

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
GNR <sup>1</sup> 544 – Jun 2010 – LN <sup>2</sup> 1	9	GNR 327 – April 2017 – 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 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 (as amended in 2017) was the replacement of the term “construction” with “development” as can be seen in this particular example.	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 traverse wetland areas. 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. In addition, it is proposed that stormwater will be attenuated	Considered to be directly comparable. N.B. This activity does not specify the requirement of being 32 m from a watercourse and the threshold has increased from 50 m <sup>2</sup> to 100 m <sup>2</sup> . Regardless the activity is still deemed applicable.	Yes

<sup>1</sup> GNR = Government Notice Regulation

<sup>2</sup> LN = Listing Notice

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
				<p>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"> <li>✿ Earth-worked platforms;</li> <li>✿ Water pipelines;</li> <li>✿ Sewer lines;</li> <li>✿ Irrigation infrastructure (e.g. pump stations, pipelines and storage dam);</li> <li>✿ Electrical cabling (underground or the pylon footprints for aboveground cabling);</li> <li>✿ Stormwater management facilities;</li> <li>✿ Boardwalks and jetties; and</li> <li>✿ Roads and bridges, including boardwalks.</li> </ul>		
	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 m<sup>3</sup>, however, the combined capacity may exceed 50 000 m<sup>3</sup>.</p>	Considered to be directly comparable. Thresholds remain the same.	Yes
	13		14	<p><del>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</del></p>	<p><del>Considered to be directly comparable. Thresholds remain the same.</del></p>	Yes

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
				<del>cumulatively for the entire site and may include transformer oil, fuel, agricultural substances (e.g. pesticides and herbicides), etc.</del>		
	14		15	The proposed project may see the construction of structures (boardwalks) in the coastal public property with an area exceeding 50 m <sup>2</sup> .	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. The implementation of fixed and floating jetties is applicable under this Activity.	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 and 19A	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"> <li>✦ Earth-worked platforms;</li> <li>✦ Water pipelines;</li> <li>✦ Sewer lines;</li> <li>✦ Irrigation infrastructure (e.g. pump stations, pipelines and dam storage facilities);</li> </ul>	Considered to be directly comparable. The only difference with the 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.	Yes

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
				<ul style="list-style-type: none"> <li>✦ Electrical cabling;</li> <li>✦ Stormwater management facilities;</li> <li>✦ Boardwalks and/or jetties; and</li> <li>✦ Roads and bridges including boardwalks.</li> </ul>		
	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
			28	Not applicable under 2010 EIA Regulations.	Potentially applicable as the land is under sugarcane farming and will be more than 1ha in extent outside an urban area to be developed for residential, mixed, retail and commercial.	Yes
	26		30	<del>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.</del>	<del>Considered to be directly comparable.</del>	Yes
	28		34	<del>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.</del>	<del>Considered to be directly comparable.</del>	Yes
	39		48	Applicable for the expansion of existing infrastructure, stormwater outlet structures and/or bridges greater than 50 m <sup>2</sup> 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 <sup>2</sup> in extent and located within 100 m to a watercourse.	Yes

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
	45		54	<del>The proposed project will see expansion 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.</del>	Considered to be directly comparable. However, this may not be applicable due to exclusion of urban areas.	Yes
	47		56	The proposed project may include upgrades to existing road networks.	Considered to be directly comparable.	Yes
	56		67	<del>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.</del>	Considered to be directly comparable.	Yes
GNR 545 – June 2010 LN 2	3	GNR 325 – April 2017 – LN 2	4	<del>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.</del>	Considered to be directly comparable.	Yes
	5		6	<del>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.</del>	Considered to be directly comparable.	Yes
	8		9	The proposed project includes the construction of facilities	Considered to be directly comparable.	Yes

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
				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.		
			<del>16</del>		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 as amended in 2017)	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 EIA Regulations (2014 as amended in 2017), however, it can be compared to Activity 27 of GNR 325: "The development of - (iii) a road with a reserve wider than 30 metres; or (iv) a road catering for more than one lane of traffic in both direction Which is applicable in this instance.	Yes
GNR 546 – June 2010 LN 3	4	GNR 324 – April 2017 – LN 3	4	<del>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.</del>	<del>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.</del>	Yes
	6		6	<del>It is not believed that any resorts are to be developed on the</del>	<del>Considered to be directly comparable. Activity 6 of GNR 985</del>	Yes

2010 EIA Regulations		2014 EIA Regulations (as amended in 2017)		Description of each listed activity as per detailed project description (not as per notice listing wording):	Comparison	EIA consideration undertaken deemed to consider 2017 regulation
No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):	No. and date of relevant notice:	Activity No(s) (i.t.o. relevant notice):			
				<del>seaward side development setback line and therefore should not be applicable.</del>	<del>refers to a capacity of 15 or more.</del>	
	12		12	In applying the precautionary principle, this Activity is included for the removal of indigenous vegetation within the Coastal Dune Forest for the installation of boardwalks.	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	In applying the precautionary principle, this Activity is included for the removal of indigenous vegetation within the Coastal Dune Forest for the installation of boardwalks.	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
	16		14	The construction of (i) jetties exceeding 10 m2 in size in (a) KwaZulu-Natal in (i) an estuary and (ii) outside urban areas in (ff) a CBA.	Applicable for the installation of jetties and boardwalks within the estuary and CBA.	Yes
	26		26	<del>Applicable for Phased Activities in KwaZulu-Natal.</del>	<del>Considered to be directly comparable.</del>	Yes