



agriculture, environmental affairs,
rural development and land reform

Department:
agriculture, environmental affairs,
rural development and land reform .
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

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Date:	17 February 2022	File:	
To:	Ms E Swart	From:	Mr E Oosthuysen
REVIEW OF THE NORTHERN CAPE NATURE CONSERVATION ACT			

Dear Ms Swart

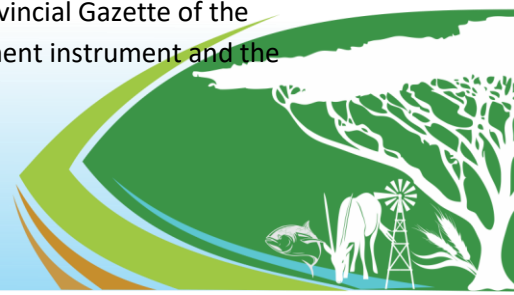
With reference to your email on 17 February 2022 regarding inputs and comments and notes on errors and changes in the NCNCA, please find my inputs hereafter. The following sections should be added in a new and separate chapter in the NCNCA. The chapter provides content to the Northern Cape Critical Biodiversity Area Map with special importance in the use and application of the Critical Biodiversity Area Map.

CHAPTER X

SPATIAL BIODIVERSITY PLANNING

Publishing of Critical Biodiversity Area Map

- 1) All new spatial tools and environmental management instruments contemplated in section 24(2)(c) and (e) of the National Environmental Management Act, 1998 (Act 107 of 1998) e.g. Critical Biodiversity Area Map must comply with the procedure for adoption as indicated in Government Notice No. 542 of 2019.
 - a. The Provincial Minister must ensure that the spatial tool or environmental management instrument indicates the purpose for which it was developed.
 - b. The Provincial Minister must publish notification of the proposed adoption –
 - i. In the Provincial Gazette;
 - ii. In a newspaper which is distributed throughout the province;
 - iii. Make the proposed spatial tool or environmental management instrument publicly available.
 - iv. Allow a commenting period of at least 30 days from the date of publication of the notice in the Provincial Gazette.
 - c. The Provincial Minister must –
 - i. Consider all comments received; and
 - ii. In concurrence with the Minister, give notice in the Provincial Gazette of the adoption of the spatial tool or environmental management instrument and the availability.



Purpose of the Critical Biodiversity Area Map

- 2) The purpose of a Critical Biodiversity Area Map is to –
 - a. Set biodiversity targets;
 - b. Spatially identify categories of biodiversity priority areas that will ensure the sustainable representation and persistence of biodiversity, ecosystems and ecosystem services;
 - c. Provide guidelines which indicate the desired management objectives for land and resource use in each category of biodiversity priority area;
 - d. Assist spatial planning and land use decision-making processes to ensure environmental sustainable development in the Province; and
 - e. Ensure that the ecological infrastructure in the Province is maintained, ecosystem fragmentation and loss is avoided, and the resilience of ecosystems to impacts of climate change is sustained.

Contents of the Critical Biodiversity Area Map

- 3) A Critical Biodiversity Map must –
 - a. Be developed using the principles and methods of systematic biodiversity planning, as described in the *Technical guidelines for CBA Maps: Guidelines for developing a map of Critical Biodiversity Areas & Ecological Support Areas using systematic biodiversity planning* by South African National Biodiversity Institute;
 - b. Be based on the best available science and data;
 - c. Set biodiversity targets;
 - d. Identify biodiversity priority areas according to categories and targets;
 - e. Include guidelines for desired management objectives for each category of biodiversity priority area.

Use and application of Critical Biodiversity Area Map

- 4) The Critical Biodiversity Area Map is a provincial spatial tool as contemplated in –
 - a. Section 24(2)(c) and (e) of the National Environmental Management Act, 1998 (Act 107 of 1998)
 - b. Environmental Impact Assessment Regulations of 2014 (Government Notice No 982 of 2014);
 - c. Sections 25(1)(e), 26(d), 27(2)(a) and 29(1)(c) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000); and
 - d. Sections 12(4), 15(3)(b) and 16(c) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).
- 5) The Critical Biodiversity Area Map must inform –
 - a. The Provincial Protected Area Expansion Strategy;
 - b. The identification of priority ecosystems and ecological infrastructure in terms of this Act and other environmental legislation;
 - c. Land use planning and decision-making;
 - d. Policies and guidelines developed in terms of environmental legislation;
 - e. Any decision-support system, environmental management instrument or strategic environmental assessment developed or used in terms of environmental legislation;
 - f. Decisions and actions by any organ of state whose policies and decisions impact on biodiversity in the Province; and

- g. Biodiversity Offsets;
- h. Spatial Development Frameworks of Local Government
- i. Environmental Authorisation for activities specified in terms of the National Environmental Management Act.

Review of Critical Biodiversity Area Map

- 6) The Critical Biodiversity Map must be reviewed at least every five years.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Enrico Oosthuysen', with a long horizontal stroke extending to the right.

Enrico Oosthuysen
Biodiversity Planner