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SUPPLEMENT

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No. 23A

No. 51A

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES (PRESCRIBED AREAS) (PROHIBITION OF CATEGORIES OF
ENTERPRISE, CONSTRUCTION AND DEVELOPMENT)
(AMENDMENT) ORDER, 2015

In exercise of the power conferred upon the Minister by section 9(1) of the Natural Resources Conservation Authority Act, and of every other power hereunto enabling, the following Order is hereby made, on the recommendation of the Authority:—

1. This Order may be cited as the Natural Resources (Prescribed Areas) (Prohibition of Categories of Enterprise, Construction and Development) (Amendment) Order, 2015, and shall be read and construed as one with the Natural Resources (Prescribed Areas) (Prohibition of Categories of Enterprise, Construction and Development) Order, 1996 (hereinafter referred to as the "principal Order") and all amendments thereto.

2. With effect from the 1st day of April, 2015, the principal Order is amended in paragraph 2 by—

- (a) deleting from sub-paragraph (1) the words “Subject to sub-paragraph (2), except” and substituting therefor the word “Except”; and
- (b) deleting sub-paragraph (2) and substituting therefor the following as sub-paragraphs (2), (3) and (4)—

“ (2) A person who is on the 1st day of April, 2015, engaged in undertaking any category of enterprise, construction or development to which the requirement for a permit did not apply before that date and who seeks to continue carrying out that undertaking shall not later than one year after the 1st day of April, 2015, apply to the authority for a permit to do so.

(3) If an application is made by a person pursuant to sub-paragraph (2), the person may continue to carry out the relevant enterprise, construction or development until that person’s application is determined.

(4) If an application is not made by a person pursuant to sub-paragraph (2), the person’s ability to lawfully provide the relevant enterprise, construction or development shall cease at the end of the one year period referred to in that paragraph.”.

3. The principal Order is amended in the Schedule by deleting the items that appear in Column A and substituting therefore the following—

“
Column A

Categories Of Enterprises
Construction, Development

1. *Power Generation*
Construction and operation of power generation plants of 1MW or above using hydrocarbon fuels.
Construction and operation of nuclear fuelled reactors and power plants.
Construction and operation of power generation plants of 200 kw or above using renewable sources of energy.
 2. *Power Transmission*
Construction or installation of electrical transmission lines.
Construction of substations 69 kv or above.
 3. *Pipelines and Conveyors*
Construction or installation and operation of pipelines of 20m or more in length for the transmission of noxious, explosive, flammable and/or toxic material.
Construction or installation of pipelines 1km or more for the supply of water.
Construction of conveyors of 500m or more in length.
Construction or installation, and operation of underground cables, gas lines or other such infrastructure with a diameter of more than 10cm for the transport of gas, oil or chemicals.
 4. *Marine Development*
Construction and operation of port and harbour facilities.
Construction and operation of shipyards and boatyards.
Construction and operation of dry-docks.
Construction and operation of marinas.
In-water hull cleaning operations.
 5. *Air Transport*
Construction of airports, airfields, aerodromes, runways.
Expansion of airfields and runways.
 6. *Roads, Railways And Telecommunication*
Construction of new highways.
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Column A

Categories Of Enterprises
Construction, Development

- Construction of new arterial roads.
Major road improvement projects including re-alignment, widening into 4 or more lanes; drainage, and slope stabilization.
Construction of bridges.
Construction of railways, tramways and cable car lines.
Construction of telecommunication towers and any such facility.
7. *Water Works*
Modification of waterways for the transfer of water resources or river training works.
Dredging and excavation of riverine areas or beaches (except for mining and quarrying activities).
Reclamation of riverine areas.
Construction, modification or demolition of dykes, aqueducts, levees, check dams and retaining walls associated with a water way.
Construction, modification or demolition of reservoirs or dams.
Erection and construction of irrigation canal.
Construction and operation of water treatment and storage facilities, including desalination plants and water supply plants.
8. *Site Modification Projects*
Modification, clearance or reclamation of wetlands.
Modification or clearance of sand dunes, removal of sand from sand dunes.
Construction on sand dune.
Construction of overwater rooms and structures over the sea, river or ponds.
Clear cutting of forested areas and clearing of trees on slopes greater than 20°.
Clearing 6 hectares or more of vegetation (excluding agricultural holdings currently under production).
9. *Subdivisions*
Subdivisions of 10 to 25 lots.
Subdivisions of 26 to 50 lots.
Subdivisions greater than 50 lots.
10. *Subdivision And Housing Construction*
Subdivision and construction of housing projects of 10 to 25 houses.
Subdivision and construction of housing projects of 26 to 50 houses.
Subdivision and construction of housing projects of 51 or more houses.

Column A

Categories Of Enterprises
Construction, Development

11. *Housing*
 - Construction of housing projects of 10 to 25 houses.
 - Construction of housing projects of 26 to 50 houses.
 - Construction of housing projects of 51 or more houses.
12. *Hotel*
 - Construction and operation of hotel or resort complex of 10 to 50 rooms.
 - Construction and operation of hotel or resort complex of 51 to 500 rooms.
 - Construction and operation of hotel or resort complex of 501 to 1,000 rooms.
 - Construction and operation of hotel or resort complex of 1001 to 2000 rooms.
 - Construction and operation of hotel or resort complex of 2001 to 3000 rooms.
 - Construction and operation of hotel or resort complex of 3001 rooms and above.
13. *Recreation And Entertainment*
 - Establishment and operation of ecotourism facility or attraction.
 - Construction and operation of nature based attraction or facility.
 - Construction and operation of golf course.
 - Construction and operation of stadia and sport facilities with a seating capacity of 3000 or greater.
 - Establishment of theme parks.
 - Establishment of trails including those for motorized and non-motorized vehicles or activities.
14. *Service Sector*
 - Construction and operation of office and commercial complexes (including shopping centres) of 5,000 square metres or greater.
 - Construction and operation of cemeteries, mausolea, columbaria or other burial sites or crematoria.
 - Construction and operation of hospital of 10 beds or more or medical facilities of 1,000 square meters or greater.
 - Construction and operation of dry cleaning facilities.
 - Construction and operation of veterinary clinics that board animals.
 - Schools and educational institutions (excluding early childhood education institutions).
 - Construction and operation of transportation centres for more than ten (10) vehicles.

Column A

Categories Of Enterprises
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15. *Mining And Quarrying*

Mining and quarrying (terrestrial, riverine and marine) of bauxite, peat, sand, minerals—including aggregate, construction and industrial materials, metallic and non-metallic ores.

Exploration and prospecting for extraction of non-renewable resources (oil, natural gas, other minerals), ferrous and non-ferrous minerals.

Exploration and prospecting for artifacts.

16. *Ore And Mineral Processing*

Construction and operation of mineral processing facilities for bauxite, peat, sand, minerals—including aggregate, construction and industrial materials, metallic and non-metallic ores.

Construction and operation of metal processing facilities including ferrous metals, non-ferrous metals, metal plating and foundry operations.

Construction and operation of facilities for cement and lime production.

Construction and operation of facilities for solar salt production.

17. *Chemical*

Construction and operation of facilities for the storage of hazardous materials, toxic chemicals and other similar substances.

Construction and operation of facilities for the manufacturing of hazardous materials, toxic chemicals or other similar substances.

Construction and operation of facilities for the manufacturing of soaps and detergents.

Construction and operation of facilities for the manufacturing of edible oils and fats.

Construction and operation of facilities for hydro-carbon production, refining, storage and stockpiling.

Construction and operation of petroleum storage and dispensing facility.

Construction and operation of facilities for manufacturing of pesticides.

Construction and operation of facilities for the manufacturing of paint.

Construction and operation of chemical plants other than those listed above in this item.

18. *Manufacturing*

Construction and operation of facilities for the production of construction materials including blocks and bricks.

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Categories Of Enterprises
Construction, Development

Construction and operation of batching and crushing plants (mobile and fixed).
Construction and operation of facilities for the manufacturing of containers and packaging materials including cans, bottles, boxes, cartons and plastics.
Construction and operation of facilities for the manufacturing and processing of pulp, paper and wood.
Construction and operation of recycling plant and facility.
Construction and operation of facilities for the manufacturing of textiles.
Construction and operation of facilities for the manufacturing of tar and bitumen.
Construction and operation of facilities for the manufacturing of rubber.
Construction and operation of facilities for the manufacturing of polymerizing plants.
Construction and operation of facilities for the manufacturing of dyes, pigments and surface active agents (except soaps and detergents).
Construction and operation of facilities for the manufacturing of chemical fertilizers.

19. *Agro Industry And Food Processing*

Construction and operation of facilities for food processing.
Construction and operation of slaughterhouses and abattoirs.
Construction and operation of bottling facilities and boxing plants.
Construction and operation of distillery, brewery and fermenting facilities.
Construction and operation of fish and meat processing plants.
Construction and operation of agro-processing facilities (including for coffee, citrus, cocoa, coconut and sugarcane).
Construction and operation of aquaculture facility and ponds for intensive fish farming.
Construction and operation of tanneries.

20. *Project Site Office*

Construction of site office for any development, infrastructure or industrial project outside the footprint of the proposed project.

21. *Waste Processing and Disposal*

Construction and operation of solid waste treatment and disposal facilities, including waste disposal, installation of incinerator, chemical landfills or systems for the destruction, reprocessing or recycling of such wastes.
Construction and operation of hazardous waste removal, storage, transportation, treatment or disposal facility (mobile and fixed).

Column A

Categories Of Enterprises
Construction, Development

Construction and operation of facility for processing of agricultural wastes.
Construction and operation of facility for storage and processing of scrap metals, including derelict vehicles.
Construction and operation of facility for transportation, storage, handling and conversion of energy from waste.
Construction and operation of wastewater treatment plants which do not discharge effluent to the environment.

22. *Biological Resources or Biodiversity*

Importation or introduction of species of flora and fauna or other biological organisms.
Introduction of genetically modified organisms (other than for food or feed).
Operation of a pet store.
Operation of a zoo.”.

Dated this 9th day of April, 2015.

ROBERT PICKERSGILL
Minister of Water, Land, Environment
and Climate Change.