

**16. TRANSITIONAL ARRANGEMENTS**

<b>What happens to an EA issued under the repealed ECA Regulations?</b>	
Regulation 73	<p>Anything done in terms of the previous ECA regulations must be regarded as having been done in terms of the provision of these Regulations.</p> <p>Any EA issued or exemption granted in terms of ECA regulations must be regarded to be issued in terms of the 2010 NEMA Regulations.</p>
<b>What happens to pending applications and appeals under the ECA regulations that have been repealed?</b>	
Regulation 74	<p>An application submitted in terms of the previous ECA regulations and which is pending when these regulations take effect must be processed in terms of those ECA regulations as if they were not repealed.</p> <p>If activities that were listed under the notices to the previous ECA Notices are not listed similarly under the current lists of activities, and the decision on an application submitted under those previous regulations are still pending, the CA will consider such application to be withdrawn.</p> <p>If any application that was submitted in terms of ECA regulations is pending and a component of the activity applied for was not listed under ECA Notices, but it's now listed in terms of the 2010 Regulations, the CA must process the application in terms of those ECA regulations and may authorise the newly listed activity as if it was applied for, on condition that all impacts of this activity and the requirements of the new regulations have been adequately considered and assessed by the applicant.</p> <p>An appeal lodged in terms of the previous ECA Regulations which is pending when these Regulations take effect must be dispensed with in terms of the previous regulations as if they were not repealed.</p>
<b>What happens to applications submitted under the previous NEMA regulations?</b>	
Regulation 75	<p>Anything done in terms of the 2006 NEMA regulations and which can still be done in terms of the provisions of the NEMA 2010 regulations must be regarded as been done in terms of the new regulations.</p> <p>Any EA issued in terms of repealed regulations must be considered as EA in terms of the latest regulations.</p> <p>Any EMPr or environmental management plan approved in terms of the MPRDA or its regulations, or any old order right approved in terms of the Minerals Act, prior to any provision relating to prospecting, mining, reconnaissance, exploration and production coming into effect in terms of the Act, shall be deemed approved in terms of the Act.</p>

<b>What happens to pending applications and appeals under the NEMA 2006 regulations</b>	
Regulation 76	<p>An application submitted in terms of the previous NEMA regulations and which is pending when these regulations take effect must be processed in terms of those NEMA regulations as if they were not repealed.</p> <p>If activities that were listed under the notices to the previous NEMA Notices are not listed similarly under the current lists of activities, and the decision on an application submitted under those previous regulations are still pending, the CA will consider such application to be withdrawn.</p> <p>If any application was submitted in terms of the previous NEMA regulations is pending and a component of the activity applied for was not listed under NEMA Notices, but it's now listed in terms of the 2010 Regulations, the CA must process the application in terms of those ECA regulations and may authorise the newly listed activity as if it was applied for, on condition that all impacts of this activity and the requirements of the new regulations have been adequately considered and assessed by the applicant.</p> <p>An appeal lodged in terms of the previous NEMA Regulations which is pending when these Regulations take effect must be dispensed with in terms of the previous regulations as if they were not repealed.</p>

With the NEMA 2010 regulations coming into effect, the competent authority should be able to differentiate between applications that are awaiting authority action and applications that are awaiting an EAP action. For applications waiting authority action, authorities should conduct an audit and inform EAPs/applicants of applications that are deemed withdrawn as the particular activities are no longer listed in the 2010 regulations. For those applications that are awaiting an EAP or applicant action, a two-pronged approach should be followed indicating the following:

- that plan to audit those applications must be done by authority but as it is not the priority; and
- that an applicant/EAP should consider guidance provided by the authority and, if they wish, must request confirmation of the interpretation in writing.

## 17. CONCLUSION

This guideline is designed to be a 'live' document; and will be subject to regular updates as information changes. The user is however reminded that this document, along with its attachments, is not intended to be a substitute for the EIA regulations. If any conflict should arise between the guideline document and the EIA regulations, the EIA regulations in terms of the NEMA will prevail.

**ADENDUM: INTERPRETATION OF LISTING NOTICES 1, 2 AND 3****Principles**

- This is a guide to Listing Notices 1, 2 and 3 and serves as a reference and supportive text only. It is not legal advice and cannot take the place of the listing notices published under the EIA Regulations.
- Even in an event where none of the activities in the 3 listing notices are triggered, the proponent and environmental assessment practitioner (EAP) must take note that that facility or activity may also be included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) NEMWA, in which case an authorisation is also required in terms of the NEMWA.
- Often more than 1 listed activity can be triggered. It always remains the responsibility of the proponent and EAP to consult all three listing notices to ascertain which activities must be applied for.
- Applicants must apply and obtain environmental authorisation for all relevant listed activities, not only for the main activity.
- **Construction of facilities or infrastructure:**
  - i. The construction of a new facility meeting the relevant threshold will trigger the relevant activity.
  - ii. The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.
  - iii. The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger the relevant listed activity.
  - iv. The construction of infrastructure where a facility already exists, even if this has directly to do with the facility does not trigger the relevant activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice, alternatively another construction activity.
- **Expansion** is defined as *"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 facility is increased"*.  
  
Any expansion (irrespective the size of the expansion) to an existing facility where the capacity of the facility is increased can trigger this activity, provided that the variables and thresholds of the listed activity are met. In an event where no modification, extension, alteration or upgrading of an existing facility takes place, even if the product throughput capacity is increased, this activity will not be triggered.
- Other activities may be triggered, even if the main activity is not triggered.
- In an event where the upper threshold of listing notice 1 is exceeded, listing notice 2 will be triggered.
- In an event where the upper threshold of listing notice 3 is exceeded, either listing notices 1 or 2 will be triggered.

- Authorisations or permits (e.g. for a water permit, mining or prospecting license or township establishment) obtained under any other law for an activity listed or specified in terms of that law, does not absolve the applicant from obtaining authorisation under NEMA.
- Although the activities related to prospecting and mining will only be enacted at a later stage, any other activity listed (in any of the 3 listing notices) as a result of the proposed prospecting or mining will still require an environmental authorization in terms of these Regulations. In an event where both the MPRDA and NEMA EIA Regulations are triggered by i.e. a mining activity, both processes need to be followed.
- For activities not triggering any of the listed activities in any of the 3 listing notices, the duty of care principle under Section 28 of NEMA must be duly considered and complied with.
- For terms not defined in the NEMA EIA Regulations, the dictionary meaning will apply.

## Listing Notice 1

## Activity 1:

The construction of facilities or infrastructure for the generation of electricity where:

- (i) the electricity output is more than 10 megawatts but less than 20 megawatts; or
- (ii) the output is 10 megawatts or less, but the total extent of the facility covers an area in excess of 1 hectare.

## Interpretation:

- **Construction of facilities or infrastructure:**

- The construction of a new facility meeting the relevant thresholds will trigger the listed activity.
- The construction of a new facility and infrastructure directly to do with the facility meeting the relevant thresholds will trigger the relevant listed activity.
- The construction of infrastructure only, directly to do with the facility, prior to the development of the facility (*meeting the relevant thresholds*) will trigger this activity.
- The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.
- This activity excludes the replacement of like with like on exactly the same footprint.
- The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.
- Demolition and redevelopment outside the existing footprint would trigger the construction activity, provided that thresholds are met.
- The demolition of e.g. a coal fired power plant and the consequent construction of a gas fired power station or nuclear power plant will trigger this activity.
- The total extent of the facility in activity 1(ii) above refers to a combined physical footprint of more than 1ha. It does not refer to property size or the geographic boundary of the facility.
- In an event where there is an existing electricity generation facility, irrespective the size, where additional electricity generation is to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.
- Activity 1(ii) cannot be triggered in an event where 1(i) is already triggered.
- Co-generation: Where a co-generation facility would be added to

	<p>an existing industry (<i>where no electricity was generated</i>), this activity can be triggered if thresholds are met. However, for activity 1(ii) to be triggered, the 1 hectare threshold only includes the footprint of the newly planned power generation facility.</p>
Activity 2:	Interpretation:
<p>The construction of facilities or infrastructure for the storage of ore or coal that requires an atmospheric emissions license in terms of the NEM: Air Quality Act (Act no. 39 of 2004).</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>▪ The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>▪ The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>▪ The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>▪ The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• In cases where construction will take place, but no atmospheric emissions license in terms of the NEM: Air Quality Act, is required, this activity will not be triggered.</li> <li>• Even in an event where an atmospheric emissions license in terms of the NEM: Air Quality Act, is required, but no construction (as defined) will take place this activity will not be triggered.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul>

	<ul style="list-style-type: none"> <li>• Demolition and redevelopment outside the existing footprint triggers construction, provided that thresholds are met.</li> <li>• In an event where there is an existing storage facility, irrespective the size, where additional storage capacity is to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> </ul>
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Activity 3:	Interpretation:
<p>The construction of facilities or infrastructure for a slaughter of animals with a product throughput of:</p> <p>(i) poultry exceeding 50 poultry per day; or</p> <p>(ii) game and red meat exceeding 6 units per day.</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• In cases where construction will take place, but no atmospheric emissions license in terms of the NEM: Air Quality Act, is required, this activity will not be triggered.</li> <li>• Even in an event where an atmospheric emissions license in terms of the NEM: Air Quality Act, is required, but no construction (as defined) will take place this activity will not be triggered.</li> <li>• This excludes e.g. a facility for the concentration of animals, where no slaughter facility would be constructed.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• In a case where there is an existing slaughter facility, irrespective the size, where additional e.g. buildings are to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are</li> </ul>

	<p>met.</p> <ul style="list-style-type: none"> <li>• The conversion of an existing structure (e.g. a house to an abattoir) for slaughter purposes does not trigger this activity as no construction will take place.</li> <li>• Product throughput must be calculated by using the throughput capability &amp; not planned numbers.</li> </ul>
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Activity 4:	Interpretation:
<p>The construction of facilities or infrastructure for the concentration of animals for the purpose of commercial production in densities that exceed-</p> <ul style="list-style-type: none"> <li>• 20 square metres per large stock unit and more than 500 units, per facility;</li> <li>• 8 square metres per small stock unit and; <ul style="list-style-type: none"> <li>a. More than 1 000 units per facility excluding pigs where (b) will apply</li> <li>b. More than 250 pigs per facility excluding piglets that are not yet weaned;</li> </ul> </li> <li>• 30 square metres per crocodile at any level of production, excluding crocodiles younger than 6 months;</li> <li>• 3 square metres per rabbit and more than 500 rabbits per facility; or</li> <li>• 250 square metres per ostrich or emu and more than 50 ostriches or emus per facility; or 2500 square metres per breeding pair.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• In order for this activity to be triggered the relevant density as well as the numeric variable must be met. e.g. <ul style="list-style-type: none"> <li>• in an event where a facility is constructed for 500 large stock units, but the overall density will be 25 square metres per large stock unit, this activity will not be triggered as the density is lower than the density threshold provided.</li> <li>• In an event where a facility is constructed for 450 large stock units, and the density would be 11 square metres per large stock unit, this activity will also not be triggered as the numeric threshold of 500 units will not be met.</li> <li>• In an event where a facility is constructed for 510 large stock units, and the density would be 15 square metres per large stock unit, this activity will be triggered as both thresholds are met.</li> </ul> </li> <li>• This principle is also applicable throughout this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event,</li> </ul>



	<p>this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</p> <ul style="list-style-type: none"> <li>• In a case where there is an existing facility, irrespective the size, where additional e.g. buildings are to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> <li>• The emphasis is the construction of a facility or infrastructure for the commercial production.</li> <li>• The concentration of animals within an existing structure, will not trigger this activity.</li> <li>• In cases where animals are kept in pens for translocation or veterinarian treatment, this activity will not be triggered. The construction of such pens and / or facilities will also not trigger this activity.</li> </ul>
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Activity 5:	Interpretation:
<p>The construction of facilities or infrastructure for the concentration of:</p> <p>(i) more than 1 000 poultry per facility situated within urban area, excluding chicks younger than 20 days</p> <p>(ii) more than 5 000 poultry per facility situated outside urban area, excluding chicks younger than 20 days,</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• In a case where there is an existing facility, irrespective the size,</li> </ul>

	<p>where additional e.g. buildings are to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</p> <ul style="list-style-type: none"> <li>* In cases where poultry are kept in pens for translocation or veterinarian treatment, this activity will not be triggered.</li> <li>* In an event where such a facility is constructed and chicks of 20 days or older would be concentrated at the facility at any given time, this activity will be triggered provided that thresholds are met.</li> </ul>
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Activity 6:	Interpretation:
<p>The construction of facilities, infrastructure or structures for aquaculture of:</p> <ul style="list-style-type: none"> <li>(i) finfish, crustaceans, reptiles or amphibians where such facility, infrastructure or structures will have a production output exceeding 20 000 kg but less than 200 000 kg per annum (wet weight);</li> <li>(ii) molluscs where such facility, infrastructure or structures will have a production output exceeding 30 000 kg but not exceeding 150 000 kg per annum (wet weight);</li> <li>(iii) aquatic plants where such facility, infrastructure or structures will have a production output exceeding 60 000 kg but not exceeding 200 000 kg per annum (wet weight);</li> </ul> <p>excluding where the construction of facilities, infrastructure or structures is for purposes of offshore cage culture in which case activity 7 in this Notice will apply.</p>	<ul style="list-style-type: none"> <li>* <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>* This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>* The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>* In a case where there is an existing facility, irrespective the size, where additional e.g. buildings are to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> </ul>

Activity 7:	Interpretation:
<p>The construction of facility, infrastructure or structures for aquaculture of offshore cage culture of finfish, crustaceans, reptiles, amphibians, molluscs and aquatic plants where the facility, infrastructure or structures will have a production output exceeding 50 000 kg but not exceeding 100 000 kg per annum (wet weight).</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• This activity specifically covers offshore cage culture.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• In a case where there is an existing facility, irrespective the size, where additional e.g. buildings are to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> </ul>

Activity 8:	Interpretation:
<p>The construction of a hatchery or agri-industrial infrastructure outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.</p>	<ul style="list-style-type: none"> <li>• This activity will not be triggered in cases where a hatchery, even if thresholds are met, is constructed within an industrial complex, irrespective the sensitivity of the site or size of the development.</li> <li>• The development footprint refers to a physical footprint of 2000m<sup>2</sup> or more. It does not refer to property size or the geographic boundary of the facility or site.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of an existing hatchery or agri-industrial infrastructure and the consequent redevelopment thereof falls outside the definition of construction, as long as this will be</li> </ul>

	<p>redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" hatchery or agri-industrial infrastructure goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</p> <ul style="list-style-type: none"> <li>• In a case where there is an existing hatchery or agri-industrial infrastructure, irrespective the size, where additional e.g. structures are to be added (irrespective the size of the additions), the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> </ul>
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Activity 9:	Interpretation:
<p>The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water-</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more,</p> <p>excluding where:</p> <p>a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water drainage inside a road reserve; or</p> <p>b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.</p>	<p><b>Construction of facilities or infrastructure:</b></p> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> <li>• This activity excludes facilities or infrastructure for storage of water, sewage or storm water. The trigger here is the construction of transportation related facilities or infrastructure.</li> <li>• This activity excludes the construction of water, sewage or storm water drainage facilities or infrastructure within a road reserve. Many other listed activities may however potentially be triggered.</li> <li>• For infrastructure of 1000 meters or less in length, this activity cannot be triggered.</li> <li>• This activity will not be triggered in cases where construction occurs within urban areas (as defined in the NEMA EIA Regulations) as long as the activity is not within 32 metres from a watercourse (measured from the edge of the watercourse), in which event this activity will be triggered.</li> <li>• The construction of e.g. a new pipeline meeting the relevant thresholds, adjacent to an existing pipeline, will trigger this construction activity and cannot be dealt with in terms of expansion. This, even in an event where the old pipeline will be</li> </ul>

	<p>decommissioned.</p> <p>This excludes facilities, infrastructure or facilities &amp; infrastructure (developed jointly) that do not meet the 1000m threshold, even in an event where (i) or (ii) applies.</p> <ul style="list-style-type: none"> <li>• This activity excludes the replacement of like with like on exactly the same footprint. The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. e.g. the replacement of a pipeline with a pipeline with an increased capacity, will not trigger this activity. Neither will this trigger activity 41 of the same listing notice unless the pipe will be expanded by more than 1000m. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• Peak throughput refers to the maximum capability of the facility or infrastructure, and not the planned throughput.</li> <li>• Realignment of pipeline meeting the thresholds [realignment of more than 1000m and meeting 11(i) or 11(ii)] will trigger this activity.</li> </ul>
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Activity 10:	Interpretation:
<p>The construction of facilities or infrastructure for the transmission and distribution of electricity-</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</p> <p>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more.</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• This activity can only be triggered in an event where: <ul style="list-style-type: none"> <li>a. A new electricity transmission or distribution facility would be constructed; or</li> <li>b. An existing electricity transmission or distribution facility would be extended / lengthened. In this regard the lengthening of a transmission line is deemed construction &amp; not expansion.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• This totally excludes any facilities of 33 kilovolts or less outside urban areas or industrial complexes.</li> <li>• This activity will not be triggered for facilities of 275 kilovolts or less within urban areas or industrial complexes.</li> <li>• Realignment of a power line meeting the thresholds will trigger this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint</li> <li>• The moving of poles within the existing footprint or "canopy" of the facility will not trigger this activity.</li> <li>• This activity will be triggered for the construction of substations and transformers. However, the upgrading or addition of e.g. transformers and substations will trigger the expansion activity in this listing notice, if thresholds are met.</li> <li>• This excludes the storing of a transformer for purposes related to later replacement.</li> </ul>
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Activity 11:	Interpretation:
<p>The construction of:</p> <ul style="list-style-type: none"> <li>(i) canals;</li> <li>(ii) channels;</li> <li>(iii) bridges;</li> <li>(iv) dams;</li> <li>(v) weirs;</li> <li>(vi) bulk storm water outlet structures;</li> <li>(vii) marinas;</li> <li>(viii) jetties exceeding 50 square metres in size;</li> <li>(ix) slipways exceeding 50 metres in size;</li> <li>(x) buildings exceeding 50 square metres in size; or</li> <li>(xi) infrastructure or structures covering 50 square metres or more</li> </ul> <p>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from edge of watercourse, excluding where such construction will occur behind the development set back line.</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• Such construction activities behind the development setback line are excluded from this activity. Such construction activities further than 32m of the water course are excluded.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of such a structure and consequent redevelopment of the structure falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The</li> </ul>

	<p>same applies in an event where a portion of the "re-developed" structure goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</p> <ul style="list-style-type: none"> <li>• This activity only applies to the construction of canals; channels; bridges; dams; weirs; bulk storm water outlet structures, marinas; jetties and slipways.</li> </ul>
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Activity 12:	Interpretation:
<p>The construction of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless storage falls within the ambit of activity 19 of Notice ??? of 2010</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• The 50 000 cubic metres threshold includes the capability of the facility and not only the % thereof that is envisaged to be used.</li> <li>• This excludes facilities or infrastructure for the transportation of water, sewage or storm water.</li> <li>• It excludes in-stream storage facilities or infrastructure.</li> <li>• All such storage facilities falling within the ambit of activity 19 of Listing Notice 2 are excluded from this activity</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a storage facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• In an event where there is an existing off-stream storage facility, irrespective the size, where additional storage capacity is to be</li> </ul>

	added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.
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Activity 13:	Interpretation:
The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres.	<ul style="list-style-type: none"> <li>• <b>Construction of facilities or infrastructure:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of a new facility and infrastructure directly to do with the facility meeting the relevant threshold will trigger the relevant listed activity.</li> <li>• The construction of infrastructure only, directly to do with the facility, prior to the development of the facility will trigger this activity.</li> <li>• The construction of infrastructure where a facility already exists does not trigger this activity. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice.</li> </ul> </li> <li>• The trigger for this activity is construction and not the storage and / or handling of dangerous goods.</li> <li>• This excludes storage facilities of less than 80 cubic metres.</li> <li>• This includes storage facilities of more than 80 cubic metres.</li> <li>• This excludes storage facilities of exactly 80 cubic metres.</li> <li>• Relocation of tanks within the existing footprint of the facility (e.g. tank farm) does not trigger this activity.</li> <li>• In cases where a material or substance falls outside the scope the material as defined in SANS code No 10234, supplement 2008 1.00: designated "List of classification and labeling of chemicals in accordance with the Globally Harmonized System (GHS)" published by South African Bureau of Standards, this activity will not be triggered.</li> <li>• The storage of transformer oil in containers meeting the threshold will trigger this activity. However a transformer itself cannot be defined as a container or a storage facility. The storage of the transformer (with oil inside) does not trigger this activity.</li> <li>• Not all tanks are constructed for the primary purpose of storage. In this regard leaching tanks, galvanizing baths, acid baths or tanks where chemicals are mixed as part of a process are excluded from this activity. However, the storage only of such</li> </ul>



	<p>dangerous goods for purposes of later use will trigger this activity (e.g. such hazardous substances not directly part of the process).</p> <ul style="list-style-type: none"> <li>• This activity includes either above or underground storage or a combination thereof.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a storage facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> <li>• In an event where there is an existing storage facility, irrespective the size, where additional storage capacity is to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> <li>• Containers for bio-fuel plants would trigger this activity, depending on thresholds.</li> </ul>
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Activity 14:	Interpretation:
<p>The construction of structures in the coastal public property where the development footprint is bigger than 50 square metres, excluding:</p> <ul style="list-style-type: none"> <li>(i) the construction of structures within existing ports or harbours that will not increase the development footprint or throughput capacity of the port or harbor;</li> <li>(ii) the construction of a port or harbor, in which case activity 24 of Notice?? of 2010 applies;</li> <li>(iii) the construction of temporary structures within the beach zone where such structures will be demolished or disassembled after a period not exceeding 6 weeks.</li> </ul>	<ul style="list-style-type: none"> <li>• The construction of structures of 50 square metres or smaller, will not trigger this activity.</li> <li>• The construction of structures, even if this goes substantially beyond the 50 square meter threshold, will not trigger this activity if the exclusions in 14(i), (ii) or (iii) are met.</li> <li>• In an event where "temporary" structures were constructed within the beach zone and the structures are not demolished or disassembled within a 6 weeks period, the activity (construction of the structures) would be deemed an unlawfully commenced activity in terms of this activity.</li> <li>• The construction of ports or harbors are excluded from this activity.</li> </ul>

Activity 15:	Interpretation:
<p>The construction of facilities for the desalination of sea water with a design capacity to produce more than 100 cubic metres of treated water per day.</p>	<ul style="list-style-type: none"> <li>• <b>Construction of facilities:</b> <ul style="list-style-type: none"> <li>• The construction of a new facility meeting the relevant threshold will trigger the listed activity.</li> <li>• The construction of infrastructure, even directly associated with the desalination facility will not trigger this activity.</li> <li>• The 100 cubic metres threshold applies to the daily treated water capability and not the amounts of salt water used, the waste water or any of the aforementioned combined.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The demolition of a facility and consequent redevelopment of the facility falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" facility goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</li> </ul> </li> </ul>

Activity 16:	Interpretation:
<p>Construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, in respect of-</p> <ul style="list-style-type: none"> <li>(i) fixed or floating jetties and slipways;</li> <li>(ii) tidal pools;</li> <li>(iii) embankments;</li> <li>(iv) rock revetments or stabilising structures including stabilising walls;</li> <li>(v) buildings of 50 square metres or more; or</li> <li>(vi) infrastructure covering 50 square metres or more-</li> </ul> <p>but excluding:</p> <ul style="list-style-type: none"> <li>(a) if such construction or earth moving activities will occur behind a development setback line; or</li> <li>(b) where such construction or earth moving</li> </ul>	<ul style="list-style-type: none"> <li>• Such construction or earth moving activities behind the development setback line are excluded from this activity.</li> <li>• Such construction or earth moving activities occurring within existing ports or harbours where the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour are excluded.</li> <li>• Construction or earth moving activities for maintenance purposes are excluded, provided that there is no increase in existing development footprint.</li> <li>• Such construction activities further than 100m inland of the high water mark of the sea are excluded.</li> <li>• Dredging is included but maintenance dredging excluded.</li> <li>• For this activity to be triggered, construction or earth-moving as defined by the regulations must take place.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• This activity excludes the increase of the height of existing structures in the event where there will be no increased footprint. e.g. the adding of an additional storey to an existing building.</li> <li>• The demolition of such a structure and consequent</li> </ul>

<p>activities will occur within existing ports or harbours and the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour;</p> <p>(c) where such construction or earth moving activities is undertaken for purposes of maintenance of the facilities mentioned in (i)-(vi) above; or</p> <p>(d) where such construction or earth moving activities is related to the construction of a port or harbour, in which case activity 24 of Notice?? of 2010 applies.</p>	<p>redevelopment of the structure falls outside the definition of construction, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. The same applies in an event where a portion of the "re-developed" structure goes beyond the original footprint. The possibility however exists that this will trigger the relevant expansion activity within the same listing notice. Demolition and redevelopment outside the existing footprint triggers construction.</p> <ul style="list-style-type: none"> <li>• Construction of buildings less than 50 square metres will not trigger this activity.</li> <li>• Infrastructure of buildings less than 50 square metres will not trigger this activity.</li> <li>• In an event where buildings and infrastructure are jointly developed the 50 square metres threshold cannot be applied for this development as an entity.</li> </ul>
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Activity 17:	Interpretation:
<p>The planting of vegetation or placing of any material on dunes and exposed sand surfaces, within the littoral active zone for the purpose of preventing the free movement of sand, erosion or accretion, excluding where the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation or where such planting of vegetation or placing of material will occur behind a development setback line</p>	<ul style="list-style-type: none"> <li>• Such activities behind the development setback line or outside the littoral active zone are excluded.</li> <li>• Such activities for the restoration and maintenance of indigenous coastal vegetation are excluded.</li> <li>• The trigger for this activity is the planting of vegetation or placing of any material on dunes and exposed sand surfaces. This excludes construction and earth moving activities</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The removal of such vegetation or material and consequent replacement of such falls outside the ambit of this activity.</li> <li>• The placement of dead plant material on dunes meeting the thresholds and variables of this activity will trigger this activity.</li> </ul>

Activity 18:	Interpretation:
<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from:</p> <p>(i) a watercourse;</p> <p>(ii) the sea;</p> <p>(iii) the seashore;</p> <p>(iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-</p>	<ul style="list-style-type: none"> <li>• The trigger here is infilling or depositing of any material and not construction. Construction however by implication would require infilling or depositing of any material. In such an event the construction activity can not be applied for and duly considered and authorised in terms of this activity.</li> <li>• Such activities behind the development setback line or outside the littoral active zone are excluded.</li> <li>• Such activities for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority are excluded.</li> </ul>

<p>water mark of the sea or an estuary, whichever the distance is the greater-</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving</p> <p>(i) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or</p> <p>(ii) occurs behind the development setback line.</p>	
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Activity 19:	Interpretation:
Any activity which requires a prospecting right or renewal thereof in terms of section 16 and 18 respectively of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)	<ul style="list-style-type: none"> <li>• The enactment date of this activity will be communicated in due course.</li> <li>• Although this activity relates will only be enacted at a later stage, any other activity triggered (in any of the 3 listing notices) as a result of the proposed prospecting or mining, will still require an environmental authorization in terms of these Regulations. In an event where both the MPRDA and NEMA EIA Regulations are triggered by e.g. a mining activity, both processes need to be followed.</li> </ul>

Activity 20:	Interpretation:
Any activity requiring a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) or renewal thereof.	<ul style="list-style-type: none"> <li>• The enactment date of this activity will be communicated in due course.</li> <li>• Although this activity will only be enacted at a later stage, any other activity triggered (in any of the 3 listing notices) as a result of the proposed prospecting or mining, will still require an environmental authorization in terms of these Regulations. In an event where both the MPRDA and NEMA EIA Regulations are triggered by e.g. a mining activity, both processes need to be followed.</li> </ul>

Activity 21:	Interpretation:
The establishment of cemeteries of 2500 square metres or more in size.	<ul style="list-style-type: none"> <li>• The trigger is the establishment of a cemetery meeting the threshold. The increase of the footprint of a cemetery must be dealt with in terms of expansion activity. e.g. the increase of the footprint of an existing cemetery (smaller than 2500 square metres), is not defined as establishment but expansion.</li> </ul>

	<ul style="list-style-type: none"> <li>The relocation of graves to a new site (where no cemetery exist) will trigger this activity if the threshold is met.</li> </ul>
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Activity 22:	Interpretation:
<p>The construction of a road, outside urban areas,</p> <ul style="list-style-type: none"> <li>(i) with a reserve wider than 13,5 metres or,</li> <li>(ii) where no reserve exists where the road is wider than 8 metres, or</li> <li>(iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice ?? of 2010.</li> </ul>	<ul style="list-style-type: none"> <li>Such roads to be constructed within an urban area (as per the NEMA EIA regulations Definition) are excluded from this activity.</li> <li>The construction of a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice ????? of 2010, will trigger this activity.</li> <li>The widening of an existing road is not deemed construction and must be dealt with as an expansion activity, provided that thresholds are met.</li> <li>The lengthening of an existing road is not deemed construction and must be dealt with as an expansion activity, provided that thresholds are met.</li> <li>The construction of a road, meeting the relevant threshold will trigger this activity.</li> <li>Toll gates and traffic control centers are excluded from this activity.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>The addition of storm water management systems and e.g. pavements are excluded from this activity.</li> <li>Surfacing of a road is neither deemed construction.</li> </ul>

Activity 23:	Interpretation:
<p>The transformation of undeveloped, vacant or derelict land to –</p> <ul style="list-style-type: none"> <li>(i) residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or</li> <li>(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; -</li> </ul> <p>except where such transformation takes place for</p>	<ul style="list-style-type: none"> <li>For the construction or expansion of linear activities (as defined in the Regulations), this activity cannot be triggered.</li> <li>The terms vacant, derelict and undeveloped are defined in the regulations. In cases where physical alteration of land will take place on land that is neither defined as vacant, derelict or undeveloped, this activity would not be triggered.</li> <li>This excludes areas below the high-water mark of the sea.</li> <li>The determining factor is the size of the land to be physically altered, not the size of the property.</li> <li>Physical alteration includes the entire new development footprint including, e.g. buildings, infrastructure, landscaping, area where earthworks have taken place, construction camp etc.</li> <li>The mowing of land or burning thereof would not trigger this activity.</li> </ul>

linear activities.	<ul style="list-style-type: none"> <li>• The physical alteration of land for agriculture and afforestation is included for this activity.</li> <li>• In the determination of the area to be physically altered, existing physically altered areas [e.g. buildings, infrastructure, landscaping (including kikuyu grass), area where earthworks have taken place, construction camp etc.] must be excluded from the equation. In other words an area already physically altered cannot trigger this activity.</li> <li>• Urban areas are defined as "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".</li> <li>• Physical alteration of land smaller than 5 hectares within an urban area (as defined in the NEMA EIA regulations) will not trigger this activity.</li> <li>• Physical alteration of land smaller than 1 hectare outside an urban area will not trigger this activity.</li> <li>• This activity includes the formalization (e.g. instalment of services) of informal settlements.</li> </ul>
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Activity 24:	Interpretation:
The transformation of land bigger than 1 000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, at the time of the coming into effect of this Schedule such land was zoned open space, conservation or had an equivalent zoning.	<ul style="list-style-type: none"> <li>• This includes the transformation of land zoned open space, conservation or an equivalent zoning at the time of the coming into effect of this listing notice.</li> <li>• This excludes the transformation of land that was zoned to open space, conservation or an equivalent zoning after the date of coming into effect of this listing notice, unless it was rezoned from open space, conservation or an equivalent zoning.</li> <li>• The act of rezoning such land for the purposes of another use does not trigger this activity. However, the transformation of such land (whether the land has been rezoned or is still to be rezoned) is the trigger for this activity.</li> <li>• In cases where only a portion of the open space is to be transformed, but the open space would still retain its original function as open space, this activity will not be triggered. e.g. the building of public sports facilities, playing ground, swimming pools, ablution facilities.</li> <li>• The transformation and subsequent alienation of a portion of an open space will trigger this activity (this irrespective the order in which the transformation and alienation will take place)</li> </ul>

Activity 25:	Interpretation:
<p>The release of genetically modified organisms into the environment, where assessment for such release is required by the Genetically Modified Organisms Act, (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>	<ul style="list-style-type: none"> <li>• All such applications must be submitted to the national department of Environmental Affairs.</li> <li>• The release of genetically modified organisms into the environment for which an assessment for such release is not required by the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), will not trigger this activity.</li> </ul>
Activity 26:	Interpretation:
<p>Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>	<ul style="list-style-type: none"> <li>• Refer to any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</li> </ul>
Activity 27:	Interpretation:
<p>The decommissioning of existing facilities or infrastructure, for-</p> <ul style="list-style-type: none"> <li>(i) electricity generation with a threshold of more than 10MW;</li> <li>(ii) electricity transmission and distribution with a threshold of more than 132kV;</li> <li>(iii) nuclear reactors and storage of nuclear fuel;</li> <li>(iv) activities, where the facility or the land on which it is located is contaminated;</li> <li>(v) storage, or storage and handling, of dangerous goods of more than 80 cubic metres;</li> </ul> <p>but excluding any facilities or infrastructure that commenced under an environmental authorisation issued in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006, or Notice No. 2010.</p>	<ul style="list-style-type: none"> <li>• "<b>decommissioning</b>" means to take out of active service permanently or dismantle partly or wholly, or closure of a facility to the extent that it cannot be readily re-commissioned.</li> <li>• This includes any portion of a facility and not only the decommissioning of a facility in its entirety.</li> </ul>

Activity 28:	Interpretation:
<p>The expansion of existing facility for any process or activity where such expansion will result in the need for new, or amendment of, an existing permit or license in terms of national or provincial legislation governing the release of emissions or pollution, excluding where the facility, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008) in which case that Act will apply.</p>	<ul style="list-style-type: none"> <li>• This activity does not cover local bylaws etc.</li> <li>• It is not the act or process of amending existing permits or licenses that triggers this activity but expansion or changes to a facility (a new or amendment of an existing permit or license).</li> <li>• In cases where no expansion and or changes to the facility is required, but a new or amendment of an existing permit or license is required, this activity will not be triggered.</li> <li>• In cases where a new permit or license or an amendment to an existing permit or license requires changes to the facility, this activity will be triggered.</li> <li>• In cases where the expansion or changes to the facility will only require a new or amendment of an existing permit or license, where such is required in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), this activity will not be triggered. In such an event authorization needs to be obtained in terms of the relevant waste management activities published in terms of section 19 of the NEMWA.</li> <li>• In cases where the expansion or changes to the facility will require a new or amendment of an existing permit or license, in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), but also one or more other national or provincial acts, this activity will indeed be triggered (with the exclusion of the relevant waste management activities published in terms of section 19 of the NEMWA, which would require authorization in terms of NEMWA).</li> <li>• Any expansion (irrespective the size of the expansion) to an existing facility where the footprint or capacity of the facility is increased can trigger this activity, provided that the variables of the listed activity is met.</li> <li>• Any changes to an existing facility, even if the footprint thereof remains the same or is reduced, can trigger this activity if there is an increase in the capacity of the facility, provided that the variables of the listed activity is met. e.g. the slightest conversion of a boiler to accommodate additional fuel quantities or a different type of fuel, will trigger this activity if a new or amendment of an existing permit or license in terms of national or provincial legislation governing the release of emissions or pollution.</li> </ul>

Activity 29:	Interpretation:
<p>The expansion of facilities for the generation of electricity where:</p>	<ul style="list-style-type: none"> <li>• This activity can only be triggered in an event where an existing electricity generation facility would be expanded.</li> </ul>



<p>(i) the electricity output will be increased by 10 megawatts or more, excluding where such expansion takes place on the original development footprint; or</p> <p>(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more;</p>	<ul style="list-style-type: none"> <li>• The expansion of an existing facility meeting the relevant threshold will trigger this activity, unless the expansion takes place within the original footprint of the facility. i.e. the existing power generation plant's footprint, any buildings, parking area, infrastructure, landscaped area etc).</li> <li>• The expansion of infrastructure does not trigger this activity (e.g. the expansion of office space or parking area).</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• In an event where there is an existing electricity generation facility, irrespective the size, where additional electricity generation is to be added, the construction activity cannot be triggered. In such cases the expansion activity will be triggered if the relevant thresholds are met.</li> <li>• The demolition of an existing facility and consequent re-development of the facility falls outside the definition of expansion, as long as this will be redeveloped within the same footprint. In such an event, this activity will not be triggered. e.g. the demolition of an existing coal fired power plant and the redevelopment thereof on exactly the same footprint, even if the output of the facility will be increased beyond the 10 megawatt threshold will not trigger this activity.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> <li>• In cases where the footprint of the facility will be increased by 1 hectare or more, this activity will be triggered.</li> <li>• For a scenario where the expanded output would be 10 megawatts or more and the footprint of the expanded facility would be 1 hectare or more, both activity 33(i) and 33(ii) will be triggered.</li> <li>• Co-generation: Where a co-generation facility would be added to the existing industry (where no electricity was previously generated), this activity cannot be triggered even if one or more of the thresholds are met. However, the construction activity related to the generation of electricity will be triggered.</li> </ul>
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Activity 30:	Interpretation:
<p>The expansion of facilities for the slaughter of animals where the daily product throughput will be increased by more than:</p> <p>(i) 50 poultry or</p> <p>(ii) 6 units of red meat and game.</p>	<ul style="list-style-type: none"> <li>• This excludes the expansion of a facility, where the thresholds provided are not met, irrespective the size of its expanded physical footprint.</li> <li>• This activity can only be triggered in an event where an existing slaughter facility would be expanded by more than 50 poultry per day or 6 slaughter units of red meat and game.</li> <li>• This activity excludes the replacement of like with like on exactly</li> </ul>

	<p>the same footprint.</p> <ul style="list-style-type: none"> <li>• Product throughput must be calculated by using the throughput capability &amp; not planned numbers.</li> <li>• The size of increased footprint has no relevance to the applicability of this activity. The trigger is expansion (as defined in this listing notice) as per provided thresholds.</li> <li>• Any expansion (irrespective the size of the expansion) to an existing facility where the capacity of the facility is increased can trigger this activity, provided that the variables of the listed activity is met. In an event where no modification, extension, alteration or upgrading of an existing facility takes place, even if the product throughput capacity is increased, this activity will not be triggered.</li> </ul>
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Activity 31:	Interpretation:
<p>The expansion of facilities for the concentration of animals for the purpose of commercial production in density that will exceed-</p> <ul style="list-style-type: none"> <li>(i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units;</li> <li>(ii) 8 square metres per small stock unit, where the expansion will constitute more than: <ul style="list-style-type: none"> <li>a. 1 000 additional units per facility or more excluding pigs where (b) will apply;</li> <li>b. 250 additional pigs, excluding piglets that are not yet weaned;</li> </ul> </li> <li>(iii) 30 square metres per crocodile at any level of production where the expansion will constitute an increase in the level of production, excluding crocodiles younger than 6 months;</li> <li>(iv) 3 square metres per rabbit where the expansion will constitute more than 250 additional rabbits; or</li> <li>(v) 250 square metres per ostrich or emu where the expansion will constitute more than 50 additional ostriches or emus; and</li> <li>(vi) 2500 square metres per breeding pair, where the facility will be increased by 2500 square metres or more.</li> </ul>	<ul style="list-style-type: none"> <li>• In order for this activity to be triggered the relevant increase as per the numeric variable must be met and the density of the expanded facility (the old facility and the new expanded portion) must meet the relevant density threshold.</li> <li>• In an event where such a facility is expanded by 501 additional large stock units, and the overall density of the entire facility (measured after expansion) will be 21 square metres per unit, this activity will not be triggered as the overall expanded density is lower than the density threshold provided.</li> <li>• In an event where such a facility is expanded by 500 additional large stock units, and the overall density of the entire facility (measured after expansion) will be 11 square metres per unit, this activity will not be triggered as the numeric threshold of more than 500 units will not be met.</li> <li>• In an event where such a facility is expanded by 501 additional large stock units, and the overall density of the entire facility (measured after expansion) will be 11 square metres per unit, this activity will be triggered as both thresholds are met.</li> <li>• This principle is also applicable throughout this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• In an event where no modification, extension, alteration or upgrading of an existing facility takes place, even if the numeric and density variables are met, this activity will not be triggered.</li> <li>• The emphasis is the expansion of a facility for the commercial production. In cases where the expansion is for a facility where animals are kept in pens for translocation or veterinarian treatment, this activity will not be triggered (even if thresholds are met).</li> </ul>

Activity 32:	Interpretation:
<p>The expansion of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by:</p> <ul style="list-style-type: none"> <li>(i) more than 1 000 poultry where the facility is situated within an urban area; or</li> <li>(ii) more than 5 000 poultry per facility situated outside an urban area.</li> </ul>	<ul style="list-style-type: none"> <li>• This excludes the expansion of a facility, where the thresholds provided are not met, irrespective the size of its expanded physical footprint.</li> <li>• For urban areas: This activity can only be triggered in an event where an existing concentration facility would be expanded by more than 1000 poultry, provided that the chickens or chicks is 20 days or older.</li> <li>• Outside urban areas: This activity can only be triggered in an event where an existing concentration facility would be expanded by more than 5000 poultry, provided that the chickens or chicks is 20 days or older.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The size of increased footprint has no relevance to the applicability of this activity. The trigger is expansion (as defined in this listing notice) as per provided thresholds.</li> </ul>

Activity 33:	Interpretation:
<p>The expansion of facilities, infrastructure or structures for aquaculture of:</p> <ul style="list-style-type: none"> <li>(i) finfish, crustaceans, reptiles or amphibians, where the production output of such facility, infrastructure or structures will be increased by 20 000 kg (wet weight) or more;</li> <li>(ii) molluscs where the production output of such facility, infrastructure or structures will be increased by 30 000 (wet weight) or more;</li> <li>(iii) aquatic plants where the production output of such facility, infrastructure or structures will be increased by 60 000 kg (wet weight) or more.</li> </ul>	<ul style="list-style-type: none"> <li>• This excludes the expansion of a facility, where the thresholds provided are not met, irrespective the size of its expanded physical footprint.</li> <li>• The size of increased footprint has no relevance to the applicability of this activity. The trigger is expansion (as defined in this listing notice) as per provided thresholds.</li> </ul>

Activity 34:	Interpretation:
<p>The expansion of facilities, infrastructure or structures for aquaculture of offshore cage culture of finfish, crustaceans, reptiles, amphibians, molluscs and aquatic plants where the production output of such facility, infrastructure or structures will be increased by 50 000 kg (wet weight) or more.</p>	<ul style="list-style-type: none"> <li>• This excludes the expansion of a facility, where the thresholds provided are not met, irrespective the size of its expanded physical footprint.</li> <li>• The size of increased footprint has no relevance to the applicability of this activity. The trigger is expansion (as defined in this listing notice) as per provided thresholds.</li> </ul>

Activity 35:	Interpretation:
The expansion of facilities for agri-industrial purposes outside industrial complexes, where the development footprint of the facility will be increased by a 1 000 square metres or more, with the exception of hatcheries, where activity 36 in this Notice applies.	<ul style="list-style-type: none"> <li>• This excludes the expansion of such a facility, where the increase in footprint would be less than 1000m<sup>2</sup>.</li> <li>• This excludes the expansion of hatcheries.</li> <li>• This excludes expansion of such a facility, within industrial complexes (as defined within this listing notice).</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> </ul>

Activity 36:	Interpretation:
The expansion of hatcheries, outside industrial complexes, where the development footprint of the hatchery will be increased by 2 000 square metres or more.	<ul style="list-style-type: none"> <li>• This excludes the expansion of a hatchery, where the increase in footprint would be less than 2000m<sup>2</sup>.</li> <li>• This excludes expansion of such a facility, within industrial complexes (as defined within this listing notice).</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> </ul>

Activity 37:	Interpretation:
<p>The expansion of facilities or infrastructure for the bulk transportation of water, sewage or storm water where:</p> <ol style="list-style-type: none"> <li>(a) the facility or infrastructure is expanded by more than 1000 metres in length; or</li> <li>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more—</li> </ol> <p>excluding where such expansion:</p> <ol style="list-style-type: none"> <li>(i) relates to transportation of water, sewage or storm water within a road reserve; or</li> <li>(ii) where such expansion will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.</li> </ol>	<ul style="list-style-type: none"> <li>• This excludes the facilities or infrastructure for storage of water, sewage or storm water</li> <li>• This excludes the expansion of such a facility or infrastructure, where the extended portion is 1000m or less, unless the 10% threshold is met.</li> <li>• The widening of such facilities or infrastructure can trigger this activity provided that the 10% threshold is met.</li> <li>• Extension or widening to such facilities or infrastructure within urban areas, even if this goes far beyond the 1 000 meter threshold, will not trigger this activity.</li> <li>• Extensions to such facilities or infrastructure within a road reserve will trigger this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> </ul>

Activity 38:	Interpretation:
<p>The expansion of facilities for the transmission and distribution of electricity where the expansion capacity will exceed 275 kilovolts and the development footprint will increase.</p>	<ul style="list-style-type: none"> <li>• The extension of a power line cannot trigger this activity. The extension of a power line is deemed a construction activity in terms of the relevant construction activities in Listing Notices 1 or 2, should thresholds be met.</li> <li>• The trigger here is the expansion (not extension of a power line) of an existing facility where:               <ol style="list-style-type: none"> <li>a. The facility prior to expansion had an output of 275 kilovolts or less and</li> <li>b. The facility will after expansion have an output of 275 kilovolts or more and</li> <li>c. The development footprint will increase (in width).</li> </ol> <p>All three variables in a, b and c must be met to trigger this activity. e.g. if (a) above is not met, this activity cannot be triggered.</p> </li> <li>• In an event where there will be an increased output but no increase in footprint, this activity will not be triggered.</li> <li>• In an event where there will be an increased footprint (excluding extensions to the power line) but no increase output, this activity will not be triggered.</li> <li>• Realignment of a power line will trigger construction and not expansion.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The moving of poles within the existing footprint of the facility will not trigger this activity.</li> <li>• This activity will be triggered for substation and transformers.</li> </ul>

Activity 39:	Interpretation:
<p>The expansion of:</p> <ol style="list-style-type: none"> <li>(i) canals;</li> <li>(ii) channels;</li> <li>(iii) bridges;</li> <li>(iv) dams;</li> <li>(v) weirs;</li> <li>(vi) bulk storm water outlet structures;</li> <li>(vii) marinas;</li> <li>(viii) jetties; and</li> <li>(ix) slipways;</li> </ol> <p>within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an</p>	<ul style="list-style-type: none"> <li>• Such expansion activities behind the development setback line are excluded from this activity.</li> <li>• Such expansion activities further than 32m of the water course are excluded. Similarly, the expansion of such structures, irrespective the increase in capacity or physical footprint, within the watercourse or 32m threshold will trigger this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion, even if the capacity would be increased.</li> <li>• This activity only applies to the expansion of canals; channels; bridges; dams; weirs; bulk storm water outlet structures; marinas; jetties and slipways.</li> </ul>

increased development footprint but excluding where such expansion will occur behind the development setback line.	<ul style="list-style-type: none"> <li>This activity excludes the increase of the height of existing structures in the event where there will be no increased footprint. e.g. the adding of an additional storey to an existing building.</li> </ul>
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Activity 40:	Interpretation:
The expansion of <ul style="list-style-type: none"> <li>(i) jetties by more than 50 square metres;</li> <li>(ii) slipways by more 50 square metres; or</li> <li>(iii) buildings by more than 50 square metres</li> </ul> within a watercourse, but excluding where such expansion will occur behind the development setback line.	<ul style="list-style-type: none"> <li>Such expansion activities behind the development setback line are excluded from this activity.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion, even if the capacity would be increased.</li> <li>This activity excludes the increase of the height of existing structures in the event where there will be no increased footprint. e.g. the adding of an additional storey to an existing building.</li> <li>The expansion of a jetty or a slipway or a building with exactly 50 square metres will not trigger this activity.</li> </ul>

Activity 41	Interpretation:
The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50000 cubic metres or more.	<ul style="list-style-type: none"> <li>This excludes the expansion of such a facility or infrastructure, where the increased capacity will be less than 50000 cubic metres.</li> <li>This only applies to expansion of off – stream facilities or infrastructure.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>The size of increased footprint has no relevance to the applicability of this activity. The trigger is increase in the capacity of the facility or infrastructure.</li> <li>Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> <li>It excludes in-stream storage facilities.</li> </ul>

Activity 42:	Interpretation:
The expansion of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by 80 cubic metres or more.	<ul style="list-style-type: none"> <li>This excludes the expansion of such a facility, where the increased capacity would be less than 80 cubic metres.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>The size of increased footprint has no relevance to the</li> </ul>



	<p>applicability of this activity. The trigger is increase in the capacity of the facility or infrastructure.</p> <ul style="list-style-type: none"> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> <li>• The trigger for this activity is expansion of a facility and not merely the increase in storage.</li> <li>• Relocation of tanks within the existing footprint of the facility (e.g. tank farm) does not trigger this activity.</li> <li>• In cases where a material or substance falls outside the scope the material as defined in SANS code No 10234, supplement 2008 1.00: designated "List of classification and labeling of chemicals in accordance with the Globally Harmonized System (GHS)" published by South African Bureau of Standards, this activity will not be triggered.</li> <li>• Not all tanks or containers are expanded for the primary purpose of storage. In this regard such a facility expanded for e.g. leaching purposes, galvanizing, acid baths or mixing of chemicals as part of the process is excluded from this activity.</li> <li>• This activity includes either above or underground storage or a combination thereof.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> </ul>
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Activity 43:	Interpretation:
The expansion of structures where the development footprint will be increased by more than 50 square metres in the coastal public property, excluding such expansions within existing ports or harbours where there would be no increase in development footprint or throughput capacity of the port or harbour.	<ul style="list-style-type: none"> <li>• This does not apply to expansions outside the coastal public property.</li> <li>• This excludes the expansion of such a facility, where the increased capacity would be 50 square metres or less.</li> <li>• This excludes any such expansions within existing ports or harbours where there would be no increase in development footprint or throughput capacity of the port or harbour.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> </ul>

Activity 44:	Interpretation:
The expansion of facilities for the desalination of sea water where the design capacity will be expanded to produce an additional 100 cubic metres or more of treated water per day.	<ul style="list-style-type: none"> <li>• This activity can only be triggered in an event where there will be an expansion of a facility for the desalination of sea water. This excludes expansion to facilities for the desalination of i.e. mine water and other salt water.</li> <li>• This excludes the expansion of such a facility, where the increased capacity would be less than 100 cubic metres.</li> </ul>

	<ul style="list-style-type: none"> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• The size of increased footprint has no relevance to the applicability of this activity. The trigger is increase in the capacity of the facility.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> </ul>
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Activity 45:	Interpretation:
<p>The expansion of facilities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, for –</p> <ul style="list-style-type: none"> <li>(i) fixed or floating jetties and slipways;</li> <li>(ii) tidal pools;</li> <li>(iii) embankments;</li> <li>(iv) rock revetments or stabilising structures including stabilising walls;</li> <li>(v) buildings by more than 50 square metres;</li> <li>(vi) infrastructure by more than 50 square metres;</li> <li>(vii) facilities associated with the arrival and departure of vessels and the handling of cargo;</li> <li>(viii) piers;</li> <li>(ix) inter- and sub-tidal structures for entrapment of sand;</li> <li>(x) breakwater structures;</li> <li>(xi) coastal marinas;</li> <li>(xii) coastal harbours or ports;</li> <li>(xiii) structures for draining parts of the sea or estuary;</li> <li>(xiv) tunnels; or</li> <li>(xv) underwater channels –</li> </ul> <p>where such expansion will result in an increase in the development footprint of such facilities</p> <p>but excluding where such expansion occurs:</p> <ul style="list-style-type: none"> <li>(a) behind a development setback line; or</li> <li>(b) within existing ports or harbours where there will be no increase in the development footprint or throughput capacity of the port or harbour.</li> </ul>	<ul style="list-style-type: none"> <li>• Such expansion activities behind the development setback line are excluded from this activity.</li> <li>• This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>• Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion, even if the capacity would be increased.</li> <li>• This excludes any such expansions within existing ports or harbours where there would be no increase in development footprint or throughput capacity of the port or harbour.</li> <li>• If there's no increase in development footprint, this activity will not be triggered.</li> </ul>



Activity 46:	Interpretation:
The expansion of cemeteries by an additional 2500 square metres or more.	<ul style="list-style-type: none"> <li>This activity can only be triggered in an event where there will be an expansion of an existing cemetery.</li> <li>This excludes the expansion of a cemetery, where the increased capacity would be less than 2500 square metres.</li> </ul>

Activity 47:	Interpretation:
<p>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre –</p> <p>(i) where the existing reserve is wider than 13,5 metres; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8 metres –</p> <p>excluding widening or lengthening occurring inside urban areas.</p>	<ul style="list-style-type: none"> <li>This activity cannot be triggered for road widening or lengthening within urban areas.</li> <li>The lengthening of an existing road is not deemed construction and must be dealt with as an expansion activity, provided that the 1 kilometer threshold is met.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>This excludes the addition of storm water management systems and e.g. pavements.</li> </ul>

Activity 48:	Interpretation:
The expansion of facilities for the refining, extraction or processing of gas, oil or petroleum products where the installed capacity of the facility will be increased by 50 cubic metres or more, excluding facilities for the refining, extraction or processing of gas from landfill sites.	<ul style="list-style-type: none"> <li>This excludes the expansion of such a facility where the capacity will be increased by less than 50 cubic metres.</li> <li>This excludes the expansion of facilities for the refining, extraction or processing of gas from landfill sites.</li> <li>This activity can only be triggered in an event where there will be an expansion of an existing facility for the refining, extraction or processing of gas, oil or petroleum products.</li> <li>Prospecting can trigger this activity provided that the threshold is met.</li> </ul>

Activity 49:	Interpretation:
<p>The expansion of facilities or infrastructure for the bulk transportation of dangerous goods:</p> <p>(i) in gas form, outside an industrial complex, by an increased throughput capacity of 700 tons or more per day;</p> <p>(ii) in liquid form, outside an industrial complex, by an increased throughput capacity of 50 cubic metres or more per day; or</p> <p>(iii) in solid form, outside an industrial</p>	<ul style="list-style-type: none"> <li>This excludes the expansion of facilities or infrastructure for the bulk transportation of dangerous goods in gas, liquid or solid form, inside an industrial complex.</li> <li>Expansion of facilities or infrastructure for bulk transportation of such goods (whether in gas, liquid or solid form) will trigger this activity if applicable thresholds are met.</li> <li>Product throughput must be calculated by using the throughput capability and not envisaged capacity.</li> </ul>

complex, by an increased throughput capacity of 50 tons or more per day.

Activity 50:	Interpretation:
<p>The expansion of airports where the development footprint will be increased:</p>	<ul style="list-style-type: none"> <li>Any expansion of an airport would trigger this activity provided that there is an increased development footprint provided that there's an increased footprint of the airport.</li> <li>This excludes the expansion of runways or aircraft landing strips, unless the expansion of the runway or aircraft landing strip will constitute an expansion of the airport.</li> <li>This typically includes the increase of footprint of the terminal buildings, warehouses, aerodromes, and runways, outside the existing developed footprint.</li> </ul>
Activity 51:	Interpretation:
<p>The expansion of facilities or infrastructure for marine telecommunication where there will be an increased development footprint.</p>	<ul style="list-style-type: none"> <li>Any expansion of such facilities or infrastructure would trigger this activity provided that there is an increased development footprint.</li> <li>This includes any increase in footprint of existing facilities or infrastructure within the sea and on land, as long as this is for the purposes of marine telecommunication.</li> <li>This excludes any facilities or infrastructure not specifically used for marine telecommunication.</li> <li>This activity excludes the replacement of like with like on exactly the same footprint.</li> <li>Demolition and redevelopment of a facility outside the existing footprint would trigger construction and not expansion.</li> </ul>
Activity 52:	Interpretation:
<p>The expansion of facilities or infrastructure for the transfer of water from and to or between any combination of the following:</p> <ul style="list-style-type: none"> <li>(i) water catchments;</li> <li>(ii) water treatment works; or</li> <li>(iii) impoundments; -</li> </ul> <p>where the capacity will be increased by 50 000 cubic metres or more per day, but excluding water treatment works where water is treated for drinking</p>	<ul style="list-style-type: none"> <li>Expansion of facilities by less 50 000 cubic metres is excluded.</li> <li>Facilities for water treatment works where water is treated for drinking purposes are excluded.</li> </ul>