




| 2010 EIA Regulations | | 2014 EIA Regulations | | Description of each listed activity as per detailed project description (not as per notice listing wording): | Comparison | EIA consideration undertaken deemed to consider 2014 regulation |
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| GNR ¹ 544 – Jun 2010 – LN ² 1 | 9 | GNR 983 – Dec 2014 – LN 1 | 9 & 10 | The proposed project includes the construction of water pipelines (linking to the surrounding reticulation), sewer line reticulation within the development, and stormwater attenuation / bulk stormwater controls. It is anticipated that the various pipelines combined will exceed 1,000 m in length and some thereof will be within 32 m of a watercourse (e.g. wetlands). Furthermore, pipelines will need to be installed for the irrigation network for wetland and open space rehabilitation. | Considered to be directly comparable. A general amendment of the 2010 EIA Regulations which emerged in the 2014 EIA Regulations was the replacement of the term “construction” with “development” as can be seen in this particular example. | Yes |
| | 10 | | 11 | The proposed project includes the construction of facilities and/or infrastructure for the transmission and distribution of electricity with a capacity of 275 kV or more. This includes both sub-stations and distribution cables linking to the development and within the development. | Considered to be directly comparable. | Yes |
| | 11 | | 12 | The proposed project will see construction of service infrastructure such as sewer lines, pipelines, electrical cabling, and/or road infrastructure within 32 m of a watercourse (wetlands and/or the Umhlali River and Estuary). Furthermore, the project will involve the construction of earth-worked platforms (for emplacements for infrastructure and buildings), portions of which will occur over watercourse buffer areas including potentially within wetlands. It is also specifically proposed that some road alignments will | Considered to be directly comparable. N.B. This activity does not specify the requirement of being 32 m from a watercourse. | Yes |

¹ GNR = Government Notice Regulation

² LN = Listing Notice

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| | | | | <p>traverse wetland area. The intent is to limit this as far as possible, but given the size of the development and the topography, total avoidance is not feasible.</p> <p>In addition, it is proposed that stormwater will be attenuated via stormwater management facilities and swales located within 32 m of wetlands and/or watercourses. Stormwater management facilities may take the form of artificial wetlands, rehabilitated watercourse floodplain areas, or re-use of old stormwater control mechanisms.</p> <p>Therefore this activity is applicable for the following infrastructure located within a watercourse or within 32 m of a watercourse:</p> <ul style="list-style-type: none"> ✿ Earth-worked platforms; ✿ Water pipelines; ✿ Sewer lines; ✿ Irrigation infrastructure (e.g. pump stations, pipelines and storage dam); ✿ Electrical cabling (underground or the pylon footprints for aboveground cabling); ✿ Stormwater management facilities; ✿ Potential Reservoirs; and ✿ Roads and bridges, including boardwalks. | | |
| | 12 | | 13 | <p>The proposed project will see the construction of stormwater management facilities. The combined capacity of these facilities may exceed 50 000 cubic metres.</p> <p>Furthermore, one irrigation dam is proposed to be built with a capacity less than 50 000 m³, however, the combined capacity may exceed 50 000 m³.</p> | Considered to be directly comparable. Thresholds remain the same. | Yes |

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| | 13 | | 14 | The proposed project may involve the storage of dangerous goods above these thresholds during the construction and/or operational phase. Such hazardous substances are counted cumulatively for the entire site and may include transformer oil, fuel, agricultural substances (e.g. pesticides and herbicides), etc. | Considered to be directly comparable. Thresholds remain the same. | Yes |
| | 14 | | 15 | The proposed project may see the construction of structures (boardwalks) in the coastal public property with an area exceeding 50 m ² . | Considered to be directly comparable. Thresholds remain the same. | Yes |
| | 16 | | 17 | The proposed project will see construction of service infrastructure such as sewer lines, pipelines, electrical cabling and/or road infrastructure as well as buildings and other such infrastructure within 100 m of the sea and/or Umhlali Estuary. The reasoning behind caution being applied in this zone is due to dunes and their associated vegetation, as well as the intertidal zone with its highly sensitive ecology and functionality. | Considered to be directly comparable. However, Activity 17 of GNR 983 does not specify "an estuary, or within the littoral active zone or a distance of 100 m inland of the high-water mark of the sea or an estuary, whichever is the greater," as did Activity 16 of GNR 544. | Yes |
| | 17 | | 18 | The proposed project may see the planting of vegetation or erosion control measures within the Coastal Dune Forest and is applicable for the installation and rehabilitation associated with the boardwalks. | Considered to be directly comparable. Thresholds remain the same. | Yes |
| | 18 | | 19 | The proposed project will require the infilling of wetlands and/or the removal of material from wetlands for the following: <ul style="list-style-type: none">  Earth-worked platforms;  Water pipelines;  Sewer lines; | Considered to be directly comparable. The only difference with the 2014 Activity is that there is a further exclusion viz. (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies. This does not apply to this project as Activity 21 is not applicable. Hence, under the 2014 Regulations this Activity is still applicable. | Yes |

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| | | | | <ul style="list-style-type: none"> ✦ Irrigation infrastructure (e.g. pump stations, pipelines and dam storage facilities); ✦ Electrical cabling; ✦ Stormwater management facilities; ✦ Potential Reservoirs; and ✦ Roads and bridges including boardwalks. | | |
| | 22 | | 24 | The proposed project includes the construction of new roads in regions where there is no road reserve. The road reserve is expected to be greater than 13.5 m as the roads will be a minimum of 1 lane per direction. | Considered to be directly comparable. | Yes |
| | | | 27 | Not applicable under 2010 EIA Regulations. | Potentially applicable for the clearing of more than 1 ha of indigenous vegetation. | Yes |
| | 26 | | 30 | Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). Applicable for the removal of protected trees which may require a DAFF Permit. | Considered to be directly comparable. | Yes |
| | 28 | | 34 | The expansion of or changes to existing facilities for any process or activity where such expansion or changes to will result in the need for a permit or licence in terms of national or provincial legislation governing the release of emissions or pollution. This activity is specified as the need for a Water Use Licence acts as a trigger. | Considered to be directly comparable. | Yes |
| | 39 | | 48 | Applicable for the expansion of existing infrastructure, stormwater outlet structures and/or bridges greater than 50 m ² in size within 32 m to a watercourse. | Considered to be comparable. N.B. This activity is amended to specify structures must be greater than 100 m ² in extent and located within 100 m to a watercourse. | Yes |
| | 45 | | 54 | The proposed project will see expansion construction of service infrastructure such as sewer lines, pipelines, | Considered to be directly comparable. However, this may not be applicable due to exclusion of urban areas. | Yes |

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| | | | | electrical cabling and/or road infrastructure as well as buildings and other such infrastructure within 100 m of the sea and/or Umhlali Estuary. | | |
| | 47 | | 56 | The proposed project may include upgrades to existing road networks. | Considered to be directly comparable. | Yes |
| | 56 | | 67 | THD's Tinley Manor landholdings (Northbanks and Southbanks) are being undertaken in a phased manner, with the Southbanks being the first phase of the Tinley Manor developments. Furthermore, if authorised, the construction of the Tinley Manor Southbanks Coastal Development would most likely be done in a phased manner over a number of years. | Considered to be directly comparable. | Yes |
| GNR 545 – June 2010 LN 2 | 3 | GNR 984 – Dec 2014 – LN 2 | 4 | The proposed project may involve the storage of dangerous goods above these thresholds during the construction and/or underground and/or aboveground storage tanks during the operational phase. | Considered to be directly comparable. | Yes |
| | 5 | | 6 | The construction of facilities or infrastructure for any process or activity which requires a permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent and which is not identified in Notice No. 544 of 2010 or included in the list of waste management activities. Potentially applicable for the Water Use Licence which requires a Section 21 (g) application for the construction of the sewer pump stations. | Considered to be directly comparable. | Yes |
| | 8 | | 9 | The proposed project includes the construction of facilities and/or infrastructure for the transmission and distribution of electricity with a capacity of 275 kV or more.. This includes both sub-stations and distribution cables linking to the | Considered to be directly comparable. | Yes |

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| | | | | development and within the development. | | |
| | | | 16 | | Not applicable as the dam wall is less than 5 m. | Yes |
| | 15 | | 28 of LN 1 | The project proposes to develop approximately 485 ha of land at the Tinley Manor Southbanks estate. The proposed site is currently a site under sugarcane cultivation. Proposed infrastructure within the Tinley Manor Southbanks site includes: Earth-worked platforms for top-structures including, but not limited to houses, retail and commercial complexes, schools, clinics, police stations and other such social facilities, play grounds, sports fields, sites for surplus fill material, service infrastructure, and parking lots. | Applicable to Activity 28 of LN1 of EIA Regulations (2014) | Yes |
| | 18 | | 27 | The proposed project includes the construction of new roads and limited upgrading to existing road networks. The road infrastructure will be wider than 30 m. | Activity 18 of GNR 545 is considered repealed under the 2014 Regulations, however, it can be compared to Activity 27 of GNR 984: "The development of - (i) a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998); (ii) a road administered by a provincial authority; (iii) a road with a reserve wider than 30 metres; or (iv) a road catering for more than one lane of traffic in both directions but excluding the development and related operation 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 545 of 2010, in which case activity 24 in Listing Notice 1 of 2014 | Yes |

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| | | | | | <i>applies."</i> | |
| GNR 546 – June 2010 LN 3 | 4 | GNR 985 – Dec 2014 – LN 3 | 4 | Applicable for the formalisation of two (2) emergency vehicular accesses within the Coastal Dine Forest although it is noted that these are existing sugarcane roads. | Applicable in KZN in Critical Biodiversity Areas and sensitive areas as identified in the EMF as well as in urban areas seaward for the development setback line. | Yes |
| | 6 | | 6 | It is not believed that any resorts are to be developed on the seaward side development setback line and therefore should not be applicable. | Considered to be directly comparable. Activity 6 of GNR 985 refers to a capacity of 15 or more. | Yes |
| | 12 | | 12 | It is not believed that any vegetation seaward of the development setback line is to be removed and therefore this activity may not be applicable. However, in applying the precautionary principle it is included. | Considered to be directly comparable, however, reference is not made to 300 square metres of vegetation and exclusions are afforded where the removal of vegetation is undertaken for maintenance purposes as specified in a management plan. | Yes |
| | 13 | | 12 | It is no believed that any vegetation seaward of the development setback line is to be removed and therefore this activity may not be applicable. However, in applying the precautionary principle it is included. | Considered to be directly comparable, however, reference is not made to 300 square metres of vegetation and exclusions are afforded where the removal of vegetation is undertaken for maintenance purposes as specified in a management plan. | Yes |
| | 26 | | 26 | Applicable for Phased Activities in KwaZulu-Natal. | Considered to be directly comparable. | Yes |