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Community Participation in the Heritage,Greening Mpumalanga and Tourism Programme

Simelane, Immigardht Brunnhilldah Hlengiwe

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Appendix B

Settlement Principles

1. Title in land shall be transferred to claimants without settlement rights (physical occupation), and conditions of use shall be registered by way of notorial deed of restriction against the title in respect of the restored Land;

2. The ecological integrity of the Nature Reserve as a national Protected Area shall be upheld in perpetuity;

3. A Co-management Agreement, as provided in terms of the National Environmental Management: Protected Areas Act (No. 57 of 2003) as Amended, is to be entered into between the claimants association and the Minister of Environmental Affairs and Tourism;

4. All claimants on the properties identified for declaration as the Provincial Nature Reserve will be required to form one holding or umbrella association (land owner's association and/or broader Co-Management Committee, typically a CPA or Trust) to ensure representation on a Co-Management Committee (CMC) to be formed with the applicable Management Authority appointed by the DEAT Minister in accordance with the National Environmental Management: Protected Areas Act (No. 57 of 2003) as Amended;

5. Consideration shall be taken for the implementation of the Broad-Based Black Economic Empowerment (BBEE) and all other empowerment legislation as vehicles for Beneficiation;

6. Sustained economic and social beneficiation of the claimants shall be structured in such a way that it will be tangible, realistic and optimal though not compromising the financial sustainability of the Provincial Nature Reserve.

7. There shall be clear and regulated Access Rights to the properties identified for the Provincial Nature Reserve within which the land is situated;

8. The Management Authority to be assigned management of the Provincial Nature Reserve – namely, the Mpumalanga Tourism and Parks Board (MTPA) – shall continue to manage the land situated within the PROVINCIAL NATURE RESERVE

9. Any development of whatsoever nature including without limitation to commercial projects, tourism facilities and infrastructure, shall be subject to the provisions of the relevant Protected Areas Act, the Tourism Development and Management Plan prepared in terms thereof and the appropriate Environmental Impact Assessment legislation.

10. Leasing of clearly demarcated portions of land within the Provincial Nature Reserve with conditional land use rights shall be possible for the securing of

long-term concessions for the development of tourism products. This process, known as commercialisation, shall be subject to free, prior and informed consent from the Land Owner's Association who shall form part of the bid evaluation committee for the evaluation and awarding of such concessions. The Management Authority shall manage and administrate the commercialisation process;

11. The land restored in the Provincial Nature Reserve may not be alienated other than to the State or a competent authority recognised by the State

12. The management plan of the Provincial Nature Reserve within which the land is situated shall recognise these principles of settlement for all land restitution claims;