
GOVERNMENT NOTICE

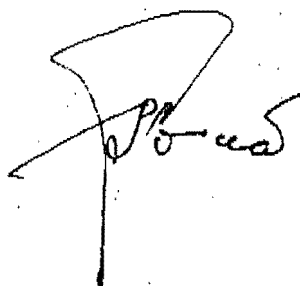
DEPARTMENT OF ENVIRONMENTAL AFFAIRS

No. R. 1175

11 December 2009

**NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS
ACT, 2003 (ACT NO. 57 OF 2003)
REGULATIONS FOR THE PROPER ADMINISTRATION OF THE KNYSNA
PROTECTED ENVIRONMENT**

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, hereby publish the regulations pertaining to proper administration of the Knysna Protected Environment under section 86 of the National Environmental Management: Protected Areas Act, 2003 in the Schedule hereto.



BUYELWA PATIENCE SONJICA

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE

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Chapter 1**General provisions****Definitions**

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned and, unless the context otherwise indicates—

"authorised official" means an employee of the management authority or any other person authorised by the management authority to perform his or her functions in the protected environment and includes a life saver appointed by the management authority and a member of the South African Police Service;

"Biodiversity Act, 2004" means the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

"biodiversity control area" means the area comprising—

(a) the water area; and

(b) State land;

"bioprospecting" means bioprospecting as defined in section 1 of the Biodiversity Act, 2004;

"controlled event" means a controlled event as defined in the National Small Vessel Safety Regulations, 2007;

"development" means, within the development control area—

(a) the construction, erection, alteration, expansion, improvement, modification, upgrading or demolition or removal of a structure;

(b) the change of use of land;

(c) the subdivision or consolidation of land;

(d) the carrying out of any excavation works;

(e) the construction, or erection for display of signs;

(f) any change to the natural or existing condition or topography of land area; or

(g) any removal, clearing, destruction of trees or vegetation or the disturbance of topsoil;

"development control area" means the area comprising—

(a) the biodiversity control area; and

(b) land situated within fifty metres inland from the—

(i) water area; and

(ii) highest line to which any water occurring in the water area may rise at any time as a result of the action of the tides or otherwise, during ordinary storms occurring during the most stormy period of the year, excluding exceptional or abnormal floods;

"environment" means the environment as defined in section 1 of the National Environmental Management Act, 1998;

"environmental impact assessment" means any process of collecting, organizing, analysing, interpreting, and communicating information that is

relevant to assess the impacts of activities on the environment of the protected environment;

"heritage resource" means heritage resource as defined in section 1 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999);

"kite-board" means a vessel propelled almost exclusively by the effect of the wind on the sails of a kite, designed to be steered or handled by a person in a standing position;

"listed activity" means an activity identified in terms of section 24(2)(a) and (d) of the National Environmental Management Act, 1998;

"management authority" means South African National Parks;

"National Environmental Management Act, 1998" means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

"National Small Vessel Safety Regulations, 2007" means the Merchant Shipping (National Small Vessel Safety) Regulations, 2007, made under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and promulgated by Government Notice No. R. 705 of 8 August 2007;

"National Water Act, 1998" means the National Water Act, 1998 (Act No. 36 of 1998);

"pollution" means pollution as defined in section 1 of the National Environmental Management Act, 1998;

"Promotion of Administrative Justice Act, 2000" means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

"protected area notice" means a written notification issued by the management authority;

"protected environment" means the Knysna National Lake Area, initially proclaimed as a lake area in terms of the Lake Areas Development Act, 1975 (Act No. 39 of 1975) and subsequently declared a protected environment under the Act, and includes all proclaimed land and water areas as well as all further land and water areas which may be formally proclaimed by the Minister to form part of the Knysna Protected Environment;

"protected species" means any protected species or specimen of such species as defined in section 1 of the Biodiversity Act, 2004;

"restricted activity" means a restricted activity as defined in section 1 of the Biodiversity Act, 2004;