



GARDEN ROUTE DISTRICT COASTAL MANAGEMENT PROGRAMME

2021/22 REVIEW

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Executive Summary

In accordance with Chapter 6, Part 3 of the ICM Act, Section 48 states that a coastal Municipality must review the adopted CMP at least once every five years, and may, when necessary, amend the programme. Any amendments that are made to the existing CMP must be subject to the public participation requirements in accordance with Chapter 4 of the Municipal Systems Act, prior to being Gazetted. Various new sections were included, as well as the amendment of old information, on new emerging issues and information, lessons learnt or inadequacies identified during the previous five year period.

The review of this Garden Route District Coastal Management Programme was done in accordance with Chapter 6, Part 6 (Section 55) of the ICM Act, which states as follows:

1. The MEC may at any time review a municipal coastal management programme.
 2. The MEC must, in reviewing the municipal coastal management programme, determine whether or not it —
 - (a) meets the requirements specified in section 49 (contents of MCMPs);
 - (b) is consistent with the national and the provincial coastal management programmes;
 - (c) gives adequate protection to coastal public property; and
 - (d) was prepared in a manner that allowed for effective participation by interested and affected parties.
 3. If, after considering the advice of the Provincial Coastal Committee, the MEC believes that a municipal coastal management programme does not meet all the criteria referred to in subsection (2), the MEC must, by notice to the municipality concerned, require the municipality to amend or replace the municipal coastal management programme within a reasonable period, which must be specified in the notice.
 4. A municipality that receives a notice in terms of subsection (3), must amend or replace the municipal coastal management programme by following the same procedure used to prepare and adopt it in terms of this Act except that the new or amended coastal management programme may not be finally adopted without the consent of the MEC.
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LIST OF ACRONYMS

AQMP	Air Quality Management Plan
BSP	Biodiversity Sector Plan
C.A.P.E.	Cape Action for People and the Environment
Cape Nature	Western Cape Nature Conservation Board
CARA	Conservation of Agricultural resources Act (Act 43 of 1983)
CBA	Critical Biodiversity Area
CMO	Coastal Management Objective
CMP	Coastal Management Programme
CP Act	Criminal Procedures Act (Act 51 of 1977)
cpue	catch-per-unit-effort
CPZ	Coastal Protection Zone
CSIR	Council for Scientific and Industrial Research
CZMU	Coastal Zone Management Unit
DAFF	Department of Agriculture, Forestry and Fisheries
DCF	District Coordinating Forum
DEA	Department of Environmental Affairs
DEA&DP	Department of Environmental Affairs and Development Planning
DEAT	Department of Environmental Affairs and Tourism
DEM	Digital Elevation Model
DM	District Municipality
DM Act	Disaster Management Act (Act 57 of 2002)
DMP	Disaster Management Plan
DoA	Department of Agriculture
DOT	Department of Transport
DWA	Department of Water Affairs
DWEA	Department of Water and Environmental Affairs
ECA	Environment Conservation Act (Act 73 of 1998)
ECC	Garden Route Coastal Committee

G RDM	Garden Route District Municipality
EDCMP	Garden Route District Coastal Management Programme
EFA	Enviro-Fish Africa (Rhodes University)
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMP	Estuary Management Plan
ESA	Ecological Support Areas
GDP	Gross Domestic Product
GIS	Geographical Information Systems
GRNP	Garden Route National park
HFA	Hyogo Framework for Action
HWM	High Water Mark
ICM Act	National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008)
ICZM	Integrated Coastal Zone Management
IDP	Integrated Development Plan
IMP	Integrated Management Plan
LED	Local Economic Development
LM	Local Municipality
LUMS	Land Use Management System
LUPO	Land Use and Planning Ordinance (15 of 1985)
m	meters
mamsl	meters above mean sea level
MCC	Municipal Coastal Committee
MEC	Member of the Executive Council
MLRA	Marine Living Resources Act (Act 18 of 1998)
MPA	Marine Protected Area
MSA	Local Government: Municipal Systems Act (Act 32 of 2000)
MS Act	Local Government: Municipal Systems Act (Act 32 of 2000)
MCMP	Municipal Coastal Management Programme

NAQA	National Environmental Management: Air Quality Act (Act 39 of 2004)
NBSAP	National Biodiversity Strategy and Action Plan
NCMP	National Coastal Mangement Programme
NEMA	National Environmental Management Act (Act 107 of 1998)
NEM:BA	National Environmental Management: Biodiversity Act (Act 10 of 2004)
NEM:PAA	National Environmental Management: Protected Areas Act (Act 57 of 2003)
NEMP	National Estuarine Management Protocol
NGO	Non-Governmental Organization
NHRA	National Heritage Resources Act (Act 25 of 1999)
nm	nautical mile (= 1.852 kilometers)
NPAES	National Protected Area Expansion Strategy
NSBA	National Spatial Biodiversity Assessment
NWA	National Water Act (Act 36 of 1998)
ORV	Off-Road Vehicle
OSCAE	Outeniqua Sensitive Coastal Areas Extension
PA	Protected Area
PCMP	Provincial Coastal Mangement Programme
PGDS	Provincial Growth and Development Strategy
PSDF	Western Cape Provincial Spatial Development Framework
ROD	Record of Decision
SAAF	South African Air Force
SAHRA	South African Heritage Resources Agency
SAMSA	South African Maritime Safety Authority
SANBI	South African National Biodiversity Institute
SANParks	South African National Parks
SDF	Spatial Development Framework
SLA	Service Level Agreement
TNP	Tsitsikamma National Park

WC NCLA	Western Cape Nature Conservation Laws Amendment Act (Act 3 of 2000)
WESSA	Wildlife and Environmental Society of South Africa
WWF-SA	World Wide Fund for Nature - South Africa

1. INTRODUCTION

This Garden Route district Coastal Management Programme (CMP) was developed in accordance with the requirements of Chapter 6 (Section 48, 49 and 50) of the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008; ICM Act), which was promulgated to establish the statutory requirements for integrated coastal and estuarine management in South Africa. The purpose of the ICM Act is the need to ensure that the development and use of natural resources in the coastal zone is socially and economically justifiable, as well as being ecologically sustainable. The ICM Act is meant to guide and control our behaviour and actions in the coastal zone and to ensure that its benefits can be sustainably and equitably distributed. It is also intended to raise public awareness of the complexities of the coastal area, thereby promoting active participation in the management of the coast (DEA, 2012). The ICM Act places great emphasis on the benefit of cooperation and shared management responsibilities.

Coastal Management Programmes are one of the tools the ICM Act uses to achieve its aims and are viewed as policy directives that will enable a coordinated strategic approach to coastal management within a 5-year timeframe. According to the DEA guideline document (DEA 2012), the main objective of a CMP is to collect and combine environmental, economic and political factors that influence the sustainable utilization of coastal resources into plans of action that provide for a coordinated approach for coastal managers and practitioners (RSA, 2008).

1.1 Municipal Coastal Management Programmes

The legislative requirements for Municipal CMPs are contained in Chapter 6, Part 3 (Sections 48 to 50) of the ICM Act, and are as follows (RSA, 2008):

Section 48: Preparation and adoption of municipal coastal management programmes.

(1) A coastal municipality—

- (a) must, within four years of the commencement of this Act, prepare and adopt a municipal coastal management programme for managing the coastal zone or specific parts of the coastal zone in the municipality;
- (b) must review any programme adopted by it at least once every five years; and
- (c) may, when necessary, amend the programme.

(2) Before adopting a programme contemplated in subsection (1)(a), a municipality must by notice in the *Gazette* invite members of the public to submit written representations on or objections to the programme in accordance with the procedure contemplated in Chapter 4 of the Municipal Systems Act.

(3) A municipality must, within 60 days of the adoption of the municipal coastal management programme or of any substantial amendment to it —

- (a) give notice to the public —

- (i) of the adoption of the programme; and
- (ii) that copies of, or extracts from the programme are available for public inspection at specified places; and
- (b) publicise a summary of the programme.

(4) A municipality may prepare and adopt a coastal management programme as part of an integrated development plan and spatial development framework adopted in accordance with the Municipal Systems Act and if it does so, compliance with the public participation requirements prescribed in terms of the Municipal Systems Act for the preparation and adoption of integrated development plans will be regarded as compliance with public participation requirements in terms of this Act.

Section 49: Contents of municipal coastal management programmes (RSA, 2008)

(1) A municipal coastal management programme must —

(a) be a coherent municipal policy directive for the management of the coastal zone within the jurisdiction of the municipality; and

(b) be consistent with —

- (i) the national and provincial coastal management programmes; and
- (ii) the national estuarine management protocol¹.

(2) A municipal coastal management programme must include —

(a) a vision for the management of the coastal zone within the jurisdiction of the municipality, including the sustainable use of coastal resources;

(b) the coastal management objectives for the coastal zone within the jurisdiction of the municipality;

(c) priorities and strategies —

- (i) to achieve the coastal management objectives of the municipality; and
- (ii) to assist in the achievement of the national and provincial coastal management objectives as may be applicable in the municipality;
- (iii) to address the high percentage of vacant plots and the low occupancy levels of residential dwellings;
- (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;
- (v) to address coastal erosion and accretion; and
- (vi) to deal with access issues.

(d) performance indicators to measure progress with the achievement of those objectives.

¹

(3) A municipal coastal management programme may include —

- (a) a programme of projected expenditure and investment by the municipality in coastal management infrastructure or in order to implement any coastal management programme;
- (b) a description of specific areas within the coastal zone that require special coastal management, and management strategies for those areas;
- (c) estuarine management plans; and
- (d) any other matter that may be prescribed.

Section 50: By-laws (RSA, 2008)

A municipality may administer its coastal management programme and may make by-laws to provide for the implementation, administration and enforcement of the coastal management programme.

The ICM Act prescribes three levels of CMPs, namely National (NCMP), Provincial (PCMP) and Municipal (MCMP), which differ fundamentally in terms of mandated functions and spatial coverage (DEA 2012). At each level, the primary objective is to provide action plans or strategies that facilitate a coordinated and integrated approach to coastal management. All tiers of CMPs will comprise strategic (broad themed and long-term) and operational (specific to an areas biophysical and socio-economic features) programmes. With MCMPs being at the bottom of the tier, they are more concerned with site-specific goals that have immediate to short-term effects on the environment and people's livelihoods. According to DEA (2012), MCMPs generally comprise 75% operational and 25% strategic focus.

By virtue of their definition, Municipal CMPs are not designed to address issues that are the mandate of Provincial or National Government (or para-statal for that matter). However, because Provincial and National legislation and the activities of the mandated organs of state often occur within the site-specific municipal context (with mandates sometimes being devolved to Municipal level), there is a direct impact on municipal activities and local livelihoods.

Many of the issues raised by stakeholders should be dealt with at the Provincial, and sometimes National level. In such instances the mandate will be made clear and the recommended way forward will be for these issues to be addressed in either the PCMP or NCMP when they are developed. However, when a Provincial or National mandate has the potential to impact immediately and directly at the Municipal level, it will be addressed in more detail in this CMP.

1.2 Regulatory Context of Coastal Management Programmes

The following legislation, strategies and council policies are relevant to the Garden Route district Coastal Management Programme:

- The Constitution of the Republic of South Africa: Sections 151(3), 152(1)(d) and 156(5);
- National Environmental Management Act (107 of 1998) (NEMA);

- National Environmental Management: Integrated Coastal Management Act (24 of 2008) (ICM Act);
- Marine Living Resources Act (Act 18 of 1998; MLRA)
- Garden Route Growth and Development Strategy;
- Disaster Management Act (57 of 2002), as amended;
- Environment Conservation Act (73 of 1989);
- Land Use Planning Act (once promulgated);
- Local Government: Municipal Structures Act (117 of 1998);
- Local Government: Municipal Systems Act (32 of 2000);
- Local Government: Demarcation Act (Act 27 OF 1998)
- Development Facilitation Act (Act 67 of 1995)
- Land Use and Planning Ordinance (15 of 1985)
- National Environmental Management: Biodiversity Act (Act 10 of 2004; NEM:BA);
- Environment Conservation Act (Act 73 of 1989; ECA)
- National Environmental Management: Protected Areas Act (Act 57 of 2003; NEM:PAA)
- Western Cape Nature Conservation Laws Amendment Act (Act 3 of 2000)
- National Environmental Management: Waste Act (Act 59 of 2008)
- Conservation of Agricultural Resources Act (Act 43 of 1983; CARA)
- National Building Standards and Building Regulations Act (103 of 1977);
- National Environmental Management Act: Air Quality Act, 2004 (Act 39 of 2004) (AQA);
- Garden Route District Air Quality Management Plan, 2019;
- National Heritage Resources Act (Act 25 of 1999) (NHRA);
- National Water Act (36 of 1998) (NWA);
- Sea Shore Act (21 of 1935);
- Ship Stranding Protocol;
- South Africa's Oil Spill Contingency Plan;
- National Veld and Forest Fire Act (Act 101 of 1998)
- Spatial Planning and Land Use Management Bill (once promulgated);
- National Health Act, 2003;
- Garden Route District Waste Management By-Law, 2017;
- Garden Route District Integrated Development Plan, 2020 – 2021;
- Garden Route District Spatial Development Framework, 2017;
- Garden Route District Climate Change Adaptation Strategy, 2020.

The National Environmental Management: Integrated Coastal Management Act (24 of 2008) (ICM ACT) is informed by the NEMA principles, which includes the maintenance and rehabilitation of the coastal ecosystems' *"diversity, health and productivity"*, by following a *"risk averse and precautionary approach"* to coastal management and planning *"under conditions of uncertainty"* (NEMA, 1998). The NEMA Sections 48-50 also deals with municipal coastal management programmes and by-laws, whereas Section 62 deals with the implementation of land use legislation in the coastal protection zone (RSA, 1998).

1.3 The Coastal Area Explained

The ICM Act refers to many different zones or demarcations within the coastal zone (Figure 1), which need to be explained in order to understand the context and responsibility (mandate) of specific coastal management issues and organs of state. The different zones are as follows (RSA, 2008):

The coastal zone

The area comprising coastal public property, the coastal protection zone, coastal access land and coastal protected areas, the seashore, coastal waters and the exclusive economic zone (200 nm offshore) and includes any aspect of the environment on, in, under and above such area.

Coastal waters

Marine waters that form part of the internal waters or territorial waters (12 nm offshore) of the Republic and any estuary.

Admiralty reserve

Admiralty Reserve means any strip of state-owned land adjoining the inland side of the High-Water Mark and includes land designated, on official plans, deed of grant or title deed, or other document that demonstrates title or land use rights as “government reserve”, “beach reserve”, “coastal forest reserve” or other similar reserve owned by the State.

Coastal public property

Includes a number of components such as coastal waters, the land below that water, islands, the seashore (including the sea shore of privately owned islands), and other state land such as Admiralty Reserve. Coastal public property also includes natural resources found in any of the areas mentioned above. It excludes any portion of the seashore below the high-water mark, which was lawfully alienated before the Sea-Shore Act (Act 21 of 1935) took effect or which was lawfully alienated in terms of that Act and which has not subsequently been re-incorporated into the seashore, and any portion of a coastal cliff that was lawfully alienated before this Act took effect and is not owned by the State.

The intention of coastal public property is to prevent exclusive use of the coast by facilitating access to, and sustainable use of the productive coastal resources for the benefit of all South Africans.

Coastal access land

Strips of land designed to secure public access to the coastal public property, and which are subject to public access servitudes in favour of the local municipality within whose area of jurisdiction it is situated and in terms of which members of the public may use that land to gain access to coastal public property. No land within a harbor, defense or other strategic facility may be designated as coastal access land without the consent of the Minister responsible for that facility. A municipality may, on its own initiative or in response to a request from an organ of state or any other interested and affected party, withdraw the designation of any land as coastal access land.

Coastal protection zone

A continuous strip of land, starting from the HWM and extending 100 meters inland in developed urban areas zoned as residential, commercial, or public open space, or 1000

meters inland in areas that remain undeveloped or that are commonly referred to as rural areas (includes coastal wetlands, lakes, lagoons or dams situated wholly or partially in these land units). It further includes sensitive coastal areas declared in terms of the Environment Conservation Act (Act 73 of 1989) such as the Outeniqua Sensitive Coastal Areas Extension, coastal protected areas, the littoral active zone, parts of the seashore and Admiralty Reserves that are not coastal public property and any land inundated by a 1:50-year storm or flood (RSA, 1989). There are however some provisions in order to justify certain adjustments to this zone.

The coastal protection zone is established to manage, regulate and restrict the use of land that is adjacent to coastal public property, or that plays a significant role in the coastal ecosystem. It is also designed to protect people, property and economic activities from risks arising from dynamic coastal processes, including the risk of sea-level rise.

Coastal protected area

A protected area (as defined in Section 9 of the NEM:PAA), is an area that is situated wholly or partially within the coastal zone and that is managed by, or on behalf of an organ of state, but excludes any part of such a protected area that has been excised from the coastal zone (RSA, 2003). Please refer to Annexure C for all protected areas, reserves etc. in the Garden Route management area.

The seashore

The area between the low-water mark and the high-water mark.

The high-water mark

The highest line reached by coastal waters, but excluding any line reached as a result of exceptional or abnormal floods or storms that occur no more than once in ten years or an estuary being closed to the sea.

The low-water mark

The lowest line to which coastal waters recede during spring tides.

The littoral active zone

Any land forming part of, or adjacent to, the seashore that is unstable and dynamic as a result of natural processes, and characterized by dunes, beaches, sand bars and other landforms composed of unconsolidated sand, pebbles or other such material which is either un-vegetated or only partially vegetated.

An estuary

A body of surface water that is part of a water course that is permanently or periodically open to the sea in which a rise and fall of the water level as a result of the tides is measurable at spring tides when the water course is open to the sea or in respect of which the salinity is measurably higher as a result of the influence of the sea. The upper limit is measured as a line 100 m above the upper extent of the River-Estuary Interface (REI).

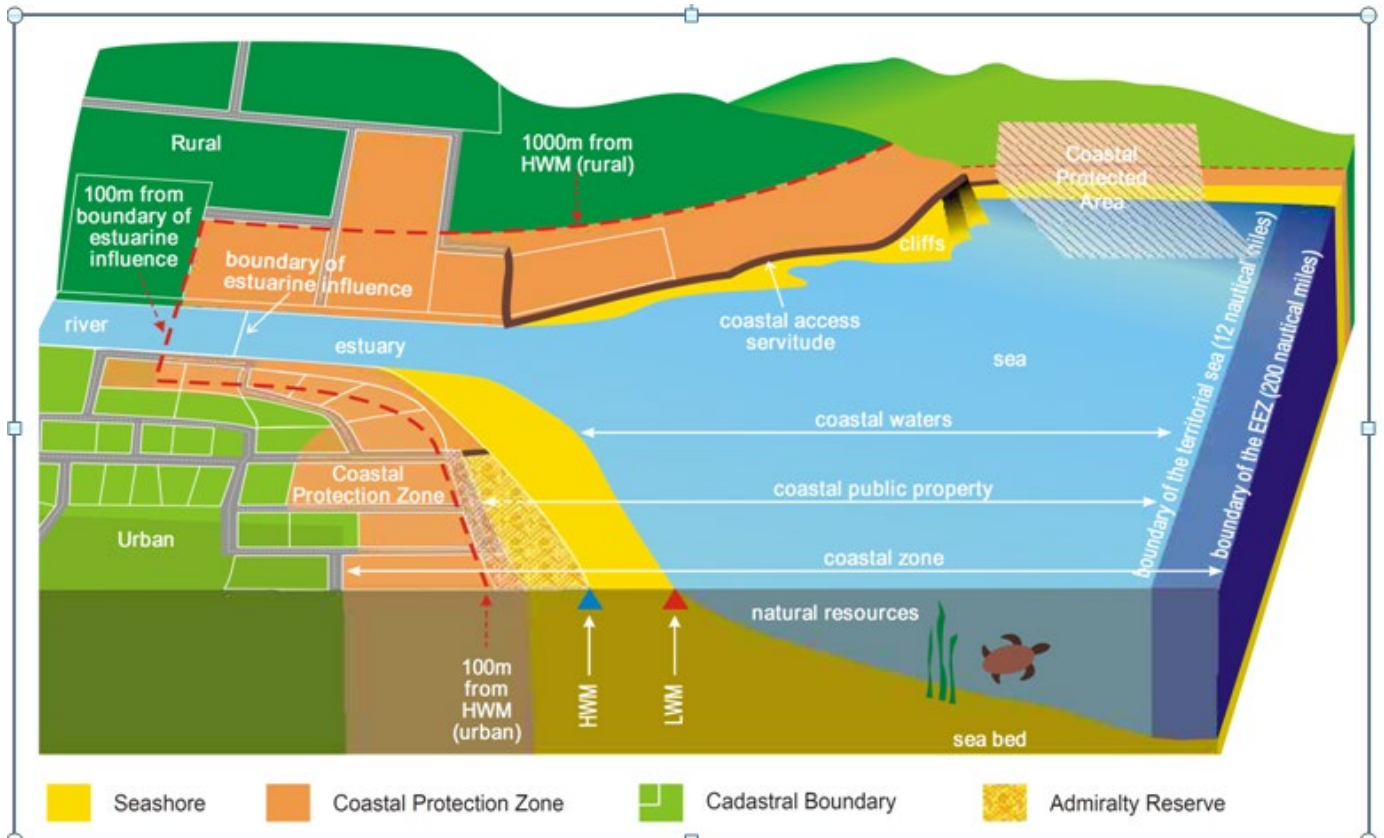


Figure 1: A detailed schematic of the coastal zone (Celliers *et al.*, 2009).

Special management areas

May be wholly or partially within the coastal zone, and may be declared only if environmental, cultural or socio-economic conditions in that area require the introduction of measures which are necessary in order to more effectively attain the objectives of the CMP, facilitate the management of coastal resources by a local community, promote sustainable livelihoods for a local community or conserve, protect or enhance coastal ecosystems and biodiversity in the area.

2. GARDEN ROUTE DISTRICT COASTAL MANAGEMENT PROGRAMME

2.1 The Coastal Management Area

The coastline of the Garden Route District stretches from the Bloukrans River in the east to the Breede Estuary (Witsand) in the west and comprises five local, category B municipalities, namely (from east to west) Bitou, Knysna, George, Mossel Bay and Hessequa (Figure 1). The area under immediate consideration will extend inland of the high water mark (HWM) to the extent of the coastal protection zone and seawards to the extent of Municipal jurisdiction or responsibility (i.e. a few hundred meters in most instances). Coastal management issues that are relevant to areas further offshore will fall under the jurisdiction of Provincial or National CMPs, and either SANParks or CapeNature in the case of MPAs, and will be denoted as such. However, instances where Municipal cooperation and capacity can assist in the implementation of management actions beyond their jurisdiction will be included in this CMP.

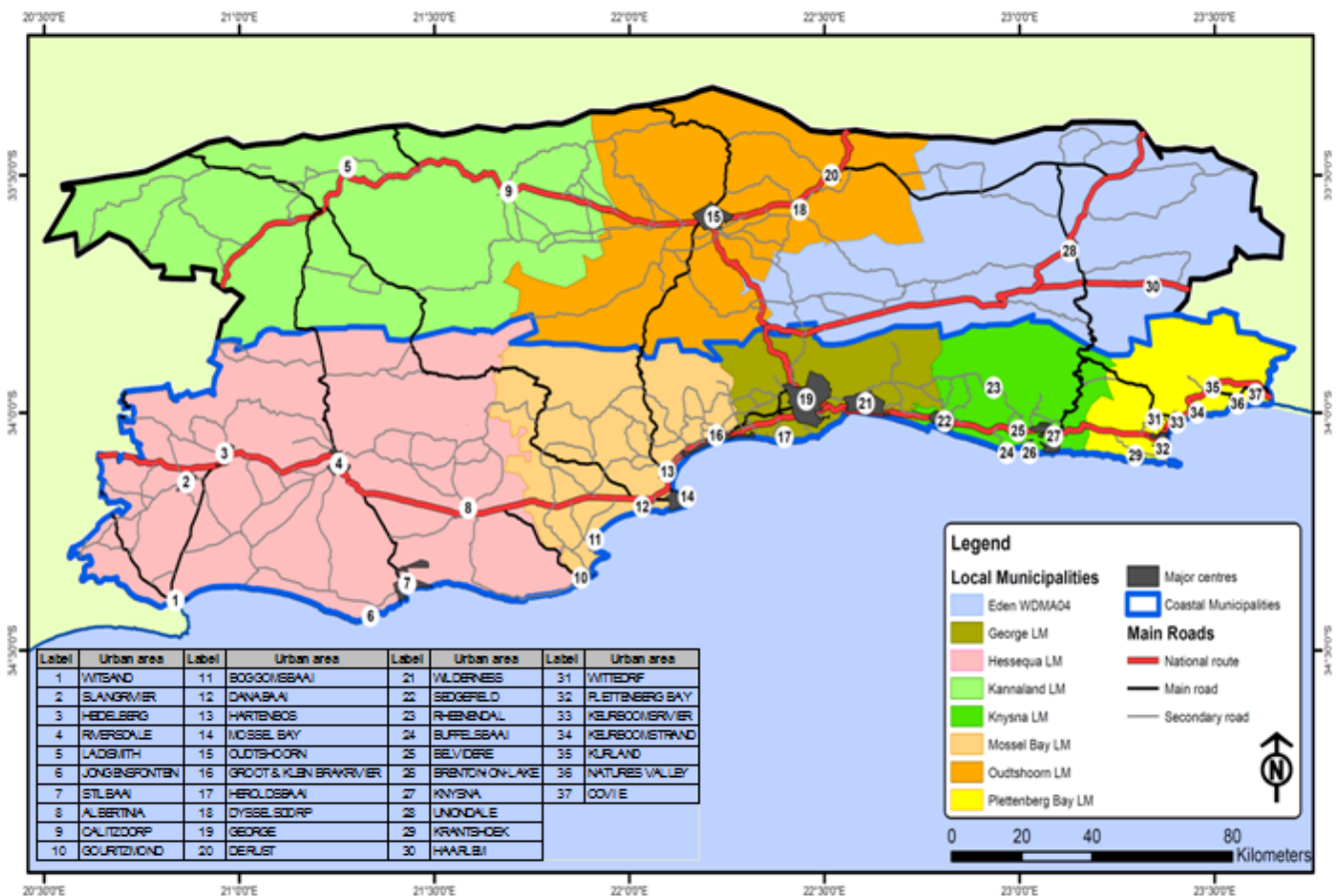


Figure 2: A detailed map of the Garden Route district, showing the coastal municipal areas.

2.2 Structure of the Coastal Management Programme

The main report for the Garden Route District CMP has been kept as concise as possible; initially this will facilitate the review process by stakeholders and ultimately provide managers with a more user-friendly document. Chapter one provides a brief introduction to CMPs in general and places the Municipal CMP in context; it also provides a description of the many zones or management areas that are relevant to CMPs as defined in the ICM Act. Chapter 2 outlines the Vision for the Garden Route CMP and describes the Coastal Management Objectives, which need to be achieved in order to realize the Vision. Chapter 3 outlines the alignment of this CMP with the Provincial and National strategies, programmes and initiatives. The core of the CMP is Chapter four, where priority coastal management action plans are identified, and strategies are described that will guide and facilitate their implementation.

The more detailed information that have been used to describe the CMP area and to inform some of the strategies described in Chapter 4, are provided in Annexures A - C. The contact details for organs of state and key role players and organizations are provided in Annexure D. Lastly, all GIS generated maps are provided separately as Annexure E.

2.3 The Coastal Management Programme Vision

The Vision for the Garden Route District CMP should be inspirational, representing a higher level statement of strategic intent. A Vision has been developed for this CMP based on previous stakeholder inputs during a series of workshops that were held across the Garden Route District from 10 to 17 April 2012 and 30 July to 10 August 2012. However, considering the impacts of climate change and related variability, this review revised the Vision a bit to include the concepts of “*adaptive coastal management*” and “*sustainability*”, as can be seen in the revised Vision below:

The Garden Route District Coastal Vision
Adaptive coastal management for a future of sustainability, prosperity, awareness, responsibility, equality, natural beauty and abundance.

We strive to pursue and attain this Vision through:

- innovative and adaptive management;
- integrated and cooperative governance;
- interventions that ensure the sustainable functioning and enhancement of natural systems;
- ventures that optimize economic and social benefits;
- ensuring reasonable and equitable access to the coastal zone for all citizens;
- programmes which protect our diverse cultural heritage and sense of place;
- initiatives aimed at increasing awareness through education, and;
- nurturing an environment that promotes the spiritual well-being of all.

2.4 The Coastal Management Objectives

According to Section 49 (2b) of the ICM Act, a Municipal CMP must include coastal management objectives for the coast within the jurisdiction of the municipality. These objectives stem from the ideals stated in the Vision and in turn will comprise the priority issues that will be addressed via the implementation of strategies. The successful implementation of strategies will help achieve the objectives and ultimately make the Vision a reality.

Coastal management objectives (CMOs) were developed during the series of workshops across Garden Route from 10 to 17 April 2012. There initial list of nine CMOs was expanded to a total of 13 (see Sections 2.4.1 to 2.4.13) after stakeholders agreed that some that were previously listed as priority issues were significantly important to warrant being categorized as CMOs in their own right. The thirteen identified coastal management objectives are each discussed below:

2.4.1 Public Access (CMO 1)

Reasonable and equitable access to the coastal public property for all must be recognized as a basic human right and must be achieved without being to the detriment of the environment or infringing on the individual rights of people.

Public Access is seen as the highest priority issue in this CMP. All stakeholder workshops, without exception, highlighted this as their main concern. Access to the coastal public property is an inalienable right for all, and this CMP aims to address a situation that is becoming all too common, namely exclusion of the many for the select enjoyment of the few. Although access is desirable, it should not be to the detriment of the environment and other people's rights.

All known coastal access sites (excluding slipways) in the Hessequa, Mossel Bay, Knysna, Bitou and parts of George Municipalities is presented in Annexure E. Illegal access sites most often lead to erosion and damage to sensitive habitats and should not be tolerated.

A few of the coastal access land "hotspots" highlighted by stakeholders that should receive special attention include the seashore between Gouritsmond and Stilbaai, Keurboomstrand, Nautilus Bay, Pinnacle Point, Mossel Bay Golf Course and Dana Bay.

2.4.2 Infrastructure, Spatial Planning and Development (CMO 2)

Existing infrastructure and developments within the coastal zone must be maintained or upgraded (rehabilitated) so as to prevent degradation of the environment and all existing spatial planning strategies must be strictly enforced.

All future infrastructure and developments should be restricted to land already zoned for that purpose and no new zonings should be considered within the coastal protection zone. Future spatial planning strategies must consider the coastal protection zone as a no-go area for infrastructure or developments and setback lines must be determined as a matter of priority.

2.4.3 Biodiversity Protection, Conservation and Enhancement (CMO 3)

Biodiversity must, as a minimum, be protected and conserved through innovative spatial planning strategies, a network of protected & conservation areas, proactive management and the prevention of over exploitation. Ultimately, biodiversity should be enhanced through alien eradication, the reintroduction and nurturing of indigenous fauna and flora, as well as rehabilitation programmes (see Annexure C for Marine Protected Areas, Nature Reserves and estuaries).

2.4.4 Heritage Resources (CMO 4)

Heritage resources refers to any place or object of cultural significance to present communities and for future generations, and are considered to be a part of the National Estate (NHR Act – Chapter 1, Section 3). The diverse heritage resources of the Garden Route therefore needs to be recognized, protected and shared with all its people and visitors.

THE NATIONAL ESTATE (NHR Act; Chapter 1, Section 3)

- Places, buildings, structures and equipment of cultural significance;
- places to which oral traditions are attached or which are associated with living heritage;
- historical settlements and townscapes;
- landscapes and natural features of cultural significance;
- geological sites of scientific or cultural importance;
- archaeological and palaeontological sites;
- graves and burial grounds, including ancestral graves, royal graves and graves of traditional leaders, graves of victims of conflict, graves of individuals designated by the Minister by notice in the *Gazette*, historical graves and cemeteries and other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- sites of significance relating to the history of slavery in South Africa;
- movable objects, including objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens, objects to which oral traditions are attached or which are associated with living heritage, ethnographic art and objects, military objects, objects of decorative or fine art, objects of scientific or technological interest; and books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996).

Without limiting the generality of the subsections above, a place or object is to be considered part of the National Estate if it has cultural significance or other special value because of —

- Its importance in the community, or pattern of South Africa's history;
- its possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage;
- its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- its importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- its strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- its strong or special association with the life or work of a person, group or organization of importance in the history of South Africa; and
- sites of significance relating to the history of slavery in South Africa.

2.2.5 Disaster Management (CMO 5)

Disaster management must be implemented in a coordinated manner that involves all role players to ensure the health and safety of people, the integrity of property and infrastructure and the maintenance of ecosystem functioning.

Disaster Management Act (Act 57 of 2002)

Excerpts from Sections 52 and 53 – Disaster Management Plans

Each municipal entity indicated in the national or the relevant provincial or municipal disaster management framework must -

- (a) prepare a disaster management plan setting out -
 - (i) the way in which the concept and principles of disaster management are to be applied in its functional area;
 - (ii) its role and responsibilities in terms of the national provincial or municipal disaster management frameworks;
 - (iii) its role and responsibilities regarding emergency response and post disaster recovery and rehabilitation;
 - (iv) its capacity to fulfill its role and responsibilities;
 - (v) particulars of its disaster management strategies; and
 - (vi) contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies;
- (b) co-ordinate and align the implementation of its plan with those of other organs of state and institutional role-players; and
- (c) regularly review and update its plan.

A disaster management plan for a municipal area must –

- a. form an integral part of the municipality's integrated development plan;
- b. anticipate the types of disaster that are likely to occur in the municipal area and their possible effects;
- c. place emphasis on measures that reduce the vulnerability of disaster-prone areas, communities and households;
- d. seek to develop a system of incentives that will promote disaster management in the municipality;
- e. identify the areas, communities or households at risk;
- f. take into account indigenous knowledge relating to disaster management;
- g. promote disaster management research;
- h. identify and address weaknesses in capacity to deal with possible disasters;
- i. provide for appropriate prevention and mitigation strategies;
- j. facilitate maximum emergency preparedness; and
- k. contain contingency plans and emergency procedures in the event of a disaster, providing for -
 - (i) the allocation of responsibilities to the various role-players and co-ordination in the carrying out of those responsibilities;
 - (ii) prompt disaster response and relief;
 - (iii) the procurement of essential goods and services;
 - (iv) the establishment of strategic communication links;
 - (V) the dissemination of information; and
 - (vi) other matters that may be prescribed

2.4.6 Water Quality and Quantity (CMO 6)

Organs of state must cooperate to ensure that water resources are managed in such a way as to ensure a clean and healthy environment that supports ecosystem functioning and the safety and well-being of all users.

2.4.7 Institutional Arrangements (CMO 7)

The CMP must be implemented cooperatively and effectively by all spheres of government and civil society, through cooperation, increased capacity (personnel and awareness) and the prioritization of funds for coastal management.

2.4.8 Compliance and Enforcement (CMO 8)

Compliance with all legislation will be ensured through visible enforcement and made more effective via increased capacity, awareness and proactive interaction with stakeholders.

Compliance with, and enforcement of, legislation is key to achieving the coastal management objectives and therefore, ultimately the Vision for the Garden Route CMP.

The focus of this CMP will be the legislation for which Municipal entities have a mandate, i.e. predominantly by-laws, but with selected National and Provincial legislation (e.g. water quality under the NWA).

For the remaining legislation, it will be the mandate of National and Provincial organs of state and para-statal and this will be addressed in the respective National and Provincial CMPs.

2.2.9 Education and Awareness (CMO 9)

The value of the Garden Route district environment and its people must be communicated at all levels of basic education and within communities, and a culture of learning, cooperation and sense of ownership fostered between organs of state and civil society.

2.4.10 Economic Development (Job Creation) (CMO 10)

Confidence and an enabling environment must be created in the Garden Route district in order to attract private investors and government programmes to boost the economy, create jobs and raise the profile of the area; all within a framework that preserves the integrity of Garden Route's environment and its people.

2.4.11 Tourism and Recreation (CMO 11)

The Garden Route should be recognized as the jewel of the Western Cape, and all the tourism and recreational opportunities should be pursued in a way that contributes to the enjoyment of all its users, a culture of environmental awareness and a responsibility to promote the benefit of the local economy.

2.4.12 Sustainable Livelihoods (CMO 12)

Manage existing subsistence activities and promote additional opportunities in a way that ensures compliance with legislation and responsible utilization of resources.

2.4.13 Research (CMO 13)

All management interventions need to be informed through scientific research aimed at addressing Garden Route-specific, and not generic, issues and challenges. Tertiary-based research should be encouraged to provide a better understanding of the Garden Route environment, its people and their interaction.

3 PROVINCIAL AND NATIONAL IMPLEMENTATION ALIGNMENT

3.1 Climate Change and Coastal Management

Climate change threatens coastal areas, which are already stressed by human activity, pollution, invasive species, and storms. Sea level rise could erode and inundate coastal ecosystems and eliminate or greatly degrade estuarine systems. Warmer and more acidic oceans are likely to disrupt coastal and marine ecosystems. Climate change and sea-level rise due to human emissions of greenhouse gases is expected to accelerate through the 21st Century. Even given substantial reductions in these emissions, sea-level rise will probably be significant through the 21st Century and beyond. This poses a major challenge to long-term coastal management. Climate change will produce problems that have not been faced previously, and solutions need to be reconciled with the wider goals of coastal management. An adaptive coastal management strategy which includes proactive planning is necessary.

The Western Cape province experiences drought and flood events with significant adverse impacts (Pasquini, Cowling, and Ziervogel, 2013). Historically the province has been the most disaster prone in the country (Western Cape Government, 2015). Increased temperatures in the future are certain for the Western Cape (Western Cape Government, 2015). Rainfall projections are less certain, some projections reveal increased while others reveal decreased rainfall in the future, decreased rainfall has the most adverse impacts in comparison to increased rainfall (Western Cape Government, 2015).

This Garden Route District Coastal Management Programme is aligned with the Provincial Climate Change Response Strategy and Action Plan, which places a lot of emphasis on adaptation to allow for developmental priorities (DEA&DP, 2014). It is also aligned with the National Climate Change Response White Paper (NCCRWP, 2011), which is geared to strategically direct and mainstream climate change actions and related issues throughout relevant Provincial transversal agendas.

Table 1 below is a summary of the key climate change impacts in the province as outlined in the Provincial Climate Change Response Strategy and Action Plan climate for the Western Cape.

Table 1: Climate change impacts for the Western Cape Province (DEA&DP, 2014).

Change to climate variable	Vulnerability Details
Higher mean temperatures	<ul style="list-style-type: none"> Increased evaporation and decreased water balance; Increase wild fire danger (frequency and intensity).
Higher maximum temperatures, more hot days and more heat waves	<ul style="list-style-type: none"> Heat stress on humans and livestock; Increased incidence of heat-related illnesses; Increased incidence of death and serious illness, particularly in older age groups; Increased heat stress in livestock and wildlife; Decreased crop yields and rangeland productivity; Extended range and activity of some pests and disease vectors; Increased threat to infrastructure exceeding design specifications relating to temperature (e.g. traffic lights, road surfaces, electrical equipment, etc.); Increased electric cooling demand increasing pressure on already stretched energy supply reliability; Exacerbation of urban heat island effect.
Higher minimum temperatures, fewer cold days and frost days	<ul style="list-style-type: none"> Decreased risk of damage to some crops and increased risk to others such as deciduous fruits that rely on cooling period in autumn; Reduced heating energy demand; Extended range and activity of some pests and disease vectors; Reduced risk of cold-related deaths and illnesses.
General drying trend in western part of the country	<ul style="list-style-type: none"> Decreased average runoff, stream flow; Decreased water resources and potential increases in cost of water resources; Decreased water quality; Decrease in shoulder season length threatening the Western Cape fruit crops; Increased fire danger (drying factor); Impacts on rivers and wetland ecosystems.
Intensification of rainfall events	<ul style="list-style-type: none"> Increased flooding; Increased challenge to stormwater systems in urban settlements; Increased soil erosion; Increased river bank erosion and demands for protection structures; Increased pressure of disaster relief systems; Increased risk to human lives and health; Negative impact on agriculture such as lower productivity levels and loss of harvest.
Increased mean sea level and associated storm surges	<ul style="list-style-type: none"> Salt water intrusion into ground water and coastal wetlands; Increased storm surges leading to coastal flooding, coastal erosion and damage to coastal infrastructure; Increased impact on estuaries and associated impacts on fish and other marine species.

The provincial climate change strategy also lists a number of priority responses in each of the sectors, of which coastal and estuary management was identified as a key sector. Table2 is an excerpt taken from their strategy.

Table 2: An excerpt of the Provincial Climate Change Strategy, indicating coastal and estuary management as a key sector.

Coastal and Estuary Management	<ul style="list-style-type: none"> • Establishment of coastal hazard overlay zones and setback lines; • Research best practice regarding responding to repeated coastal inundation in high risk areas; • Protecting and rehabilitating existing dune fields as coastal buffers / ecological infrastructure; • Monitor possible linkages between climate change and fisheries industry; • Ensure Estuary Management Plans take cognisance of climate change.
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There is an unequivocal scientific consensus that increases in greenhouse gases in the atmosphere drive warming temperatures of air and sea, and acidification of the world's oceans from carbon dioxide absorbed by the oceans (Tobey, *et al.*, 2010). The changes in turn induce shifts in precipitation patterns, sea level rise, and more frequent and severe extreme weather events (e.g. storms and sea surge). All of these impacts are already being witnessed in the world's coastal regions and are projected to intensify in years to come. Taken together, these impacts are likely to result in significant alteration of natural habitats and coastal ecosystems, and increased coastal hazards in low-lying areas. They affect fishers, coastal communities and resource users, recreation and tourism, and coastal infrastructure (Tobey, *et al.*, 2010).

3.1.1 Implementing Actions Towards Coastal Climate Change Adaptation

As the coast changes and options are considered in response to the cross-cutting pressures caused by these changes, which are also expected to be exacerbated by climate change, the Garden Route district needs to apply a multi-disciplinary approach in resolving, and adapting to such challenges. Natural systems such as wind, wave action, long shore sand transport, erosion and accretion, and storm action are powerful systems that must inform and guide coastal development and ancillary opportunities. The determination of the most appropriate and sustainable course of action for addressing coastal erosion and storm surges requires sensitive navigation through the multiple and often conflicting interests of the various stakeholders, including private developers, property owners, government officials (across all three spheres), beach users, civil society and environmental pressure groups.

The Garden Route district is committed to make decisions, and take actions, around the protection of coastal, marine and estuarine resources as well as essential coastal dynamic processes by:

- Ensuring the healthy functioning of coastal ecosystems by strengthening the natural defenses that protect people and coastal systems, such as the protection of sand dunes, sea grass, estuaries and beaches are physical buffers.
- Ensuring that the extraction and use of natural resources do not compromise the sustainability of vital coastal ecosystems. Reducing or eliminating non-climate stresses and unfavorable trends helps to achieve functional ecosystems that are more resilient to climate change and variability.

- Ensuring that illegal sand and gravel mining in coastal riverbeds, estuaries and beaches is stopped.
- Ensuring that marine fisheries are healthy and resilient to climate change, by reducing overfishing and destructive fishing thereby strengthening fish populations and restoring fish habitats.
- Restricting and/or eliminating industrial fishing vessels from operating within 15 km of the coast;
- Ensuring that coastal, marine and estuarine ecosystems are functioning and healthy. Functional ecosystems provide goods and services that are important to human society in the face of climate change (storm protection, flood mitigation, shoreline stabilization, erosion control, water storage, groundwater recharge, and retention of nutrients, sediments and pollutants).
- Reducing estuarine pollution and securing a safe breeding habitat for marine and estuarine species.
- The identification of coastal locations that are more stable during periods of global climate change which can serve as Marine Protected Areas, thereby offering a refuge for stressed species coming from the neighbouring vulnerable areas.
- Ensuring that the required estuarine freshwater inflows for estuaries are upheld in order to maintain the environmental flow requirements.
- That coastal development strictly comply with the defined coastal management setback lines as developed by DEA&DP for the Garden Route district;
- Implementing active disaster risk management and preparedness actions to reduce the risks to human health and safety as well as coastal ecosystem degradation from natural hazards such as storm surges, flooding, gale force wind, amongst others.
- Apply a consistent, cautious and, risk averse approach in responding to the pressures caused by coastal erosion and storm surges;
- Favour soft engineering approaches over hard engineering solutions where possible;
- Require all new coastal developments and changes to existing developments to incorporate mitigation of and/or adaptation to coastal climate change impacts as part of their approval process;
- Ensure that coastal defenses to protect private property from the threat of coastal erosion is compliant with the relevant legislation;
- To not approve coastal defense structures if such structures will compound risk to the coastal environment or its residents into the future;
- To retain the option of managed retreat over defense;
- Requiring that coastal defenses be proven to reduce risk prior to being approved;
- Favouring coastal defenses which are reversible, flexible, do not negatively impact on sense of place or aesthetics, and have other positive knock-on effects, and
- Undertaking a broadly consultative process with the public when deciding on coastal, marine or estuarine defense interventions.

A key challenge that emerges is the need for improved impact and vulnerability assessments that is relevant to coastal management needs. This should include the consequences of sea-level rise and the impact of climate change on coastal areas. This will require continued development of broad-scale assessment methods for coastal management. It is also important to assess coastal adaptation and management as a process rather than just focus on the implementation of technical measures. Lastly, the uncertainties of climate change suggest that coastal management should have

explicit goals, so that its success or failure should be regularly monitored and the management approach adjusted as appropriate.

Coastal management needs to be practiced as an inclusive, strategic and adaptive process for assessment of climate change risks, planning, securing commitment and funding, implementation, and evaluation. Systematic knowledge gathering, continued learning and understanding plays a major role in guiding the wise use of coastal resources, resolving human-induced problems, and improving governance systems.

3.2 Coastal Access

Coastal access development along the Garden Route district coast can result in valuable spaces which should serve as central points of economic, social, cultural, spiritual, educational and recreational experience, instead of becoming informally privatized space which is limited to a few. Conversely, uncontrolled or informal access to the coast is one of the primary contributors to dune erosion and disturbances of sensitive ecosystems, ultimately compounding risk from coastal processes. A core focus of the Garden Route district is therefore to ensure equitable access for all by ensuring ease of access to its coastline, whilst also ensuring that this access is regulated, organized and controlled in a manner that does not detract from; or negatively impact on; the coastal environment.

The Garden Route district formally designated Public Coastal Access Land at appropriate locations along the length of its coastline in accordance with the ICM Act. It also commits to ensuring lateral coastal public access by regulating the encroachment of private property into coastal public open space. The district identified and formalized all public access points along the length of its coastline, and ensured that the points are appropriately distributed to facilitate public access for all.

3.2.1 Legislative Context of Coastal Access

Access to the coast is regulated primarily through the National Environmental Management: Integrated Coastal Management Act (24 of 2008) (ICM Act). The ICM Act requires that coastal municipalities designate strips of land as coastal access land (CAL), and also sets out the responsibilities of municipalities with regard to CAL. These responsibilities include the following:

- 1) *“signpost entry points to that coastal access land;*
- 2) *control of the use, and activities on, that land;*
- 3) *protect and enforce the rights of the public to use that land (to gain easy and equitable access to coastal public Property);*
- 4) *maintain that land so as to ensure that the public has access to the relevant coastal public property, including parking areas, toilets, boardwalks and other amenities, taking into account the needs of physically disabled persons;*
- 5) *ensure that the provision and use of coastal access land, and associated infrastructure, do not cause adverse effects on the environment;*

- 6) *remove any public access servitude that is causing or contributing to adverse effects that the municipality is unable to prevent, or to mitigate, adequately;*
- 7) *describe, or otherwise indicate, all coastal access land in any municipal coastal management programme and in any municipal spatial development framework prepared in terms of the Municipal Systems Act;*
- 8) *perform any other actions that may be prescribed, and;*
- 9) *report to the MEC within two years of the Act coming into force on the measures taken to implement this section” (DEA, 2008:38).*

With increasing climatic changes and variability, unprecedented population growth and development, and tourist numbers within coastal cities, it is vital that coastal access is sufficient and easily available to all who wish to enjoy this natural public resource. There is however still a wide tendency of private residents, communities, and tourism facilities such as hotels, etc., to inhibit or deny equitable access for all to some coastal areas along the coastline. The National White Paper for Sustainable Coastal Development (DEAT, 2000), detailed the national intent to address this challenge and details specific management goals as follows:

- *“to ensure that the public has the right of physical access to the sea, and along the sea shore, on a managed basis;*
- *to ensure that the public has the right of equitable access to the opportunities and benefits of the coast, on a managed basis;*
- *to preserve, protect or promote historical and cultural resources and activities of the coast, and;*
- *to ensure that the State fulfils its duties as the legal custodian of all coastal State assets on behalf of the people of South Africa”.*

The above goals were later enacted via the ICM Act, with Municipalities being assigned the responsibility of designating coastal access land and managing coastal access. Since then the National Department of Environmental Affairs have prepared both “A National Strategy for the Facilitation of Coastal Access in South Africa” (DEA, 2014a) and “A Step-by-Step Guide for the Designation and Management of Coastal Access in South Africa” (DEA, 2014b). As per the National Strategy for the Facilitation of Coastal Access (DEA, 2014a), there are two management objectives for the provision of coastal access and the designation of coastal access land, which are as follows:

- Objective 1: Opportunities for public access must be provided at appropriate coastal locations in context of the environment and social opportunities and constraints, and;
- Objective 2: Public access must be maintained and monitored to minimize adverse impacts on the environment and public safety and to resolve incompatible uses.

Part of the strategic planning also involves the inclusion of these objectives relating to coastal access in the district, within this Garden Route District Coastal Management Programme (CMP).

Amendments to the ICM Act in 2014, while not reflected in the National Policy documents, are included and reflected on in the draft Western Cape Provincial Coastal Access Strategy and Plan, 2017, (DEA&DP, 2017). The 2014 amendments to the ICM Act now afford the Member of the Executive Council (MEC), followed by the Minister,

the authority to intervene and designate coastal access land should a municipality fail to do so. It also amends certain provisions clarifying the nature of the public servitude and the matter of access fees. Most importantly is the inclusion of a clause stating that *“no person may prevent access to or use of coastal public property subject to certain prohibitions or restrictions”*. The restrictions cover issues such as access in protected areas, protecting the environment or when in the interests of the whole community, or in cases of national security or in the national interest.

3.2.2 The Garden Route District Coastal Access Audit and Report

As part of a project undertaken by the Western Cape Government: Department of Environmental and Development Planning (DEA&DP) to determine coastal management lines, as well as the development of setback lines (coastal management lines (CML's)), for the Garden Route district, a coastal audit was done to assess the existing and historic coastal access land, and admiralty reserves, within district. This was in support and collaboration with the Garden Route District Municipality (GRDM), as well as five of its local coastal municipalities along its coastline, namely the Hessequa, Mossel Bay, George, Knysna and Bitou local municipalities. All of these municipalities contributed actively to the audit, and facilitated the piloting of the municipal requirement as included in the draft Western Cape Provincial Coastal Access Strategy and Plan (2017). This audit consisted of two main components, namely the development of an overview document, namely the “Coastal Access Audit Report for the Garden Route District” (2017), as well as a geographic database and GIS shape file identifying current formal and informal coastal access areas.

The Garden Route district audit report reiterated that the ICM ACT entrenches the right of reasonable access to coastal property. The report ensures that these access points are maintained in perpetuity, in contrast to situations where coastal access areas are closed off, or where access is denied, or only for limited persons. The report made it clear that the right to coastal public property refers only to pedestrian access, as vehicular access is prohibited in terms of the ICM ACT: ORV Regulations. In general, DEA&DP conducted a careful assessment of suitable coastal access areas, and did not condone or permit coastal access areas which will to the detriment of the environment.

3.2.3 Approach of the Coastal Access Audit

The approach taken by the Garden Route district coastal access audit included the following strategies, amongst others (DEA&DP, 2017):

- Using previous coastal access identification projects as a basis, identify and assess the condition of all existing coastal access points and their typologies;
- Identify the need for any new access points;
- Highlight any points that are subject to conflict for the attention of the municipality;
- Map the access points in Google Earth as drafts for distribution to stakeholders, and transferred to GIS upon finalisation;
- The classification and findings to be verified by stakeholders.

The audit included the categorization of different coastal access zones, which included the: 1) access in conflict zones; 2) restricted access zones; 3) vehicular access zones; 4) pedestrian access zones; 5) access in Proclaimed protected areas; and 6) no formal access zones as can be seen in Table 3, taken from the Garden Route District Coastal Access Audit Report (DEA&DP, 2019).

Table 3: The categorization of different coastal access zones, as in the Garden Route District Coastal Access Audit Report.

Colour	Characterisation	Action by Municipality
Access in conflict	Conflict area (an area of conflict identified in the stakeholder workshops or via written submissions). This can be conflict uses, historic access now denied or other conflict. <u>Private property through which public access is specifically prohibited falls in this category.</u>	Resolve conflict
Restricted Access	<p>Restricted Access. These are areas where entrance is restricted. This can include the need to:</p> <ul style="list-style-type: none"> • Obtain a permit; • Pay an entrance fee; or • Contact the landowner for permission to access the CPP <p>It also includes areas where private residences abut the CPP between the shoreline and public road thus preventing access by virtue of their location.</p> <p>This will include private property and private reserves. <u>It will also include private properties where right of public access could not be determined in the scope of this study and no signage was in evidence indicating how and where public access was possible.</u></p> <p><i>This characterisation implies that the access is not assured, and can be denied/ blocked.</i></p>	Ensure that coastal access conditions of approval are upheld and that public coastal access does not become limited by landowner actions or change of ownership. If this occurs, the characterisation changes to conflict. Ensure that public access is adequately signposted with any associated entrance details
Vehicle access	Vehicle Access. Vehicle access is possible to the Coastal Public Property (CPP) but not necessarily to the beach itself. This may or may not include formalised parking areas. Pedestrian access is unrestricted thereafter. The presence of these roads ensure long term coastal access.	Maintain roads and other infrastructure which permits vehicle coastal access. Ensure there is adequate signage to direct public to the coastal access.
Pedestrian access	<p>Pedestrian access only. Vehicles are prevented from accessing the CPP but there is formal provision for pedestrian access e.g. boardwalks or hiking trails.</p> <p>For the most part walking longshore is possible. However, the distance that can be walked is dependent on the level of fitness and mobility of the pedestrian and the terrain. For this reason, this was NOT categorised as pedestrian access – only areas where there is specific provision for pedestrians. The presence of the infrastructure ensures long term coastal access.</p>	Maintain infrastructure which permits pedestrian coastal access. Ensure there is adequate signage to direct public to the coastal access.

Access in Proclaimed reserves	<p>Sites in proclaimed reserves.</p> <p>These are formally proclaimed reserves (in terms of the National Environmental Management: Protected Areas Act No. 57 of 2003 as amended), entry being controlled by booms or gates or requiring an access fee or permit.</p> <p>They do, however, guarantee long term coastal access rights. Private reserves can be de-proclaimed but this will involve a transparent process in which the municipality can express the need for coastal access as required.</p>	<p>No action required if another state department is responsible. If is a municipal reserve-maintain reserve. A watching brief must be maintained in case any private reserves initiate a process to de-proclaim their status as a reserve.</p>
No formal access	<p>No formal access- there are no formal provisions for direct coastal access, this category will frequently be used where there are steep cliffs or dense vegetation making even pedestrian access impossible. This category is commonly found in remote areas between towns.</p>	<p>No action required as access is impractical.</p>

These zones were identified in collaboration and consultation with the Garden Route District Municipality, as well as the five local coastal municipalities along its coast. The information was gathered during workshops and consultation and commenting opportunities for all stakeholders within the Garden Route district. A template was also designed by DEA&DP where information regarding each identified zone, as well as its specific characteristics, environmental sensitivity and priority could be captured.

3.2.4 Recommended Coastal Access Implementation Actions

Within this Garden Route District Coastal Access Report, the following recommendations were identified (DEA&DP, 2017):

- An excessive amount of access paths exist in certain areas and consideration needs to be given to consolidating such accesses
- All effort should be made to resolve disputes related to historical access
- Discussions should be held and an agreement entered into between the Department of Public Works, the Surveyor General and the Western Cape Government in respect to:
 - The alienation / sale of state land / coastal public property including Admiralty Reserve;
 - Support of the alteration of curvilinear boundaries to straight lines and the implications this has in respect to restricting public access;
 - Future control and management of coastal public property and Admiralty Reserve;
 - The potential to enter into agreements with land owners to share responsibility for the management and maintenance of such land;
- Provision should be made to allow access by subsistence fishermen using agreed access routes (and not informal routes) however agreements need to be entered into with such fishermen in respect to their actions in respect to private property which should be enforceable

- Ensure inclusion of provision of public coastal access in all gated communities uniformly;
- Investigate reported unsafe public access and formalise to ensure public safety, for example, Fisherman's path in Wilderness East which is reportedly dangerous due to its steepness and height above sea level
- As per the draft Western Cape Coastal Access Strategy minimum requirements for Designated Coastal Access Sites/ Routes in terms of ICM Act should be as follows:
 - a) signpost entry points to that coastal access land;
 - b) control the use of, and activities on, that land;
 - c) protect and enforce the rights of the public to use that land to gain access to coastal public property;
 - d) maintain that land so as to ensure that the public has access to the relevant coastal public property;
 - e) where appropriate and within its available resources, provide facilities that promote access to coastal public property, including parking areas, ablutions, boardwalks and other amenities, taking into account the needs of physically disabled persons;
 - f) ensure that the provision and use of coastal access land and associated infrastructure do not cause adverse effects on the environment.

The products emanating from the Western Cape: Department of Environmental Affairs and Development Planning's (DEA&DP) Garden Route Coastal Access Audit comprise both spatial information, as well as guidelines that will assist Municipalities with identifying, categorising and prioritising areas where municipal intervention may be required to facilitate public access to the coast. These reports must therefore be used to inform the development and/or review of Municipal Spatial Development Frameworks, to comply with Section 21(j) of the Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013) ("SPLUMA") pertaining to coastal access strips, as well as to inform the development and/or reviews of the Municipal Integrated Development Plans ("IDPs").

To access and download the Garden Route Coastal Access audit reports and GIS maps, please use the following link below:

[Garden Route Coastal Access Audits_Uploaded_2020.zip](#)

The audit reports are also available on the Department's website. For additional spatial data, it can be requested from the Department's GIS Component, via the following contact details:

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3.3 Coastal Management Lines

The predicted impacts of climate change, and the associated intensification of risk, requires that there is a fundamental shift in the manner in which decisions are made in relation to the coast. Decision making needs to adopt a more risk averse approach, where the complex relations between coastal processes, infrastructure and risk management are taken into account. There are multiple approaches that can be used to manage the coast as a dynamic and risk space. A key approach however is the development of coastal management, or development setback, lines.

The purpose of the development of coastal management lines is to demarcate a zone along the shore seawards of which intensification of development should not be allowed. Within this restricted development area, a range of development controls may be imposed as relevant to the nature of the risks or sensitivities present. For example, where a site is exposed to erosion risk, development should either not be allowed, or alternatively allowed only in a form that will accommodate the possibility of wave impact, undermining etc. and not pose secondary risks to adjacent development (DEA&DP, 2018).

In general terms, coastal management lines are used as a planning mechanism to guide decision makers to more effectively regulate coastal development and to avoid risk from coastal hazards into the future. The focus of this regulation centres on the need to minimize the impact of development on sensitive coastal ecosystems, to retain and promote access to the coast, to prevent exposure of coastal property to risk from coastal processes, such as storm surges, coastal erosion, beach regression, migrating dune systems, and to retain the aesthetics and sense of place of the coastal space (DEA&DP, 2018).

Additionally, the management line is to be used as a ‘development set-back line’ as provided for in the Environmental Impact Assessment (EIA) regulatory scheme created under the auspices of the National Environmental Management Act, 1998 (Act 107 of 1998). Application of the regulatory controls associated with the lines will be the responsibility of either the Provincial Government (DSL) through the EIA regulatory scheme or the local authorities in the Garden Route district through means of the Land Use Planning Schemes (DEA&DP, 2018).

The establishment of a coastal management (or set-back) lines for coastal municipalities is a legal requirement in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICM ACT). As per Section 25 of the ICM ACT, coastal management lines must be established:

- *“to protect coastal public property, private property and private safety;*
- *to protect the coastal protection zone;*
- *to preserve the aesthetic values of the coastal zone;*
- *for any other reason consistent with the objectives of this Act; and*
- *prohibit or restrict the building, erection, alteration or extension of structures that are wholly or partially seaward of that coastal set-back line” (ICM ACT, 2008: 42).*

The Western Cape Government's Department of Environmental and Development Planning (DEA&DP) is under obligation to protect and preserve the inherent value of the Western Cape's coastal zone. This implies that it has the responsibility to arrest on-going degradation driven by uninformed decision-making or irresponsible development, whilst promoting development that is responsive to the dynamic nature and risks associated with the coastal zone. One of the key mechanisms through which this task is to be performed, is the delineation of coastal management lines, also known as set-back lines. The Department therefore delineated the coastal management lines for the Garden Route District, as per their "Coastal Management Lines for Garden Route District: Project Report of 2018". These lines demarcate areas along the shoreline that are considered either too risky for development (i.e. coastal processes pose a risk to properties or people), or considered sensitive from a social or biophysical point of view and therefore worthy of conservation and preservation.

The DEA&DP conducted a delineation process to determine a coastal management line for the Garden Route district, as per the provisions of the ICM Act. The following aspects were taken into consideration as part of the process (DEA&DP, 2018):

- Coastal risks such as long-term erosion trends;
- Sensitive coastal vegetation;
- Protected areas, and;
- Flood risks in estuaries

3.3.1 Use of the Coastal Management Lines

The use of coastal management lines is a particularly important response to the effects of climate change, as it involves both a quantification of risks and pro-active planning for future development. Although it cannot address historical decisions that have locked in development investment along potentially at-risk coastal areas, coastal management (set-back) lines can influence how existing development is maintained over time and how new development will be allowed to proceed. Furthermore, coastal management lines are a means to facilitate improved planning and management of sensitive and often vulnerable coastal areas.

The coastal management lines is an effective means to demarcate areas where authorities can prohibit or restrict the building, alteration or extension of structures that are either wholly or partly seaward of the CML. The main uses of coastal management lines are to (DEA&DP, 2018):

- protect coastal public property, private property and public safety
- determine features that should be protected under the coastal protection zone
- preserve the aesthetic values of the coastal zone
- To contribute towards a proposed management scheme for the Garden Route district,
- To ensure connectivity along the coastline,
- to protect the aesthetic value
- As a natural means of erosion protection.
- To serve as social buffers required along the coast, for example, allowance for public beach access through and along the coastal frontage, areas which have cultural significance and that will need to be preserved from development, or

heritage resources and historically sensitive locations that require specific management.

- To allow for economic requirements for the coast, for example, allowance for new beach facilities that will need to be placed closer than normal development to serve the public. Economic demands often require a trade-off against environmental aspects at a particular site.

3.3.2 Legislative Context of Coastal Management Line Development

The delineation of the Garden Route district coastal management lines was undertaken by DEA&DP in alignment with several legislative tools, which included the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008), National Environmental Management: Integrated Coastal Management Amendment Act (Act No. 36 of 2014)(together referred to as the 'ICM Act'), the National Environmental Management Act (Act No. 107 of 1998)(NEMA), NEMA Environmental Impact Assessment (EIA) Regulations, 2014, the Western Cape Provincial Coastal Management Programme, as well as the Western Cape Provincial Spatial Development Framework (PSDF). The process outcomes will also need to filter into municipal planning through Integrated Development Plans (IDP), Spatial Development Frameworks (SDF) and Land Use Management Schemes (LUMS). Amendments to the ICM Act now refer to 'coastal management lines' (CML) and not 'coastal set-back lines' to avoid continued confusion with the EIA regulatory scheme that refers to "*development set-back lines*" (DSL).

3.3.3 Coastal Management Line Development Methodology

The Department of Environmental Affairs and Development Planning's Coastal Management Lines delineation project differentiated between a coastal 'erosion' set-back and a development set-back, and described a methodology for the determination of a coastal processes/hazard line and a management line that combined the erosion and development set-backs. Two coastal set-back lines were therefore developed (DEA&DP, 2018):

- A physical process / hazard line to define the limit of the coastal area seaward of which any development is likely to experience unacceptable risk of erosion, flooding by wave action and/or unacceptable maintenance of wind-blown sand accumulations
- A management (limited/controlled development) 'set-back' line. This line is to define areas where some limited and/or controlled development could occur that accommodates requirements of biodiversity, heritage and other aspects not related directly to coastal processes. This line was situated on or landward of the hazard/coastal processes line

As detailed in the project terms of reference (TOR), the DEA&DP coastal management line development process for the Garden Route district included (DEA&DP, 2018):

- Developing an understanding of coastal risks and sensitivities present in the Garden Route District;

- Delineating:
 - A 1:10 yr High-water Mark (HWM);
 - Coastal risk zones for 20, 50 and 100 year horizons;
 - A CML;
 - An Environmental Impact Assessment (EIA) Development Set-back Line (DSL);
 - The Coastal Protection Zone (CPZ);
- Defining coastal overlay zones with associated development parameters;
- Undertaking a defined stakeholder engagement process related to the above; and
- Conducting a Coastal Access Audit, with recommendations on where to improve coastal access.
- Next, the physical process and geomorphological change parameters were matched to hydro-dynamic coastal modelling that determined the wave run-up characteristics component of the overall coastal risk zone.

3.3.3.1 Development of a Coastal Management Line

The Coastal Management Line (CML) was informed by the risk lines, but incorporate social, economic and administrative considerations in order to determine a realistic planning boundary. It also addresses the need to protect conservation areas and biodiversity hotspots, areas of heritage significance, current public access and amenity and landscape value / sense of place. The CML therefore demarcates the area seaward of current developments, the area below the projected hazard zone where no development has taken place, undeveloped littoral active zones and undeveloped areas below the 5m amsl / Estuarine Functional Zone boundary (DEA&DP, 2018).

3.3.3.2 Environmental Impact Assessment - Development Set-back Line

A development set-back line (DSL) is required for the purposes of the Environmental Impact Assessment (EIA) regulatory scheme. This line is a slight variation of the CML, specifically adding all high risk areas to the designated CML zone. This ensures that development within the high risk areas remain subject to EIA-based regulatory controls (DEA&DP, 2018).

3.3.3.3 Coastal Overlay Zones and Development Parameters

The different risk zones identified previously were used to designate general or specific coastal overlay zones, as was compatible with the Land Use Management Schemes of the affected local municipalities. An overlay zone is a regulatory land use management mechanism, designed to define and implement specific land use and development requirements to be applied over, or in addition to, the requirements of an existing base zoning applicable to land, without removing or modifying the underlying zone. Typically these guidelines could (DEA&DP, 2018):

- Promote a form of appropriate development;
- Require a limitation to or define additional land use types;
- Stipulate more or less restrictive development rules; or

- Identify specific development rules.

3.3.3.4 Coastal Protection Zone

In addition to the above, the combination of the risk zones, CML, DSL, the littoral active zone and other social, economic, environmental and heritage factors were used to define the Coastal Protection Zone (CPZ) as required by the Integrated Coastal Management Act, to “manage, regulate and restrict the use of land that is adjacent to coastal public property, or that plays a significant role in the coastal ecosystem”. This will serve as a refinement of the coarse “100m from the high-water mark of the sea” threshold currently applied in the NEMA EIA Regulations.

This zone was determined based on local sensitivities identified during the preceding steps such as long-term coastal processes risks, coastal vegetation, wetlands, estuaries and socio-cultural features. It includes developed areas where the projected erosion risk extends over existing developed areas, but where realistic planning horizons mean that development approvals are unlikely to be refused (DEA&DP, 2018).

The different lines, and the relevant risks or issues to be managed, are listed in Table 4 below.

Table 4: The different management lines and risk zones to be managed (DEA&DP, 2018).

Zone	Description	Development Controls to Apply
CPZ	Area seaward of the CPZ	No additional controls
CML	Area seaward of the CML and around development islands	<ul style="list-style-type: none"> • Prevent development transgressing the development boundary; • General development parameters to avoid insensitive development.
DSL	Area seaward of the DSL and around development islands	As per EIA listing notices
Risk Zones	<ul style="list-style-type: none"> • Medium term (50 year) erosion risk zone (built-up areas); • Long term (100 year) erosion risk zone (rural areas); • Area within 1:100yr floodline or below the 10m amsl contour around estuaries; • Littoral active zones. 	Development parameters specific to: <ul style="list-style-type: none"> • Encroachment; • Erosion risk; • Mobile sand; • Flooding; • Storm damage; • Public access; • Vegetation control; • Public amenities and infrastructure.

The schematic figure below indicates the areas within the flood risk zones of estuaries and littoral active zones (Figure 3).

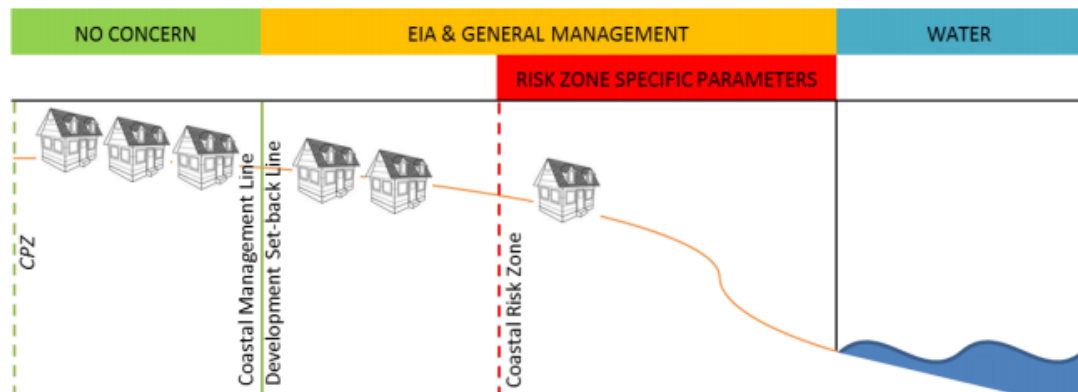


Figure 3: A schematic of the different development risk zones (DEA&DP, 2013).

The output of the above process was captured in a Coastal Management Lines (CML) project report developed by DEA&DP, which adds to the previously accepted processes/hazard line determination process. The report also include a discussion on possible ways in which the risk zones and various management lines can be used by authorities to manage coastal development, e.g. through municipal coastal overlay zones or the EIA process.

The CML report is accompanied by mapping products that spatially illustrate the various lines and zones, and can be accessed via the DEA&DP's Coastal Management viewer (please find the link to the viewer below):

<http://westerncapegov.maps.arcgis.com/apps/webappviewer/index.html?id=fdfc43db00224a6688cb964b47f713b0>

3.3.4 Implementation Actions Guided by Coastal Management Lines

General coastal management parameters which can be guided by the CML's (DEA&DP, 2018):

- Development and activities may not result in removal or destruction of vegetation which could either destabilize a primary or significant dune, or cause an adverse effect on the beach and dune system due to increased erosion.
- Development and activities may not result in structure-induced scour, or removal or disturbance of in situ sandy sediments of the beach and dune environment to such a degree that an adverse effect to the beach and dune system would result from either reducing the existing ability of the system to

resist erosion during a storm or lowering existing levels of storm protection to adjacent properties and structures.

- Development and activities may not affect natural processes in a manner that results in increased rates of erosion along the shoreline on either side of the development or activity.
- Existing coastal processes, including dune migration and littoral drift, should, where possible, not be impeded and indigenous vegetation must be maintained.
- Development and activities may not direct discharges of water or other effluent in a seaward direction in a manner that would result in adverse effects. The activity shall be designed so as to minimize erosion induced surface water runoff within the beach and dune system and to prevent additional seaward or off-site discharges.
- Development and activities may not result in a change in groundwater movement that significantly alters subsoil conditions, soil (sand) stability or vegetation seaward of the structure.
- Development and activities may not impede public access and/or accessibility to the coast, public amenity or public recreation.
- As per Section 28 of the National Environmental Management Act (Act 107 of 1998), all landowners, any person in control of land or premises or any person who has a right to use land or premises are obliged under a 'duty of care' to take appropriate measures to minimise or prevent pollution or degradation of the coastal environment during the execution of lawful activities.
- Decisions and actions related to the coastal zone must take a risk averse and cautious approach, which takes into account the limits of current knowledge about the consequences of decisions and actions, and which promotes the integrity of coastal ecological systems and functions.
- New structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations without breakaway walls, designed in a manner as to not impede the flow of flood waters or wave action, and reduce the potential accumulation of debris below the structure;
- During conceptual building design, consideration must be given to issues of privacy, overshadowing, reflectivity and visual impact, as well as the apportionment and positioning of higher risk site areas for parking, open space and recreational areas;
- Only fully enclosed / self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located outside of risk areas, or otherwise on the landward side of structures or either side of structures, in accordance with prescriptions of a suitably qualified person to ensure suitable sealing and safety;
- Municipal bulk infrastructure, and where possible reticulation networks, are to be located outside the overlay zone unless related to coastal public amenity (e.g. playground);
- Expendable structures such as boardwalks or viewing platforms shall be sited so that their failure does not have adverse impact on the beach and dune system, any adjoining major structures, or any coastal protection structure;
- No infilling and excavation may occur within the 1:100 year floodline area of a river/estuary or within the estuarine functional zone;

- Structural designs, site layouts and any barriers must be shown to accommodate wind-blown sand movement, with the intended outcome being unimpeded sand movement and avoidance of increased turbulence;
- Vegetated corridors between buildings should not be encroached into by permitting relaxation of setbacks in the side-spaces;
- In respect of boundary demarcation:
 - Public-owned land shall not be fenced, enclosed or utilised for any other use than that provided for in terms of its current zoning;
 - Boundary walls, fencing etc. may not be erected below the high-water mark, except where the structures are specifically permitted as coastal defense structures;
 - Fencing or other barriers on the seaward side of properties exposed to occasional wave action must be designed to limit structural damage to the fence or barrier and associated negative impacts on the environment; and
 - Boundary walls adjoining public access routes may not exceed 1.8m in height in order to promote the safety of pedestrian routes through public surveillance;
- Dune rehabilitation may not prevent public access to public property unless sanctioned by the authority, in which case alternative access must be provided;
- Access points / paths to the beach must be consolidated and consist of raised wooden / recyclable plastic boardwalks without concrete foundations to reduce adverse effects on dunes and associated vegetation;
- Gardening and landscaping may not result in removal or destruction of vegetation which will either destabilize a primary or significant dune, or cause a significant adverse effect on the beach and dune system due to increased erosion by natural coastal processes or human movement, or detrimentally affect the ecology or habitat;
- In respect of planning and suitable appearance of coastal defenses:
 - Coastal defenses shall be sited as far landward as practicable and designed to minimize adverse effects on the beach and dune system, fauna, flora, geology and existing structures within its proximity, and shall not interfere with public beach access or enjoyment;
 - The structural design of coastal defense structures must:
 - i) Integrate the defense of all properties within an area experiencing beach regression;
 - ii) Be designed and certified by a professionally registered structural engineer;
 - iii) Remain stable under the hydrodynamic and hydrostatic conditions for which they are proposed;
 - iv) Provide a level of protection compatible with existing topography; and
 - v) Be safe for animals and humans interacting with the structure;
 - Materials used in physical barriers must:
 - i) Be applied consistently and uniformly across multiple properties within an area experiencing beach regression;
 - ii) Have, where visible, a texture and/or colouring that matches the general aesthetic of the adjacent beach or coastal zone;
 - iii) Not be of a form or nature that can be broken up, shredded or displaced by coastal processes; and

- iv) Not be injurious to humans or animals (i.e. no spikes, barbed wire, razor-wire or the like to be affixed to physical barriers, and no electrification below 1.8m above ground level).

All planning and decision-making related to coastal management lines, development setback lines and risk zonations must ultimately recognise the need to limit and fairly allocate the liabilities related to development in the coastal zone. Municipalities are responsible for decision-making and they need to take into account the best information that is currently available. However, risk is a shared responsibility and the private sector (including landowners) along with the Municipality and other government departments need to ensure that available information translates into sustainable development and, very importantly, protection of public coastal access. Consequently, in order to reduce conflicts over responsibilities and appropriation of blame, it is of utmost importance that the information and knowledge generated by this and similar studies be applied with the necessary level of consistency and alignment (DEA&DP, 2018).

3.4 The Amended National Estuarine Management Protocol

3.4.1 Purpose of the Protocol

The National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008), (“the ICM Act” which was promulgated in December 2009, requires estuaries of the Republic to be managed in a coordinated and efficient manner, in accordance with a National Estuarine Management Protocol. Section 33(2) of the ICM Act empowers the Minister responsible for Environmental Affairs with the concurrence of the Minister responsible for Water Affairs to publish a Protocol that will provide guidance for the management of estuaries through the development and implementation of (individual) estuarine management plans (EMP,s). The National Estuarine Management Protocol (EMP) was amended in 2021. The amended EMP seeks to achieve greater harmony between ecological processes and human activities, while accommodating orderly and balanced estuarine resource utilization (RSA, 2021).

The purpose of the National Estuarine Management Protocol is to (RSA, 2021):

- a) Determine a strategic vision and objectives for achieving effective integrated management of estuaries;
- b) Set standards for the management of estuaries;
- c) Establish procedures, or provide guidance, regarding how estuaries must be managed and how the management responsibilities are to be exercised by different organs of state and other parties;
- d) Establish minimum requirements for estuarine management plans;
- e) Identify who must prepare estuarine management plans and the process to be followed in doing so, and;
- f) Specify the process for reviewing estuarine management plans to ensure that they comply with the requirements of the ICM Act.

3.4.2 Objectives of the National Estuarine Management Protocol

In order to recognise and effectively manage the unique environmental, economic, and social aspects of each estuary, it is important to establish strategic objectives. The strategic objectives for effective integrated management of estuaries include (RSA, 2021):

- 1) To conserve, manage and enhance sustainable economic and social use without compromising the ecological integrity and functioning of estuarine ecosystems;
- 2) To maintain and/or restore the ecological integrity of South African estuaries by ensuring that the ecological interactions between adjacent estuaries; between estuaries and their catchments; and between estuaries and other ecosystems, are maintained;
- 3) To manage estuaries co-operatively through all spheres of government; and to engage the private sector/entities and civil society in estuarine management;
- 4) To protect a representative sample of estuaries (such protection could range from partial protection to full protection) in order to achieve overall estuarine biodiversity targets as determined by the 2011 National Biodiversity Assessment and the subsequent updates;
- 5) To promote awareness, education and training that relate to importance, value and management of South African estuaries, and;
- 6) To minimise the potential detrimental impacts of predicted climate change through a precautionary approach to development in and around estuaries and with regard to the utilization of estuarine habitat and resources.

3.4.3 The Development of Estuary Management Plans

Generally, most estuarine systems occur within the boundaries of a single municipality, and some occur totally or partly within areas that are currently protected, or are likely to be protected in future. Local government generally has closer involvement with activities happening within and around estuaries than the other spheres of government, and it is the local people that usually benefit most from the goods and services that estuaries provide. The Municipal Systems Act (Act No 32 of 2000) requires all municipalities to develop and implement IDP's that promote participation of communities and liaison with other spheres of government.

Considering the above and taking into account Sections 33, 34, 45, 47 and 49 of the ICM Act (dealing with the Estuarine Management Protocol, Estuarine Management Plans and Coastal Management Programmes), the following authorities are responsible for the development of EMP's and coordination of the implementation process:

- 1) Where an estuary falls within the boundary of a single local municipality, the municipality must develop an EMP in consultation with the relevant government departments, except if the estuary is within the boundaries of a protected area or is identified as part of the protected area expansion strategy;
- 2) Where an estuary falls within the boundary of more than one local municipality, the district municipality must develop an EMP in consultation with the affected local municipalities, provincial and national government departments. The district municipality may in writing agree with the relevant local municipality/ies that the latter departments; shall be responsible for developing an EMP. Copies of such agreements must be submitted to the

- relevant provincial environmental department for integrated coastal management within 30 days of them being concluded;
- 3) Where an estuary falls within the boundary of a local or district municipality, or where an estuary falls within the boundary of more than one district municipality, the provincial environmental department must develop an EMP, in consultation with the affected local or district municipalities and the relevant national government departments;
 - 4) Where an estuary crosses the boundaries between provinces, the Department must develop an EMP in consultation with the Provincial Lead Agencies for the ICM Act and other relevant national government departments;
 - 5) Where an estuary is within a protected area or is identified as part of a protected area expansion strategy, the management authority responsible for the protected area must develop an EMP in consultation with relevant government departments;
 - 6) Where an estuary is in a harbour, the Department must develop an EMP in consultation with the NPA or other managing organs of state for a harbour and relevant municipalities, and;
 - 7) Where an estuary crosses a state boundary, the Department in collaboration with the responsible authority of the affected state/s must develop the EMP in consultation with relevant government departments of the affected states.

In terms of the Amendments to the National Estuarine Protocol, the Provincial Lead Agencies for the ICM Act must, as part of the provincial coastal management programme, identify a priority list of estuaries for which EMPs should be developed within the Province. These estuaries must be in need of conservation and effective management, as identified from the national priority list in the 2011 National Biodiversity Assessment and subsequent updates, which would inform a phased approach for the development of EMPs over a period of years within the Province (RSA, 2021).

Consideration should be given, in appropriate circumstances, as to whether certain estuaries can be clustered or grouped together for the purpose of developing one EMP as opposed to an EMP for every single estuary. Factors which may be considered in assessing the feasibility of this could include, location, size, ecosystem similarities, similar user profiles and challenges and similar role players and stakeholders. This should include a schedule of municipalities that should develop these EMP's and their capacity to do so. The Provincial Lead Agencies for ICM must inform the Department about the capacity needs of the municipality to develop such EMP's (RSA, 2021).

If Provincial Lead Agencies for ICM enter into agreements with municipalities in terms of section 156(4) of the Constitution, 1996, to give the function for developing an EMP to that municipality, they must inform the Department where such agreements have been entered into. The Department may within available resources provide technical and management support to capacitate a municipality, where there has been agreement between the province and a municipality to develop an EMP, if and when such need arises. This will depend on the importance of that particular estuary in meeting biodiversity targets and the strategic objectives of the Department. In order to develop sound EMPs scientific information generated through robust research is critical. The Department of Science and Technology (DST), DAFF and Departments of Water Affairs, Environmental Affairs and other relevant departments will play a crucial role in supporting research to address issues of uncertainties in estuaries, like Climate

Change, and providing guidance in the development of appropriate policies for better management of estuaries. The identified responsible management authority to develop the EMP needs to budget accordingly for the development of these plans. Private entities and non-government organizations can play a supporting role in the development of an EMP by supporting the responsible management authority (RSA, 2021).

The Estuary Management Plans for the Garden Route district estuaries can be viewed and downloaded from the following DEA&DP link:

<https://www.westerncape.gov.za/eadp/about-us/meet-chief-directorates/environmental-sustainability/biodiversity-and-coastal-management>

3.4.4 Minimum Requirements for Estuarine Management Plans

Although each EMP will have specific and differing targets and indicators, the following components shall be included in all EMP's (DEA&DP, 2021):

- An executive summary of the Situation Assessment Report (SAR) that highlights the key information that would inform and/or influence the management decisions within the estuary;
- A geographical description and a map of the estuary based on the Estuarine Functional Zone (EFZ) clearly identifying the boundaries of the system. Any deviation from the EFZ should be motivated for;
- The local vision and objectives that give effect to the strategic vision and objectives of the protocol;
- A list of management objectives and activities, that at minimum addresses the following: conservation and utilization of living and non-living resources (taking into account the priority biodiversity list in the 2011 National Biodiversity Assessment and subsequent updates), social issues, land-use and infrastructure planning and development, water quality and quantity, climate change, education and awareness; compliance and enforcement, and any other activities that will be required to maintain and or improve the condition of the estuary;
- Details of intended spatial zonation of the estuary specifying activities that may or may not take place in different sections of the estuary, and indicating: (a) which organs of state will need to be consulted given the type of zonation that is proposed; and (b) which organs of state will need to enact the relevant laws to implement the proposed zonation (for example if a no-fishing zone is proposed then either DAFF or the Department will be required to consider declaring a closed area or a protected area, respectively);
- A detailed integrated monitoring plan with a list of performance indicators for gauging the progress with respect to achieving the objectives of the EMP; and
- Details of the institutional capacity and arrangements required for managing different elements of the EMP, taking into account different departmental mandates. An EMP must be in line with the National Coastal Management Programme, Provincial Coastal Management Programme and/or Municipal Coastal Management Programme.

Further information relating to the developmental requirement of Estuary Management Plans can be found in the Draft Amendments to the National Estuarine Management Protocol 2021, from the Department of Environment, Forestry and Fisheries, as Gazetted.

4. GARDEN ROUTE COASTAL MANAGEMENT ACTION PLAN

A wide range of coastal management issues within each of the coastal management objectives (CMOs) were identified during the stakeholder workshops held in Garden Route from 10 to 17 April 2012. These issues need to be addressed by strategies that will be implemented by the various organs of state mandated to do so. The strategies are presented in this CMP in a format known as Management Action Plans, which provides details of the issue, action required, legislative context, mandate, time frame, cost (estimated only; unknown in many instances) and performance indicators.

Note that although in most cases a single action is prescribed, there must be a degree of flexibility involved prior to any intervention (as long as it complies with legislation requirements). The complexity of the coastal zone often means that site-specific characteristics will require a slightly different approach for each scenario depending on conditions and the exact context. A combination of expertise and common sense within the implementing committee should pave the way for a more flexible approach when required.

The strategies appear in no specific order of importance or priority, but the time frame component (one to five years) will indicate whether implementation is a high (1 to 3 years; red shading), medium (2 to 4 years; green shading) or low (4 to 5 years; yellow shading) priority. No shading within the time frame column of the strategy tables indicates an action that is either ongoing (i.e. from the 1st year and continuing over the long-term) or not the responsibility of a local or District authority (displayed as not applicable).

TABLE CMO 1 - MANAGEMENT STRATEGIES FOR PUBLIC ACCESS

Issue 1.1 Location and condition of existing legal coastal access land

Actions	Legislation	Mandate	Timeframe	Budget
Determine location of all existing and recently closed (e.g. Gouritsmond) access points and ascertain legality, infrastructure (e.g. parking lots, foot paths, boardwalks, stairs, ramps, slipways, jetties, disabled persons access, servitudes/roads, ablution & waste facilities), level of maintenance (condition) and site-specific as well as cumulative impact (see Appendix 5; Figures A2.1 to A2.5 and A6.1 to A6.6).	ICM Act (Chapter 2, Part 3, Sections 18 to 20).	Each B Municipality (may be done in house or appoint consultants).	1 year	R100 000 per municipality.
Performance Indicators				
Report detailing location (include GIS visual representation) of all legal and illegal access sites, associated infrastructure & level of maintenance and impact assessment.				
Issue 1.2 Additional coastal access land				
(a) All RODs for developments that prevent access at recognized historical access points to be reviewed to determine compliance with conditions that guaranteed continued access.	EIA Regulations.	EDM in conjunction with relevant authorizing agent (DEA or DEADP).	1 year	Internal process.
Performance Indicators				
Report detailing all locations where coastal access is being denied but should exist in accordance with development RODs.				
(b) All title deeds of private properties along the coast (outside urban edges) to be reviewed to determine the existence of legal servitudes to the coastal public property that have been closed off (e.g. Reins Nature Reserve near Gouritsmond).		B Municipalities (Town Planning)	1 year	Internal process.
Performance Indicators				
Report detailing the location of all servitudes allowing access to the coast which have been closed off by property owners.				

(c) Additional coastal access land to be identified (inclusive of outcomes from a and b above) and designated after consideration of site-specific and cumulative impacts, individual land owners rights, site-specific desirability or demand (from user groups), carrying capacity in more sensitive areas and financial implications (ability to establish and maintain). An assessment of access sites available for emergency services needs to be undertaken - these do not need to be formal access points available to the public, but need to be located so as to provide access when entry into remote areas is required.	ICM Act (Chapter 2, Part 3, Sections 18 to 20); ORV Regulations (for vehicle access) and EIA Regulations (for listed activities and impact assessments).	Each B Municipality to appoint service provider to identify and assess areas; B Municipality to negotiate, designate and maintain (Garden Route DM may have to take initial lead); DEADP for ORV and EIA Regulations.	1 to 2 years (after completion of a and b)	R100 000 per Municipality for assessment; cost for negotiation, designation and maintenance of access land unknown.
Performance Indicators				
(i) Report detailing desired additional coastal access land and impact assessment.				
(ii) Designation of coastal access land with associated infrastructure (e.g. waste bins, parking, ablutions and disabled persons access) and maintenance management plan.				
(iii) Additional (informal) access sites identified, mapped and made available to emergency service institutions together with contact details of landowners to facilitate access when required.				
Issue 1.3 Protection of the environment				
Designation of new coastal access land to exclude areas that include sensitive coastal habitats (e.g. primary dunes, coastal forest, intertidal saltmarsh and wetlands), bird breeding sites, priority conservation areas (e.g. area between Gericke's Point, Kleinkrantz and Swartvlei) and areas prone to erosion or accretion; no commercial-based activities should be considered for these areas.	ICM Act (Chapter 2, Part 3, Section 19).	EDM in conjunction with B Municipalities.	1 to 2 years	Internal process.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
All new sites considered for coastal access land exclude the prescribed areas.				
Issue 1.4 Coastal access through future developments				
Servitudes that allow access to the coast to be considered for all new applications for developments that have the potential for excluding the general public from the coastal public property. All Basic	Conditions in ROD issues in terms of the EIA Regulations.	EDM in conjunction with relevant authorizing agent (DEA or DEADP).	Ongoing for each new application.	Part of EIA process - no cost to Municipalities.

Assessments or EIAs to consider this taking into account site sensitivity, historical context (existing rights) and cumulative impacts.				
Performance Indicators				
(i) All Basic Assessments and EIAs to include an assessment of feasibility and impact of coastal access land.				
(ii) All RODs for new developments to contain conditions applying to coastal access land (servitudes).				
Issue 1.5 Illegal coastal access land				
All illegal coastal access land identified under issue 1.1 must be assessed and the instigators forced to apply for licenses (in the case of slipways) and/or remove any structures and rehabilitate the site (repair or removal notice).	ICM Act (Chapter 7, Part 1, Section 60); aspects of the EIA Regulations and ORV Regulations may also apply.	EDM in conjunction with National DEA (Oceans & Coast) and DEADP (Coastal Management).	1 to 2 years (after completion of 1.1).	Costs to be covered by offenders.
Performance Indicators				
(i) Repair or removal notices issued to all transgressors.				
(ii) Sites either closed and rehabilitated or licensed (successful application for illegal slipways).				

TABLE CMO 2 - MANAGEMENT STRATEGIES FOR INFRASTRUCTURE, SPATIAL PLANNING AND DEVELOPMENT

Issue 2.1 Limit infrastructure development for coastal access land to designated coastal access land.

Actions	Legislation	Mandate	Timeframe	Budget
(a) Ensure that infrastructure development for coastal access land takes place at points designated as coastal access points only through the coastal planning scheme, as a policy directive to prevent cumulative impacts. This action should be linked to CMO 1 - Public Access (Issue 1.1 to 1.3).	ICM Act (Chapter 2, Part 3, Section 20(f); Section 56(3)(d).	Garden Route DM and all LMs.	2 to 4 years (once coastal access land has been declared).	Unknown.
(b) Establish coastal planning scheme by-laws which indicate the above.	ICM Act (Section 50).	Garden Route DM to develop District By-law in consultation with all LMs.	2 to 4 years.	R30 000 for process to develop by-laws.
Performance Indicators				
(i) An inventory of designated access sites and associated infrastructure (required infrastructure or existing infrastructure).				
(ii) A coastal planning scheme is developed and stipulates the above restrictions as land use policy directives along the coastline.				
(ii) Establishment of coastal planning scheme by-laws that specifies the above.				
(c) Maintain or upgrade existing infrastructure (i.e. roads, sewerage system) and municipal facilities (e.g. ablutions, walkways, boardwalks, camp sites and resorts) in coastal zone.	ICM Act (Section 20) .	All LMs.	Ongoing.	Costs variable depending on type, extent and state of infrastructure (IDP projects).
Performance Indicators				
(i) An inventory of designated access sites and associated infrastructure requiring maintenance or upgrade.				
(ii) Dedicated IDP project and allocated funds, presented in the IDP.				

Issue 2.2 Limit development in the coastal zone through land use planning and decision making processes				
(a) Delineate urban edges in Municipal SDFs to ensure nodal development and infill development of the high percentage of vacant plots within urban areas.	ICM ACT (Section 49(2)(c)(iii)) in terms of nodal development. The provincial SDF (a policy directive) recommends the delineation of urban edges as part of municipal SDFs.	All LMs.	Next SDF review and update.	Part of SDF review and update progress (budget allocated through IDP).
(b) Develop a coastal planning scheme that is aligned with and adopts the following land use management policies: (1) promote nodal development to prevent urban sprawl (use existing strategies to make informed decisions, e.g. Groot Brak Draft Structure Plan and Keurboomstrand Preliminary Environmental Management Framework, (2) proposed developments must be within the limits of the ecological carrying capacity and existing services/resources (sewerage treatment, water availability) of an area, for example at Jongensfontein, (3) discourage informal settlements in the coastal zone where there is lack of services, (4) restrict sub-division of agricultural land for resorts and other high impact tourist, business or industry related land use activities, (5) developments must not infringe on or detract from sites of heritage significance in the coastal zone, (6) all development applications in the coastal zone require an EIA that includes a cumulative impact assessment and heritage impact assessment (where applicable), and (7) any other land use activity restrictions that contribute to the objectives of the ICM Act.	ICM Act (Section 49(2)(c)(iii) & iv; includes requirement to consider zones for mixed-cost housing), Section 56(3)(d), Section 56(1)(b), Section 57.	Garden Route DM and all LMs (may be done in house or appoint consultants), in consultation with the MEC and after consultation with any authority that is responsible for managing an area to which the planning scheme applies e.g. SANParks, CapeNature.	2 to 4 years.	R200 000 for development of planning scheme (includes consultation with all relevant stakeholders).

Actions	Legislation	Mandate	Timeframe	Budget
(c) Develop coastal planning scheme by-laws that encompass the policy directives indicated in (a) and (b) above.	ICM Act (Section 50).	EDM to develop District By-law in consultation with all LMs.	Once planning scheme is developed.	R30 000 for process to develop by-laws.
Performance Indicators				
(i) Urban edges are indicated in SDFs.				
(ii) A coastal planning scheme is developed which is aligned with the above land use policy directives.				

(iii) A coastal by-law is established in this regard.				
(d) All the above policy directives (a) and (b)(1)-(7) form part of the municipal SDFs Land Use Management System (LUMS).	ICM ACT (Section 42(4)(e) and Section 48(4); Local Government: Municipal Systems Act, 32 of 2000, Section 26(e); Provincial SDF and associated Western Cape Policy guidelines: Rural Land Use Planning and Management Guidelines (Draft 2009); NEMA (in general and Section 2 (r).	Garden Route DM and all LMs.	2 to 3 years (or during the SDF review process).	SDF review and update budget (allocated in IDP).
Performance Indicators				
(i) Establishment of urban edges in SDFs.				
(ii) Municipal SDF land use management systems (LUMS) stipulate the above restrictions as policy directives along the coastline.				
(e) Adopt the following land use decision making protocols (which are indicated in the coastal planning scheme (b) and the coastal planning scheme by-laws (c) above): (1) Land use change applications that may contribute to linear coastal development must be negatively received. (2) Subject all land use applications in the coastal zone to an EIA with a heritage impact assessment (where applicable), cumulative impact assessment and carrying capacity assessment. (3) Discourage informal settlements in the coastal zone where there is lack of services. (4) Restrict the sub-division of agricultural land for resorts and other high impact tourist, business or industry related land use activities. (5) Developments must not infringe on or detract from sites of heritage significance in the coastal zone.	Land Use Planning Ordinance (15 of 1985); NEMA EIA regulations; NHR Act (Chapter 2, Section 38).	Garden Route DM, LMs and the relevant environmental authorizing agent (DEA or DEADP).	Ongoing for each new application.	Internal process - no additional cost.
Performance Indicators				
(i) Register of coastal land use applications and associated Record of Decisions.				
(ii) All LUPO applications, Basic Assessments and EIAs to include a cumulative impact assessment and carrying capacity assessment (ecological and infrastructural).				

Actions	Legislation	Mandate	Timeframe	Budget
Issue 2.3. Protect property against natural disasters and climate change affects				
(a) Prevent damage to property caused by flooding and storm surges due to erosion and accretion (associated with sea level rise) or other climate change impacts through engineering technologies and maintenance of current sea walls, dolosse etc. No development of new hard protective structures should be permitted, with other adaptation options being preferred. Standardize the approach as much as possible (National or Provincial protocol - although a generic approach is not always feasible due to site-specific dynamics). Prevention should also include the protection and rehabilitation of natural defense systems, such as primary dunes, littoral vegetation, salt marshes, wetlands and floodplains. These strategies should be included in Municipal Disaster Management Plans.	ICM Act (Section 49(2)(c)(v) for coastal erosion and accretion; Disaster Management Act (Sections 52 & 53).	EDM in conjunction with all local municipalities; DEA and DEADP to develop a standard protocol for dealing with erosion and accretion.	2 to 4 years	Unknown.
Performance Indicators				
(i) Development of a document that incorporates these actions and identifies alternative engineering technologies to be employed, which is integrated into municipal Disaster Management Plans (DEA or DEADP function).				
(ii) Inventory of properties that require protection, the type of engineering technology to be employed and properties indicated on a map (and preferably indicated in GIS format).				
(iii) Number and percentage of properties requiring protection that are protected through the development of appropriate infrastructure.				
(b) Determine the high water mark (HWM) and delineate the 100m from the HWM.	The position of the HWM is provided for in terms of the ICM ACT (Chapter 2, Part 1, Section 14), while Section 49(2)(c)(v) requires CMPs to address coastal erosion and accretion.	Although the ICM Act does not mandate this action to municipalities, the EDM in conjunction with each LM should motivate for this to be done by DEA as soon as possible in order to include it as part of their strategy to address issues of coastal erosion and accretion.	1 to 2 years.	DEA function to delineate the HWM; LMs can update GIS data-base at no cost.

(c) Delineate the 5m contour and all undeveloped portions of foredune that are currently backed by development.	Section 49(2)(c)(v) requires CMPs to address coastal erosion and accretion (note that the DEADPs climate change strategy and action plan highlights that development at estuaries is setback above the 5m contour.	EDM as part of this CMP.	NOW	Part of the current Garden Route CMP.
(d) Delineate the 1:50 and 1:100 year floodlines.	ICM Act Section 16(1)(i) makes provision for the 1:50 year flood line as part of the coastal protection zone; 1:100 year flood line is provided for in the NWA in relation to township developments (Section 144).	Not a Municipal function, although both the ICM Act and NWA refer to the floodlines in terms of planning and developments. The responsibility is placed on developers or applicants to determine floodlines.	1 to 2 years for all available data and ongoing for each new development application.	Part of this CMP for available data; all new applicants to cover costs for determining floodlines.
Performance Indicators				
(i) The CMP delineates all these areas and prevents future developments in these areas as part of a coastal planning scheme.				
(ii) An inventory of properties within the above areas (and indicated in GIS format).				

Actions	Legislation	Mandate	Timeframe	Budget
(e) Set back lines to be determined for the Garden Route DM and then included in Municipal planning schemes to inform no-go or high risk development areas (Garden Route DM sea level rise study - see Appendix 2 - can be used as a starting point).	ICM Act (Chapter 2, Section 25).	DEADP to develop set back lines; EDM and LM's to incorporate them into planning schemes.	1 to 2 years.	Provincial budget.
Performance Indicators				
Set back lines developed and incorporated into the 2014/15 SDF for all Municipal entities.				

(f) Prevent development within 100 m of the HWM, below the 5 m contour and below 100 and 50-year floodlines; strictly monitor (and preferably prevent) future development below 6.5m amsl and undeveloped portions of foredune (as recommended in the Sea Level Rise Study - Umvoto Africa 2010a; see Appendix 2).	Land Use Planning Ordinance (15 of 1985); NEMA EIA regulations.	Land use applications must be processed by Municipal town planners and the relevant environmental authorizing agent (DEA or DEADP).	Ongoing for each new application.	No cost.
Performance Indicators				
(i) Register of coastal land use applications and associated Record of Decisions.				
(ii) All LUPO applications, Basic Assessments and EIAs to include these areas in their applications, in GIS format.				
(g) Develop a coastal planning scheme that prevents development in the areas described above (b to e).	ICM Act (Section 56(3)(d)).	Garden Route DM and all local municipalities (may be done in house or appoint consultants), in consultation with the MEC and after consultation with any authority that is responsible for managing an area to which the planning scheme applies e.g. SANParks, CapeNature.	2 to 3 years	R200 000 for development of planning scheme (includes consultation with all relevant stakeholders).
(h) Establish coastal planning scheme by-laws that prevent development in the areas described above (b to e).	ICM Act (Section 50).	EDM to develop District By-law in consultation with all LMs.	2 to 3 years	R30 000 for process to develop by-laws.
Performance Indicators				
(i) A coastal planning scheme is developed with the areas indicated as no go areas.				
(ii) Establishment of coastal planning scheme by-laws that prevent future developments in these areas.				
(i) Indicate the areas (b to e) above in municipal SDFs and prevent development in these areas through the LUMS.	ICM ACT (Section 42(4)(e) and 48(4)) - in terms of alignment of SDFs with CMPs. Local Government: Municipal Systems Act, 32 of 2000, Section 26(e).	Garden Route DM and all LMs.	2 to 3 years (or during the SDF review process)	SDF review and update budget (allocated in IDP).

Performance Indicators				
These areas are indicated in municipal SDFs and the development restrictions form part of the LUMS.				
(j) Coastal Zone Management Strategies are developed for all local municipalities (these should include all aspects recommended in the Sea Level Rise Study (Appendix 2), e.g. coastal zone management units, sustainable coastal management plans, adaptation studies, alternative housing/structure technologies, economic risk assessment, management capacity, early warning systems, risk assessments, education & awareness etc.).	None applicable - recommendations from Sea Level Rise study.	All LMs (may appoint service provider).	2 to 4 years	R300 000 per strategy for each LM.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
Coastal Zone Management Strategies are developed for each local municipality.				
(k) Disaster Management Plans should incorporate the relevant aspects of the coastal zone management strategy.	Disaster Management Act (Sections 52 & 53).	EDM in conjunction with all local municipalities.	2 to 4 years	In house; IDP allocated funding for updating disaster plan.
Performance Indicators				
(i) Disaster Management Plans incorporate all the actions above.				
Issue 2.4. Protect sensitive coastal habitats				
(a) Establish the coastal protection zone, incorporate into planning schemes (SDF) and limit all future developments in this zone (See Appendix 5; Figures A1.1 to A1.6); all largely undisturbed habitats/areas should be excluded from considerations for future development.	ICM Act (Chapter 2, Part2, Sections 16 & 17; Chapter 3, Section 26 & 31; Chapter 7, Part 4, Section 62).	Provincial (DEADP) function, but will be done as part of this CMP for Provincial approval.	Now for inclusion in CMP; next SDF review period.	Part of this CMP budget.
Performance Indicators				
Coastal protection zone established and mapped in this CMP; incorporated into SDF.				

(b) Developments within the Outeniqua Sensitive Coastal Areas Extension (OSCAE) must be safeguarded through permit applications.	ECA (Regulations in terms of Section 21(l), Schedule 1 to 3).	Town Planning and Environmental departments of the George, Knysna and Bitou LMs.	Ongoing for each new application.	Internal process - no additional cost.
Performance Indicators				
Register of OSCAE applications and Record of Decisions.				
(c) Delineate the OSCAE area in the CMP and municipal SDFs (in GIS format). (Note that a sensitive coastal area in terms of ECA is part of the coastal protection zone).	ECA (Regulations in terms of Section 21(l), Schedule 1 to 3); ICM Act (Sections 42(4)(e), 48(4), 16(1)(b)).	Town Planning of the George, Knysna and Bitou LMs; EFA for inclusion into CMP.	Now for inclusion in CMP; next SDF review period.	SDF review and update budget (allocated in IDP).
Performance Indicators				
(i) OSCAE area delineated in CMP and municipal SDFs (in GIS format).				
(d) Identify other sensitive coastal environments that require protection and special coastal management, e.g. estuaries, coastal wetlands, critically endangered habitats, Listed Threatened Ecosystems, NFEPA wetlands (also CBAs and ESAs).	ICM Act (Sections 8(b), 27(1)(c) and 49(3)(d); NEMA (Section 2.4(r)).	EDM and EFA (as part of this CMP). Proclamation and management of areas however is primarily a Provincial and sometimes a National function.	Now for inclusion in CMP.	Part of the current Garden Route CMP.
Performance Indicators				
Sensitive coastal habitats indicated in the CMP (Note: in terms of the CBA maps almost the entire coastline is sensitive because it is either a CBA or ESA).				
(e) Develop a coastal planning scheme that is aligned with the land use management guidelines recommended and associated with the CBA maps and DEADPs Rural Land Use Planning and Management Guidelines (of the provincial SDF) to protect areas identified in action (c) above.	ICM Act (Section 56(3)(d)).	Garden Route DM and all local municipalities (may be done in house or appoint consultants), in consultation with any authority that is responsible for managing an area to which the planning scheme applies.	2 to 3 years	R200 000 for development of planning scheme (includes consultation with all relevant stakeholders).

Actions	Legislation	Mandate	Timeframe	Budget
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Performance Indicators				
A coastal planning scheme is developed and aligned with the above land use policies.				
(f) Declare sensitive coastal habitats as special management areas in terms of the ICM Act.	ICM Act (Section 23).	Minister (DEA), after consultation with the MEC (DEADP).	2 to 3 years	Not a Municipal function.
Performance Indicators				
Sensitive coastal habitats declared as special management areas in terms of the ICM Act and provided in GIS format.				
(g) Establish a coastal planning scheme and associated scheme by-laws that prevents and/or restricts development in specified sensitive coastal habitats.	ICM Act (Sections 50 and 56(3)(d)).	Garden Route DM and all LMs (may be done in house or appoint consultants).	2 to 3 years	R200 000 for development of planning scheme (includes consultation with all relevant stakeholders).
Performance Indicators				
(i) Establishment of a coastal planning scheme and associated scheme by-laws that prevents and/or restricts development in specified sensitive coastal habitats.				
(h) Identify Municipal land that can be declared as Protected Areas or Nature Reserves, and/or promote private landowners to declare sensitive coastal environments as Protected Areas or Nature Reserves.	NEM:PAA (Section 3.5); Western Cape Nature Conservation Laws Amendment Act (Section 7).	Garden Route DM and all LMs (may be done in house or appoint consultants).	4 to 5 years.	R200 000 for service provider to identify land and engage landowners.
Performance Indicators				
The number and percentage of Protected Areas or Nature Reserves on municipal land and/or private land.				
(i) Establish and strengthen provincial stewardship programmes in these areas.	NEM:BA (Section 48(2)) requires that municipalities are aligned with the National Biodiversity Framework (Section 4.5.3).	Garden Route DM and all LMs, in consultation with Provincial authorities (DEADP and CapeNature) and SANParks.	5 years (+)	Unknown.

Performance Indicators				
The number of stewardship agreements with private landowners and CapeNature/SANParks.				
(j) Indicate sensitive areas in SDFs and provide land use management guidelines that are aligned with the provincial SDFs Rural Land Use Planning and Management Guidelines.	Local Government: Municipal Systems Act (Section 26e); ICM Act (Section 42(4e) and 48(4).	Garden Route DM and all LMs.	Next SDF review and update.	SDF review and update budget (allocated in IDP).
Performance Indicators				
SDFs reflect these areas with associated land use management guidelines.				
(k) Strict adherence to SDFs and existing building regulations.	Land Use Planning Ordinance; and/or the NEMA EIA regulations.	Land use applications processed by municipal town planners and environmental personnel and the relevant environmental authorizing agent (DEA or DEADP).	Ongoing for each new application.	Internal process - no additional cost.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
Register of land use and EIA applications with associated Record of Decisions.				
Issue 2.5. Maintain the coastal 'Sense of Place'				
(a) Develop a coastal planning scheme that promotes nodal development to prevent urban sprawl and ribbon development along the coastal zone, as a policy directive.	ICM Act (Section 56(3d).	EDM and all LMs (may be done in house or appoint consultants).	2 to 3 years	R200 000 for development of planning scheme.
Performance Indicators				
(i) A CMP coastal planning scheme is developed and stipulates the above restrictions as land use policy directives along the coastline.				

(ii) Urban edges indicated in SDFs (in GIS format).				
(b) Identify Municipal land that can be declared as Protected Areas or Nature Reserves, and/or promote private landowners to declare sensitive coastal environments as Protected Areas or Nature Reserves.	NEM:PAA (Section 3.5); Western CapeNature Conservation Laws Amendment Act (Section 7).	Garden Route DM and all LMs (may be done in house or appoint consultants).	4 to 5 years.	R200 000 for service provider to identify land and engage landowners.
Performance Indicators				
The number and percentage of Protected Areas or Nature Reserves on municipal land and/or private land.				
(c) Establish and strengthen provincial stewardship programmes in these areas. Land use applications under LUPO that can be incorporated into the CapeNature or SANParks stewardship programmes should be flagged.	NEM:BA (Section 48(2)) requires that municipalities are aligned with the National Biodiversity Framework (Section 4.5.3).	Garden Route DM and all LMs, in consultation with Provincial authorities (DEADP and CapeNature) and SANParks.	5 years (+)	Unknown.
Performance Indicators				
The number of stewardship agreements with private landowners and CapeNature or SANParks.				
Issue 2.6 Critical Biodiversity Area Maps and planning.				
(a) Use the CBA maps to delineate urban edges (Appendix 5; Figures A5.1 to A5.7 for CBA maps). In addition, source and use surveys or assessments conducted by other institutions, e.g. CBA assessment by KPOA for Keurbooms area.	ICM ACT (Section 49(2c-iii); Provincial SDF, as a policy directive, recommends the determination of urban edges.	Garden Route DM and all LMs.	Now - incorporate in next SDF review.	SDF review and update budget (allocated in IDP).
Performance Indicators				
Urban edges delineated in the SDFs.				
(b) Use the CBA maps to assist with identifying sensitive coastal habitats and areas to be protected (See Issue 2.4d).				
Performance Indicators				

Sensitive coastal habitats indicated in the CMP (Note: in terms of the CBA maps almost the entire coastline is sensitive because it is either a CBA or ESA).

Actions	Legislation	Mandate	Timeframe	Budget
Issue 2.7 Desalination plants				
(a) Avoid the hasty installation of desalination plants within the coastal zone.	NEMA: EIA regulations.	The relevant environmental authorizing agent (DEA or DEADP) in consultation with LMs.	Ongoing for each new application.	Not a Municipal function.
(b) Develop water sector plans that includes long term planning in relation to the need and availability of water that takes into account urban expansion.	Water Services Act; Local Government: Municipal Systems Act (Section 26e).	LM town planning and environmental departments must ensure sustainable development of water resources (may be done in house or appoint consultants).	2 to 5 years (as part of the IDP/SDF review process)	R100 000 per LM for development of water sector plans.
Performance Indicators				
(i) Register of applications for desalination plants and associated Record of Decisions.				
(ii) Water sector plans or Water Services Development Plans (as part of the IDP and SDF) identify projected water needs, and SDFs indicate (where relevant) potential locations of desalination plants.				

TABLE CMO 3 - MANAGEMENT STRATEGIES FOR BIODIVERSITY CONSERVATION, PROTECTION AND ENHANCEMENT

Issue 3.1 Estuary management.

Actions	Legislation	Mandate	Timeframe	Budget
(a) Implement all existing Estuary Management Plans (EMPs); together with the MCC this will include incorporating zonation plans and management actions into Municipal IDPs and SDFs.	ICM Act (Chapter 4); Draft NEMP.	Estuary Forums and MCC for existing EMPs; Garden Route DM and LMs depending on jurisdiction for development of additional EMPs (see Appendix 4).	2 to 4 years.	R300 000 per estuary.
(b) Develop EMPs for all estuaries that currently do not have plans according to the schedule outlined in Appendix 4 (see Appendix 5; Figures A3.1 to A3.6).				

Performance Indicators

(i) Existing estuary Forums continue to function effectively (regular meetings, with documented proceedings and outcomes).

(ii) EMPs for the remaining 10 estuaries in Garden Route are developed in line with the NEMP over the next four years.

Issue 3.2 Alien vegetation removal

(a) Develop alien invasive species control and monitoring plan for municipal owned land (may include other state owned land), and implement. (Note: The Garden Route CBA maps include alien vegetation maps that can be used to prioritize high density alien sites for George, Knysna and Bitou Municipalities; Appendix 5; Figures A4.1 to A4.3).	NEM:BA (Section 76(2)) and the National Biodiversity Framework (NBF) (Section 4.3.5).	Garden Route DM and all local municipalities (may be done in house or appoint consultants); liaise with all other organs of state that own land to make plan more comprehensive and inclusive.	2 to 4 years	Costs will depend on number of properties in the coastal zone and extent of infestation.
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Performance Indicators

(i) The alien control plan is identified as an IDP project with associated funding (for municipal properties).

(ii) Production of an alien invasive species control and monitoring plan for municipal own land (may include other state owned land).

(iii) A system is in place to monitor implementation.

(b) Implement programmes, such as the DWA's Working for Water and Working for Wetlands programmes, the DEA's CoastCare programme, and the Dept. Agriculture's Land Care programme, to assist with clearing aliens. (Note that the Garden Route CBA map has an associated alien vegetation map that can assist with prioritizing areas).	NEM:BA (Section 76(2)) and the National Biodiversity Framework (Section 4.3.5); NWA must drive the clearance of aliens to protect water resources (Sections 3.1 and 5); CARA (Section 4 (4a) and Section 6 (l)).	DWA, DEA, DoA in consultation with all municipalities. Municipalities can be the implementing agents of some of these programmes and will therefore need to apply for funding in this regard. SANBI is responsible for monitoring implementation of alien invasive species regulations/eradication plans.	2 to 4 years and ongoing.	Unknown. Sources not from Municipal funds -include the Poverty Relief Fund and the Expanded Public Works Programme (Environmental and Cultural sector) led by the DEA and DoA (Land Care).
Performance Indicators				
Inventory of programmes implemented.				

Actions	Legislation	Mandate	Timeframe	Budget
(c) Raise awareness amongst landowners regarding their duty to remove alien invasive species.	NEM:BA (Section 73(2 and 3); CARA (Section 6 (l) and Section 29).	SANBI, DWA and DoA in consultation with all municipalities.	2 to 4 years and ongoing.	As above (Also SANBI's Early Detection and Rapid Response programme (funded by Working for Water programme - DWA) was formed to control and manage emerging invasive alien plants in South Africa).
(d) Encourage landowners that have listed invasive species on their properties to control and eradicate these species.	As above	As above	2 to 4 years and ongoing.	As above
Performance Indicators				
(i) Awareness raising material produced e.g. Pamphlets.				

(ii) Inventory of landowners required to control and eradicate alien invasive species.				
Issue 3.3 Restoration and rehabilitation of biodiversity				
(a) Planting of indigenous plants where alien species have been removed. Implemented after the completion of alien eradication plans and removal of aliens (Issue 3.2).	ICM Act Section 83(d) for rehabilitation; NEM:BA Section 11(m)(i) & (n)(ii), Section 76(2); National Biodiversity Framework (Section 4.3.5); NWA (clearance of aliens to protect water resources as part of a national strategy; CARA (for provision of funding through LandCare for restoration purposes to prevent soil erosion/degradation).	SANBI; DWA; DoA in consultation with the relevant municipality, although municipalities can implement their own projects (as part of the Expanded Public Works Programme, Poverty Relief Programme, LandCare); Coastcare (DEA) in consultation with municipalities or the private sector.	3 to 5 years	Unknown. Sources not from Municipal funds -include Poverty Relief Fund; Expanded Public Works Programme (environmental and cultural sector) led by DEA; LandCare lead by DoA.
Performance Indicators				
Inventory of planting projects implemented.				
(b) Reintroduce indigenous plants and animals to enhance terrestrial biodiversity in Protected Areas and Nature reserves.	The Western CapeNature Conservation Laws Amendment Act (Section 82(1)(d)); NEM:PAA (Section 41); Western CapeNature Conservation Laws Amendment Act (transportation and relocation of animals); NEM:BA for permits for Threatened or Protected Species (TOPS) - (Section 18).	CapeNature; DEA (approve management plans compiled by SANParks, CapeNature, local authority or other management body of a Protected Area); DEA (approval of TOPS permits); DEADP (transportation/relocation).	2 to 4 years and ongoing (unless already being implemented).	Not a municipal mandate- budgets from other organs of state.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
(i) Management plans for Protected Areas (in terms of NEM:PAA) or Nature Reserves (in terms of the WC Nature Conservation Laws Amendment Act) include reintroduction of indigenous plants and animals.				

(ii) Increase in number of indigenous (especially rare and endangered) species.				
Issue 3.4 Biodiversity Monitoring				
(a) Monitor populations (in Protected Areas/Nature Reserves) to determine ecosystem health and improvement in terms of, for example: diversity, population numbers and richness.	NEM:PAA (Section 41) and MLRA (Section 43(3)).	Management plans: SANParks, CapeNature, local authority or other management body of a Protected Area.	1 to 2 years for management plans that include monitoring; then ongoing.	Estimated R200 000 per year for monitoring programmes in Municipal Reserves. Budgets for MPAs and Provincial Reserves not from Municipal sources.
Performance Indicators				
Production of monitoring plans as part of Protected Area/Nature reserve management plans (Municipal, Provincial and National protected areas).				
(b) Utilize CBA maps to monitor biodiversity status (in relation to changes in land cover due to future developments).	In terms of the NEM:BA (Section 11) & the National Biodiversity Framework (NBF) SANBI is responsible for monitoring the conservation status of ecosystems and all listed threatened or protected species in SA. The NBF also recognizes DWEA, Department of Forestry, SANParks, and provincial conservation authorities as lead agents in monitoring biodiversity. Bioregional programmes (i.e. C.A.P.E) direct the production of CBA maps (precursor to bioregional plans in terms of NEM:BA), which can assist with monitoring biodiversity in a bioregion.	Although the NBF indicates SANBI, DWEA, Department of Forestry, SANParks, and Provincial conservation authorities as the lead monitoring agents, DEADP and CapeNature, as partners of the C.A.P.E programme, will be the best parties to monitor the CBA Map. Municipalities should assist with this in terms of land use applications (data available in GIS format).	Ongoing.	No additional budget for Municipal entities; part of existing land use applications.
Performance Indicators				

(i) A GIS database indicating current land cover and land use (zoning) in the region, which will indicate changes in this regard (NOTE: All the CBA maps have an associated land cover or transformation shapefile which should be updated).

Issue 3.5 Rehabilitation of illegal activities or structures

(a) Remove illegal structures (e.g. jetties, buildings, walkways or other structures) and rehabilitate disturbed areas where necessary (See CMO 8, Issue 8.3 for details).

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
See CMO 8, Issue 8.3.				
Issue 3.6 Pollution control and coastal cleanup strategies.				
See CMO 6 for pollution and control of water resources.				
(a) Develop a coastal cleanup strategy (more applicable to the Provincial or national CMP).	ICM Act or White Paper for Sustainable Coastal Development in South Africa (drives Coastcare); ECA (Section 19A - municipalities must remove any litter).	DEA (Coastcare or Working for the Coast); DEADP (coastal management section); in consultation with all municipalities.	2 to 4 years	Funding from National (DEA - Coast Care) or Provincial (DEADP) sources.
Performance Indicators				
A coastal cleanup strategy report is compiled (part of Provincial or National CMP actions).				
(b) Ensure adequate waste disposal containers are provided along the coast (at access points) and remove litter.	ECA (Section 19(2) & 19A); ICM Act (Section 20) .	All LMs.	2 to 4 years	Costs of disposal containers dependent on number required; cost of regular emptying of bins

				unknown (motivate in IDP).
Performance Indicators				
(i) Inventory of areas requiring waste disposal containers.				
(ii) Capacity (staff, vehicles and budget) to remove litter is available.				
Issue 3.7 Critical Biodiversity Area Maps and biodiversity conservation				
(a) Use the CBA maps to assist with identifying the coastal corridor, with associated inland corridors, which should be protected (part of Provincial CMP).	As above	Either National (DEA) or Provincial (DEADP) in consultation with EDM.	1 to 3 years.	Not a Municipal function.
(b) Use the CBA maps to identify areas that should be protected either under stewardship agreements or declared as Protected Areas or Nature Reserves in the terrestrial environment (part of National and Provincial CMPs). Note: Ideally all CBAs should be protected but this is unlikely or unrealistic.	As above; NEM:PAA; National Protected Areas Expansion Strategy and the National Biodiversity Framework in terms of NEM:BA.	The National Biodiversity Framework identifies SANBI, DEA, DEADP, CapeNature and SANParks as lead agents to expand the Protected Area Network.	1 to 3 years.	Not a Municipal function.
(c) Use the CBA maps to identify priority conservation areas in the marine environment (i.e. marine CBA) for extension of the MPA network (part of National and Provincial CMPs).	As above; NEM:PAA; National Protected Areas Expansion Strategy and the National Biodiversity Framework in terms of NEM:BA.	As above	1 to 3 years.	Not a Municipal function.
(d) Delineate the coastal corridor, with associated inland corridors, in SDFs. (Note that the CBAs identify these).	ICM Act Section 42(4)(e) and 48(4) in - in terms of inclusion in SDFs.	EDM and LMs (town planning).	Depends on when coastal corridor is established.	IDP budget for review and update of SDFs.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
(i) The Provincial CMP has coastal corridors with associated inland corridors delineated.				

(ii) Number declared Protected Areas or Nature Reserves in the terrestrial environment.				
(iii) Number of declared MPAs.				
(iv) SDFs have the coastal corridors with associated inland corridors delineated.				
Issue 3.8 Fire management				
(a) Develop an Integrated Fire Management Plan.	National Veld and Forest Fire Act (Section 5(1)(a); Local Government: Municipal Structures Act (Section 84(1)(j)).	Department of Forestry in consultation with EDM (Disaster Management) and landowners outside the urban edge).	2 to 4 years.	R100 000 for development of plan.
(b) Participate in Fire Protection Associations (FPA).	National Veld and Forest Fire Act (Section 10); Local Government: Municipal Structures Act (Section 84(1)(j)).	EDM to coordinate with all affected landowners outside the urban edge.	2 to 4 years.	R20 000 for transport costs for interacting with landowners.
Performance Indicators				
(i) A fire management plan or Fire Action Plan is developed.				
(ii) Inventory of members actively participating in the FPA.				
Issue 3.9 Financial measures to protect, conserve or enhance biodiversity.				
(a) Develop By-laws that provide tax exemptions, rebates, rates re-evaluation or other incentives for land that is conserved and protected through NEM:PAA, the WC NCLA or stewardship agreements with CapeNature or SANParks (can provide information in this regard through Municipal publications).	ICM Act (Section 50); Municipal Property Rates Act (Section 3); Revenue Laws Amendment Act (60 of 2008); Garden Route DM Property Rates By-Law (Section 4 - provides for categories of properties: eco-tourism and conservation)	EDM to develop District By-law in consultation with all LMs.	2 to 4 years and ongoing as land use changes.	R30 000 for development of By-law.
Performance Indicators				

(i) A Property Rates By-Law is developed that includes various options.				
(ii) An inventory of the number of properties with tax rebates etc.				
Issue 3.10 Protection of fish species and marine habitats				
(a) Ongoing management of existing MPAs, expansion of boundaries of current MPAs (e.g. Goukamma and TNP), closure of existing open (fishing) areas within MPAs (Goukamma, including the estuary and Robberg) and establishment of additional MPAs and priority conservation areas. Note that the Garden Route CBA map, stretching from George to Bitou municipalities, identifies several marine CBA for this purpose; See Appendix 3 (and Plate A3.1) and Appendix 5 (Figures A3.1 to A3.6) for more detail.	MLRA (Section 43(3) in terms of declaring MPAs, Section 77(e) in terms of declaring Closed Areas); National Protected Area Expansion Strategy; NEM:BA and the National Biodiversity Framework in terms of expanding MPAs to protect marine biodiversity.	DEA in collaboration with CapeNature and SANParks as managing authorities and WWF-SA (currently being driven by WWF-SA and the MPA Expansion Group within the MPA Forum).	5 years.	Not a Municipal function.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators (as part of National and Provincial CMP)				
(i) Inventory of identified MPAs that require boundary expansion (e.g. Goukamma) and closure to fishing.				
(ii) MPA boundaries expanded and areas closed to fishing.				
(ii) The MPA management plan includes areas closed to fishing.				
(iv) The number of MPAs or priority conservation areas (with associated management plans identifying closed areas) is increased.				
(b) Develop and implement a national intervention programme for critical linefish species, particularly estuarine dependent and shore-based species (e.g. kob and white steenbras) or declare emergency measures (e.g. suspend all fishing for certain species).	MLRA (Section 14 - Determination of allowable catches and applied effort) (Section 15 - Fisheries management areas) (Section 16 - Emergency measures).	DEA and DAFF in collaboration with the South African Marine Linefish Management Association (SAMLMA).	2 to 3 years	Not a Municipal function.

Performance Indicators
An national intervention programme is developed.

Issue 3.11 Air quality management
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(a) Development of an Air Quality Management Plan (AQMP) and integration into the IDP.	NAQA (Chapter 3, Sections 15 & 16).	Garden Route DM, specifically the IDP Manager in cooperation with the Planning and Environmental Unit.	Next IDP review.	Internal process.
(b) Drafting of by-laws for the implementation of the AQMP.	NAQA (Chapter 3, Section 11).	Garden Route DM legal department in cooperation with the Planning and Environmental Unit.	2 to 3 years	R30 000 for development of By-law.
(c) Appointment of a Municipal Air Quality Officer to implement the AQMP and coordinate all matters pertaining to air quality management.	NAQA (Chapter 3, Section 14).	Garden Route DM.	2 to 3 years	Annual remuneration package for Municipal employee.

Performance Indicators
(i) AQMP is developed and integrated into the Garden Route DM IDP.
(ii) By-laws drafted for the administration/implementation of the AQMP.
(iii) Air Quality Officer appointed.

TABLE CMO 4 - MANAGEMENT STRATEGIES FOR HERITAGE RESOURCES

Issue 4.1 Heritage resources in the Garden Route coastal zone need to be managed, protected and shared by all.

Actions	Legislation	Mandate	Timeframe	Budget
(a) Identification of all heritage resources within the coastal zone of Garden Route (Grade I, II and III) and determination of which fall under local authority jurisdiction (Grade III resources).	NHR Act (Chapter 1, Section 8; Chapter 2, Section 30).	SAHRA for Grade I; Heritage Western Cape (for Grade II); LM or DM for Grade III (see Appendix 2 for contact details).	2 to 4 years	R200 000 for DM or R40 000 per LM; National and Provincial budgets not applicable.
(b) Establish a register of all heritage resources in the Province (includes Garden Route District).	NHR Act (Chapter 1, Section 3)	Heritage Western Cape.		Provincial budget.
(c) Determine local authority capacity to manage and protect heritage resources and assist in building capacity (Provincial authority to perform functions until local authorities develop the required capacity).	NHR Act (Chapter 1, Section 24)	Heritage Western Cape	1 to 2 years	Provincial budget.
(d) Local authorities to protect and manage Grade III heritage resources and those Grade I and II resources whose protection and management has been devolved to them by National or Provincial authorities (guided by a heritage resources protection and management strategy).	NHR Act (Chapter 1, Sections 27 to 29)	EDM in consultation with all local municipalities (assisted by Heritage Western Cape until local capacity is considered adequate).	Ongoing	Unknown; dependent on resource type, location and number.
(e) Local authority to establish by-laws or make provisions in planning schemes for the management and protection of heritage resources.	NHR Act (Chapter 2, Sections 28 and 30; Chapter 3, Section 54).	EDM in consultation with all local municipalities.	2 to 4 years	R30 000 for process to develop by-laws.
(f) Local authorities to provide incentives through by-laws or provisions in planning schemes for the management and protection of heritage resources.	NHR Act (Chapter 2, Section 43; Chapter 3, Section 54); ICM Act (Chapter 6, Section 50); MS Act (Chapter 3, Sections 11 to 14).	EDM in consultation with all local municipalities.		
(g) Impact Assessment Reports to be required for developments that may impact on heritage resources.	NHR Act (Chapter 2, Section 38); any other legislation requiring an evaluation of a development on heritage resources (includes EC Act,	Predominantly Heritage Western Cape and SAHRA, but EDM and LMs on occasion; lead authorities for authorization of EIAs.	Ongoing	Cost covered by developer or applicant.

	Minerals Act and IEM guidelines).			
(h) Local authorities to order owners to stop work and repair damage if alterations or developments of items on heritage register take place without consent from the heritage authority.	NHR Act (Chapter 2, Section 30)	EDM and all LMs.	Ongoing	Cost covered by developer or applicant.
Performance Indicators				
(i) A document detailing the identification and classification of all heritage resources within the coastal zone of Garden Route, and the establishment of heritage resources register.				
(ii) Establishment of local authority heritage agencies, firstly at District level and subsequently at LM level.				
(iii) Development of a heritage resources protection and management strategy (includes requirements in terms of manpower and funding).				
(iv) By-laws and planning schemes, aimed at protecting and managing heritage resources, are developed and implemented by DM and LMs.				
(v) All Basic Assessments and EIAs contain reference to and specialist assessments of impacts on heritage resources.				

TABLE CMO 5 - MANAGEMENT STRATEGIES FOR DISASTER MANAGEMENT

Issue 5.1 Effective and coordinated disaster management is required for ensuring human safety.				
Actions	Legislation	Mandate	Timeframe	Budget
(a) The EDM must establish and implement a Disaster Management Framework.	DM Act (Chapter 5, Section 42)	EDM (Gerhard Otto).	Already done	Not applicable.
(b) Establish a disaster management coordination center for Garden Route District (center in George already coordinates activities for Mossel Bay and George, but needs to incorporate other LMs - both coastal and inland).	DM Act (Chapter 5, Sections 43 to 50).	EDM (Gerhard Otto) in consultation with LMs.	1 - 2 years	Detailed in disaster management framework.
(c) The EDM and all local municipalities must develop and implement Disaster Management Plans (DMPs).	DM Act (Chapter 5, Sections 52 and 53).	EDM and LMs (disaster management coordinators; see Appendix 2 for details).	Already done	Implementation requirements part of each DMP.
(d) Create awareness throughout Garden Route of disaster management procedures and requirements from public to ensure safety (public workshops, media releases & advertising and pamphlets).	None applicable, but will make disaster management more effective.	EDM (Disaster management and media relations).	Ongoing	R50 000 per year.
Performance Indicators				
(i) Approved disaster management framework that is consistent with the National and Provincial frameworks (done).				
(ii) Expansion of the existing coordination center in George to include activities from all Garden Route's local municipalities.				
(iii) All DMPs (District and LM) approved by National and Provincial centers and distributed amongst all LMs.				
(iv) Workshops at all major coastal centers covering all five coastal LMs once a year and regular media releases in all major newspapers, local community newspapers and municipal & community websites; pamphlets available at municipal offices, libraries and tourism offices.				
Issue 5.2 Estuary breaching protocols must ensure human safety, protection of property and infrastructure and the maintenance of ecosystem functioning.				

(a) Estuary breaching protocols to be developed for all closed estuaries that threaten human safety, property & infrastructure and ecosystem functioning, including Touw, Swartvlei, Groot (West) and Groot Brak.	EIA Regulations (in terms of Section 24[5] of NEMA); Estuary Management Plans as per ICM Act (Chapter 4).	SANParks for Touw, Swartvlei and Groot (West) and Mossel Bay LM (in consultation with DWA and DEADP) for Groot Brak (part of Estuary Management Plan).	SANParks already done as part of GRNP management plan; EMP currently being developed for Groot Brak	Not applicable.
(b) Coordination between SANParks and Knysna LM with regards breaching on Swartvlei - currently sole SANParks mandate but effectiveness (reaction time, earth moving equipment) may be improved by coordinating with Knysna LM. An arrangement already exists between SANParks and Bitou LM for the Groot (West) Estuary.	None applicable.	SANParks in consultation with Knysna LM.	1 year	Determined as part of SLA between SANParks and Knysna LM (costs covered by SANParks as the managing authority).
Performance Indicators				
(i) Breaching protocols integrated with EMPs or other management plans, i.e. part of Groot Brak EMP (being developed) and GRNP management plan (already achieved).				
(ii) Consultation between Knysna LM and SANParks; if consensus is reached, a Service Level Agreement (SLA) must be entered into between SANParks and Knysna LM.				
Issue 5.3 Procedures for whale entanglements and beached whales & dolphins.				
(a) Contact South African Whale Disentanglement Network or Dolphin Action & Protection Group (DAPG) for entanglements and the DAPG for stranded animals.	None applicable.	Any witness to an entanglement or stranding.	Ongoing	Not applicable.

Actions	Legislation	Mandate	Timeframe	Budget
Performance Indicators				
Not applicable.				
Issue 5.4 Awareness amongst recreational users of dangers associated with the sea.				
Erection of signboards providing details of safe swimming areas, hazards such as riptides, sharks, blue bottles & boats and contact details for lifeguards and NSRI.	DM and LM Outdoor advertising and signage by-laws.	EDM and LMs for signboards.	2 to 4 years	R5 000 per signboard.

Performance Indicators
Signboards erected at all access points where recreational users will swim in the sea.

TABLE CMO 6 - MANAGEMENT STRATEGIES FOR WATER QUALITY & QUANTITY

Issue 6.1 Pollution of water sources (estuary and marine).

Actions	Legislation	Mandate	Timeframe	Budget
(a) Prevent contamination of marine and estuary waters (used for recreational activities) with <i>E.coli</i> and other pollutants or contaminants. Sources include sewerage treatment facilities, septic tanks, stormwater runoff, industrial effluent and agricultural return flows (all estuaries are important, but prioritize Gwaing and Blinde Estuaries).	NWA (Chapter 3, Section 19); DWA water quality guidelines for recreational use; By-laws for stormwater management and sewerage infrastructure; WESSA requirements for blue flag status (beaches and marinas).	EDM and all LMs (additional analysis of samples by DWA); consultation with Dept. Agriculture for return flows.	1 - 2 years for existing sources and ongoing for new infrastructure	Municipal infrastructure maintenance budget (IDP)
(b) Prevent and remedy pollution of water resources.	ICM Act (Section 69); NWA (Section 19 and 20); NEMA (Section 28); ECA (Section 31); Constitution (Section 156 - Garden Route DM Health By-laws controls stormwater and discharge to some degree).	Any owner/occupier of land from which pollution may or has impacted a water resource, including catchment management agencies, are responsible for preventing and remedying pollution; Garden Route DM (and LMs once By-laws developed); DWA (in terms of NWA); DEA and DEADP (in terms of NEMA, ECA and the Constitution).	From 1st year and ongoing.	Costs mostly from Provincial or National budgets; Municipal contributions highly variable depending on extent and source of pollution (IDP projects).
(c) Control wastewater discharge and stormwater run-off into estuaries, wetlands and coastal waters. This will include discharge into rivers, upstream of estuaries that feed into these estuaries. Discharge may include point source or discharge due to sewage or waterworks leakages. Stormwater runoff systems should be designed with traps for litter and hydrocarbons (fuel/oil). Wastewater discharge into estuaries must be covered in individual estuary management plans.	ICM Act (Section 69); NWA (Section 3, General Authorizations or licenses in terms of Section 21(f), (g) & (h); NEMA (Section 28); Constitution (Section 156 - Garden Route DM Health By-laws controls stormwater and discharge to some degree).	DEA for ICM Act; DWA for NWA; EDM and LMs for By-laws.	From 1st year and ongoing.	Costs mostly from Provincial or National budgets; Municipal contributions highly variable depending on extent and source of pollution.

(d) Monitor and record water quality of discharged wastewater that has the potential to impact water resources e.g. estuaries, wetlands, groundwater and coastal waters.	NWA - General Authorizations or licenses in terms of Section 21(f), (g) & (h) water uses.	DWA and any Section 21(f), (g) & (h) water user in terms of the General Authorizations or license requirements.	From 1st year and ongoing.	Primarily DWA function, but R200 000 per year from EDM as a licensed water user.
(e) Identify water users that do not comply with the NWA and the required water quality standards of discharged wastewater.	NWA - General Authorizations or licenses in terms of Section 21(f), (g) & (h) water uses.	DWA.	From 1st year and ongoing.	National (DWA) budget not Municipal mandate.

Actions	Legislation	Mandate	Timeframe	Budget
(f) Monitor water quality of water resources.	NWA (Section 137- establishment of national monitoring systems); NWA Schedule 3 (Sections 72,73 and 151(l)) - Powers and duties of Catchment Management Agencies.	DWA and Catchment Management Agencies.	From 1st year and ongoing.	National (DWA) budget not Municipal mandate.
Performance Indicators				
(i) Levels of contaminants below the requirements for recreational use; minimum of weekly sampling at fixed sites. Most important is <i>E. coli</i> (100 units/100 ml in 80% of samples and 2 000 units/100 ml in 95% of samples).				
(ii) Water quality of aquatic resources is improved.				
(iii) Register of Section 21(f), (g) & (h) water users in terms of the NWA (The establishment of a national information system by the Minister, in terms of Section 139, should assist).				
(iv) Inventory and location map of wastewater discharge points or problem sites.				
(v) Register of transgressors in terms of water quality standards and monitoring procedures required in terms of the NWA.				
(vi) All the actions above are dealt with in individual estuary management plans, where they apply.				

Issue 6.2 Contamination of groundwater for human use or consumption at Jongensfontein.				
Upgrade sewerage treatment facility at Jongensfontein to prevent further contamination of the groundwater (freshwater springs).	NWA (Chapter 3, Section 19).	Hessequa LM.	1 - 2 years	Municipal infrastructure maintenance budget (IDP)
Performance Indicators				
Upgrade and ongoing maintenance complete and regular monitoring of samples shows no levels of contamination.				
Issue 6.3 Estuaries being deprived of freshwater due to abstraction of groundwater from fountains/springs (Stil Bbay) or boreholes, abstraction of water directly from rivers and construction of dams that reduce base flows.				
This is a DWA mandate and requires both authorization for water use and the determination of the Ecological Reserve (should ultimately be incorporated into individual EMPs). This is not a Municipal function but EDM and LM can motivate DWA to investigate and carry out Reserve determinations.	NWA (Chapter 4 for water use; Chapter 3, Sections 16 & 17 for the Reserve).	DWA	4 to 5 years	DWA budget for determining water use allowances in estuary requirements (Reserve).
Performance Indicators				
Reserve determinations conducted for all catchments and implemented as part of either a catchment management plan or EMP.				
Issue 6.4 Developments in the coastal zone exceed the carrying capacity of water resources for human use or consumption.				
Local authorities to conduct an audit of water resources available for human use & consumption and restrict developments so as not to exceed their capacity to provide water.	Town planning schemes (SDF), IDPs and water services provision by-laws.	All LMs.	2 to 4 years and ongoing for all future development applications.	R20 000 per LM for internal audit of water capacity.
Performance Indicators				
Report from each LM detailing water resources and capacity to provide for existing demand, with projected capacity to provide for additional demand (10-year projection).				

TABLE CMO 7 - MANAGEMENT STRATEGIES FOR INSTITUTIONAL ARRANGEMENTS

Issue 7.1 Implementation of the CMP.

Actions	Legislation	Mandate	Timeframe	Budget
Establish a Municipal Coastal Committee and sub-committees to oversee implementation and evaluation (after 5 years) of the CMP (see Chapter 4).	ICM Act (Chapter 5, Section 42)	EDM (Vernon Gibbs-Halls)	1 year	R20 000 per year for running costs.

Performance Indicators

(a) The establishment and recognition of an MCC (and sub-committees) within the first year with a constitution and clear mandates for member organizations.

(b) The MCC and sub-committees comprise a representation of all interest groups to ensure transparency in all decision-making processes.

Issue 7.2 Interaction between organs of state (cooperative governance).

Service level agreements to be entered into between organs of state (and para-statal), which clearly define devolved or cooperative responsibilities and funding arrangements, to facilitate the effective implementation of the strategies of the CMP.	Most National and Provincial legislation provides for the devolution of powers to local authorities.	Initiated by EDM but involving all relevant organs of state.	As required.	Budgets to be determined on a case-by-case basis.
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Performance Indicators

SLAs between organs of state and/or para-statal, e.g. Bitou LM and CapeNature for compliance and enforcement on the Keurbooms/Bitou Estuary; SANParks and Knysna LM for cooperative assistance with breaching of Swartvlei Estuary.

Issue 7.3 Capacity of Municipal entities to fulfill mandates.

(a) Assessment of existing capacity to fulfill mandates in terms of implementing strategies of the CMP (National and Provincial to do the same in the context of their respective CMPs).	None applicable.	EDM and all LMs.	1 year	R20 000 per Municipal entity for assessment.
(b) Increase capacity in areas where it is lacking so that Municipal entities can fulfill their mandates in terms of the Municipal Systems Act. Priorities should be the appointment of LM environmental officers whose mandate it is to oversee coastal management issues, and additional staff in small satellite towns, e.g. Witsand (these staff need to be conversant with	District & Local Mandates / functions are determined by the Constitution Section 156 (Schedule 4B)	EDM and all LMs.	1 to 2 years for high priority strategies; ongoing as required.	Budget depends on level of Municipal employee and

coastal management issues and the relevant legislation and be able to liaise with other government institutions on a range of issues).	and 5B) and functions are then divided by Municipal Structures Act, Section 84.			numbers (provision to be made in IDP).
(c) MEC to appoint voluntary coastal officers (any member of the public with appropriate expertise) to perform duties and exercise powers ascribed to them in order to protect and conserve the coastal public property (help alleviate pressure on Municipal capacity).	ICM Act (Chapter 5, Section 43).	MEC in consultation with the MCC to identify candidates.	1 to 5 years.	Voluntary - no budget.

Performance Indicators

- (i) Report from EDM and LMs detailing their existing capacity and requirements to implement the strategies of the CMP.
- (ii) Appointment of additional Municipal employees to key positions aimed at implementing the strategies of the CMP.
- (iii) Strategies of the CMP are successfully implemented within time frames dictated by the CMP.
- (iv) Voluntary coastal officers appointed with clear mandates (powers and duties) who assist with compliance and enforcement.

Actions	Legislation	Mandate	Timeframe	Budget
Issue 7.4 Availability of GIS data for spatial planning, EIAs and conservation initiatives.				
Establish a central data base with the EDM where all GIS data used to inform spatial planning, EIA assessments (development applications) and conservation initiatives can be accessed from a central location. This will facilitate more efficient dissemination of information and allow for backups of all LM data.	None applicable.	Initiated by EDM but needs cooperation of all LMs.	2 to 4 years and then ongoing as new data is accumulated.	Initially R100 000 to access (locate) and transfer existing data, and R30 000 per year to update and maintain data base.
Performance Indicators				
Functional central data base where all GIS data can be accessed from a single location.				
Issue 7.5 Funding for implementation of CMP strategies.				

Strategies must be included in the District and LM IDPs so that they can be prioritized and budgets allocated for their implementation.	ICM Act (Chapter 5, Section 42).	EDM and all LMs.	Depends on time frame allocated in CMP.	Budgets will vary considerably depending on scope and duration of implementing strategy.
Performance Indicators				
CMP strategies are included in the IDP on a priority basis and allocated funds for their implementation.				
Issue 7.6 Dissemination of the CMP.				
In addition to the PPP followed during the development of the CMP (by Garden Route, LM and Rhodes University), Garden Route DM must fulfill its obligations in terms of the ICM Act and MS Act to inform stakeholders of the adoption of the CMP; in addition they should issue press releases and place notices on their websites and interact with CBOs who can inform local communities.	ICM Act (Chapter 6, Section 48); MS Act (Chapter 4).	EDM with assistance from LMs and CBOs.	Within 1st year (start prior to approval of CMP).	R200 000 for media releases and services of CBOs.
Performance Indicators				
All residents of Garden Route are aware of the CMP and given the opportunity to provide comment prior to approval.				
Issue 7.7 Drafting of additional by-laws.				
Additional by-laws to be developed for aspects of the CMP at local government level, which do not have existing legislation to assist with their implementation (e.g. horse riding on beaches and dead animal strandings and removal).	ICM Act (Chapter 6, Section 50).	EDM to take the lead in consultation with LMs.	1 to 2 years.	R30 000 for process to develop by-laws.
Performance Indicators				
All aspects of the CMP not addressed by National or Provincial legislation is addressed by Municipal by-laws.				

TABLE CMO 8 - MANAGEMENT STRATEGIES FOR COMPLIANCE & ENFORCEMENT

Issue 8.1 Enforce existing legislation and planning schemes				
Actions	Legislation	Mandate	Timeframe	Budget
(a) Municipal entities to enforce existing (and newly developed) by-laws and planning schemes (SDFs), and relevant National (e.g. NWA; EIA Regulations) and Provincial (e.g. Western Cape SDF) legislation and strategies. Existing legislation and strategies address most issues relevant to coastal management and it is not the purpose of the CMP to reinvent the wheel - compliance should ensure that the ideals of the CMP are realized.	All by-laws and sections of National and Provincial legislation ascribed to local authorities; Municipal SDFs; and aspects of legislation devolved to local authorities by National and Province.	All EDM and LM departments with mandates to enforce by-laws, SDFs and National and Provincial responsibilities devolved to the Municipal level.	From 1st year and ongoing.	Budgets will vary considerably - need to consider additional manpower, capital equipment and maintenance costs.
Performance Indicators				
(i) Number of incidents of non-compliance are reduced.				
(ii) No deviations from town planning schemes and the SDF.				
Issue 8.2 Incidents of non-compliance with National and Provincial legislation.				
Municipal entities report incidents of non-compliance to relevant National and Provincial organs of state for further action.	All aspects of National and Provincial legislation pertaining to activities in the coastal zone.	EDM and all LMs.	From 1st year and ongoing.	No cost.
Performance Indicators				
Official record of cases logged with National and Provincial authorities.				
Issue 8.3 Illegal structures and activities in the coastal public property and coastal protection zone.				

Conduct a survey of the coastal public property and coastal protection zone to verify all illegal structures and activities (e.g. non-compliance with ROD conditions on approved developments/activities, buildings, roads, fences, illegal access sites, bulldozing of dunes for views [Stilbaai East] and <i>ad hoc</i> protection measures) and then issue repair or removal notices (use CapeNature data base and EDM aerial survey as starting point).	ICM Act (Chapter 7, Section 60); Sea Shore Act (Section 10); NEMA (Chapter 7, Section 28).	DEADP to take lead with cooperation from EDM, all LMs and CapeNature.	From 1st year and ongoing.	R200 000 for survey (may appoint service provider); cost of repair or removal covered by transgressors.
Performance Indicators				
(i) Data base of all illegal structures and activities in the coastal protection zone and coastal public property.				
(ii) Issued repair or removal notices and compliance with their conditions.				

Actions	Legislation	Mandate	Timeframe	Budget
Issue 8.4 Municipal courts.				
Investigate the feasibility of establishing Municipal-based courts for the prosecution of alleged offenders with regards Municipal By-laws and town planning schemes.	CP Act.	EDM to liaise with Department of Justice.	3 to 5 years.	No cost.
Performance Indicators				
(i) Records of meetings and outcomes with the Department of Justice.				
(ii) Ultimately, the success will be measured in the establishment of Municipal-based court (similar to those used to address traffic offences).				
Issue 8.5 Mandates and contact details.				
A list of organs of state, their mandate with regards coastal management and contact details to be sent out in Municipal rates accounts and displayed at Municipal offices and public libraries.	None.	EDM and all LMs.	1 to 2 years.	R1 000 per Municipal entity for printing of public notices for display (R6 000 total).
Performance Indicators				

Successful distribution and displaying of information.				
Issue 8.6 Designated jet-ski zone in Plettenberg Bay				
Determine the legality or status of the jet-ski zone demarcated in Figure 5.6 (Appendix 5). There is no existing by-law pertaining to this, but it is possible that a council resolution exists. The existence and/or status of the zone needs to be formalized in a by-law.	ICM Act (Chapter 6, Section 50) for drafting of by-laws.	Bitou LM (Dupre Lombard as lead).	1 to 2 years.	No cost for investigation, but R30 000 for process to develop subsequent by-law.
Performance Indicators				
Formal recognition of status of jet-ski zone in Plettenberg Bay.				

TABLE CMO 9 - MANAGEMENT STRATEGIES FOR EDUCATION & AWARENESS

Issue 9.1 Create awareness of coastal management issues and solutions.

Actions	Legislation	Mandate	Timeframe	Budget
(a) Initiate a series of workshops aimed at creating an awareness amongst the public of the legislation applicable to coastal management (ICM Act, NEMA, EIA Regulations and ORV Regulations in particular), the issues impacting on coastal management and their rights in this regard (e.g. public access issues), and the role they can play in caring for the environment (reference to environment throughout this CMO section includes heritage resources).	None.	EDM to develop content and host workshops at LM (community) venues (can interact with NGOs and CBOs).	From 1st year and ongoing.	R3 000 per workshop (transport and refreshments; municipal venues used at no cost).
(b) Initiate in-house workshops for Municipal employees tasked with implementing strategies in the CMP in order to foster a better understanding of coastal functioning and the need (urgency) for management interventions.	None.	EDM to develop content and host workshops at LM venues.	From 1st year and ongoing.	R1 500 per workshop (transport for EDM presenter and refreshments; certificates of attendance).
Performance Indicators				
(i) Content for workshops developed and workshops held at all communities (maintain record of proceedings and attendance).				
(ii) Content for workshops developed and workshops held at all LMs (maintain record of proceedings and attendance; issue certificates to attendees).				
(c) Environmental education should become a part of the National education strategy so that future generations are exposed to a culture of environmental responsibility from an early age.	None.	Important action, but clearly a National mandate.	Once NCMP is developed.	Not applicable.
Performance Indicators				
None applicable to this CMP.				
(d) Facilitate access to schools for civic organizations and environmental groups (e.g. birding clubs, environmental forums) in order to educate learners and create awareness of environmental issues, initiatives and responsibilities.	None.	Garden Route DM (Vernon Gibbs-Halls) to act as intermediary between organizations and schools.	2 to 4 years.	Not applicable.
Performance Indicators				

None applicable to this CMP.				
€ Involve communities and local schools in environmental awareness initiatives such as beach clean ups, arbor day, marine week etc.	None.	EDM to take lead in consultation with LMs (can also interact with NGOs and CBOs).	Ongoing.	Transport and refreshments costs for school children (R2 000 per outing).
Performance Indicators				
Participation of communities and schools in environmental awareness initiatives.				
(f) Erect signboards in key recreation areas (and posters at schools, community halls and public libraries) that provide basic (but essential) information about Garden Route's (and LMs) role in environmental issues, the CMP and contributions that individuals (or groups) can make towards conserving and enhancing the coastal environment. Signboards and posters should be predominantly visual for easier communication and understanding.	DM and LM Outdoor advertising and signage by-laws.	EDM to take lead in consultation with LMs.	2 to 4 years.	R5 000 per signboard (funds possibly from National DEA or Provincial DEADP).
Performance Indicators				
Erection of signboards at all major public access sites.				

Actions	Legislation	Mandate	Timeframe	Budget
(g) All Protected Areas must include an education facility and strategy for visitors.	None.	Responsibility of National and Provincial CMPs (SANParks and CapeNature are managing authorities in Protected Areas).	Not applicable.	Not applicable.
Performance Indicators				
Not applicable to Municipal CMP.				
Issue 9.2 Education of public prior to issuing of recreational fishing licenses.				

The need to educate recreational fishers with regards the MLRA regulations has been identified by numerous stakeholders, However, this is not a Municipal mandate, but would fall under a National CMP.	Regulations under the MLRA.	National DAFF.	Not applicable.	Not applicable.
Performance Indicators				
Not applicable to Municipal CMP.				
Issue 9.3 Education of the judiciary with regards the severity of environmental transgressions.				
Transgressions of environmental laws needs to be placed in context and given a high-profile (such as Rhino or abalone poaching) so that courts deal more harshly with transgressors.	None.	National issue with responsibility to be assigned under the National CMP.	Not applicable.	Not applicable.
Performance Indicators				
Not applicable to Municipal CMP.				

TABLE CMO 10 - MANAGEMENT STRATEGIES FOR ECONOMIC DEVELOPMENT

Issue 10.1 Promote private sector investment.				
Actions	Legislation	Mandate	Timeframe	Budget
Garden Route DM to host a workshop with business leaders to develop a strategy for encouraging private sector investment. Opportunities need to be identified and an enabling environment created (balance between environment and development and facilitation of bureaucratic processes) that inspires confidence amongst potential investors.	None.	EDM in consultation with DEADP, Municipal LED bodies and possibly Dept. Trade & Industry.	2 to 4 years.	R30 000 for preparation advertising and hosting of workshop.
Performance Indicators				
Successful workshop indicated by good attendance and an outcome in terms of an investment strategy.				
Issue 10.2 Mariculture opportunities and development of Stilbaai harbor.				
Prioritize investigations into the feasibility of offshore cage culture (mariculture) for fin fish (as has happened in Port Elizabeth) and the development of the Stilbaai harbor (e.g. heritage museum, marine-based excursions, aquarium etc.).	For mariculture - MLRA (Chapter 1, Section 2; Chapter 3, Section 18; Chapter 8, Section 77).	EDM to facilitate negotiations with DAFF and DEA (for mariculture) and Dept. Public Works for Stilbaai harbor and to appoint service providers to conduct feasibility studies.	2 to 4 years.	R100 000 for each feasibility study.
Performance Indicators				
Buy-in from DAFF and Dept. Public Works and completed feasibility reports from service providers.				
Issue 10.3 Micro-economic activities and opportunities.				
Encourage and facilitate micro-economic activities that empower previously disadvantaged communities (e.g. tourism guides, heritage tours and guides and street vendors/informal traders).	By-law for informal trading; Municipal economic development strategies as part of IDPs.	LED and tourism departments within EDM in consultation with LMs (can also interact with NGOs and CBOs).	1 to 3 years and ongoing as additional opportunities arise.	Unknown, but financial aid to assist with starting up activities may be required.
Performance Indicators				

Increase in the number of informal traders and increased involvement of PDIs in the tourism industry.

TABLE CMO 11 - MANAGEMENT STRATEGIES FOR TOURISM AND RECREATION

Issue 11.1 Additional and maintained coastal access to stimulate tourism

Actions	Legislation	Mandate	Timeframe	Budget
(a) Identify coastal access land that will stimulate the tourism potential of the coastal region. Designation of coastal access land as per CMO 1: Issue 1.2(c).	ICM Act (Chapter 2, Part 3, Sections 18 to 20); ORV Regulations (for vehicle access) and EIA Regulations (for listed activities and impact assessments); Municipal Structures Act: Section 84.1(m) for promotion of local tourism by DM.	All local municipalities to appoint service provider to identify and assess areas; Local Municipality to negotiate, designate and maintain.	1 to 2 years (after completion of Issues 1.2a and b)	R100 000 per Municipality for assessment; cost for negotiation, designation and maintenance unknown.
(b) Include designated coastal access land in SDFs.	ICM Act (Section 20).	All municipalities.	3 years (or next SDF review period)	As part of the SDF budget.
Performance Indicators				
(i) Report detailing desired additional coastal access land and impact assessment.				
(ii) Designation of coastal access land with associated infrastructure (e.g. waste bins, parking, ablutions and disabled persons access) and maintenance management plan.				
(iii) Designated coastal access land in SDFs.				
(c) Maintain coastal access points (e.g. infrastructure and paths) to ensure that the tourism potential of the area is not negatively impacted.	ICM Act (Chapter 2, Part 3, Sections 18 to 20); Municipal Structures Act: Section 84.1(m) for promotion of local tourism by DM.	All local municipalities to maintain.	Ongoing.	Maintenance costs unknown at this stage.
Performance Indicators				

(i) Inventory and map of designated coastal access land that requires ongoing maintenance.

(ii) Identified as an ongoing IDP project and budget made available.

Actions	Legislation	Mandate	Timeframe	Budget
(d) Identify and select coastal access land that can include boat launching sites, with a preference for historical launch sites. This action should be undertaken in associated with CMO 1: Issue 1.2 and will require a strategic environmental assessment to identify suitable sites and prevent cumulative impacts associated with boat launching and 4X4 vehicular use in the coastal zone.	Off-road Vehicle (ORV) Regulations.	Authorization of sites is DEA (Oceans & Coasts) and DEADP (coastal management) function, but EDM should designate suitable sites (appoint consultants) as part of the exercise to determine coastal access land.	2 to 4 years	R100 000 for assessment of suitable launch sites (covered by DEADP).
(e) Develop an environmental management plan for the boat launching sites identified in (c) above, which provides generic and site specific environmental conditions for each site e.g. maximum number of vehicles per site, access times, launch records etc.	Off-road Vehicle (ORV) Regulations.	DEA (Oceans & Coasts) and DEADP (coastal management) controls the authorization, but if municipalities or individuals apply, they will be responsible for EMPs (appoint consultants) as part of the application process(will require Basic Assessment).	5 years (ongoing).	R20 000 for each management plan at each launch site. Additional cost for Basic Assessment (R30 000) if authorization is required.
Performance Indicators				
(i) Strategic environmental assessment with a map of potential boat launching sites associated with designated coastal access land.				
(ii) Environmental management plan developed by applicants (municipalities or individuals/organizations) as part of their applications for a license at the selected sites.				
Issue 11.2 Provide recreational activities within the coastal zone				

(a) Identify and map coastal recreational use areas for various activities, such as bird watching, hiking trails, running, cycling, horse riding, shore-based whale watching, scuba diving and jet skiing. Some recreational activities will be compatible while others will be incompatible, for example beach horse riding and swimming, jet skiing and scuba diving or whale watching. These areas should correlate with the designated coastal access land outside of urban edges to reduce cumulative impacts and to prevent disturbance of sensitive coastal areas (see CMO 1: Issues 1.1 to 1.3).	Constitution (Section 156, Schedule 5B: Beaches and amusement facilities). Municipal Structures Act (Section 84.1(m) for promotion of local tourism by EDM.	All local municipalities to appoint service provider to identify and assess areas. Garden Route DM to assist.	2 to 4 years	R200 000 for a DM survey or R40 000 per LM (includes development of EMPs).
(b) Liaise with landowners for rights of access and overnight accommodation, where required, including local entrepreneurs or businesses to promote activities (i.e. scuba, cycling, horse riding) as part of the process of identifying and mapping feasible areas.	As above	As above	2 to 4 years	Part of budget detailed above.

Actions	Legislation	Mandate	Timeframe	Budget
(c) Develop environmental management plans for the various recreational use areas and identify infrastructure needs for the various activities, such as walkways along the beachfront, tow paths along estuaries, whale watching viewpoints, hides for bird watching, paths for hiking, running, cycling and horse riding.	As above	As above	2 to 4 years	Part of budget detailed above.
(d) Promote local economic development (LED) in this regard and increase business activity by compiling brochures on local investment opportunities and promoting this as a tourism theme or activity.	As above	All local municipalities. Garden Route DM to assist.	2 to 4 years	R30 000 for production and distribution of brochures.
(e) Lobby the national and provincial tourism organizations to promote these local tourist activities/facilities to the international and national market.	As above	As above	2 to 4 years	Unknown.
(f) Incorporate the mapped areas into municipal SDFs	ICM Act (Section 42(4)(e) and Section 48(4)).	All municipalities (in house or appoint consultants as part of the SDF review process).	Subsequent to (a) and (b), during the next SDF review cycle	Cost part of Municipal SDF review.
Performance Indicators				
(i) Document that details and maps coastal recreational use areas.				

(ii) Environmental Management Plans developed.				
(iii) Municipal LED programme identifies projects and funding (e.g. LED fund, Consolidated Municipal Infrastructure Programme, Development Bank of South Africa) for recreational use areas.				
(iv) Brochures developed.				
Issue 11.3 Promote organized events				
(a) Increase the number of organized sport events (e.g. triathlons, X-terra etc.) and festivals, such as the Oyster Festival, by liaising with the relevant organizations.	Municipal Structures Act (Section 84.1(m) for promotion of local tourism by EDM).	EDM in consultation / collaboration with all municipalities (tourism departments).	2 to 4 years	Unknown.
(b) Advertise such events to increase participation (e.g. brochures, tourism websites, newspapers, Garden Route FM radio).	Municipal Structures Act (Section 84.1(m) promotion of local tourism by DM)	Garden Route DM in consultation/collaboration with all municipalities (tourism departments).	2 to 4 years	R20 000 for brochures and advertising costs each year.
Performance Indicators				
(i) Annual programme of organized events .				
(ii) Materials developed to advertise events.				

Actions	Legislation	Mandate	Timeframe	Budget
Issue 11.4 Blue flag beach and marina programme				
(a) Identify potential new blue flag beaches and pursue the blue flag status for the Knysna marina.	Constitution (Section 156, Schedule 5B: Beaches and amusement facilities). Municipal Structures Act (Section 84.1(m) for the promotion of local tourism by EDM).	EDM to drive the process, but LMs to pursue options within their jurisdiction.	2 to 4 years	Cost of building and maintaining infrastructure, lifeguards etc. will be highly variable.

(b) Develop a blue flag beach and marina programme to identify the actions to be implemented for each site in this regard.	As above; also WESSA guidelines for the minimum requirements for blue flag status.	All LMs.	2 to 4 years	Minimal - actions are prescribed by WESSA.
Performance Indicators				
(i) Database and map of existing and potential new blue flag beaches and marinas (see Appendix 5).				
(iii) A blue flag beach and marina programme is developed and implemented (already underway in EDM).				
Issue 11.5 Safety and security				
(a) Procure budget to deploy life guards at identified beaches to ensure swimmers safety.	Constitution (Section 156, Schedule 5B: Beaches and amusement facilities). Municipal Structures Act (Section 84.1(m) for the promotion of local tourism by EDM).	All local municipalities, in collaboration with Garden Route DM.	2 to 4 years	
(b) Procure budget to deploy security personnel at identified beaches to ensure security of persons and property (vehicles).	As above	As above	2 to 4 years	
Performance Indicators				
(i) IDP reflects both life-guard and security forces as a project with funds allocated.				
(iii) Presence of life-guards and security personnel increased, with an increase in staff numbers over time.				

Actions	Legislation	Mandate	Timeframe	Budget
Issue 11.6 Dogs and beaches				

(a) Designate dog friendly beaches to prevent the indiscriminate closure of beaches to owners and their dogs, which takes into account sensitive coastal environments. Final beach selection should be determined during the IDP Public Participation Process (PPP) or other form of PPP. Three categories should be considered - no dogs on Blue Flag beaches, dogs on leashes in areas with lots of other users or near to bird nesting sites and no leash required in more remote areas.	Constitution (Section 156, Schedule 5B: Beaches and amusement facilities). (Note that Garden Route DM Public Amenities By-Law, in part, controls dogs in beaches).	All LMs.	2 to 4 years (next IDP review)	R20 000 for PPP for each LM.
(b) Develop a coastal by-law in which dogs are prevented access to sensitive coastal areas and/or rules of conduct are developed to prevent disturbance to sensitive coastal areas, e.g. around bird nesting colonies. The by-law should indicate general rules of conduct.	ICM Act (Section 51); Constitution (Section 156, Schedule 5B: Beaches and amusement facilities). (Note that Garden Route DM Public Amenities By-Law, in part, controls dogs on beaches).	EDM to develop generic By-laws with input from all LMs for site-specific regulations.	2 to 4 years	R30 000 for development of By-laws.
Performance Indicators				
(i) A database and map of dog friendly beaches.				
(ii) A coastal by-law is developed in which dogs are prevented access to sensitive coastal areas and/or rules of conduct are developed to prevent disturbance to sensitive coastal areas, such as bird nesting colonies; and other general rules of conduct.				
Issue 11.7 Use of the beach by horses.				
Actions	Legislation	Mandate	Timeframe	Budget
Develop by-laws that provide for the use of public beaches (excluding Blue Flag beaches) by horses (private use and commercial ventures), stipulating specific areas, times and clean-up requirements so as to minimize interference with other activities. Facilities for parking (car and horse-trailer) must be a requirement.	ICM Act (Section 50).	LMs to identify areas and assist with Regulations; District by-law covering whole area is recommended.	2 to 4 years.	R30 000 for process to develop District by-laws.
Performance Indicators				
By-laws drafted and horses allowed on selected non-Blue Flag beaches at specific times under strict conditions.				
Issue 11.8 Access to harbours				

(a) Liaise with National Ports Authority (managing authority of the port) to provide access to harbours where access is currently closed to the public, e.g. at Mossel Bay.	Constitution (Section 156, Schedule 4B: pontoons, ferries, jetties, piers and harbours).	EDM on behalf of LMs.	2 to 4 years	Unknown.
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Actions	Legislation	Mandate	Timeframe	Budget
(b) Identify LED projects that could enhance tourism activities in harbours i.e. tour guides, boating trips.	Constitution (Section 156, Schedule 4B: Local Tourism) Municipal Structures Act (Section 84.1(m) for the promotion of local tourism by EDM).	All local municipalities, in collaboration with Garden Route DM.	2 to 4 years	Unknown.
Performance Indicators				
(i) Access to harbours is gained.				
(ii) IDP project and funding identified for LED projects.				
Issue 11.9 Tourism websites				
Upgrade and maintain tourism websites; Garden Route needs to be branded and marketed as a destination for eco-friendly, non-consumptive activities in the coastal zone.	Constitution (Section 156, Schedule 4B: Local Tourism) Municipal Structures Act (Section 84.1(m) for the promotion of local tourism by EDM).	All local municipalities, in collaboration with Garden Route DM.	From 1st year and ongoing.	In-house or external service provider (R20 000 per year per website).
Performance Indicators				
All websites are upgraded and maintained.				
Issue 11.10 Maintain the coastal 'Sense of Place' to benefit tourism				

Protect biodiversity and landscapes to maintain the coastal 'sense of place' to ensure that the tourism potential of the area is not negatively affected. Various mechanisms are available, for example conservation mechanisms (namely: NEM:PAA, WC NCLA, stewardship agreements), appropriate land use, protection of heritage resources and invasive alien species control. Refer to CMO 2, Issue 2.5.	ICM Act, NEMA, NEM:BA, NWA etc.; Municipal Structures Act (Section 84.1(m)).	Various stakeholders. Refer to CMO 2, Issue 2.5.	2 to 4 years	Unknown.
Performance Indicators				
Refer to CMO 2, Issue 2.5.				
Issue 11.11 Allocation of launching rites for fishing jet-skis.				
By-laws need to be amended to allow for fishing jet-skis (rigged and licensed as per SAMSA requirements) to launch from all designated launch sites and be allowed to proceed out to and back from sea for the sole purpose of fishing (must obey all rules applicable to motorized boats, e.g. wake-free zones).	Public Amenities By-laws.	Garden Route DM to amend District by-law to include fishing jet-skis.	4 to 5 years.	R30 000 for process to develop District by-laws.
Performance Indicators				
By-laws drafted to allow fishing jet-skis access to launch sites to proceed to and back from sea.				

TABLE CMO 12 - MANAGEMENT STRATEGIES FOR SUSTAINABLE LIVELIHOODS

Issue 12.1 Existing activities need to be controlled and additional opportunities explored.

Actions	Legislation	Mandate	Timeframe	Budget
(a) Existing subsistence and small-scale commercial fisheries must be evaluated and regulated (number of participants, quotas and area of operation) so as protect scarce marine resources and allow sustainable utilization of target species.	MLRA (Chapter 3, Part 1 Section 14 and Part 2 Sections 18 and 19.	Regulating resource use will contribute to the overall Vision for Garden Route, however, this action is the mandate of National DAFF and must be dealt with by the NCMP.	2 to 4 years	Not applicable.
(b) New opportunities for subsistence and small-scale commercial fishers should be explored based on available resources and research aimed at ensuring sustainable utilization (number of licenses, area of operation, quotas and target species).				

Performance Indicators

To be determined by the NCMP.

Issue 12.2 Access to launch sites for commercial fishermen (Mossel Bay).

Establish the legality of the situation regarding access to the two slipways in the vicinity of the Mossel Bay Yacht Club and the charges being levied for launching; commercial quota holders cannot afford charges and are selling off quotas as a result. This has a direct effect on their existing livelihoods.	ORV Regulations for licensing of slipways; ICM Act (Chapter 2, Part 3, Sections 18 to 20); lease agreements and conditions.	Mossel Bay LM (Warren Manuel to take lead).	1 year	No cost.
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Performance Indicators

Situation surrounding status of launch sites and charges being levied resolved and communicated to commercial quota holders.

TABLE CMO 13 - MANAGEMENT STRATEGIES FOR RESEARCH

Issue 13.1 Management decisions based on sound scientific research.				
Actions	Legislation	Mandate	Timeframe	Budget
All management decisions must have a sound scientific basis stemming from research aimed at solving specific problems, e.g. estuary breaching, erosion and accretion prevention, reserve assessments, socio-economic impact of set back lines, resource protection, biodiversity enhancement and environmental impact of coastal access land. In the absence of scientific data, a precautionary approach should be adopted.	Reference in the Draft National Estuarine Management Protocol (Government Gazette No. 35296 of 4 May 2012; Section 4.4) should be applied in all instances.	The MCC in the context of this CMP, but this applies to the bigger picture as well and must include National and Provincial Coastal Committees set up to implement the NCMP and PCMP respectively.	Ongoing	Municipalities may need to fund issue-specific research (with assistance from Province or National), but costs will vary depending on scope of work.
Performance Indicators				
Proof that management decisions have been based on sound scientific data and evidence (e.g. reference to work published in primary and popular scientific publications).				
Issue 13.2 Non-consumptive use within the coastal zone.				
Motivate for an assessment of non-consumptive recreational activity opportunities within the Garden Route coastal zone. Both the potential for the establishment of new opportunities and expansion of existing ventures must be assessed. Examples include linking and expanding hiking (trail running) & biking trails between SANParks areas and private property, SCUBA diving within MPAs, bird watching, whale watching, horse riding trails etc. Consultation with all affected parties (e.g. landowners, service providers, tourism) is paramount. This can be used to inform the Tourism strategy 11.2a described in the CMO11 table.	None applicable, but any new ventures must adhere to all legislative requirements.	Garden Route DM to draft TOR and call for proposals from suitable organizations.	2 to 4 years.	Unknown, but possibly in the region of R300 000.
Performance Indicators				
Initially a Draft framework and TOR developed by Garden Route DM, followed by completed Report with recommendations by service provider.				

4.1 The Monitoring of Implementation Actions

4.1.1 Municipal Coastal Committees

The monitoring of the implementation of the Garden Route district Coastal Management Programme (CMP) will be the responsibility of a Municipal Coastal Committee (MCC) that is representative of all stakeholders. At present, the Garden Route District chairs the Garden Route District MCC. The function of the MCC is to facilitate the implementation and evaluation/audit (after five years) of the CMP, and to provide a forum where issues can be raised and discussed in a transparent manner. In this way, all management decisions are made collectively with the full participation and knowledge of all stakeholder groups.

4.1.2 Legislative Context of a Municipal Coastal Committee

In accordance with Chapter 5, Section 42 of the ICM Act, the establishment and functions of an MCC are as follows:

1. Each metropolitan municipality and each district municipality that has jurisdiction over any part of the coastal zone **may establish**² a coastal committee for the municipality and, subject to subsection (4), determine its powers.
2. Any local municipality that has jurisdiction over any part of the coastal zone **may establish** a coastal committee for the municipality and subject to subsection (4) determine its powers, which may include the power to establish local subcommittees of the municipal coastal committee.
3. A municipal coastal committee contemplated in subsections (1) and (2) may include:
 - a. persons with expertise in fields relevant to coastal management;
 - b. representatives of the management authorities of coastal protected areas or special management areas within the municipality; and
 - c. representatives of communities or organizations with a particular interest in contributing to effective coastal management, such as port authorities, organs of state, persons whose livelihoods or businesses rely on the use of coastal resources, environmental interest groups and research organizations.
4. A municipal coastal committee contemplated in subsections (1) and (2) may:
 - a. promote integrated coastal management in the municipality and the coordinated and effective implementation of this Act and the municipal coastal management programme;

² Note that this implies that a Municipality is not obliged to establish a committee, but may choose to use existing structures, committees or organizations to implement the CMP. This differs from the National and Provincial CMPs, which must establish such committees.

- b. advise the municipal manager, the municipal council and the provincial coastal committee on matters concerning coastal management within the area of jurisdiction of the municipal coastal committee;
- c. advise the municipality on developing, finalizing, reviewing and amending the municipal coastal management programme;
- d. promote a coordinated, inclusive and integrated approach to coastal management within the municipality by providing a forum for, and promoting, dialogue, co-operation and co-ordination between the key organs of state and other persons involved in coastal management within its area of jurisdiction;
- e. promote the integration of coastal management concerns and objectives into the municipality's integrated development plan and spatial development framework and into other municipal plans, programmes and policies that affect the coastal environment; and
- f. perform any coastal governance function delegated to it.

4.1.3 Garden Route District Municipal Coastal Committee

In order for the Garden Route district Municipal Coastal Committee (MCC) to function effectively, one must guard against it comprising too many members. For example if every angling club (deep-sea and rock & surf) were to be represented, their numbers alone would be close to 20. The same applies to ratepayers and homeowners associations. Instead it is proposed that the MCC comprise mainly organs of state and para-statal (managers and decision-makers) and in accordance with sub-section 2 of Section 42 of the ICM Act (see Section 4.2), sub-committees are set up that would comprise and represent the vast collection of different interest groups. The chairman of these sub-committees would then attend the MCC meetings and must be mandated to report back to their representative groups. Initially, sub-committees may be established to represent each of the coastal management objectives (see Chapter 2, Section 2.2), and can later be refined.

Based on this format and the other legal requirements detailed above, it is recommended that the following are included on the MCC (* denotes those who may not be required to attend all MCC meetings, but only those when items within their mandate or interest are on the Agenda):

- Garden Route District Municipality (lead authority and initial chair);
- Local (B) Municipalities of Bitou, Knysna, George, Mossel Bay and Hessequa (Additional representatives from the many Municipal Departments may be requested to attend depending on Agenda items);
- SANParks;
- CapeNature;
- Department of Environmental Affairs (Branches of Oceans & Coast and Biodiversity & Conservation);

- Department of Environmental Affairs and Development Planning (representative from Coastal Management in Cape Town and from regional office in George);
- Department of Water Affairs;
- Department of Agriculture, Forestry and Fisheries (representative from each Department);
- Department of Minerals and Energy (include Mossgas/Petro-SA)*;
- Department of Trade & Industry*;
- Department of Public Works*;
- National and Provincial Heritage Resources Agencies*;
- South African Maritime Safety Authority*;
- Transnet: National Ports Authority*;
- Gouritz Cluster Biosphere Reserve;
- Ward Councillors;
- Provincial Coastal Committee (chairman or delegated representative);
- Estuary Management Forum (EMF) chairpersons (EMFs should be regarded as advisory bodies that assist the MCC in implementing individual EMPs; as per Section 9 of the Estuarine Management Protocol);
- Sub-committee chairpersons;
- WWF-SA;
- WESSA;
- Overberg and Cacadu District MCC chairpersons (once established). In the interim, representatives from the neighboring local Kouga (east) and Overberg (west) Municipalities may be included;
- Specialists consultants or academics/scientists on an *ad hoc* basis and in an advisory capacity as required.

In addition to the formal structure and functioning of the MCC, it is important to recognize the value of not only scientific knowledge (for monitoring and informing management interventions) but that of informal knowledge or so-called ‘citizen’s science’. Opportunities should be created and recognized where local knowledge and capacity amongst civil society and civic organizations can make meaningful contributions. Members of the public can be used for data collection for monitoring purposes and for consultations prior to management considerations. In this regard, the expertise within civic-based institutions such as bird clubs, hiking clubs and estuary & environmental forums should be embraced.

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ANNEXURE A: Garden Route District Coastal Environment Description

A.1 Bio-Physical Description

The Garden Route DM coastal and marine environment is located along the southern coastline of South Africa and within the Agulhas inshore bioregion. The southern coastline extends from Cape Agulhas to Port Elizabeth, whereas the Agulhas inshore bioregion stretches from Cape Point to the Mbashe River in the east. The Agulhas inshore bioregion is one of five distinct marine bio-geographic zones in the country. Each bioregion presents a distinct biodiversity profile due to bioregional differences in physical oceanography (Maree and Vromans 2010). The Agulhas bioregion reflects the highest number of endemic fish species compared with the other bioregions (Lombard *et al.* 2004).

The coastline experiences strong wave action owing to its exposure to the south-westerly ocean swells. A relatively shallow bank extends almost 250 km out to sea, known as the Agulhas Bank. As part of the continental shelf, this bank is of key biological importance, influenced by warm water plumes from the Agulhas current, as well as cold, nutrient-rich ‘bottom’ water upwelling from the Benguela current. As a consequence, sea temperatures and productivity on the Agulhas Bank are intermediate between those of the west and east coast marine systems. The area supports a variety of marine mammals, seabirds, reef fish, deep water and open ocean fish, as well as shellfish; and is the centre of the South African fishing industry (Vromans *et al.* 2010).

The coastline is characterised by a rocky shoreline interspersed with bays, sandy beaches, dunes, rivers, river mouths, estuaries and lakes. Intertidal geological habitats are comprised of exposed rocky shorelines, including boulders on sand, mixed shores and intermediate sandy shores. Numerous Vulnerable, Threatened or Endangered bird species populate intertidal sandy beaches, while the endemic and endangered pansy shell (*Echinodiscus bisperforatus*) inhabits sandy intertidal and subtidal areas around Plettenberg Bay. Major dune fields include, from west to east, Rietvlei dune cliffs, Vleesbaai dunes, Wilderness Buffalo Bay dunes, and the Plettenberg Bay – Keurboom dunes. Reef fish abundance is high for most of the coastline (Clark and Lombard 2007).

There are 21 estuaries in the Garden Route District coastline. They are warm temperate estuaries and are mainly permanently open systems with a few being temporarily open/closed systems, such as the Blinde and Goukamma estuaries, whereas the Wilderness Lakes is an estuarine lake system. The Bloukrans is classified as a river mouth and therefore not included as an estuary. Some rare and endangered fish and bird species are associated with the estuaries. For example, the endangered and endemic Knysna Seahorse (*Hippocampus capensis*) inhabits the Knysna and Keurbooms/Bitou Estuaries (also Klein Brak and Swartvlei historically but not any more), while the endangered Blue Crane (*Anthropoedus paradisea*) frequents the Kaaimans Estuary. Estuaries also play a vital role in the life history of many threatened linefish species such as dusky kob (*Argyrosomus japonicus*), white steenbras (*Litjognathus lithognathus*) and leervis (*Lichia amia*). The Knysna Estuary is ranked number one in South Africa in terms of its conservation importance (Turpie & Clark 2007). A number of important wetlands have been mapped along the coastal zone, ranging from seep, to

valley bottom, floodplain and depressional wetland types, each with a distinct species composition (Job *et al.* 2008; Nel *et al.* 2011).

Fynbos, forest, thicket and azonal vegetation types grow along the Garden Route DM coastline, with fynbos being the most widespread. According to Mucina *et al.* (2005) and Mucina & Rutherford (2006), there are 21 national vegetation types, including two waterbody types, known as Cape Coastal Lagoons and Freshwater Lakes (Table A2.1). Half of the 21 national vegetation types are Threatened Ecosystems, with two categorized as Critically Endangered, five as Endangered and four as Vulnerable. Threatened Ecosystems that are listed in terms of NEM:BA include Cape Lowland Alluvial Vegetation, Eastern Coastal Shale Band Vegetation, Garden Route Granite Fynbos, Garden Route Shale Fynbos, Groot Brak Dune Strandveld, and Knysna Sand Fynbos. Canca Limestone Fynbos is endemic to the Hessequa and Mosselbay Municipalities, occurring nowhere else in the world. The vegetation types have been further subdivided into finer-scale sub-types (Vlok and de Villiers 2007; Vlok *et al.* 2008). Numerous endemic plant and animal species are associated with the vegetation types, as well as rare and endangered organisms, such as the Critically Endangered *Disa newdigatae*, the Vulnerable Blue duiker (*Philantomys monticola*) and the Critically Endangered Brenton Blue Butterfly (*Orachrysops niobe*).

A.2 Critical Biodiversity Area Maps

Fine-scale Critical Biodiversity Area (CBA) Maps (1:10 000) have been developed for all the coastal municipalities within the Garden Route District Municipality (Appendix E). The CBA maps identify priority biodiversity areas that require protection, guide sustainable development by providing biodiversity information to decision makers, serve as the common reference for all multi-sectoral planning procedures (e.g. IDPs, SDFs, EMFs and EIAs) and are the precursors to NEM:BA published bioregional plans.

The CBA Maps divide the landscape into Protected Areas (PAs); Critical Biodiversity Areas (terrestrial and aquatic, with buffers), Ecological Support Areas (Critical ESA and Other ESA, with buffers), Other Natural Areas and No Natural Areas Remaining (or No Remaining Natural Areas). A number of marine CBAs are delineated within the area stretching from Kaaimans Mouth to the Tsitsikamma portion of the Garden Route National Park. These are as follows (from west to east):

- The Kaaimans River Mouth, to the west of Wilderness (George Municipality);
- The area from Wilderness, just west of the Touws River mouth through to Platbank, just east of Sedgfield. This area includes the dune area of the Groenvlei-Swartvlei mouth, which could be incorporated with the westward extension of the Goukamma Nature Reserve, a formal Protected Area (spans both the George and Knysna municipal areas);
- The area extending from just east of Buffels Bay to Brenton-on-Sea (Knysna Municipality);
- A marine extension of the Knysna Heads (Knysna Municipality);
- The area from Noetsie to Toegroeiberg, east of Kranshoek (Knysna and Bitou Municipalities);
- The marine extension of the Piesangs River Mouth at Plettenberg Bay (Bitou Municipality);

- The marine extension of the mouth of the Keurbooms Estuary (Bitou Municipality);
- The area extending from east of Keurboomstrand to the western boundary of the Tsitsikamma National Park (Bitou Municipality).

Table A.2.1 The national vegetation types that occur along the Garden Route district coastline (Mucina and Rutherford, 2006).

SA Vegetation type	Biodiversity Target	Protection status (% protected)	Ecosystem Status	Biome	Municipality
1. Albertinia Sand Fynbos	32%	5.4% (+2.3%)	Vulnerable	Fynbos	Hessequa, Mosselbay,
2. Blombos Strandveld	36%	20.7% (+11.1%)	Least Threatened	Fynbos	Hessequa
3. Canca Limestone Fynbos	32%	0.1% (+3.1%)	Least Threatened	Fynbos	Hessequa, Mosselbay,
4. Cape Estuarine Salt Marshes	24%	22.8% (+3%)	Least Threatened	Azonal Vegetation	Knysna, Bitou
5. Cape Lowland Freshwater Wetlands	24%	16% (+2.1%)	Least Threatened	Azonal Vegetation	George, Bitou
6. Cape Lowland Alluvial Vegetation	31%	0.9%	Critically Endangered	Azonal Vegetation	Hessequa
7. Cape Seashore Vegetation	20%	44.5% (+1.3%)	Least Threatened	Azonal Vegetation	Hessequa, Mosselbay, George, Bitou
8. Central Coastal Shale Band Vegetation	27%	abt.25% (+42.5%)	Least Threatened	Fynbos	Mosselbay
9. Eastern Coastal Shale Band Vegetation	27%	16.1% (+5.2%)	Endangered	Fynbos	Bitou
10. Eastern Rûens Shale Renosterveld	27%	0.3%	Critically Endangered	Fynbos	Hessequa
11. Garden Route Granite Fynbos	23%	1.3%	Endangered	Fynbos	Mosselbay, George, Knysna
12. Garden Route Shale Fynbos	23%	5% (+3%)	Endangered	Fynbos	George, Knysna Bitou
13. Groot Brak Dune Strandveld	36%	0% (+0.7%)	Endangered	Fynbos	Mosselbay, George

14. Knysna Sand Fynbos	23%	3.2% (+2%)	Endangered	Fynbos	Knysna, Bitou
15. North Langeberg Sandstone Fynbos	30%	13.3% (+44.6%)	Least Threatened	Fynbos	Mosselbay,
16. South Outeniqua Sandstone Fynbos	23%	47.3%	Vulnerable	Fynbos	Knysna, Bitou
17. Southern Afrotropical Forest	34%	59.7%	Least Threatened	Forests	George, Knysna, Bitou
18. Southern Cape Dune Fynbos	36%	> 16% (+3.5%)	Least Threatened	Fynbos	George, Knysna
19. Southern Cape Valley Thicket	19%	0.1% (+1%)	Vulnerable	Albany Thicket	Hessequa
20. Southern Coastal Forest	40%	53.4% (+0.8%)	Least Threatened	Forests	Knysna, Bitou
21. Tsitsikamma Sandstone Fynbos	23%	about 40%	Vulnerable	Fynbos	Bitou

PAs, CBAs and ESAs represent the biodiversity priority areas and should be managed in a natural to near-natural state. Each category has been assigned a Desired Management Objective, ranging from rehabilitation and no further degradation (for PAs, CBAs), to maintaining ecological processes (ESAs) to areas favored for development (No Natural Areas Remaining or No Natural Remaining Areas). Associated with the CBA Map is a recommended set of land-use activities (e.g. conservation, extensive agriculture, rural housing). Almost the entire Garden Route DM coastal zone, apart from the urban areas and a few Other Natural Areas, is designated as a PA, CBA or ESA (Maree and Vromans 2010; Vromans *et al.* 2010).

A.3 Socio-Economic Description

Key urban settlements along the Garden Route district coastline comprise, from west to east, Witsand, Jongensfontein, Stilbaai, Gouritzmond, Mosselbay, Wilderness, Sedgfield, Knysna and Plettenberg Bay. Mosselbay, Knysna and (to a lesser extent) Plettenberg Bay are however the main economic drivers along the coastal area.

The Garden Route district has a population in excess of 513 000 people, of which the majority inhabit the coastal towns of George, Mosselbay and Knysna and the inland town of Oudsthoorn, with the George and Mosselbay municipalities comprising almost half of the total population. Future predictions suggest continued growth within these towns, which will place pressure on coastal ecosystems.

As at 2019, The Garden Route district had a population of 622 664, rendering it, outside of the City of Cape Town, the second most populous municipal district in the Western Cape, after the Cape Winelands' population of 917 462 people. The total population is estimated to increase to 643 134 by 2023, which equates to 0.8 per cent

average annual growth. The population growth rate of Garden Route district is significantly below that of the Western Cape's estimated population growth of 1.8 per cent over this period. Population figures are partly increasing due to the immigration of elderly people to coastal towns and younger people from the Eastern Cape (EC) (Department of Social Development, 2019).

The largest three industries in the Garden Route district region are the services, retail and manufacturing sectors, contributing R5.5 billion (57.8%) to the economy. Due to a growing tourism sector and increasing investments into holiday housing, especially along the coast, the construction industry is the fastest growing sector. Agriculture, forestry and fishing continue to be relatively important sectors, contributing approximately 7.3% to the regional GDP, whereas the mining sector has rapidly declined over the period 1995-2005, contributing only 0.5% to the Garden Route economy. The traditional linefish, squid and oyster fisheries are the main commercial fisheries that exist along the coastline. The traditional linefish fishery is predominantly active between Mosselbay and Plettenberg Bay. The chokka squid fishery operates on inshore spawning grounds situated around Plettenberg Bay and towards Tsitsikamma. There is concern that the oyster fishery along the Southern Cape, particularly in the Mosselbay, George and Knysna areas, is over exploited. The smaller coastal towns, such as Sedgefield, Buffels Bay and Nature's Valley, are dominated by tourism, with the retail sector, services and the municipality contributing to economic activities (Chalmers *et al.* 2009).

Over the last decade, the Garden Route district's unemployment rate has been rising steadily; it has increased from 15.0% in 2015 to 16.3% in 2016, and 17.0% in 2017. The Garden Route district's unemployment rate in 2019 has however fallen to 15.2%, which is much lower than that of the Province's 18.2% unemployment rate (Department of Social Development, 2019).

The National Development Plan (NDP) has set a target of reducing income inequality in South Africa from a Gini-coefficient of 0.7 in 2010 to 0.6 by 2030. *"Income inequality in the Garden Route district has worsened between 2012 and 2018, with the Gini-coefficient increasing from 0.585 in 2012 to 0.614 in 2018"* (Western Cape Government: Socio-economic Profile, 2019:01)

ANNEXURE B: Detailed Legislative Review

B.1 Legislative Review

Municipalities are mandated to implement effective environmental management under a range of policies and legislation, including those dealing with coastal development, environmental management, the conservation and sustainable use of biodiversity, pollution and waste management. They are responsible for (1) Implementing the environmental policies, plans and programmes of national and provincial government; (2) Ensuring alignment between Integrated Development Plans (IDPs) and provincial Environmental Implementation Plans; (3) Ensuring that IDPs comply with the NEMA principles; and (4) Ensuring that IDPs are aligned to the National Biodiversity Framework (South Africa's National Biodiversity Strategy and Action Plan: Country Study, 2005).

This legislative review determines municipal mandates and responsibilities in relation to coastal zone management (e.g. ICM Act, NEMA, NEM:BA, ECA, MSA etc). The following potential coastal management issues were investigated to determine municipal obligations in terms of legislation, namely: environmental protection, land-use authorization (zoning), disaster management, fire control, alien control, carcass disposal, sand management, water quality and water pollution in the coastal zone.

B.1.1 Constitution of the Republic of South Africa (Act 108 of 1996)

Although no specific reference to coastal management is made, the Constitution requires local municipalities to provide services to communities in a sustainable manner, while providing a healthy environment (Section 152). Consequently, it provides a clear mandate for municipalities to take on environmental management responsibilities (South Africa's National Biodiversity Strategy and Action Plan: Country Study, 2005).

District and local municipalities have those functions and powers referred to it in Sections 156 and 229 of the Act, including other matters assigned to it by National or Provincial legislation. Under Schedule 4B, the applicable biodiversity matters over which a municipality has executive authority are: air pollution (LM); municipal health services (DM), municipal public works (DM & LM); pontoons, ferries, jetties, piers and harbours (LM); stormwater management systems in built up areas (LM); water and sanitation services, domestic wastewater and sewerage disposal (DM). Under Schedule 5B, the applicable biodiversity matters are: beaches and amusement facilities (LM); billboards and advertisements (LM); cleansing (LM); public nuisance (LM); and refuse removal, dumps and disposal (DM & LM) (Pierce and Mader, 2006).

Section 156 gives municipalities the power to pass By-laws. Garden Route district has declared several By-laws, for example the Municipal Health By-laws, in which the removal of carcasses is directed at owners of a dead animal, bird, poultry fish or crustacean situated on land they own, occupy or use. Removal includes the remains of aquatic or marine fauna that have died or washed up on such premises (Section 8). Section 5 requires that wastewater irrigation or discharge, which does not comply with the NWA, or other health nuisance that impacts on groundwater must be remediated,

while Section 32 confers duties and provisions of land owners or occupiers to prevent the pollution of stormwater and associated surface and groundwater. The Commonage By-Law requires that carcasses are removed from the commonage by the Municipality. Section 12 of the Public Amenities By-Law prevents persons from impacting streams or wetlands in a public amenity. The '*Stormwater Management By-laws*' states that the municipality may discharge stormwater into any watercourse (Section 7.2(b)&(h)) provided it has the necessary authorization from DWA as required under the NWA.

Implication for Municipalities: Municipalities are responsible for protecting the environment. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability. Garden Route DM has the mandate to implement carcass removal and water resource protection in relation to the provisions as set out in the By-laws.

B.1.2 Local Government: Municipal Systems Act (Act 32 of 2000)

Although no specific reference to coastal management is made, the Act does require that a municipality provide municipal services in an environmentally sustainable manner (Section 4(2)(d)). Municipalities therefore play a fundamental role in protecting the environment, and by implication the coastal environment. The Act makes statutory provision for the preparation of Integrated Development Plan (IDPs) and Spatial Development Frameworks (SDFs) (Section 26[e]) to ensure environmental sustainability.

The IDP must be aligned with any national or provincial sector plan, legislative planning requirements and any applicable disaster management plans. It is incumbent on municipalities that, should any provincial strategy or action plan be formed in relation to climate change by the relevant organs of state, such municipalities would have to appropriately amend and align their IDPs to give effect thereto. The DEA&DPs 'A climate change strategy and action plan for the Western Cape' (June 2007) must therefore be complied with.

Implications for Municipalities: They must ensure environmentally sustainable land use planning and management in the coastal zone, which can be integrated into the IDP and SDF. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability.

B.1.3 Local Government: Municipal Structures Act (Act 117 of 1998)

Although no specific reference to coastal management is made, Section 88 of the Act requires that District and Local Municipalities co-operate with one another, by assisting and supporting each other, for example with environmental decision making. The Act sets out the functions and powers of District (Section 84(1) versus Local Municipalities

(Section 83(1)). In terms of Section 84(1), the District Municipality has the following functions that must be implemented through coastal zone management, namely: fire fighting services (j); and the promotion of local tourism (m).

Implications for Municipalities: They must enhance cooperative governance in respect of land use planning and decision-making in the coastal zone. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability and protection.

B.1.4 Local Government: Demarcation Act (Act 27 OF 1998)

Although no specific reference to coastal management is made, Section 24 of the Act requires that, when the Demarcation Board determines a municipal boundary, its objective must be to establish an area that ensures the provision of services to the communities in an equitable and sustainable manner. Further, Chapter 1 Section 3(viii) encourages environmentally sustainable land development practices and processes. Municipalities therefore play a fundamental role in protecting the environment, and as a result the coastal environment.

Implications for Municipalities: They must ensure sustainable land use planning and management in the coastal zone. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability and protection.

B.1.5 Development Facilitation Act (Act 67 of 1995)

Although no specific reference to coastal management is made, one of the principles of Chapter 1 is to encourage environmentally sustainable land development practices and processes; and discourages urban sprawl, while Section 1 promotes the sustained protection of the environment. Municipalities therefore play a fundamental role in protecting the environment, and as a result the coastal environment.

Implications for Municipalities: They must ensure sustainable land use planning and management in the coastal zone. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability and protection.

B.1.6 Land Use and Planning Ordinance (15 of 1985)

Zoning is governed by the Land Use Planning Ordinance. Although no specific reference to coastal management is made, Section 4(9) states that the preparation, amendment or review of a Structure Plan (or SDF) must take into consideration the conservation of the natural environment, while Section 36(2) refers to the need to consider the preservation of the natural environment. Municipalities therefore play a fundamental role in protecting the environment, and as a result the coastal environment.

Implications for Municipalities: It must ensure sustainable land use planning and management in the coastal zone. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability and protection.

B.1.7 National Environmental Management Act (Act 107 of 1998; NEMA)

The NEMA principles apply throughout the Republic to the actions of all organs of state that may significantly affect the environment. Municipalities must therefore exercise any function they may have, that may significantly impact the environment, in accordance with the NEMA principles, which requires that: developments are socially, environmentally and economically sustainable, the use of its environmental resources must serve the public interest and it should protect the environment as the people's common heritage.

Principle (r) refers to the coastal environment, which states that '*sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure*', whereas Section 44 regulates vehicle use in coastal areas. In terms of Section 28, a municipality that causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent pollution or rectify the damage caused. Municipalities therefore play a fundamental role in protecting the environment (by implication the coastal environment).

Implications for Municipalities: It must ensure sustainable land use planning and management in the coastal zone, including pollution prevention by the municipality. If a municipal official believes that an activity will have a significant impact on the environment, the official must ensure that the NEMA minimum requirements for impact assessment are applied. The development of a coastal planning scheme, as part of the CMP, should enhance environmental sustainability and protection.

B.1.8 National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008; ICM Act)

In terms of the ICM Act, the primary municipal functions in relation to coastal management are to prepare and implement coastal management programmes (CMPs) within 4 years of commencement of the Act (Section 46), in order to manage their coastal areas in accordance with the coastal management principles of the Act. A CMP should delineate on a map the coastal zone which is comprised of (a) coastal public property (Section 7), (b) coastal protection zone (Section 16) and (c) coastal access land (Section 18). The establishment of the coastal protection zone is a response to rising sea levels (Section 17c & 28d).

Municipalities must establish a by-law that designates public access to the coastal public property (Section 18). Section 20 identifies other responsibilities in this regard e.g. signposts. Sections 49(1) & 49(2) prescribe the contents of a municipal CMP. Coastal planning schemes may be established (Section 56, 57) and form part of a municipal land use scheme (Section 57), while estuarine management plans may form part of the CMP (Section 34d). By-laws may be established to enforce the CMP (Section 50).

Municipalities must delineate coastal set-back lines and coastal boundaries, as designated by the MEC, on zoning scheme maps (Section 25 & 30). CMPs must incorporate actions to avoid the impacts of climate change, and may form part of the municipal IDPs and SDFs. Section 51 states that an IDP (and by implication the SDF)

must be aligned to national and provincial coastal management programmes. Municipalities may not discharge effluent into coastal waters, unless authorised via the NWA general authorizations or a coastal waters discharge permit in terms of the ICM ACT (Section 69) or incinerate waste at sea (Section 70), unless a dumping permit granted under Section 71 is obtained.

Implications for Municipalities: They must develop a CMP that is aligned with the requirements of the ICM ACT (in terms of content and spatial prescriptions) that takes into account climate change and aims to protect the coastal environment.

B.1.9 National Environmental Management: Biodiversity Act (Act 10 of 2004; NEM:BA)

Although no specific reference to coastal management is made, the following municipal responsibilities will apply to coastal areas, namely: municipalities must prepare an invasive species monitoring, control and eradication plan for municipal land, as part of their environmental plans and IDP, in accordance with Section 11 of the NEMA (Chapter 5). Section 54 states that Listed Threatened Ecosystems must to be taken into account in IDPs (by implication in SDFs), and will be considered special areas in terms of NEMA (Chapter 4).

Endangered ecosystems should be protected, while no protected species may be removed or damaged without a permit. Municipalities must align its IDP with the National Biodiversity Framework and any applicable bioregional plan (Section 48(2)).

The National Biodiversity Framework poses ‘Priority Actions’ for conserving biodiversity, of which three are the joint responsibility of municipalities and other agencies, these are: implement the invasive alien species regulations and put in place other control mechanisms and monitor implementation (Section 4.3.5); and establish and strengthen provincial stewardship programmes (Section 4.5.3).

Implications for Municipalities: The development of an alien management plan and the promotion of stewardship programmes within the coastal zone and with other lead agencies. Include Listed Threatened Ecosystems in their IDP/SDFs, including the CMP, that require protection.

B.1.10 National Water Act (Act 36 of 1998; NWA)

Although no specific reference to coastal management is made, municipalities have the following obligations or powers under the NWA:

- To give effect to the purpose of the Act (Section 2).
- To take reasonable measures to prevent pollution of water resources from land that it owns, controls, occupies or uses (Section 19).
- To remedy situations where pollution of a water resource occurs following an emergency incident and where the municipality is responsible for the incident or owns or controls the substance which caused the emergency incident (Section 20).

- Not to establish a township unless the layout plan indicates the maximum level likely to be reached by floodwaters on average once in every 100 years (Section 144).
- To develop Water Services Development Plans.
- May not discharge stormwater directly into a water resource (Section 3.7.2 of the General Authorisations – NWA Sections 21(f) & (h)). However, according to the Garden Route DM Stormwater Management By-laws (Section 2) the municipality may, for the purpose of providing and maintaining infrastructure for a stormwater system – (b) drain stormwater or discharge water from any municipal service works into any watercourse, and (h) discharge stormwater into any watercourse, whether on private land or not.

Section 5 of the Garden Route District Municipality Municipal Health By-Law requires that wastewater irrigation or discharge, which does not comply with the NWA, or other health nuisance that impacts on groundwater must be remediated. Section 32 confers duties and provisions of landowners or occupiers to prevent the pollution of stormwater and associated surface and groundwater.

Implications for Municipalities: Prevent water pollution caused by municipal and landowner/occupiers activities. Further, to ensure that developers have delineated the 1:100 year flood line in relation to ‘township’ developments, within the coastal zone.

B.1.11 Marine Living Resources Act (Act 18 of 1998; MLRA)

The objectives and principles of the Act deal with the utilization, conservation and management of marine living resources, rather than coastal resources. Proposed developments are subject to the conservation principles of the Act (Section 2) and should not impact negatively on the marine environment through solid waste disposal or wastewater discharge. The Minister may delegate powers to municipalities, while Section 79(1) allows the Director General to delegate powers to municipalities. The Act and regulations should provide the principles and actions necessary for incorporation into municipal IDPs and SDFs.

Implications for Municipalities: Unless the Minister or Director General has delegated powers to the municipality, municipalities have no legal mandate under the Act. However, municipalities are responsible for ensuring the prevention of marine pollution through effluent discharge points that are under their management, if any.

B.1.12 National Veld and Forest Fire Act (Act 101 of 1998)

Where the municipality is owner of land, the Act places an enforceable responsibility on the municipality to take certain precautions to prevent and combat veldfires where there is a risk of fire e.g. maintain firebreaks, fire fighting personnel and equipment. Municipalities are also obligated to be members of Fire Protection Agencies (FPAs). The Department of Forestry assists with developing area specific Fire Action Plans.

Implications for Municipalities: Municipalities must identify municipal land in the coastal zone and implement precautionary measures to prevent veldfires. They must be members of Fire Protection Agencies.

B.1.13 Environment Conservation Act (Act 73 of 1989; ECA)

The Garden Route coastal area from Tergeniet in the west to the Bloukrans River in the east was proclaimed in terms of ECA as the Outeniqua Sensitive Coastal Area Extension (1998). “The Sensitive Coastal Areas Regulations control small-scale activities at the individual plot level in an effort to ensure sustainable development of the coast”. Most of the area falls within the Lakes Area Development Act (39 of 1975) and most of the listed activities fall within estuaries, rivers and lagoons, which are now within the ambit of the ICM Act. Although no specific reference to coastal management is made, other than in terms of the latter, a municipality is obligated to provide adequate waste disposal containers (Section 19(2)) and remove any litter (Section 19A) in its jurisdiction. Where a municipality’s activities may result in serious environmental degradation, the municipality must prevent pollution; where it is unavoidable, minimize pollution; and where it has occurred, remediate the environment (Section 31). Municipalities therefore play a fundamental role in protecting the coastal environment against pollution and are responsible for the authorization of Sensitive Coastal Area Extension permits, where applicable.

Implications for Municipalities: Municipalities are responsible for litter control, preventing pollution due to their activities, and the protection of the Outeniqua Sensitive Coastal Area Extension.

B.1.14 National Environmental Management: Protected Areas Act (Act 57 of 2003; NEM:PAA)

Municipalities are empowered under this Act to declare an area as a Protected Area (nature reserve etc.). In designating a Protected Area, municipalities are obliged to follow appropriate consultation processes before doing so. The Act dictates that local Protected Areas must be managed by the municipality itself or management must be assigned to a municipal entity. Furthermore, the municipality must prepare a management plan.

Implications for Municipalities: Municipalities should identify municipal land in the coastal zone that could acquire Protected Area status, for example Critically Endangered habitats or Critical Biodiversity Areas.

B.1.15 Western Cape Nature Conservation Laws Amendment Act (Act 3 of 2000)

Section 7 of the Act allows municipalities, with the approval of the Minister, to establish a local nature reserve on land vested in it or under its control or management and may for that purpose acquire land by agreement or expropriation.

Implications for Municipalities: Municipalities should identify municipal land in the coastal zone that could be designated as a Nature Reserve, for example Critically Endangered habitats or Critical Biodiversity Areas.

B.1.16 National Heritage Resources Act (Act 25 of 1999; NHRA)

The NHRA deals with the management and protection of heritage resources, of which the environment is a component (not only cultural resources). The NHRA therefore provides for the protection of biodiversity and refers general powers and duties to local authorities in this regard, for example:

- The identification and management of Grade III heritage resources and heritage resources, which are deemed to fall within the competence of local authorities in term of the NHRA (Section 8(4)).
- Assisting heritage resource authorities in their functions to protect heritage resources (Section 9(1)).
- When revising their IDP, SDF or any relevant sector plan, local authorities must compile a heritage resources inventory, and submit it for inclusion in a provincial heritage register (Section 30(5)).
- When revising their IDP, SDF or any relevant sector plan, they must investigate the need for the designation of heritage areas and to protect places of environmental or cultural interest (Section 31(1)-(4)).
- The power to designate any area to be a heritage area, after consultation with the provincial heritage resources authority, the property owners in the area and affected communities (Section 31(5)).

Implications for Municipalities: Municipalities must identify and compile an inventory of heritage resources along the coast. Areas of biodiversity importance could be designated as a heritage resource, for example Critically Endangered habitats or Critical Biodiversity Areas.

B.1.17 Disaster Management Act (Act 57 of 2002)

The Act requires Metropolitan and District municipalities to prepare municipal disaster management frameworks (Section 42) and to establish a disaster management centre (Section 43). A disaster management centre must, among other specifications, give guidance to organs of state, the private sector, non-governmental organisations, communities and individuals to assess and prevent or reduce the risk of disasters (Section 47). All municipalities must prepare disaster management plans (Section 52, 53) as part of their IDPs. A district municipality, after consultation with the local municipality, is primarily responsible for the co-ordination and management of disasters, unless both municipalities have agreed that the local municipality will assume primary responsibility (Section 54(1), 54(2)).

Implications for Municipalities: Municipalities must identify potential disasters that may occur along the coast and negatively impact coastal ecosystems. For example, oil spills, flooding and coastal accretion & erosion. These will require integration into disaster management plans.

B.1.18 National Environmental Management: Waste Act (Act 59 of 2008)

The Act regulates waste management so as to protect the environment against pollution and ecological degradation, and to secure ecologically sustainable development. Section 9(1) requires that a municipality authorised to carry out waste management services in terms of the Municipal Structures Act (117 of 1998), must exercise its executive authority to deliver waste management services in accordance with the national waste management strategy (Section 7), including national and provincial norms and standards (Section 7, 8), and develop an integrated waste management plan, as part of its IDP, for approval by the MEC (Section 11(4)(a)(i)&(ii)). A list of waste management activities that requires a basic assessment or EIA has been Gazetted (by the Minister of DWEA) in terms of Section 19(1).

Implications for Municipalities: Municipalities who operate waste disposal facilities that may impact the coastal environment must take measures to prevent pollution and environmental degradation thereof, particularly with respect to water resources.

B.1.19 Conservation of Agricultural Resources Act (Act 43 of 1983; CARA)

The Act does not impose any function or obligations on Municipalities. However, where a Municipality is a rural land user it will have to comply with the CARA provisions and regulations in respect of land use, unless exempted by an executive officer. For example, Municipalities may be obliged to maintain soil conservation works and may not cultivate virgin soil (Section 12). Under Regulation 4 (4a), municipal land users are required to control weed and invader plants, and no land user shall utilise the vegetation in a vlei, marsh or water sponge or within the flood area of a watercourse, or within 10 meters horizontally outside the flood area in a manner that causes the deterioration of natural agricultural resources (Regulation 7(2)). Funding is available from National Department of Agriculture for clearing of invasive species and damage to property due to floods.

Implications for Municipalities: Municipalities must protect water resources and remove alien vegetation on rural land they own.

B.1.20 National Environmental Management: Air Quality Act (Act 39 of 2004; NAQA)

The objective of the AQA is to provide a framework for the protection and enhancement of air quality, the prevention of air pollution and ecological degradation and securing ecologically sustainable development. Essentially it strives to provide a safe and healthy environment through enhancing the quality of ambient air. The Act is binding on all spheres of government, which means it is directly applicable to the Garden Route District. The objectives of the Act are achieved via a National framework, which includes monitoring protocols and norms & standards for emission controls and air quality management planning. Local (municipal) monitoring, standards and compliance activities may be administered via by-laws and should be detailed in an Air Quality Management Plan (AQMP) that forms part of the IDP.

Implications for Municipalities: Municipalities must provide a clean and healthy environment through the management of ambient air quality. This must be done

according to National standards and must be detailed in an AQMP (Section 15 & 16) administered by an appointed air quality officer (Section 14). Sectors that need to be monitored include industry, retail, construction and waste management/disposal.

ANNEXURE C: Marine Protected Areas

C.1 Introduction

Marine Protected Areas (MPAs) are a management strategy primarily used to protect and conserve biodiversity, habitats and cultural (heritage) resources, although they also serve as a vital fisheries management tool (protection of key species and enhancement of stocks in open areas through seeding³ or migration) and provide opportunities for environmental education, recreation and tourism (which in turn generate income) and research (Hockey and Branch 1997; Attwood *et al.* 2000; Tunley 2009).

Marine protected areas are declared in terms of the MLRA, recognized by the NEM:PAA and regulated by both Acts. The MLRA prevails if there is a conflict over marine living resources, while the NEM:PAA prevails with respect to some protected area functions but clearly not the control of fishing activities, or the prohibiting of activities, which may impact negatively on the marine protected area. The management of existing MPAs and the proclamation and management of additional MPAs is a National or Provincial mandate, with SANParks and CapeNature administering National Parks and Provincial MPAs respectively.

As such, roles and responsibilities do not have any Municipal mandate and are therefore not addressed in any detail in this CMP. However, given the role that MPAs play in protecting and enhancing marine biodiversity, conserving heritage resources, attracting tourists, providing a key education function and the stunning landscapes and vistas, they significantly contribute to the overall Vision for Garden Route. MPAs will be referred to in this context in the CMP where appropriate.

This chapter provides an overview of MPAs in the Garden Route district as well as a summary of strategies and assessments designed to provide additional protection to key habitats and species in order to meet biodiversity conservation targets.

C.2 Garden Route District Marine Protected Areas

There are four MPAs within the Garden Route District, three of which are managed by CapeNature and one by SANParks (see Tunley 2009).

SANParks

- Tsitsikamma National Park – Proclaimed in 1964, the MLRA and NEM:PAA are both applicable to the MPA section. The original MPA extends 57 km from Groot River (East) to Die Punt at Nature's Valley; only the eastern section between Bloukrans and Nature's Valley fall within Garden Route's boundaries. The seaward boundary is 3 nm offshore from Groot (East) to the Bloukrans River and 0.5 nm offshore from there to Nature's Valley. The entire area is no-take, with the original open area (shore-based angling) west of Storms River being closed in 2001. Transit by vessels through the Park is also prohibited. An additional marine section (De Vasselot) to the west of Nature's Valley extends 0.5 nm offshore and acts as a buffer; it is a controlled zone, but fishing is allowed.

CapeNature

- Goukamma – initially proclaimed in 1990 and re-declared under the MLRA in 2000, it extends 14 km between Buffalo Bay and Platbank just east of Sedgefield and 1nm offshore. The offshore area is no-take but shore angling (with restrictions) is allowed. There is a proposal being considered by the MPA Expansion Group via the MPA Forum with the involvement of WWF-SA to realign the MPA boundary to include additional sub-tidal reef areas and to rezone the shoreline and Goukamma Estuary to increase the protection of key fish species.
- Robberg – proclaimed in 2000 under the MLRA. Extends for 9.5 km along the Robberg Peninsula and 1nm offshore. The offshore area is no-take but shore angling (with restrictions) is allowed. Consideration is also being given to rezoning the southern shoreline portion of the MPA as no-take.
- Stilbaai – proclaimed in 2008 under the MLRA. It comprises 13.5 km of coastline between Bosbokduin (Noordkapperspunt) and the Rietvlei *vywers* and extends from the highwater mark to 4.2 km offshore; it also comprises a large part of the Goukou Estuary. There are three restricted zones (see below) with the remaining area being a controlled zone; - Geelkrans is the eastern part of the MPA adjacent to the Geelkrans Nature reserve and the *vywers*.
 - Skulpiesbaai in the extreme southwest in the vicinity of Noordkapperspunt.
 - Goukou Estuary (between 4 and 15 km from the mouth).

C.3 Coastal and Marine Protection Strategies and Assessments

C.3.1 National Spatial Biodiversity Assessment (marine)

According to Lombard *et al.* (2004) the existing (National) MPA network does not provide sufficient protection for marine biodiversity. When considering both species and habitats that require additional protection, several new MPAs are proposed. None fall within the Garden Route District management area, although the species analysis (seaweeds, invertebrates and fish) showed that in order to attain biodiversity conservation targets, additional areas outside of the existing MPA network would need to be considered for extra protection in the vicinity of Mossel Bay. It must be stressed that this is a preliminary assessment based on incomplete data sets and that additional research is required before making definitive recommendations.

The protection of sub-tidal habitats requires urgent attention, as the existing MPA network does not extend sufficiently far offshore to provide adequate protection. In order to meet required conservation targets, South Africa needs to consider the proclamation of offshore MPAs (Lombard *et al.* 2004). Whether offshore is defined as the coastal waters (12 nm offshore) or the coastal zone (200 nm offshore), there remains a considerable amount of work before areas can be identified.

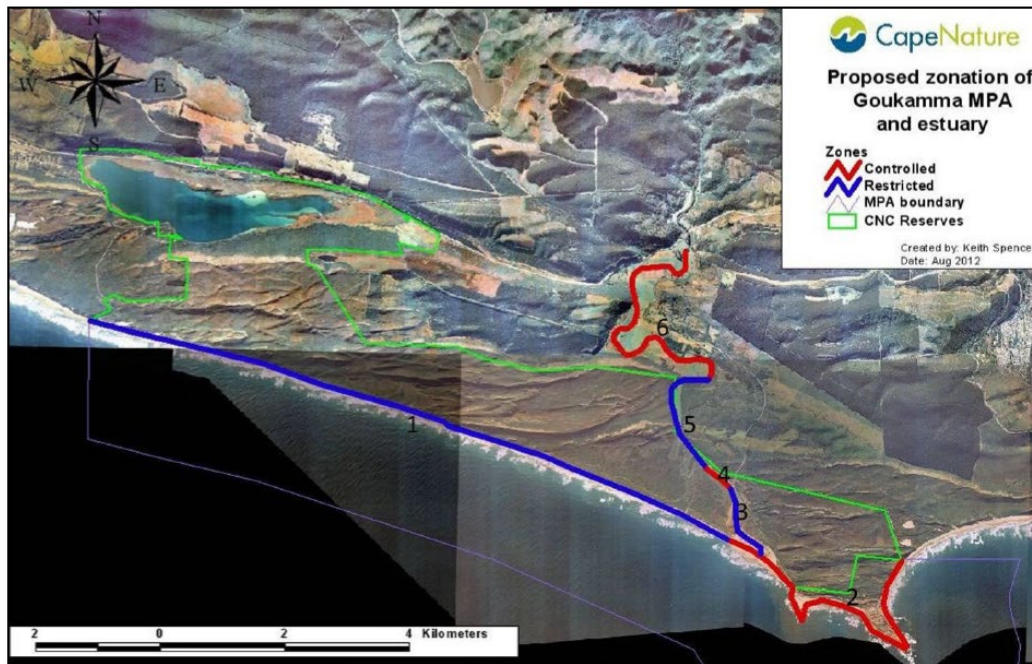


Figure 4: Proposed rezoning of the Goukamma MPA and Goukamma Estuary (note the MPA boundary is the existing boundary).

C.3.2 NA Marine Conservation Plan for the Agulhas Bioregion

Acknowledging the shortcomings highlighted by Lombard *et al.* (2004), Clark & Lombard (2007) performed an additional detailed fine-scale analysis within the Agulhas Bioregion, extending from Cape Point to the Mbashe River, and used key (sensitive) habitat types to determine additional areas that would need to be protected in order to meet conservation targets. The four habitat types used were coastal dune systems, intertidal, subtidal linefish habitat and subtidal geology types.

A number of important shortfalls in terms of habitat representation were identified in the existing MPA network. In the case of intertidal habitats, for example, only four (of the 23) intertidal identified habitat types meet their targets in existing No-take MPAs with targets of 20%, while this declines to three when the target is raised to 30%. Similarly, when high ranking linefish habitat is considered, only 46% of the target is conserved within the existing no-take MPA network when targets are set at 20% of the total, and declines to 31% when the target is increased to 30%. The extent to which these targets are attained are improved somewhat through the proclamation of the suite of proposed MPAs in the region (notably Kogelberg, Betty's Bay and Pringle Bay MPAs in respect of intertidal habitat and linefish fish conservation, and Addo MPA in respect of intertidal habitat conservation) but many gaps still remain. There is thus a clear need to increase the size and extent of the existing MPA network in the Agulhas Bioregion both through the addition of the proposed MPAs as well as additional conservation worthy areas.

In addition to the new MPAs proposed by Lombard *et al.* (2004), Clark & Lombard (2007) identify additional MPAs and 19 priority conservation areas that would assist in reaching the desired conservation targets for sensitive habitats. The guiding principles used to determine these areas were to minimize total reserve area, minimize known threats and promote adjacency (areas next to existing MPAs). Two of their proposed

MPAs fall within the Garden Route District management area, namely the Stilbaai MPA and the Skulpiesbaai restricted zone. Both of these have since been proclaimed within the Stilbaai MPA complex.

Five of the priority conservation areas fall within the Garden Route district management area, namely:

- Priority Area 8 – located between the Breede Estuary and Stilbaai, it would contribute significantly to some subtidal geology types. It is mostly sand (intermediate), with high linefish habitat scores but with no proposed dune reserves.
- Priority Area 9 – located to the east of the Gouritz Estuary in the Fransmanshoek/Vleesbaai area. It contains 42% of the target of the Vleesbaai dunes (proposed dune reserve) and has a range of intertidal habitats and good linefish habitat.
- Priority Area 10 – located on the eastern extremity of Mossel Bay in the vicinity of Herolds Bay. It is mostly exposed rocky shore, with good linefish habitat but with no proposed dune reserves.
- Priority Area 11 – located immediately to the west of the Goukamma MPA, it would contribute significantly to some subtidal geology types and to the Groenvlei-Swartvlei coastal dune system. There would be no additional contribution to intertidal habitat targets and only a minor contribution to linefish habitat targets.
- Priority Area 12 – located immediately to the west of Groot River (West) and extending to the Sout River, it does not contribute greatly to any specific feature targets, but contains good linefish habitat (rated as high) and contains Quartzite (Table Mountain Group), which is one of the subtidal geology types.

Clark & Lombard (2007) stress that these proposed priority areas should only be used as a guideline for they are based only on the best information available at present and only indirectly consider certain aspects such as the potential economic and socio-economic costs of selecting a particular area for enhanced conservation status. Such issues can only really be taken into account in much more detailed site specific analyses where a range of conservation planning options can be workshopped with those directly affected by any proposed changes in conservation status.

Perhaps most significantly, they also state that perhaps more important than expanding the existing MPA network, would be to concentrate on improving management within existing MPAs and to upgrade the levels of protection in those MPAs that allow for the exploitation of living resources. In other words, thought should be given to rezoning sections of the the Robberg, Goukamma and Stilbaai MPAs to include no-take areas from the shore.

C.3.3 Ecology, Management and Value of the Garden Route Coast

Similar recommendations have been made by Chalmers *et al.* (2009), with the following scenarios being proposed for enhancing conservation through the existing MPA network:

- Extend the offshore boundary of the Goukamma MPA, as motivated by Götz *et al.* (2009), to include deeper reef areas and enhance protection of these habitats and linefish species.
- Restriction of shore fishing in some areas of the Goukamma MPA and the southern portion of the Robberg MPA to enhance protection of coastal linefish species.

In addition to all the above studies and recommendations, it is recognized that offshore MPAs are needed as a matter of priority in order to protect deepwater habitats and offshore fisheries (both linefish and trawl).

C.3.4 National Biodiversity and Strategy Action Plan

The National Biodiversity Strategy and Action Plan (DEAT, 2005) is a 20-year strategy that identifies five strategic objectives for the conservation of biodiversity from terrestrial and aquatic ecosystems. For each strategic objective, the action plan identifies outcomes, activities, targets and indicators.

Relevant to the issue of expanding or improving the MPA network is Strategic Objective 5 (SO 5), which states the following:

“A network of conservation areas conserves a representative sample of biodiversity and maintains key ecological processes across the landscape and seascape”.

The 15-year (i.e. 2020) target for this SO is “The protected area network covers 12% of the terrestrial and 20% of the marine environment thereby contributing to representation targets in priority areas”. Within SO5, Outcome 5.2 gives the following mandate for the National Protected Area Expansion Strategy:

“The protected area network is secured, expanded and managed to ensure that a representative sample of biodiversity and key ecological processes are conserved”.

Activity 5.2.1 of Outcome 5.2 specifically requires that the responsible institutions “Expand, consolidate and/or rationalize the protected area network through a range of implementation tools, focusing on priority areas for representation and persistence of biodiversity”.

C.3.5 National Protected Area Expansion Strategy

The National Protected Areas Expansion Strategy (NPAES) (Jackelman *et al.* 2007) highlights how we can become more efficient and effective in allocating the scarce resources available for protected area expansion. It sets targets, provides maps of the most important areas and makes recommendations on mechanisms for protected area expansion. The NPAES is based on systematic biodiversity planning principles, and its overall goal is to achieve cost effective protected area expansion for ecological sustainability and climate change resilience. Implementation of the NPAES in the Garden Route will be the primary responsibility of the DEA (Oceans & Coast and Biodiversity & Conservation branches), SANParks and CapeNature, although they may be supported by the South African National Biodiversity Institute (SANBI), National Treasury, Provincial Environmental Department (DEADP) and NGOs. Key to the implementation of this strategy is the revitalization of the Protected Areas Forum.

The NPAES also recognizes that our existing protected area network falls short of sustaining biodiversity and ecological processes. In the context of the inshore zone in the Garden Route, the NPAES sets a target of 25% of the coastline that will need to be included into marine inshore MPAs in the next 20 years. Within the Agulhas Bioregion, this equates to an additional 152 km of coastline, of which 59 km should be no-take.

The NPAES uses the work of Lombard *et al.* (2004) to identify priority areas for inshore MPA expansion, and based on a combination of importance and urgency determined that the priority areas were in the Namaqua and South Western Cape Bioregions, followed by the Agulhas Bioregion (although urgency within the Garden Route District area was considered low). However, the strategy for expansion can be used when considering the more recent work by Clark & Lombard (2007) within the Agulhas Bioregion.

In terms of financing the expansion of the MPA network, the NPAES identified the following sources, namely the National Treasury, donor funding and revenues earned by MPAs. Although a figure of R23 billion is given as the amount required to acquire the land needed to meet terrestrial protected area targets, there is no indication of costs for expanding the MPA network.

Information gaps (relevant to MPAs) identified during the development of the NPAES, which could hamper its implementation and therefore require urgent attention, include:

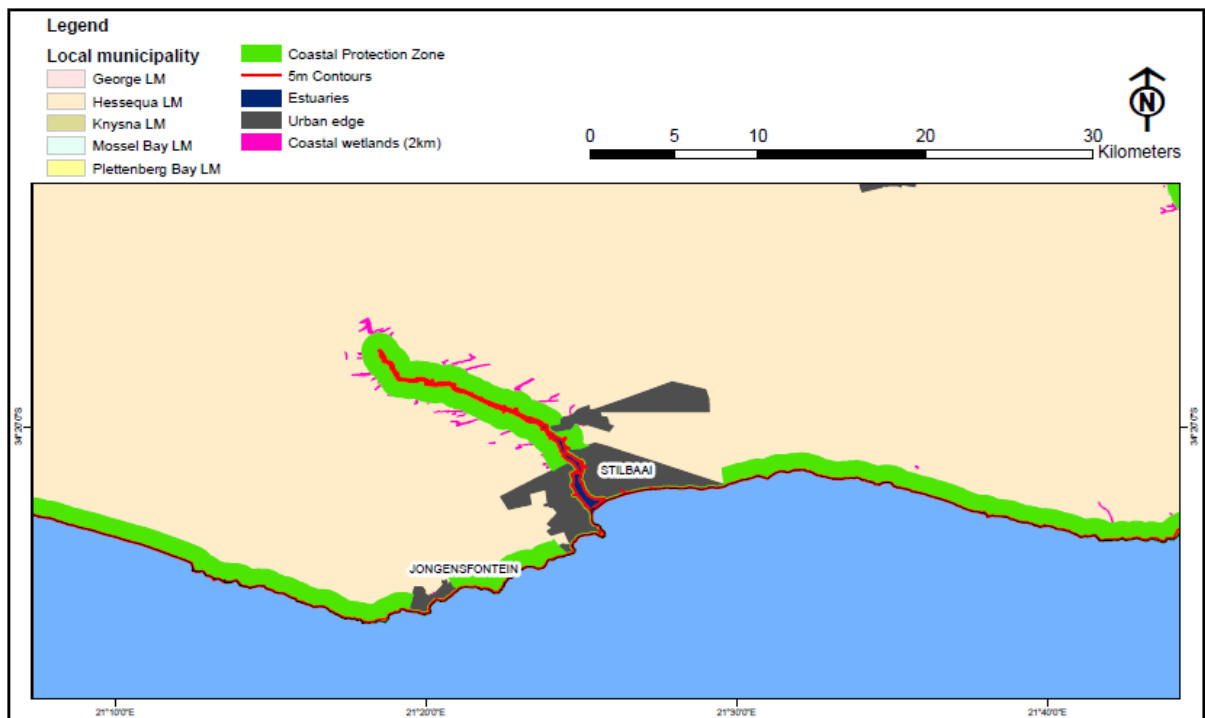
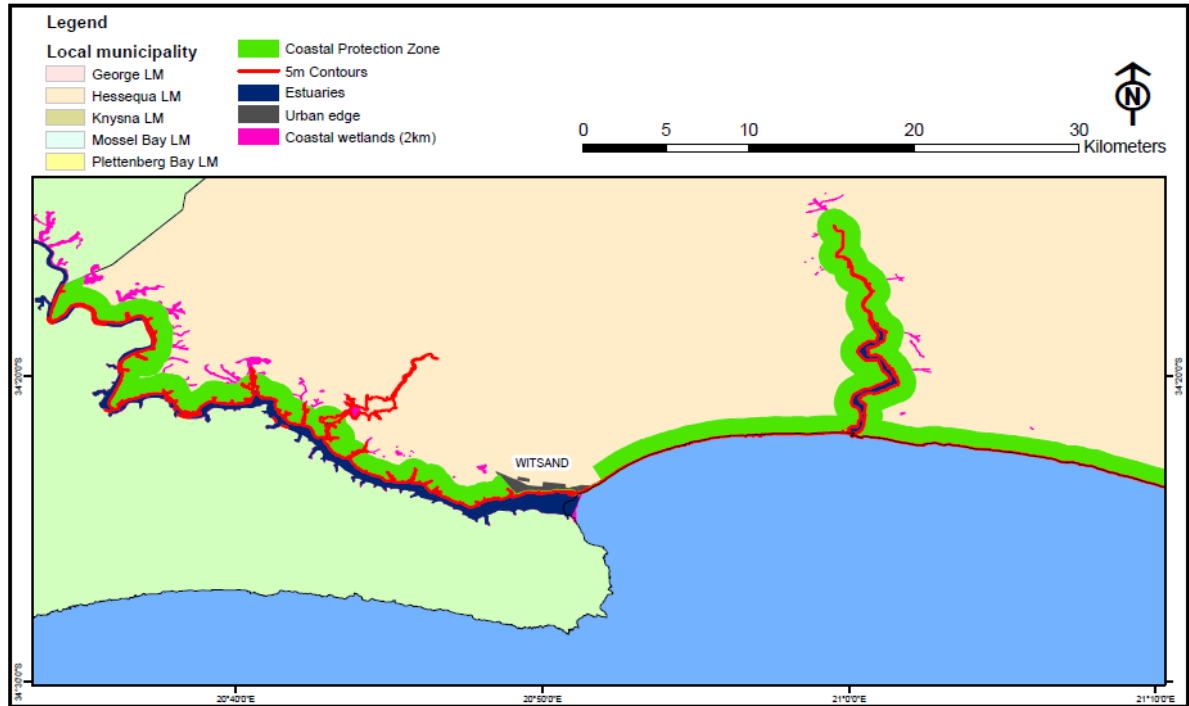
- Updating and improving spatial information on the distribution of protected areas, linked to the Protected Area Register;
- improving spatial information on the distribution of conservation areas;
- mapping and classification of marine ecosystems and habitats, especially vulnerable marine habitats e.g. reefs, sponge beds and kelp forests;
- mapping marine ecological processes, for example spawning and nursery grounds and foraging areas for marine species;
- mapping pressures in the marine environment, including mining (diamonds, oil and gas), fishing and non-consumptive use rights including tourism; and
- assessing protected area effectiveness on an ongoing basis using appropriate tools.

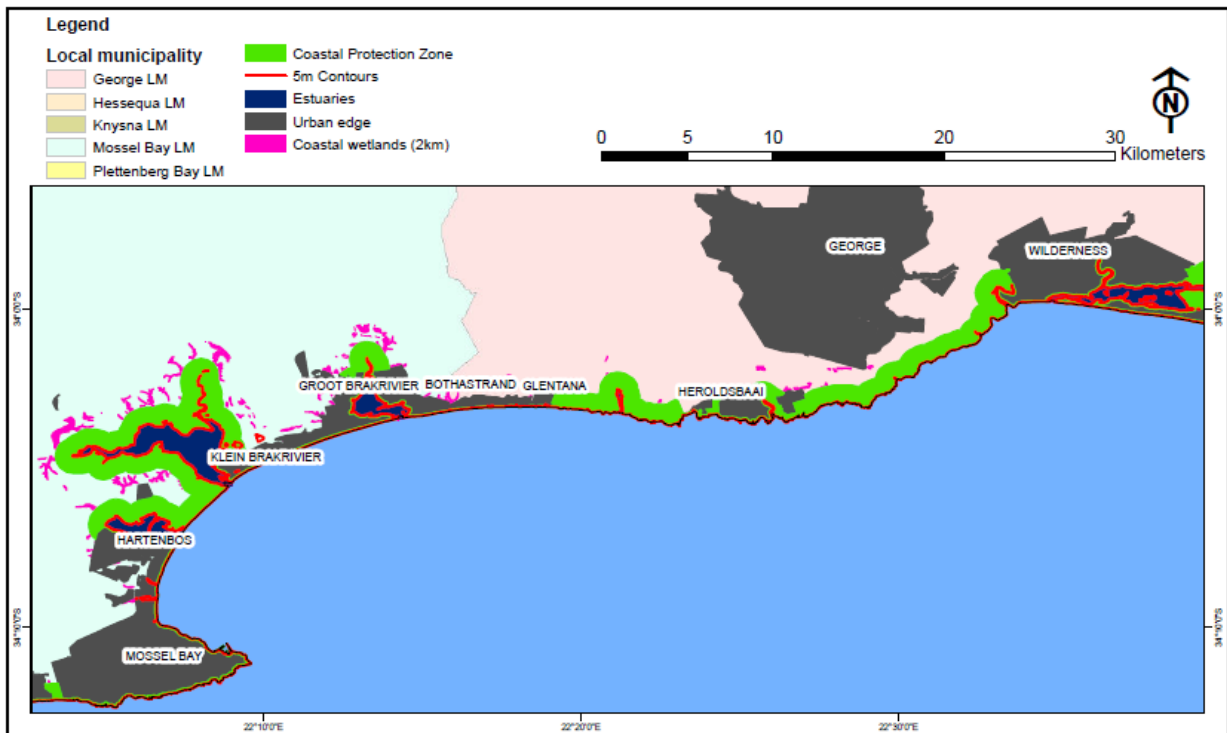
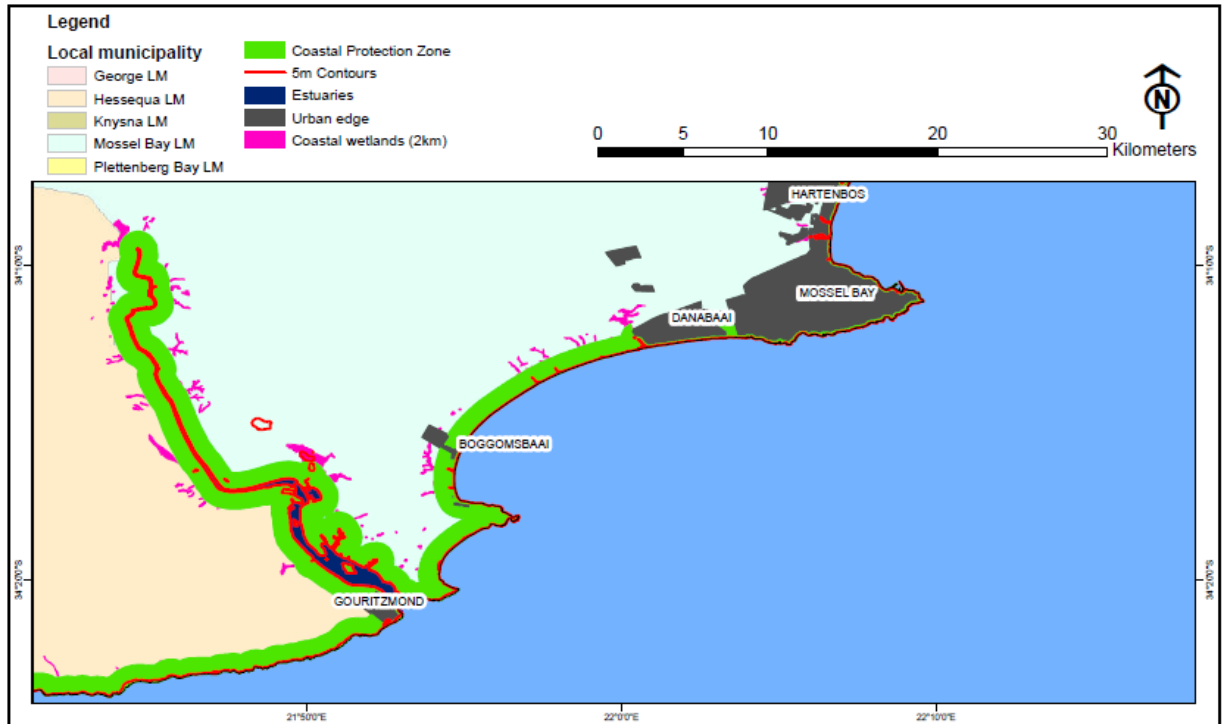
Research opportunities (relevant to MPAs) linked to the NPAES include the following:

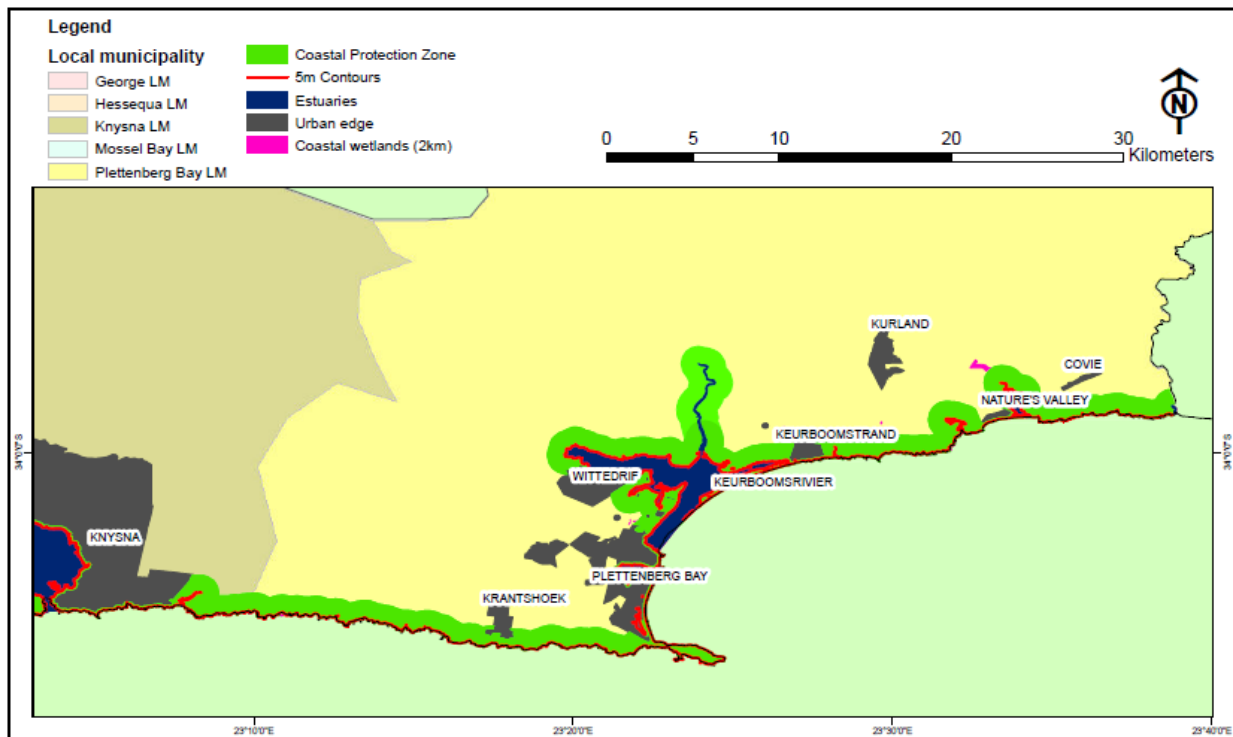
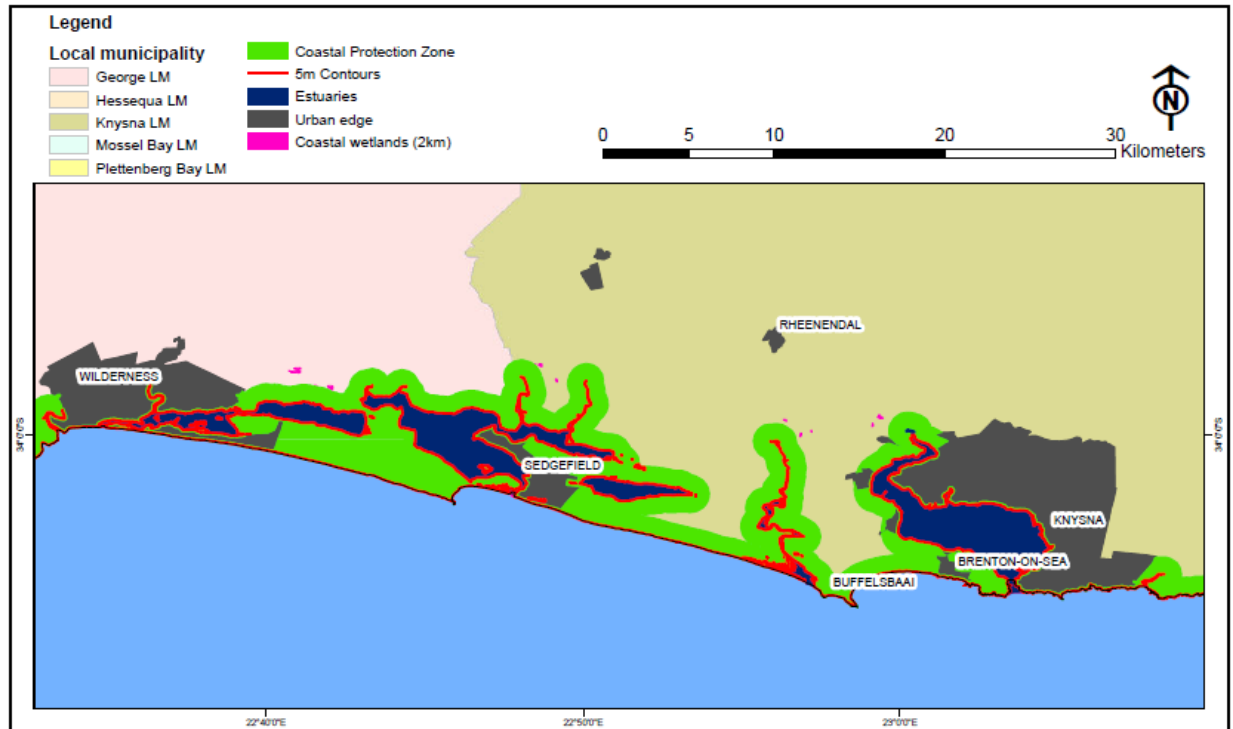
- Further exploration of the role of protected areas in supporting climate change resilience;
- research to support marine habitat mapping and classification;
- research on ecologically meaningful biodiversity thresholds for marine, estuarine and freshwater ecosystems;
- methods to integrate terrestrial, freshwater, estuarine and marine spatial planning to identify integrated priorities for protected area expansion; and
- research on past and present trends in the funding of protected area expansion in South Africa, and on likely costs of different mechanisms for protected area expansion into the future.

ANNEXURE D: Maps and Figures

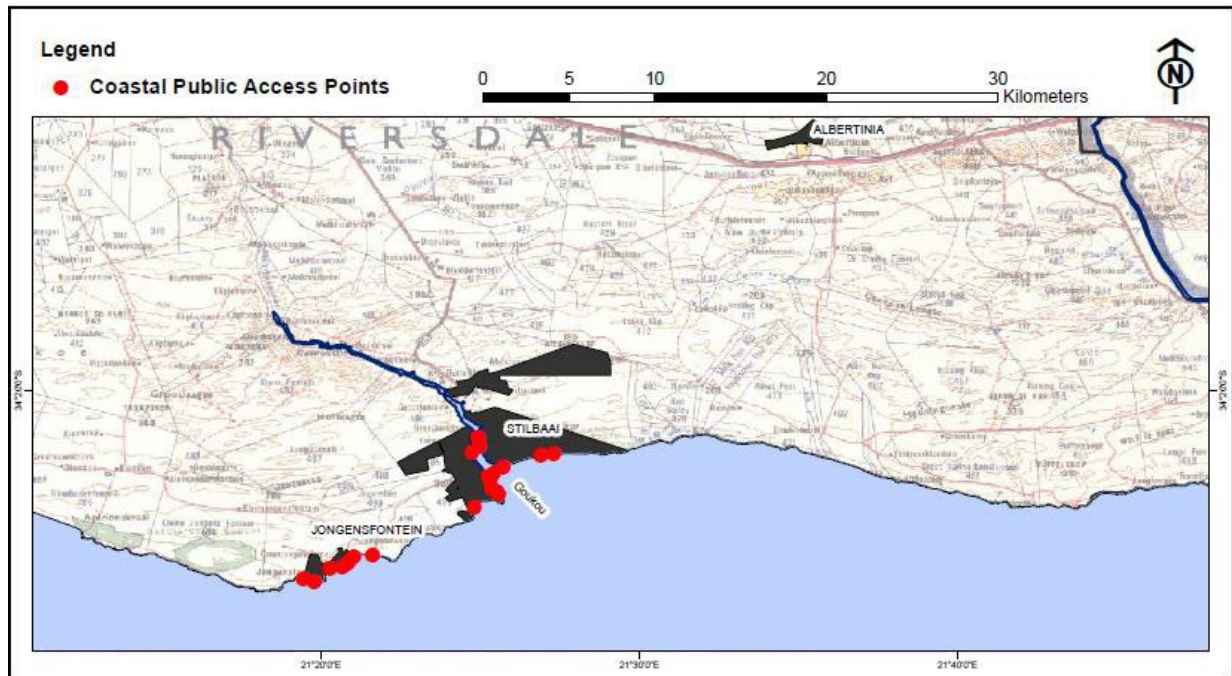
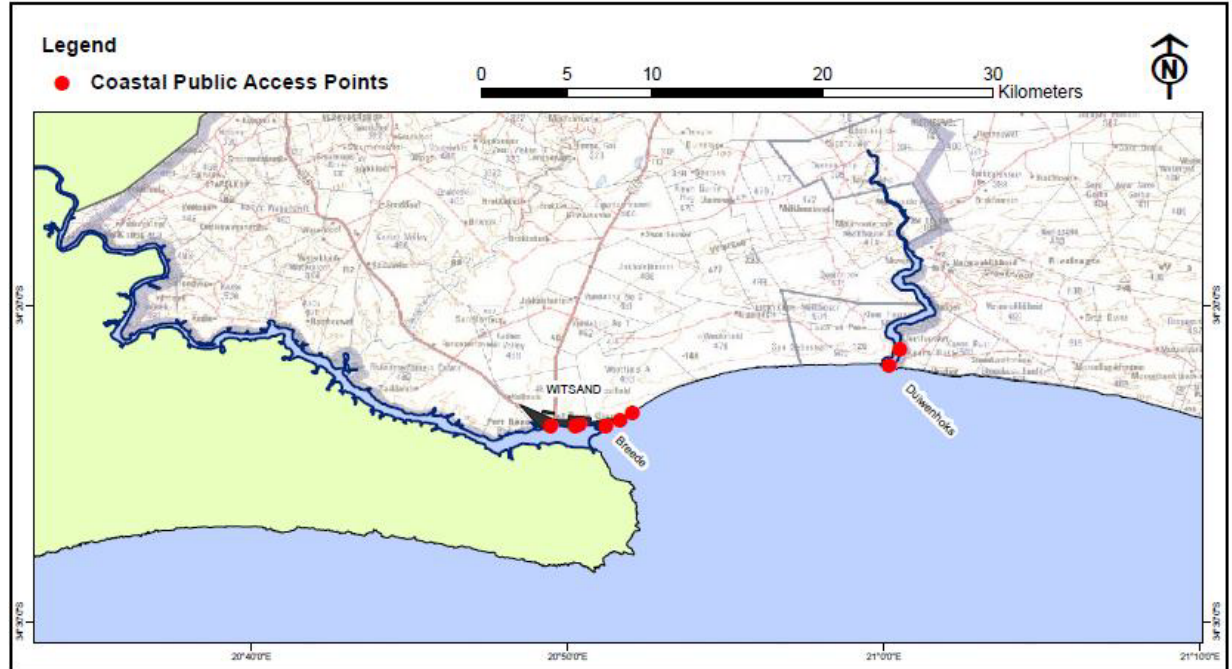
D.1 The following Figures (6 Maps; Figures D1.1 to D1.6) illustrate the CPZ and include coastal wetlands within 2km of the HWM

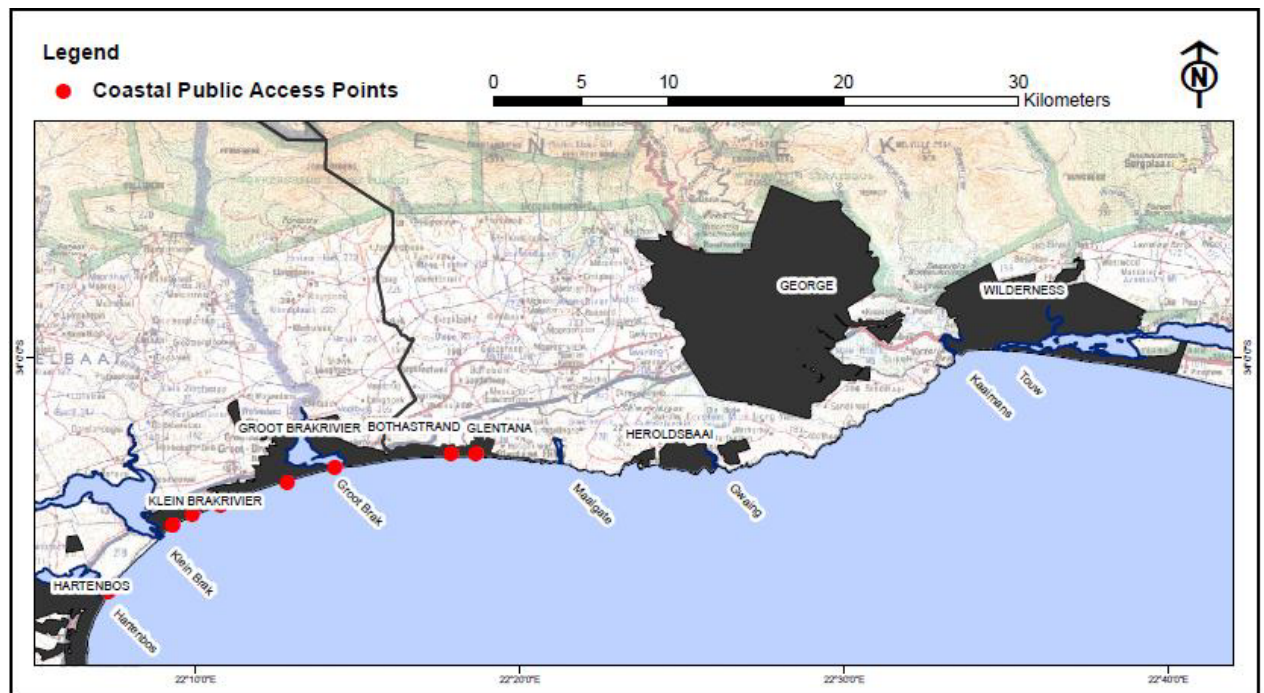
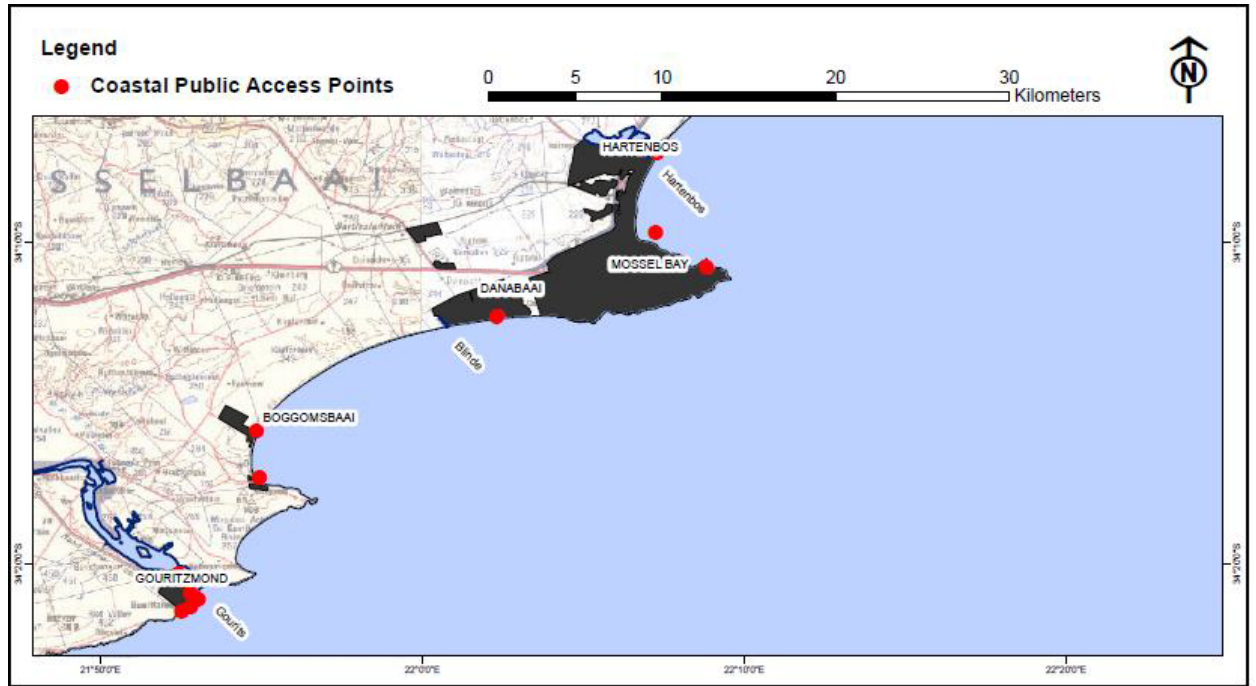




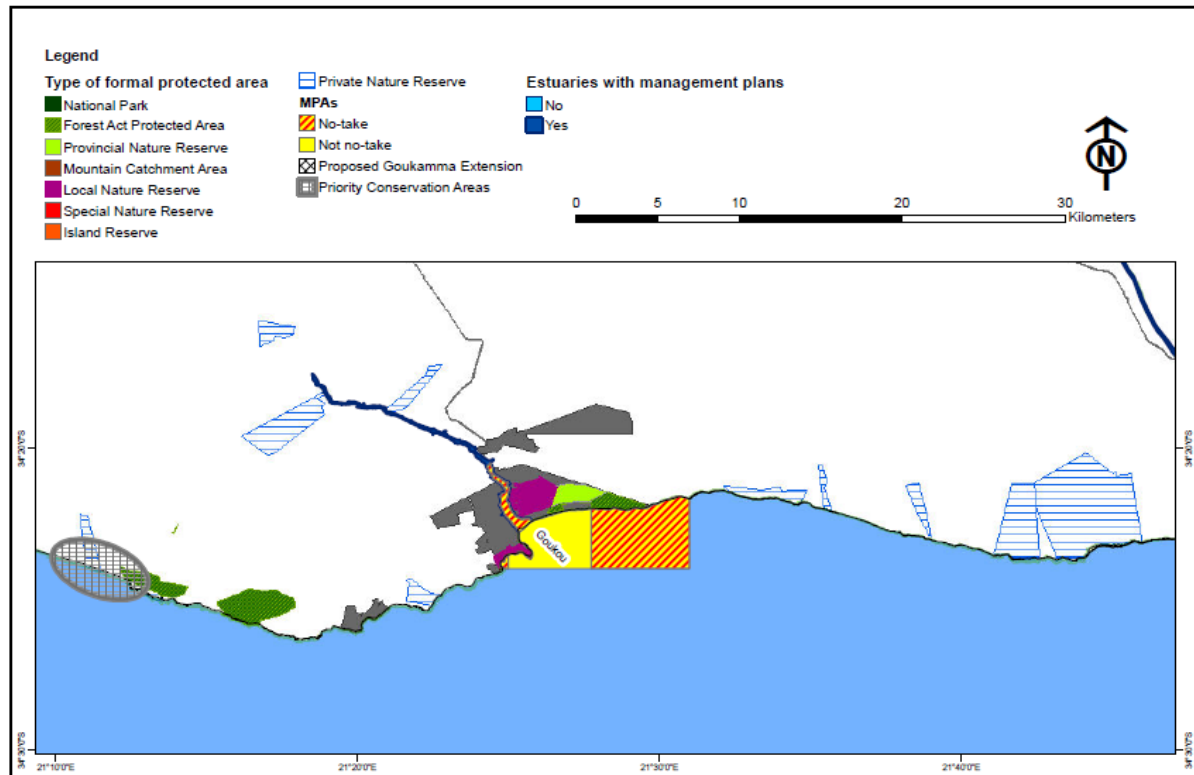
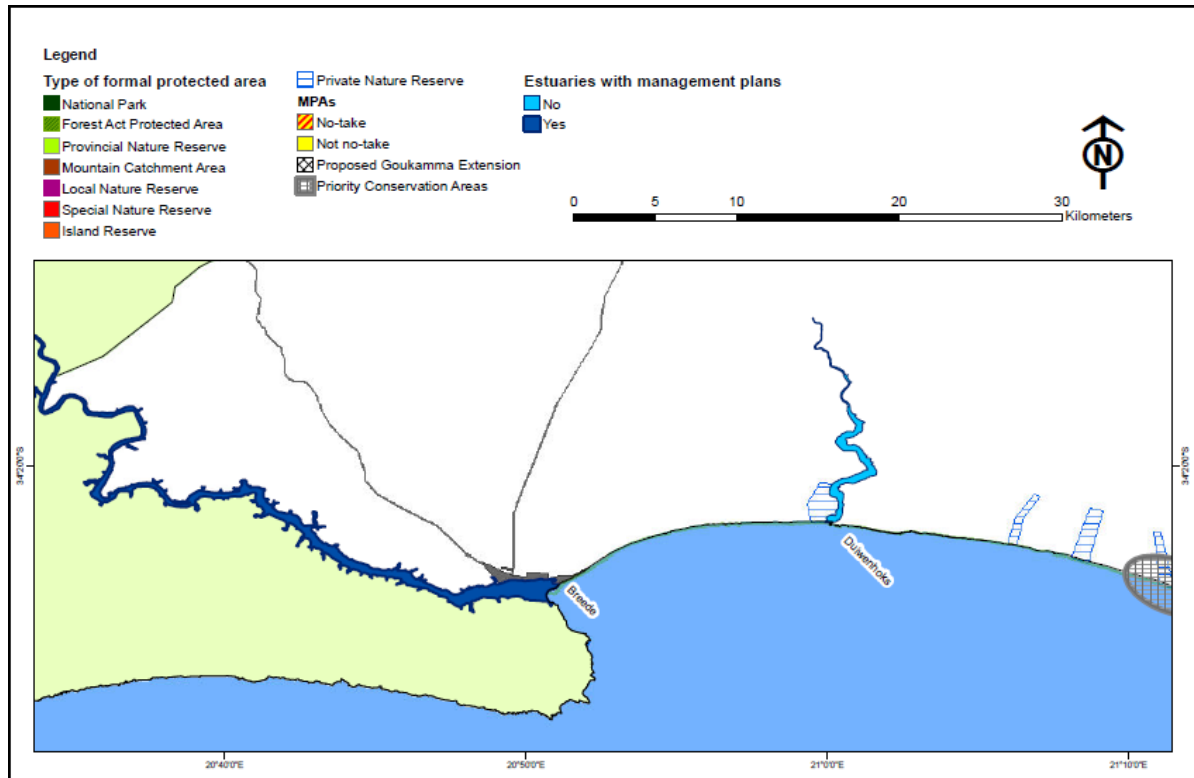


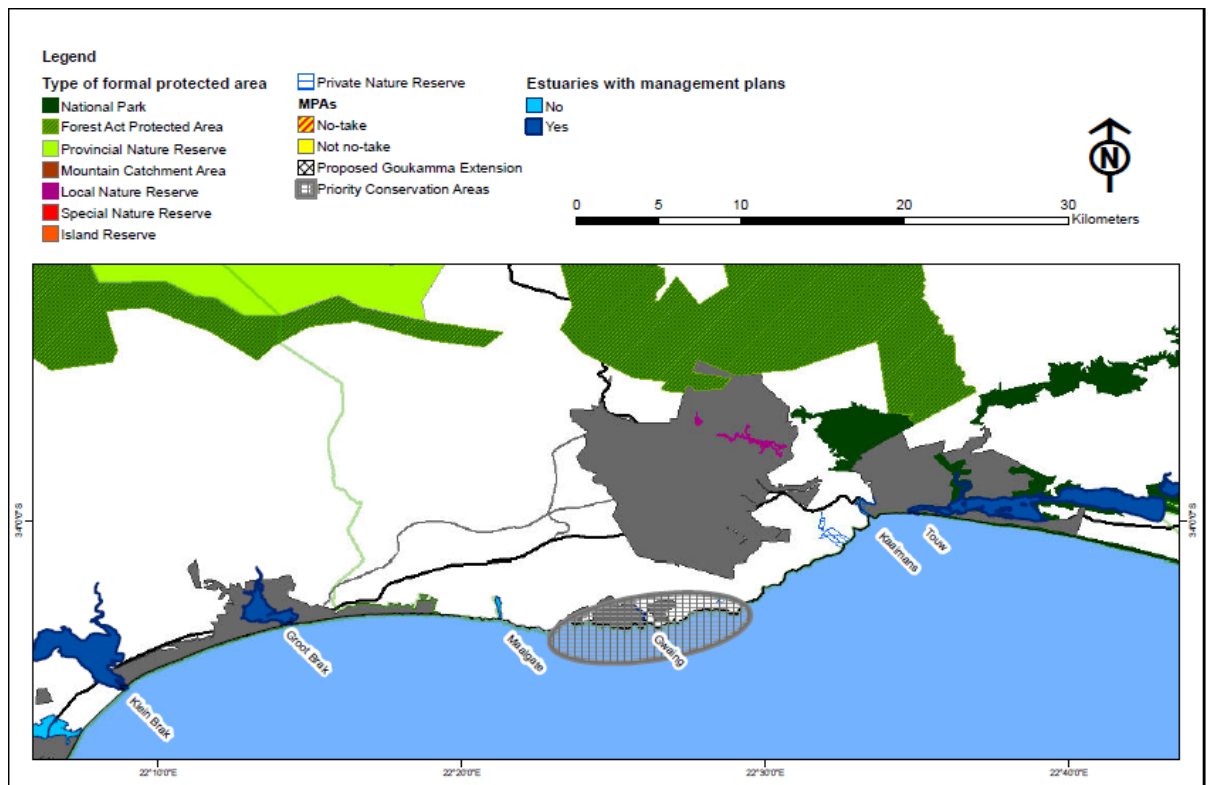
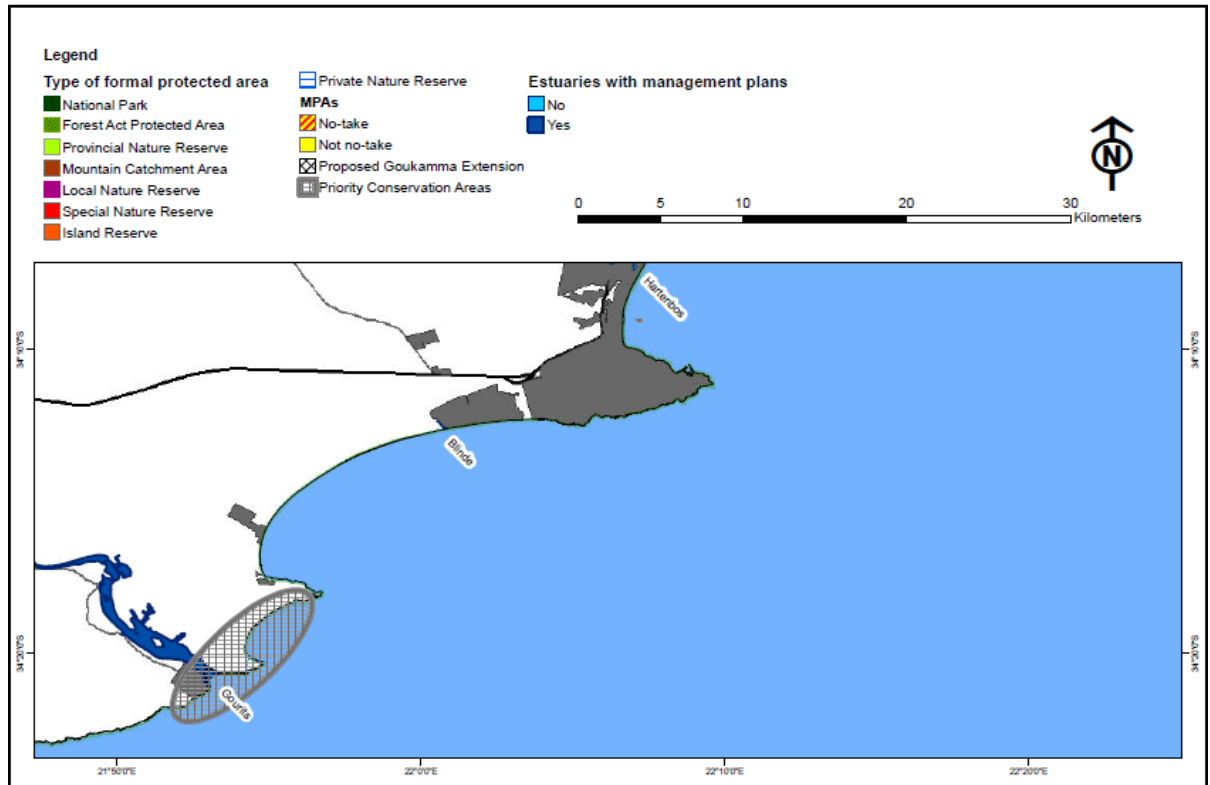
D.2 The following Figures (4 Maps; Figures D.2.1 to D.2.4) illustrate the known legal public access points for Hessequa and Mossel Bay (and a few from George)

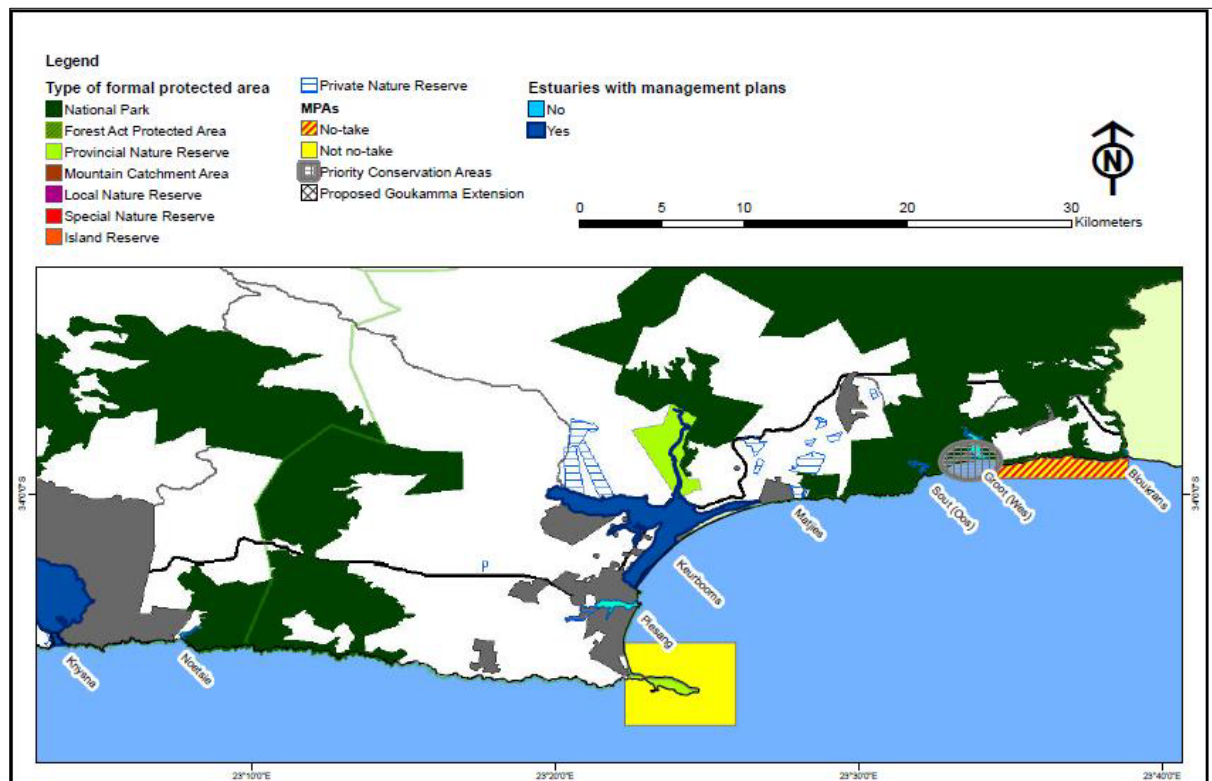
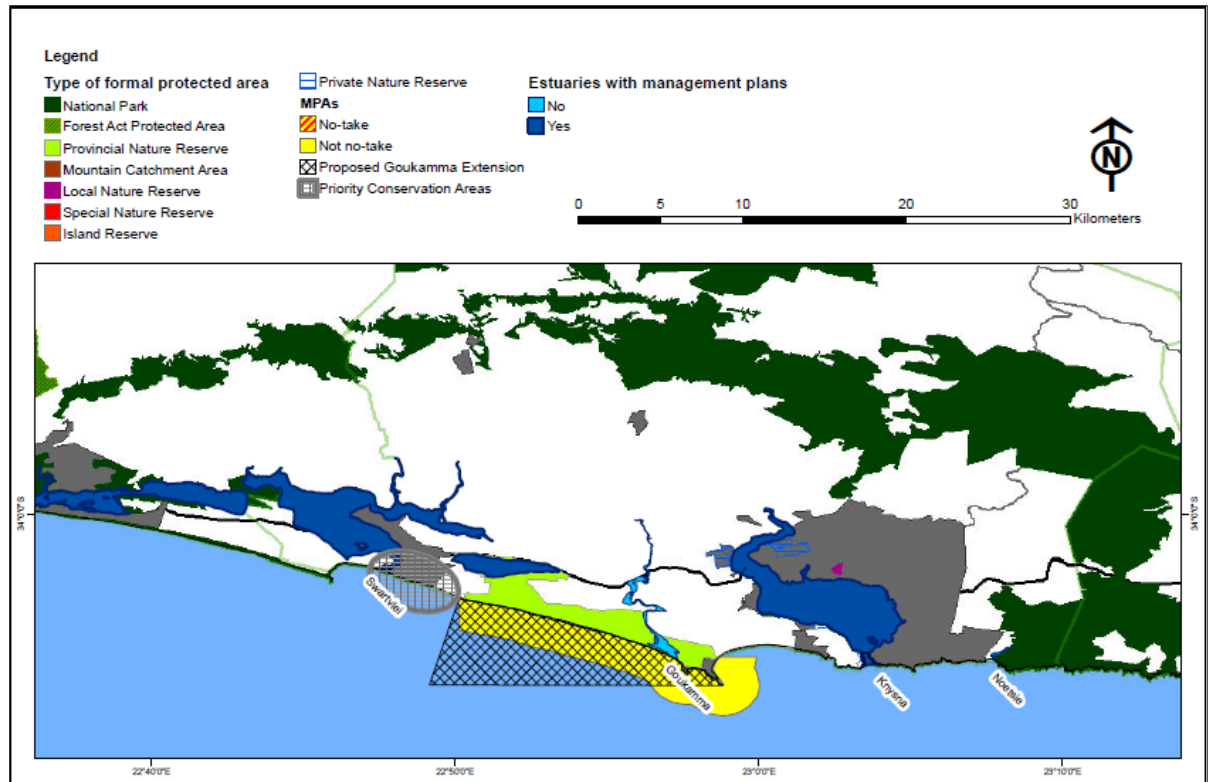




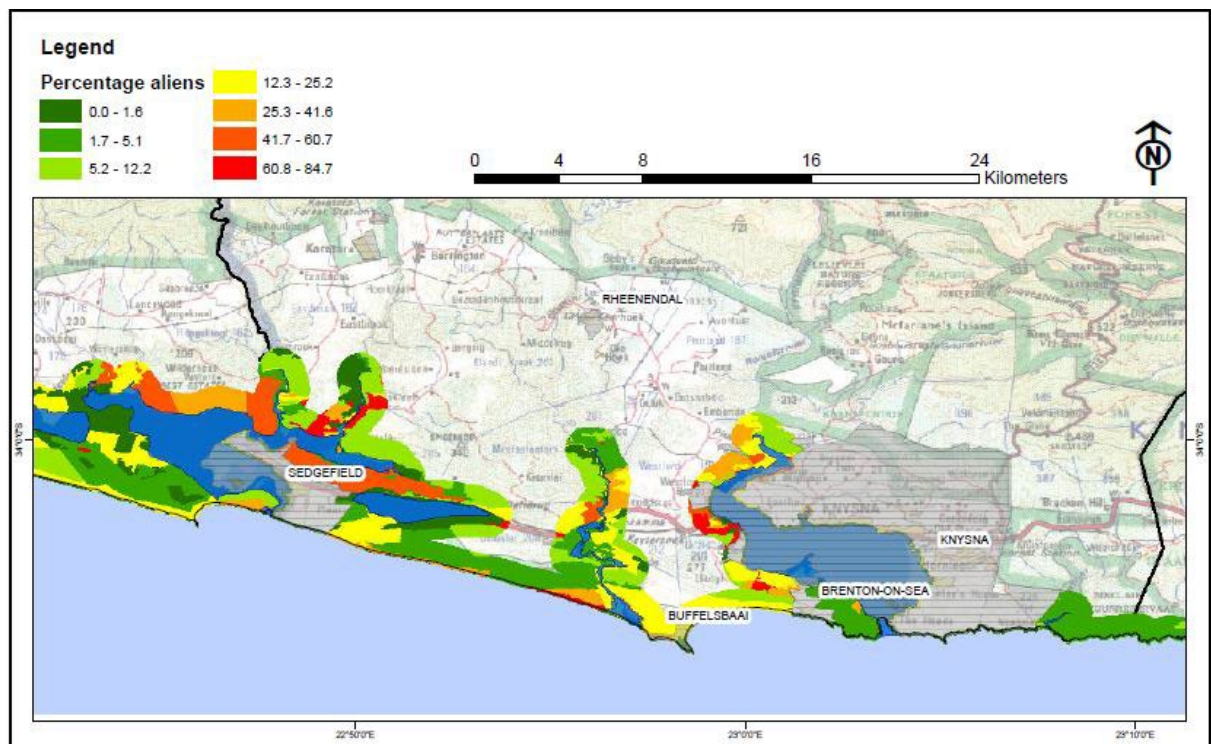
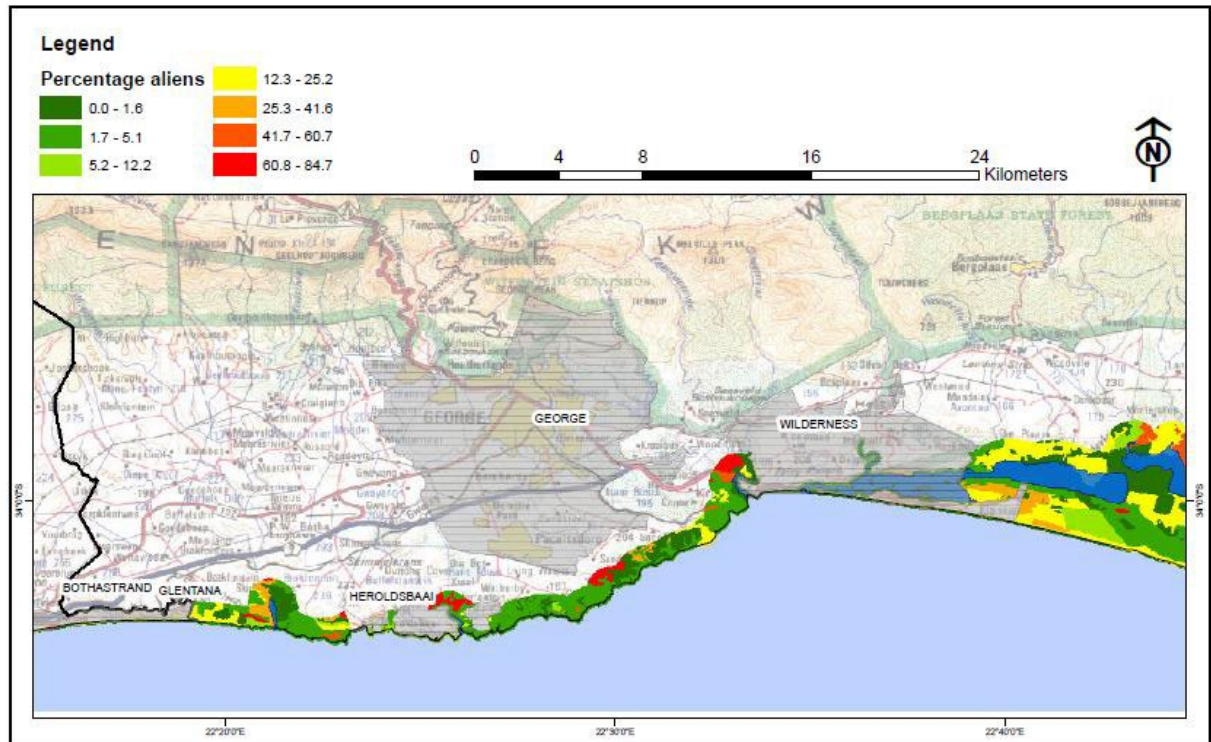
D.3 The following Figures (6 Maps; Figures D.3.1 to D.3.6) illustrate the estuaries (with or without management plans), the protected areas and nature reserves and the priority conservation areas within the Garden Route District's coastal zone.

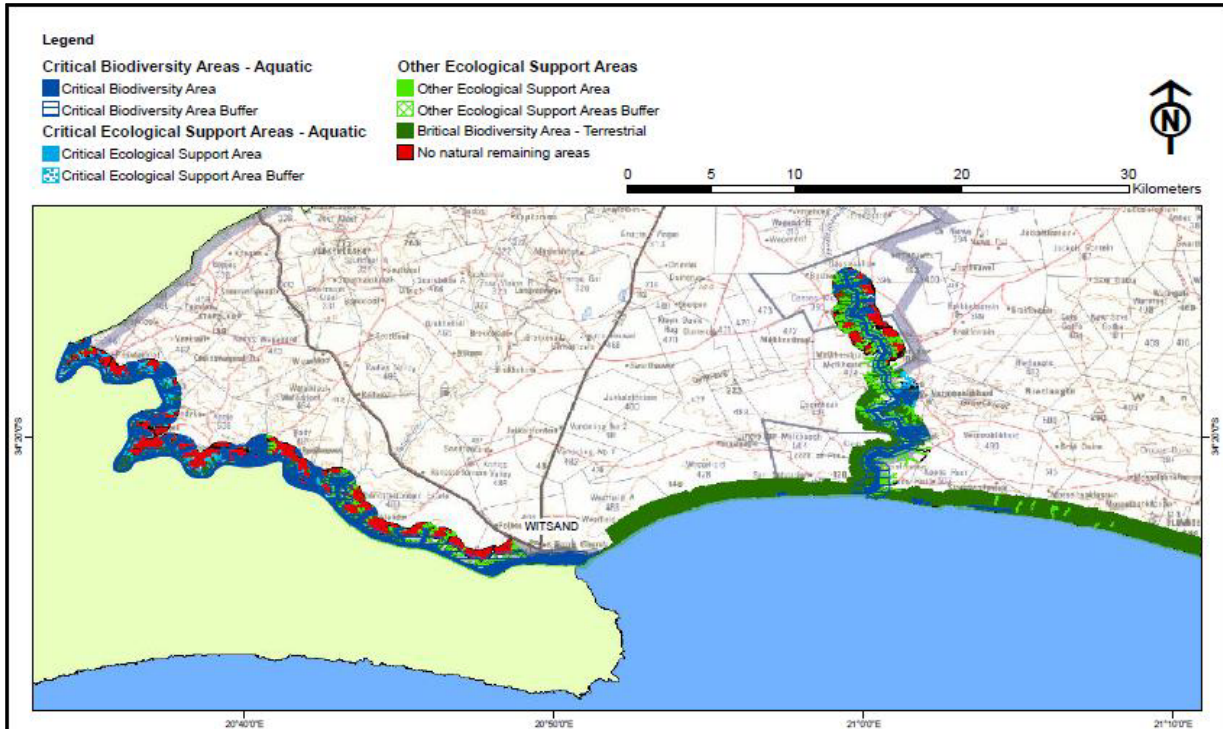
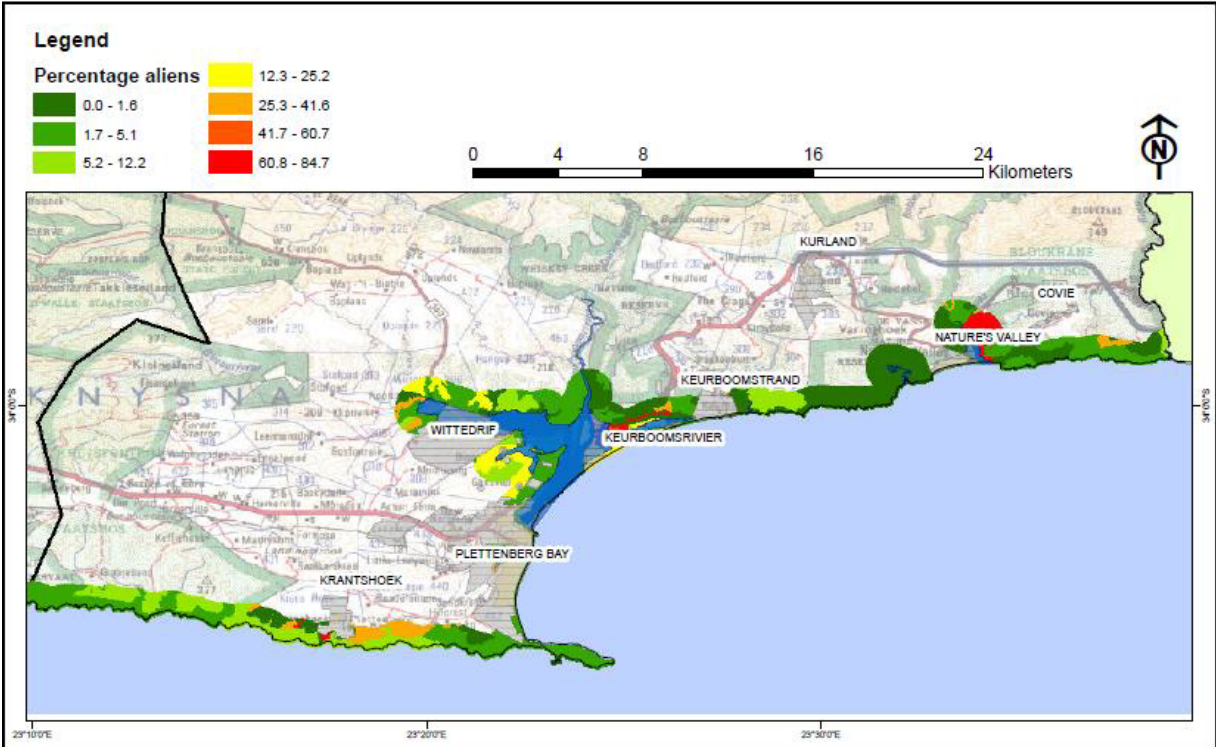


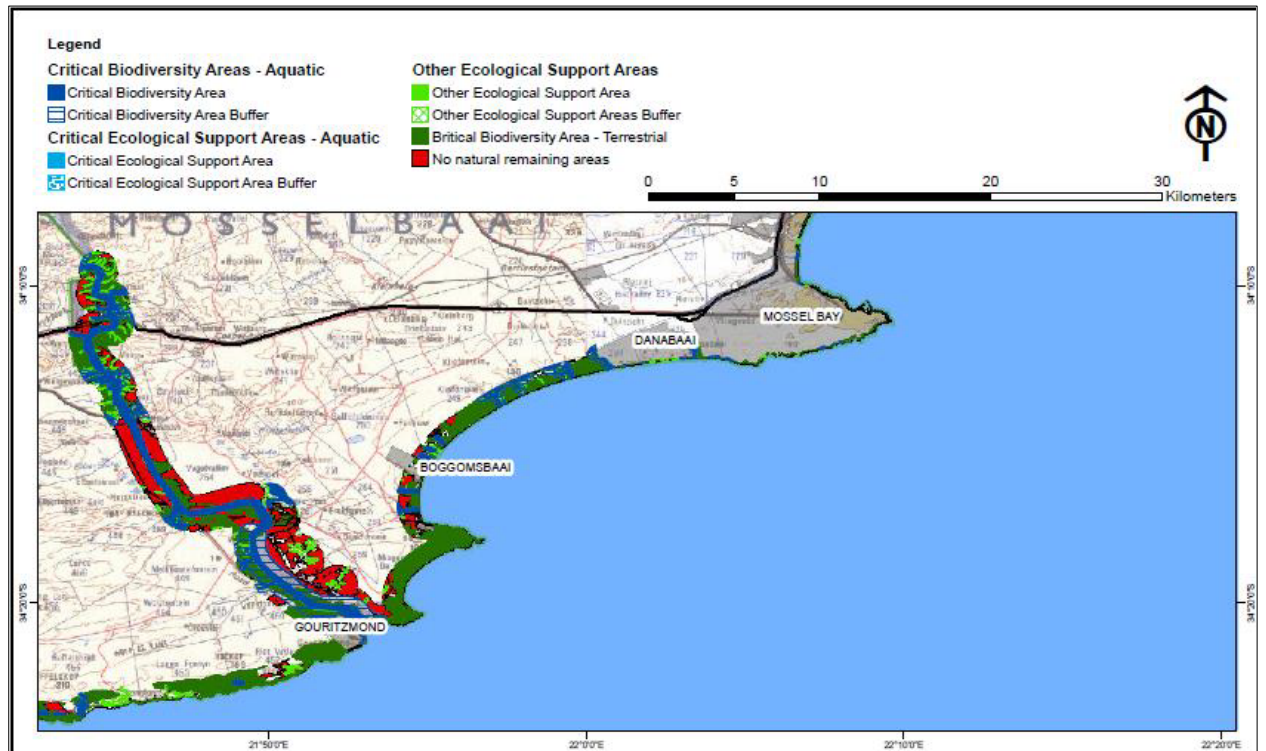
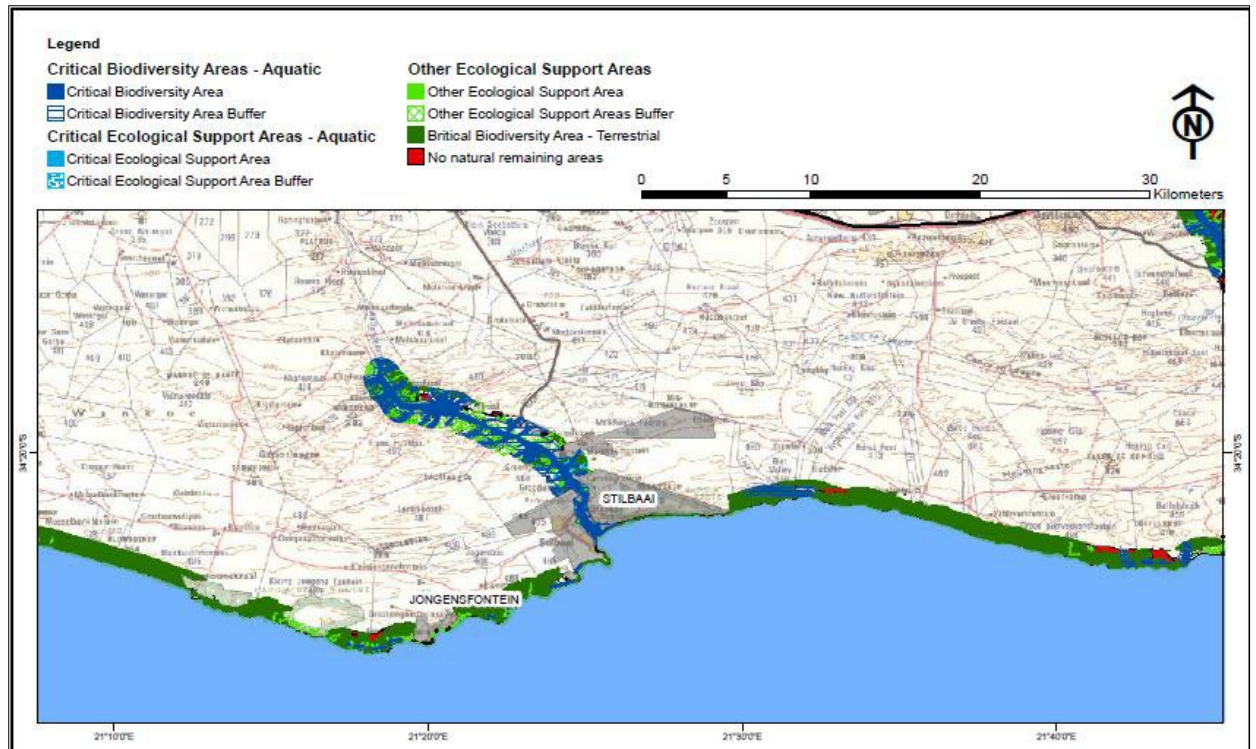


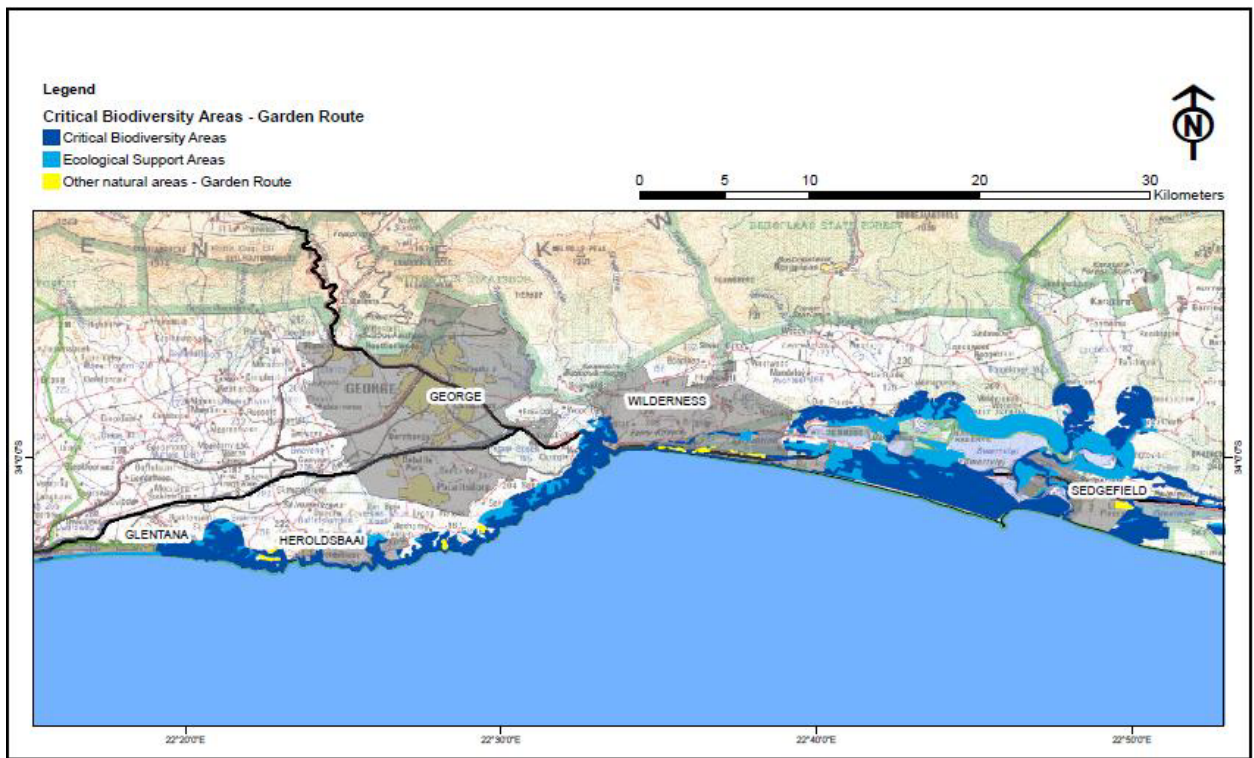
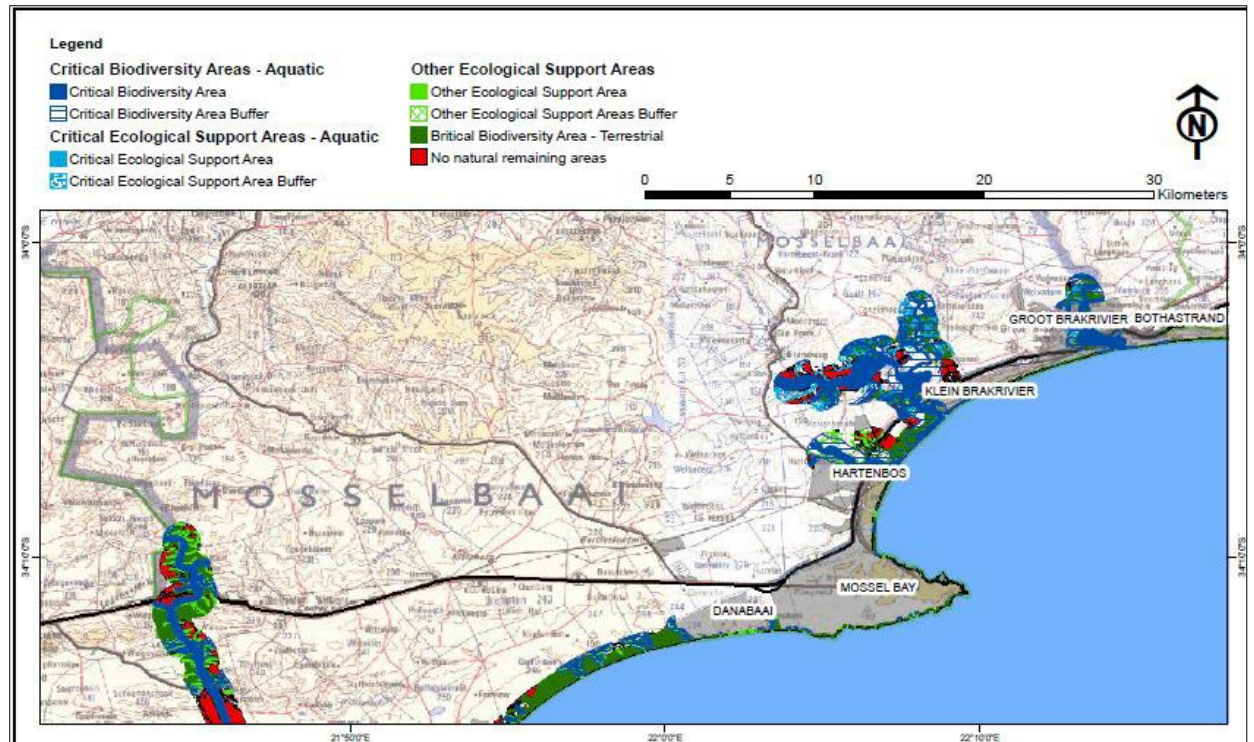


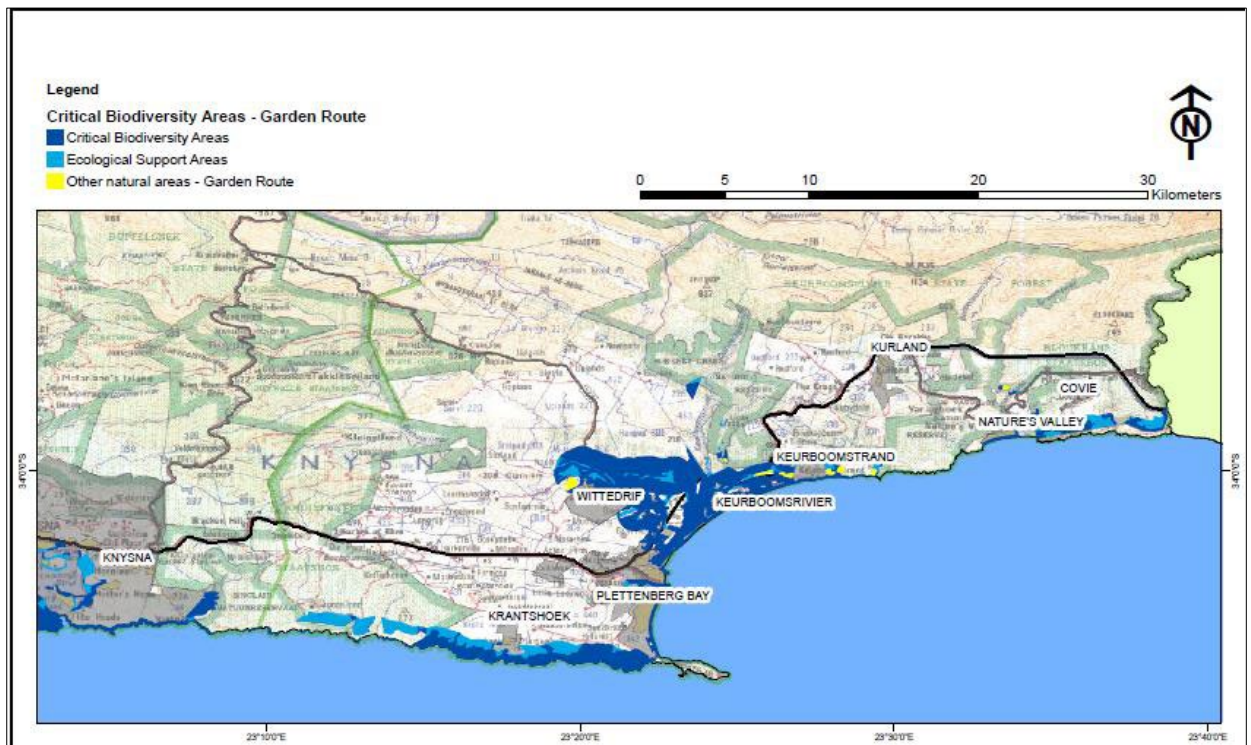
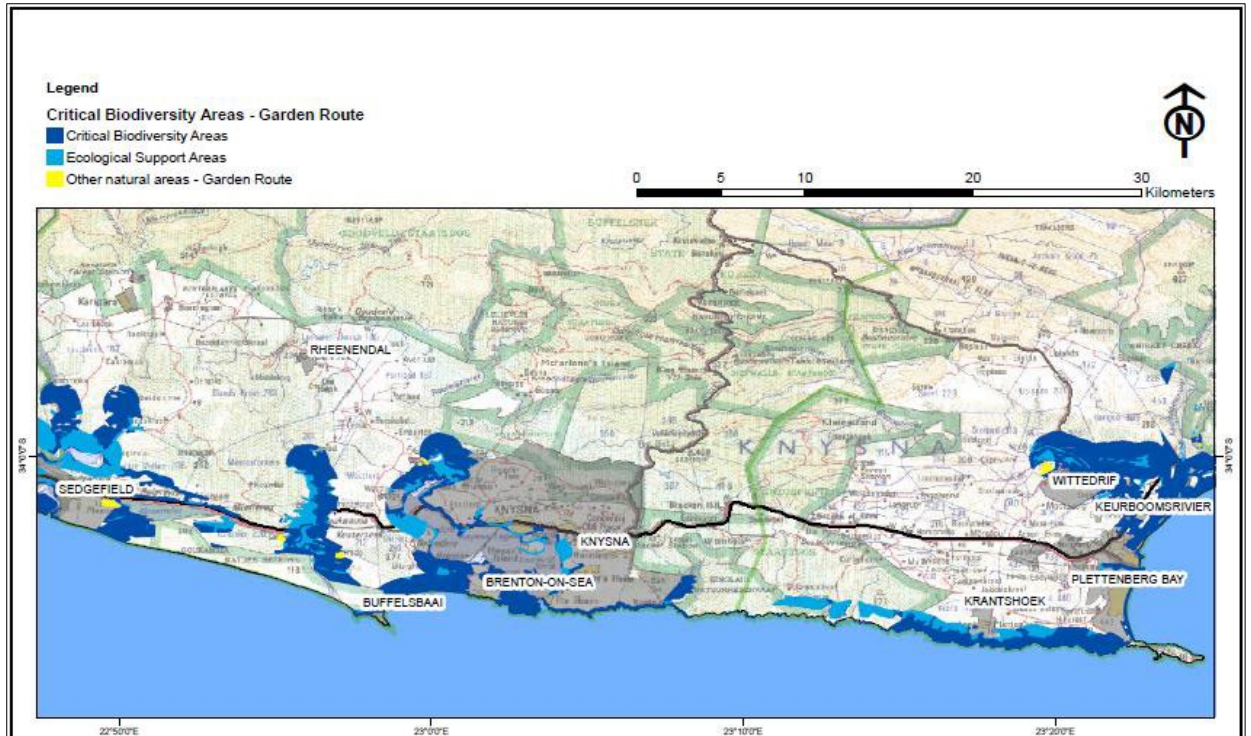
D.4 The following Figures (10 Maps; Figures D.4.1 to D.4.10) are the CBA within the Garden Route District











D.5 The following Figures (12 Maps; Figures D.5.1 to D.5.12) illustrate the risk areas in terms of coastal erosion and extreme events

