"> ii. <u>Within critical biodiversity areas identified in bioregional plans;</u> iii. <u>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</u> iv. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u> | |
| | <p>c. Gauteng</p> <ul style="list-style-type: none"> i. <u>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;</u> ii. <u>Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or</u> iii. <u>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.</u> | |
| | <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. <u>Trans-frontier protected areas managed under international conventions;</u> ii. <u>Community Conservation Areas;</u> iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u> iv. <u>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;</u> v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> vi. <u>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</u> | |

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| | <p><u>such removal will occur behind the development setback line on erven in urban areas;</u></p> <p>vii. <u>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;</u></p> <p>viii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ix. <u>World Heritage Sites;</u></p> <p>x. <u>Sites or areas identified in terms of an international convention;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xii. <u>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</u></p> <p>xiii. <u>In an estuarine functional zone.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>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;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans; or</u></p> <p>iii. <u>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.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>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;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans; or</u></p> <p>iii. <u>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.</u></p> | |

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| | <p>g. Northern Cape</p> <p>i. <u>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;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>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</u></p> <p>iv. <u>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.</u></p> | |
| | <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p>i. Western Cape</p> <p>i. <u>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;</u></p> | |

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| | | <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>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;</u></p> <p>iv. <u>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</u></p> <p>v. <u>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</u></p> |
| <p>13.</p> <p>The development and related operation of facilities of any size for any form of aquaculture.</p> | <p>a. Eastern Cape</p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>iii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>iv. <u>Within a watercourse.</u></p> <p>b. Free State</p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>c. Gauteng</p> <p>i. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>ii. <u>Within a watercourse; or</u></p> <p>iii. <u>Areas within 100 meters measured perpendicular outward from the edge of a watercourse.</u></p> <p>d. KwaZulu-Natal</p> | |

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| | <ul style="list-style-type: none"> i. <u>Trans-frontier protected areas managed under international conventions;</u> ii. <u>Community Conservation Areas;</u> iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u> iv. <u>In an estuarine functional zone;</u> v. <u>In a Protected Area identified in the NEMPAA;</u> vi. <u>World Heritage Sites;</u> vii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u> viii. <u>Areas within a watercourse or wetland;</u> ix. <u>Sites or areas identified in terms of an international convention;</u> x. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> xi. <u>Core areas in biosphere reserves;</u> xii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u> xiii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</u> | |
| | <p>e. Limpopo</p> <ul style="list-style-type: none"> i. <u>In a Protected Area identified in the NEMPAA; or</u> ii. <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u> | |
| | <p>f. Mpumalanga</p> <ul style="list-style-type: none"> i. <u>In a Protected Area identified in the NEMPAA; or</u> ii. <u>In an aquatic critical biodiversity area.</u> | |
| | <p>g. Northern Cape</p> <ul style="list-style-type: none"> i. <u>In an estuary;</u> ii. <u>In a Protected Area identified in the NEMPAA; or</u> | |

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| | | <p>iii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p> <p>iv. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>i. Western Cape</p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>In a Protected area identified in terms of NEMPAA; or</u></p> <p>iii. <u>In an aquatic critical biodiversity area.</u></p> | |
| <p>14.</p> | <p>The development of—</p> <p>(i) canals exceeding 10 square metres in size;</p> <p>(ii) channels exceeding 10 square metres in size;</p> <p>(iii) bridges exceeding 10</p> | <p>a. Eastern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> | |

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| <p>square metres in size; (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size; (v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size; (vii) marinas exceeding 10</p> | <p>(gg) <u>Core areas in biosphere reserves;</u> (hh) <u>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;</u> (ii) <u>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</u> (ji) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u> (cc) <u>Areas seawards of the development setback line.</u> b. Free State i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>World Heritage Sites;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (ee) <u>Sites or areas identified in terms of an international convention;</u> (ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (gg) <u>Core areas in biosphere reserves; or</u></p> |
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| | <p>square metres in size; (viii) jetties exceeding 10 square metres in size; (ix) slipways exceeding 10 square metres in size; (x) buildings exceeding 10 square metres in size; (xi) boardwalks exceeding 10 square metres in size; or (xii) infrastructure or structures with a physical footprint of 10 square metres or more;]</p> <p>(i) dams or weirs, where the dam or weir,</p> | <p>(hh) <u>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</u></p> <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus Areas;</u> iii. <u>Gauteng Protected Area Expansion Priority Areas;</u> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> vii. <u>Sites or areas identified in terms of an international convention;</u> viii. <u>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 NEMPAA;</u> ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u> x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p>d. KwaZulu-Natal</p> <p>i. <u>In an estuarine functional zone;</u> ii. <u>Community Conservation Areas;</u> iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> |
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| <p>including infrastructure and water surface area exceeds 10 square metres; or</p> <p>(ii) 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</p> | <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies; World Heritage Sites;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Outside urban areas:</u></p> <p>(aa) <u>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</u></p> <p>(bb) <u>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</u></p> <p>xi. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u></p> <p>(cc) <u>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.</u></p> | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> |
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| | <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</u></p> | <p>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>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> | |

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| | <p>(hh) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>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;</u></p> <p>(ii) <u>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</u></p> | |

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| | <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line.</u></p> | |
| | <p>h. <u>North West</u></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p> | |
| | <p>i. <u>Western Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas listed in terms of an international convention;</u></p> | |

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| | <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p> | |
| 15. | <p>a. <u>Eastern Cape</u></p> <p>i. <u>Outside urban areas, or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies; or</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p> <p>b. <u>Gauteng</u></p> <p>i. <u>All areas.</u></p> <p>c. <u>Limpopo</u></p> <p>i. <u>Inside urban areas.</u></p> <p>d. <u>Mpumalanga</u></p> <p>i. <u>Inside urban areas; or</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies.</u></p> <p>e. <u>North West</u></p> <p>i. <u>Inside urban areas; or</u></p> <p>ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p> <p>f. <u>Western Cape</u></p> <p>i. <u>Outside urban areas, or</u></p> | <p>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, or industrial institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</p> |

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| <p>16.</p> | <p>The expansion of reservoirs, [for bulk water supply] excluding dams, where the capacity will be increased by more than 250 cubic metres.</p> | <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</u> (bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies; or</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p> |
| <p>a. Eastern Cape</p> | <p>i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>World Heritage Sites;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (ee) <u>Sites or areas identified in terms of an international convention;</u> (ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (gg) <u>Core areas in biosphere reserves;</u> (hh) <u>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</u> (ii) <u>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</u></p> | <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> |

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| | <p>(cc) <u>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.</u></p> | |
| <p>b. Free State</p> | <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> | |
| <p>c. Gauteng</p> | <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> | |

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| | <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>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 NEMPAA;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas;</u></p> | |

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| | <p>(aa) <u>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</u></p> <p>(bb) <u>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</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>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;</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or</u></p> <p>(dd) <u>Within urban protected areas.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>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</u></p> | |

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| | <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(cd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | |

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| | <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>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.</u></p> | |
| | <p><u>h. North West</u></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p> | |
| | <p><u>i. Western Cape</u></p> | |

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| | | <ul style="list-style-type: none"> i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>In areas containing indigenous vegetation; or</u> iii. <u>Inside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, including residential areas.</u> | |
| <p>17.</p> | <p>The expansion of a resort, lodge, hotel, [and] tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.</p> | <ul style="list-style-type: none"> a. <u>Eastern Cape</u> <ul style="list-style-type: none"> i. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves;</u> (gg) <u>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;</u> (hh) <u>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</u> (ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u> ii. <u>Inside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Areas zoned for use as public open space;</u> | |

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| | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</u></p> <p>(cc) <u>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.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> | |

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| | <ul style="list-style-type: none"> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> vii. <u>Sites or areas identified in terms of an international convention</u> viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u> ix. <u>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 NEMPAA;</u> x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u> xi. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u> | |
| | <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. <u>Trans-frontier protected areas managed under international conventions;</u> ii. <u>Community Conservation Areas;</u> iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u> iv. <u>In an estuarine functional zone;</u> v. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> vi. <u>Sites or areas identified in terms of an international convention;</u> vii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> viii. <u>Core areas in biosphere reserves;</u> ix. <u>World Heritage Sites;</u> x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u> | |

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| | <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>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;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> |
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| | <p>(ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p> | |
| | <p>f. Mpumalanga i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p> | |
| | <p>g. Northern Cape</p> | |

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| | <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</u></p> <p>(cc) <u>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.</u></p> | |
| | <p>h. <u>North West</u></p> | |
| | <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> | |

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| | | <ul style="list-style-type: none"> ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u> iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u> iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u> v. <u>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</u> vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u> <p><u>i. Western Cape</u></p> <ul style="list-style-type: none"> i. <u>Inside a protected area identified in terms of NEMPAA;</u> ii. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u> (bb) <u>Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</u> <u>excluding the conversion of existing buildings where the development footprint will not be increased.</u> |
| <p>18.</p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> | | <p><u>a. Eastern Cape</u></p> <ul style="list-style-type: none"> i. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> |

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| | <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cd) <u>Sites or areas identified in terms of an international convention;</u></p> | |

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| | <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Important Bird and Biodiversity Area (IBA);</u></p> | |

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| | <p>x. <u>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 NEMPAA;</u></p> <p>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | |
| | <p><u>d. KwaZulu-Natal</u></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>A protected area identified in terms of NEMPAA;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>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</u></p> <p>(bb) <u>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</u></p> | |

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| | <p>xiii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space;</u> (bb) <u>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</u> (cc) <u>Within urban protected areas.</u></p> | |
| | <p>e. Limpopo i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves;</u> (gg) <u>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</u> (hh) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga i. <u>Outside urban areas:</u></p> | |

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| | <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary:</u> ii. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> | |

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| | <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p><u>h. North West</u></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>ii. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve;</u></p> <p>iii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>vi. <u>Core areas in biosphere reserves;</u></p> <p>vii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>viii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p> | |

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| <p>19.</p> | <p>The expansion of runways or aircraft landing strips where the expanded runways or aircraft landing strips will be longer than 1,4 kilometres in length.</p> | <p>ix. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>i. <u>Western Cape</u></p> <p>i. <u>Areas zoned for use as public open space or equivalent zoning;</u></p> <p>ii. <u>All areas outside urban areas:</u></p> <p>(aa) <u>Areas containing indigenous vegetation;</u></p> <p>(bb) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</u></p> | |
| | | <p>a. <u>Eastern Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> | |

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| | <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>Within a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> | |

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| | <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u> <u>inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> ii. <u>National Protected Area Expansion Strategy Focus Areas;</u> iii. <u>Gauteng Protected Area Expansion Priority Areas;</u> iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u> v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u> vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u> vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u> viii. <u>Sites or areas identified in terms of an international convention;</u> ix. <u>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 NEMPAA;</u> x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u> xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u> xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p>d. KwaZulu-Natal</p> <p>i. <u>Community Conservation Areas;</u></p> | |

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| | <p><u>Biodiversity Stewardship Programme Biodiversity Agreement areas:</u></p> <p>ii. <u>In an estuarine functional zone;</u></p> <p>iii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vii. <u>Core areas in biosphere reserves;</u></p> <p>viii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>ix. <u>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;</u></p> <p>x. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xi. <u>Outside urban areas:</u></p> <p>(aa) <u>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</u></p> <p>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> | |

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| | <p><u>National Protected Area Expansion Strategy Focus areas:</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves;</u></p> <p>(ff) <u>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</u></p> <p>(gg) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>(hh) <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> |
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| | <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> | |

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| | | <p>iii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><u>h. North West</u></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u> ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> iii. <u>Sites or areas identified in terms of an international convention;</u> iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u> v. <u>Core areas in biosphere reserves;</u> vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve; or</u> vii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p> <p><u>i. Western Cape</u></p> <p>i. <u>All areas outside urban areas.</u></p> |
| <p>20.</p> | <p>The expansion and related operation of above ground cableways and funiculars where the development footprint will be increased.</p> | <p><u>a. Eastern Cape</u></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u> ii. <u>All areas outside urban areas; or</u> iii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> |

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| | <p>(cc) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(dd) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> | |
| | <p><u>b. Free State</u></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p><u>c. Gauteng</u></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>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 NEMPAA;</u></p> <p>v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>vii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> | |
| | <p><u>d. KwaZulu-Natal</u></p> | |

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| | <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>In an estuarine functional zone;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(cd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p> <p>(ii) <u>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</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> | <p>e. Limpopo</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> |
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| | <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> <p>f. Mpumalanga</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p> | <p>g. Northern Cape</p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>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</u></p> <p>(dd) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> | <p>h. North West</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area or within world heritage sites or 5 kilometres from any other protected area identified in terms of NEMIPAA;</u></p> <p>(bb) <u>Core areas in biosphere reserves or 5 kilometres from the core areas of a biosphere reserve;</u></p> |
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| | <p>(cc) <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention; or</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>iii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge a watercourse or wetland.</u></p> | |
| | <p>i. <u>Western Cape</u></p> <p>i. <u>All areas outside urban areas;</u></p> <p>a. <u>Eastern Cape</u></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no development setback line is determined.</u></p> <p>b. <u>Free State</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | |
| <p>21.</p> | <p>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</p> | |

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| | <p>testing, recreational use or outdoor racing of motor powered vehicles, where the development footprint will be expanded.</p> | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iv. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>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 NEMPAA;</u></p> <p>vii. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>viii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> |
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| | <p>d. KwaZulu-Natal</p> <ul style="list-style-type: none"> i. <u>In an estuarine functional zone;</u> ii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> iii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u> iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> v. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>Within areas of indigenous vegetation; or</u> (bb) <u>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</u> vi. <u>Inside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>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;</u> (bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u> (cc) <u>Areas zoned for use as public open space.</u> | <p>e. Limpopo</p> <ul style="list-style-type: none"> i. <u>Outside urban areas:</u> <ul style="list-style-type: none"> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> |
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| | <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> | |

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| | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> | |
| | <p><u>g. Northern Cape</u></p> <p>i. <u>In an estuary; or</u></p> <p>ii. <u>Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no development setback line is determined.</u></p> | |
| | <p><u>h. North West</u></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p><u>i. Western Cape</u></p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>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</u></p> <p>iii. <u>Areas of indigenous vegetation outside urban areas.</u></p> | |

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| <p>22.</p> | <p>The expansion and related operation 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>a. Eastern Cape</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(ji) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(kk) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> |
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| | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> | |
| | <p>b. Free State</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> | |

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| | <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.</u></p> | |
| | <p>c. Gauteng</p> | |
| i. | <p><u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> | |
| ii. | <p><u>National Protected Area Expansion Strategy Focus Areas;</u></p> | |
| iii. | <p><u>Gauteng Protected Area Expansion Priority Areas;</u></p> | |
| iv. | <p><u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> | |
| v. | <p><u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> | |
| vi. | <p><u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> | |
| vii. | <p><u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> | |
| viii. | <p><u>Important Bird and Biodiversity Area (IBA);</u></p> | |
| ix. | <p><u>Sites or areas identified in terms of an international convention;</u></p> | |
| x. | <p><u>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 NEMPAA;</u></p> | |
| xi. | <p><u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> | |
| xii. | <p><u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> | |
| | <p>d. KwaZulu-Natal</p> | |
| i. | <p><u>Trans-frontier protected areas managed under international conventions;</u></p> | |
| ii. | <p><u>Community Conservation Areas;</u></p> | |
| iii. | <p><u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> | |
| iv. | <p><u>World Heritage Sites;</u></p> | |

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| | <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>Within 500 metres of an estuarine functional zone;</u></p> <p>vii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>x. <u>Core areas in biosphere reserves;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xiii. <u>Outside urban areas:</u></p> <p>(aa) <u>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;</u></p> <p>(bb) <u>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</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>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.</u></p> | <p>e. Limpopo</p> <p>i. <u>All areas</u></p> | <p>f. Mpumalanga</p> |
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| | <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within 100 metres of a watercourse or wetland.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> | |

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| | <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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;</u></p> <p>(hh) <u>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</u></p> <p>(ii) <u>Within 500 metres of an estuary; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Within 500 metres of an estuary.</u></p> | |
| | <p><u>h. North West</u></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> | |

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| | <p>v. <u>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</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p>i. <u>Western Cape</u></p> <p>i. <u>Areas zoned for use as public open space, conservation or an equivalent zoning;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Areas inside urban areas:</u></p> <p>(aa) <u>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;</u></p> <p>(bb) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>(cc) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p> | |
| <p>23.</p> | <p>a. <u>Eastern Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> | <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</p> |

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| | <p>square metres or more in size; (iii) bridges where the bridge is expanded by 10 square metres or more in size; (iv) dams where the dam is expanded by 10 square metres or more in size; (v) weirs where the weir is expanded by 10 square metres or more in size; (vi) bulk storm water outlet structures where the structure is expanded by 10 square metres or more in size; (vii) marinas where the marina is expanded by 10</p> | <p>(gg) <u>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;</u> (hh) <u>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</u> (ii) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>b. Free State i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (cd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>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</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u></p> |
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| <p>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 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;</p> | <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>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 NEMPAA; or</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p>d. KwaZulu-Natal</p> <p>i. <u>Community Conservation Areas;</u></p> <p>ii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iii. <u>In an estuarine functional zone;</u></p> <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> |
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| <p>(i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</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. 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, 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> |
| <p>where such [development] expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback adopted in the</p> | <p>e. Limpopo</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> |

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| <p>(c) prescribed manner; or if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> | <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>f. Mpumalanga</p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>g. Northern Cape</p> <p>i. <u>In an estuary:</u></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> | |

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| | | <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>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</u></p> <p>(hh) <u>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</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> |
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| | <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>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</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p> | |
| | <p><u>i. Western Cape</u></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(cd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas listed in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p> | |
| | <p><u>a. Eastern Cape</u></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>iii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> | <p>The expansion and related operation of facilities of any size for any form of aquaculture.</p> |
| <p>24.</p> | | |

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| | <p>iv. <u>Within a watercourse.</u></p> | |
| | <p>b. Free State</p> | |
| | <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> | |
| | <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p>c. Gauteng</p> | |
| | <p>i. <u>In a Protected Area identified in the NEMPAA;</u></p> | |
| | <p>ii. <u>Within a watercourse; or</u></p> | |
| | <p>iii. <u>Areas within 100 meters measured perpendicular outward from the edge of a watercourse.</u></p> | |
| | <p>d. KwaZulu-Natal</p> | |
| | <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> | |
| | <p>ii. <u>Community Conservation Areas;</u></p> | |
| | <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> | |
| | <p>iv. <u>In an estuarine functional zone;</u></p> | |
| | <p>v. <u>In a Protected Area identified in the NEMPAA;</u></p> | |
| | <p>vi. <u>World Heritage Sites;</u></p> | |
| | <p>vii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> | |
| | <p>viii. <u>Areas within a watercourse or wetland;</u></p> | |
| | <p>ix. <u>Sites or areas identified in terms of an international convention;</u></p> | |
| | <p>x. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> | |
| | <p>xi. <u>Core areas in biosphere reserves;</u></p> | |
| | <p>xii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> | |

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| 25. | | <p>xiii. 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>e. Limpopo</p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> <p>f. Mpumalanga</p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>In an aquatic critical biodiversity area.</u></p> <p>g. Northern Cape</p> <p>i. <u>In an estuary.</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>iii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p> <p>iv. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p>i. Western Cape</p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>In a Protected area identified in terms of NEMPAA; or</u></p> <p>iii. <u>In an aquatic critical biodiversity area.</u></p> <p>a. Eastern Cape</p> |
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| <p>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> | <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(cd) <u>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</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p>b. Free State</p> <p>i. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in bioregional plans;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>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 NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p>c. Gauteng</p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> |
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| | | <p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>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 NEMPAA;</u></p> <p>v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>vii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p>d. KwaZulu-Natal</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>In an estuarine functional zone;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p> |
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| | <p>(ii) <u>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</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p> | |
| | <p>e. Limpopo</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> | |
| | <p>f. Mpumalanga</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p> | |
| | <p>g. Northern Cape</p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> | |

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| | <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> | |
| | <p>h. North West</p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> | |
| | <p><u>All the areas as identified for the specific activities listed in this Notice.</u></p> | <p>26. Phased activities for all activities—</p> <p>i. listed in this Notice and as it applies to a specific geographical area, which commenced on</p> |

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| | <p>or after the effective date of this Notice; or</p> <p>ii. similarly listed in [in] any of the previous NEMA notices, and as it applies to a specific 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] <u>was</u> 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</p> | |

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