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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Environmental Affairs, Department of/ Omgewingsake, Departement van			
R. 167	National Environmental Management: Integrated Coastal Management Act (24/2008): Draft reclamation of land from coastal waters regulations	40638	11

Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2017**

The closing time is 15:00 sharp on the following days:

- **29 December**, Thursday, for the issue of Friday **06 January 2017**
- **06 January**, Friday, for the issue of Friday **13 January 2017**
- **13 January**, Friday, for the issue of Friday **20 January 2017**
- **20 January**, Friday, for the issue of Friday **27 January 2017**
- **27 January**, Friday, for the issue of Friday **03 February 2017**
- **03 February**, Friday, for the issue of Friday **10 February 2017**
- **10 February**, Friday, for the issue of Friday **17 February 2017**
- **17 February**, Friday, for the issue of Friday **24 February 2017**
- **24 February**, Friday, for the issue of Friday **03 March 2017**
- **03 March**, Friday, for the issue of Friday **10 March 2017**
- **10 March**, Friday, for the issue of Friday **17 March 2017**
- **16 March**, Thursday, for the issue of Friday **24 March 2017**
- **24 March**, Friday, for the issue of Friday **31 March 2017**
- **31 March**, Friday, for the issue of Friday **07 April 2017**
- **06 April**, Thursday, for the issue of Thursday **13 April 2017**
- **12 April**, Wednesday, for the issue of Friday **21 April 2017**
- **20 April**, Thursday, for the issue of Friday **28 April 2017**
- **26 April**, Wednesday, for the issue of Friday **05 May 2017**
- **05 May**, Friday, for the issue of Friday **12 May 2017**
- **12 May**, Friday, for the issue of Friday **19 May 2017**
- **19 May**, Friday, for the issue of Friday **26 May 2017**
- **26 May**, Friday, for the issue of Friday **02 June 2017**
- **02 June**, Friday, for the issue of Friday **09 June 2017**
- **08 June**, Thursday, for the issue of Thursday **15 June 2017**
- **15 June**, Thursday, for the issue of Friday **23 June 2017**
- **23 June**, Friday, for the issue of Friday **30 June 2017**
- **30 June**, Friday, for the issue of Friday **07 July 2017**
- **07 July**, Friday, for the issue of Friday **14 July 2017**
- **14 July**, Friday, for the issue of Friday **21 July 2017**
- **21 July**, Friday, for the issue of Friday **28 July 2017**
- **28 July**, Friday, for the issue of Friday **04 August 2017**
- **03 August**, Thursday, for the issue of Friday **11 August 2017**
- **11 August**, Friday, for the issue of Friday **18 August 2017**
- **18 August**, Friday, for the issue of Friday **25 August 2017**
- **25 August**, Friday, for the issue of Friday **01 September 2017**
- **01 September**, Friday, for the issue of Friday **08 September 2017**
- **08 September**, Friday, for the issue of Friday **15 September 2017**
- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 2017**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwnonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s).

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:
Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:
Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za
E-mail: info.egazette@gpw.gov.za
Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za
Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

SCHEDULE

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Application for Minister's pre-approval
3. Minimum information and assessment of application for Minister's pre-approval in terms of section 7B
4. Minimum information and assessment of application for Minister's pre-approval in terms of section 7C
5. Application for final reclamation decision
6. Minister's powers in assessing applications
7. Decisions
8. Offences and Penalties
9. Short title and commencement

1. Definitions

In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act bears the same meaning in these regulations, and in addition—

“**Act**” means the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);

“**final reclamation decision**” means the Minister’s final decision on applications for reclamation of land contemplated in sections 7B(5) and 7C(7) of the Act;

“**Minister’s pre-approval**” means the in-principle approval contemplated in sections 7B(3)(b) and 7C(3) of the Act; and

“**reclamation lease**” means a lease contemplated in section 7C(9)(b) of the Act, read with regulation 7(4).

2. Application for Minister’s pre-approval

- (1) Any person intending to undertake reclamation in terms of sections 7B and 7C of the Act must apply for the Minister’s pre-approval.
- (2) An application for the Minister’s pre-approval in terms of sub-regulation (1) must—
 - (a) be made to the Minister in writing on the application form obtainable from the Department;
 - (b) be accompanied by proof of payment of the fee, if prescribed;
 - (c) be accompanied by all supporting documents required to assess the application including those required by the application form and these regulations; and
 - (d) be lodged—
 - (i) in duplicate together with any other copies, if required; and
 - (ii) electronically, if required.
- (3) The Minister must, within 10 days after receipt of an application for the pre-approval, acknowledge receipt of the application in writing.

3. Minimum information and assessment of application for Minister’s pre-approval in terms of section 7B

- (1) An application for the Minister’s pre-approval in terms of section 7B(3)(b) must contain the following:
 - (a) a written motivation—

- (i) comprehensively setting out the purpose for the proposed reclamation, by explaining the following:
 - (aa) why the reclamation of land is necessary to undertake the proposed development;
 - (bb) how the land will generally be used in the short-term and how the land may be used in the long-term;
 - (cc) whether any extension of the land by way of additional reclamation of land may be sought in future; and
 - (dd) whether the ownership of the land or any part thereof may be transferred in the future;
 - (ii) containing the information required by section 7B(3)(a) of the Act, including details of the following:
 - (aa) the list of all other alternative land identified for the development proposed for the reclaimed land, and the reasons why the development can not take place on that land;
 - (bb) a plan, layout or map depicting all of the land uses and land zonations proposed for the reclaimed land;
 - (cc) the buildings, facilities and other infrastructure to be built on the land;
 - (dd) whether or not the public will have access to the land, the buildings, facilities and other infrastructure on the land, and what cost will be imposed for such access;
 - (ee) the location of the public access points and details about the nature, the times and the conditions of public access;
 - (ff) vehicular access to the buildings, facilities and other infrastructure on the land;
 - (gg) a comprehensive description of all commercial and government-related activities which will be undertaken on the land and how those activities will benefit the State; and
 - (hh) how the proposed development on the land, and state infrastructure planned for the land, will positively impact on the Republic;
 - (iii) a detailed map, with co-ordinates, of the location and scope of the proposed reclamation;
- (b) diagrams, graphic depictions and architects' sketches of the development, including any facilities and infrastructure proposed for the land; and

- (c) the identity of the sources of the funding, whether public or private, for the proposed reclamation of the land and for the subsequent development on the land, including—
 - (i) copies of the agreements or undertakings governing that funding; and
 - (ii) an explanation of the nature and extent of the interest which each funder has in the proposed development.

4. Minimum information and assessment of application for Minister's pre-approval in terms of section 7C

- (1) An application for the Minister's pre-approval in terms of section 7C(3) must explain—
 - (a) why the proposed development is exceptional in nature; and
 - (b) why it is not contrary to the purposes of coastal public property as set out in section 7A.
- (2) In addition to sub-regulation (1), an application for the Minister's pre-approval in terms of section 7C(3) must contain the following:
 - (a) a written motivation—
 - (i) comprehensively setting out the purpose for the proposed reclamation, by explaining the following:
 - (aa) why the reclamation of land is necessary to undertake the proposed development; and
 - (bb) how the land will generally be used in the short-term and how the land may be used in the long-term;
 - (ii) containing the information required by section 7C(2) of the Act, including details of the following:
 - (aa) a plan, layout or map depicting all of the land uses and land zonations proposed for the reclaimed land;
 - (bb) the list of all other alternative land identified for the development proposed for the reclaimed land, and the reasons why the development can not take place on that land;
 - (cc) the buildings, facilities and other infrastructure to be built on the land;
 - (dd) whether or not the public will have access to the land, the buildings, facilities and other infrastructure on the land, and what cost will be imposed for such access;

- (ee) the location of the public access points and details about the nature, the times and the conditions of public access;
 - (ff) vehicular access to the buildings, facilities and other infrastructure on the land;
 - (gg) the identity and nature of the business ventures which will operate on the land;
 - (hh) an explanation as to why the reclamation of the land and the development proposed for that land is socially and economically desirable;
 - (ii) the nature and scope of the various employment opportunities, whether skilled, unskilled, short-term or permanent, which will realistically be created by the proposed development and businesses located on the land;
 - (jj) an explanation of when the various kinds of employment opportunities, contemplated in sub-regulation 4(2)(a)(ii), will materialise in the reclamation of, and in the development of the infrastructure on the land; and
 - (kk) how the proposed development on the land will positively impact on the Republic;
- (ii) a detailed map, with co-ordinates, of the location and scope of the proposed reclamation;
- (b) diagrams, graphic depictions and architects' sketches of the development, including any facilities and infrastructure proposed for the land; and
 - (c) the identity of the sources of the funding, whether public or private, for the proposed reclamation of the land and for the subsequent development on the land, including:
 - (i) copies of the agreements or undertakings governing the funding provided; and
 - (ii) an explanation of the nature and extent of the interest which each funder has in the proposed development.

5. Application for final reclamation decision

- (1) An application for a final reclamation decision must be made in writing to the Minister by using a form obtainable from the Department.
- (2) An application for a final reclamation decision must be lodged—
 - (a) in duplicate together with any other copies, if required; and

- (b) electronically, if required.
- (3) The Minister must, within 10 days after receipt of an application for a final reclamation decision, acknowledge receipt of the application in writing.
- (4) Pursuant to sections 7B(5) and 7C(7) of the Act, an application for a final reclamation decision must contain the following information:
 - (a) proof of payment of the fee, if prescribed;
 - (b) the relevant environmental authorisation, including all expert and other reports used to inform the granting of the environmental authorisation; and
 - (c) in the case of an application for reclamation in terms of section 7C of the Act, Parliament's ratification in terms of sections 7C(4)(b) and 7C(6) of the Act.

6. Minister's powers in assessing applications

- (1) The Minister may, in respect of applications for the Minister's pre-approval or for a final reclamation decision, request the applicant to—
 - (a) provide further information by a specified date;
 - (b) carry out further investigations and to provide the results of those studies by a specified date;
 - (c) consult with specific organisations, authorities, persons or interested parties and submit the results of those consultations by a specified date; or
 - (d) request the applicant to make oral representations to the Minister relating to the application and to answer any questions raised at such meeting.
- (2) If an applicant fails to—
 - (a) comply with a request made in terms of sub-regulation (1);
 - (b) pay any fee, if prescribed;
 - (c) fully complete all required parts of, and provide all information required by an application form referred to in these regulations; or
 - (d) provide any information required in terms of the Act or these regulations by a specified date,

the application will be regarded as incomplete and it will not be considered.
- (3) When assessing any application in terms of these regulations, the Minister may consider—

- (a) whether or not the applicant has been convicted of contravening—
 - (i) the Act,
 - (ii) the National Environmental Management Act;
 - (iii) any specific environmental management Act; or
 - (iv) these regulations;
- (b) whether or not the applicant has contravened conditions of any permits or authorisations granted to the applicant in terms of—
 - (i) the Act;
 - (ii) the National Environmental Management Act;
 - (iii) any specific environmental management Act; or
 - (iv) these regulations; and
- (c) any other relevant consideration.

7. Decisions

- (1) The Minister may, in writing—
 - (a) grant or refuse an application for the Minister's pre-approval; and
 - (b) grant or refuse an application for a final reclamation decision.
- (2) A decision to grant an application in terms of sub-regulation (1)(a) or (b) may be issued subject to conditions.
- (3) A final reclamation authorisation in terms of these regulations must be issued in writing and must include the following details:
 - (a) the identity and contact details of the authorisation holder;
 - (b) the geographic location of the proposed reclamation; and
 - (c) the conditions to the authorisation.
- (4) A final reclamation authorisation in terms of section 7C is subject to the signing of a written reclamation lease agreement with the Minister. Any physical reclamation-related activities may not commence without the written conclusion of the agreement with the Minister.
- (5) Any authorisation issued in terms of these regulations is not transferable.

- (6) A decision to refuse any application in terms of these regulations must include—
- (a) the reasons for the decision; and
 - (b) the date of the decision.

8. Offences and Penalties

In addition to any offence contained in section 79 of the Act, any person who contravenes or fails to comply with regulation 7(4) and any other provision of these regulations is guilty of an offence and liable on conviction to—

- (a) imprisonment for a period not exceeding five years;
- (b) an appropriate fine not exceeding R2 million; or
- (c) both such fine and imprisonment.

9. Short title and commencement

These regulations are called the Reclamation of Land from Coastal Waters Regulations, 2017, and shall take effect the date of publication in the *Gazette*.

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