

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**NATIONAL ENVIRONMENTAL
MANAGEMENT: INTEGRATED
COASTAL MANAGEMENT BILL**

[B 40A—2007]

*(As agreed to by the Portfolio Committee on Environmental Affairs and Tourism)
(National Assembly)*

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AMENDMENTS AGREED TO

NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT BILL

[B 40—2007]

ARRANGEMENT OF SECTIONS

1. On page 6, in line 13, to omit “Integrated”
2. On page 6, in line 14, to omit “Integrated”
3. On page 6, in line 15, to omit “integrated”

CLAUSE 1

1. On page 8, in line 33, to omit “integrated”.
2. On page 8, in line 42, after the “Act” to insert “which take place in the coastal zone”.
3. On page 11, in line 3, to omit “integrated”.

CLAUSE 7

1. On page 14, in line 5, after property to insert “or”.
2. On page 14, in line 8 to omit “or”
3. On page 14, after line 11, to omit paragraph (i).
4. On page 14, after line 11 to insert the following subparagraph;

“(iii) any harbour, work or other installation on or in any coastal public property of a category mentioned in paragraphs (a) to (h) that is owned by an organ of state”

CLAUSE 10

1. On page 15, in line 10, to omit “section 53” and to substitute “Part 5 of Chapter 6”

CLAUSE 14

1. On page 16, in line 16, after the second “the” to insert “natural curvilinear boundary or the”.

CLAUSE 16

1. On page 17, in line 16, to omit “or”.
2. On page 17, in line 17, to omit “.” and to substitute “; or”

3. On page 17, after line 17, to insert the following paragraph:

“(i) any land that would be inundated by a 1:50 year flood or storm event”.

CLAUSE 18

1. On page 17, in line 43, to omit “adjacent to that coastal public property”

CLAUSE 23

1. On page 19, in line 4, to omit “subject to section 87”.
2. On page 19, in line 4, to omit the first “the” and to substitute “The”.
3. On page 19, in line 4, to omit “MEC” and to substitute “Minister”.
4. On page 19, in line 4, to omit “Minister” and to substitute “MEC”.
5. On page 19, in line 9, to omit “MEC” and to substitute “Minister”.
6. On page 19, after line 18, to insert the following subsection:

“(4) The Minister may prescribe specified activities which are prohibited in special management areas taking into account the purpose for which the special management area was declared.”.

CLAUSE 24

1. On page 19, in line 20 to omit “MEC” and to substitute “Minister”.
2. On page 19, in line 20, to omit “must” and to substitute “may”.
3. On page 19, in line 30, to omit “MEC” and to substitute “Minister”.

CLAUSE 25

1. On page 19, in line 37, to omit “may” and to substitute “must”.
2. On page 19, in line 38, to omit “a”.
3. On page 19, in line 38, to omit “line” and to substitute “lines”.

CLAUSE 26

1. On page 20, in line 22, to omit “only”.

CLAUSE 27

1. On page 20, after line 55, to add the following new subsections:

“(2) The Minister may exclude any area from coastal public property for government purposes, by proclamation.

(3) Before excluding any area from coastal public property in terms of subsection (2) the Minister must consult with interested and affected parties in terms of Part 5 of Chapter 6.

(4) The Minister may exclude any area from coastal public property for any other purpose with the ratification of Parliament”.

CLAUSE 33

1. On page 22, in line 45, to omit “section 53” and to substitute “Part 5 of Chapter 6”.

CLAUSE 49

1. On page 29, in line 35, to omit “and”.
2. On page 29, after line 35, to add the following new subparagraphs:
 - “(iii) to address the high percentage of vacant plots and the low occupancy levels of residential dwellings; and
 - (iv) to equitably designate zones as contemplated in section 56(1)(a)(i) for the purposes of mixed cost housing and taking into account the needs of previously disadvantaged individuals”.

CLAUSE 55

1. On page 31, after line 37, to omit paragraph (a) and to substitute “with the following paragraph:
 - (a) meets the requirements specified in section 49”.

CLAUSE 58

1. On page 33, in line 19, after “person” to insert “and”.
2. On page 33, in line 42, after “produced” to insert “or discharged”.

CLAUSE 63

1. On page 36, in line 2, to omit “Integrated”
2. On page 36, in line 3, to omit “Integrated”
3. On page 36, in line 4, to omit “integrated”.
4. On page 36, in line 26, to omit “integrated”.
5. On page 36, in line 43, to omit “integrated”.
6. On page 36, in line 52, to omit “integrated”.
7. On page 36, in line 58, to omit “integrated”
8. On page 36, after line 60, to add the following new subsection:
 - “(6) Where an environmental authorisation is not required for coastal activities, the Minister may, by notice in the *Gazette* list such activities requiring a permit or licence”.

CLAUSE 64

1. On page 37, in line 1, to omit “integrated”.
2. On page 37, in line 3, to omit “integrated”.

3. On page 37, in line 6 , to omit “integrated”.
4. On page 37, in line 7, to omit “integrated”.

CLAUSE 68

1. On page 38, in line 55, to omit “integrated”.

CLAUSE 69

1. On page 39, in line 53, after “environment” to insert “, including the cumulative effect of its impact together with those of existing point and non-point discharges”.

CLAUSE 74

1. On page 42, in line 36, after “MEC” to insert “, or by a person exercising powers which have been delegated by the Minister to such person in terms of this Act ”.
2. On page 43, in line 12, to omit “integrated”

CLAUSE 79

1. On page 44, in line 54, to omit “two” and to substitute “three”.

CLAUSE 82

1. On page 45, in line 36, to omit “public property” and to substitute “zone”.

CLAUSE 83

1. On page 47, in line 29, to omit “and”
2. On page 47, in line 31, to omit “.” and to substitute “; and”.
3. On page 47, after line 31, to insert the following paragraph:
“(r) the issuing and contents of permits or licences”.

CLAUSE 87

1. On page 48, from line 41, to omit “or in terms of section 23 to declare a special management area,”.
2. On page 48, from line 47, to omit the entire subsection “(2)” and to substitute the following subsection:
“(2) If subsection (1) applies, the reference to the MEC in section 22 must be read as a reference to the Minister”.

CLAUSE 97

1. On page 52, in line 25, to omit “integrated”.

2. On page 52, in line 28, to omit “integrated”.
3. On page 52, in line 31, to omit “integrated”.

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