

# **OVERBERG DISTRICT MUNICIPALITY**



## **ENVIRONMENTAL MANAGEMENT POLICY**

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### **Introduction:**

#### **Our Context:**

The South African Constitution (Act 108 of 1996) states that everyone has the right to an environment that is not harmful to their health or well-being. Therefore, environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.

South Africa was one of many countries to adopt Agenda 21, a global plan of action for sustainable development, developed at the United Nations Conference for Environment and Development in Rio. Local Agenda 21 is a process for balancing the trade-offs between social justice, economic viability and environmental sustainability in decision-making. It is based on the idea that we cannot have a healthy society or economy in a world with so much environmental degradation. It is design specifically for the local level of government.

There are strong similarities between Local Agenda 21 and the South African constitutional requirements of integrated development planning, co-operative and developmental governance, and promotion of a safe and healthy environment

#### **Our responsibilities**

The general role of municipalities is defined firstly in the Constitution and, secondly, in national legislation, namely the Structures Act and the Systems Act. Chapter 7 of the Constitution is devoted to local government. Fundamentally, a municipality is required to govern the local affairs of its community in accordance with the Constitution. In this regard a municipality must:

- Provide democratic and accountable government for local communities;
- Ensure the provision of services to communities in a sustainable manner;
- Promote social and economic development;
- Promote a safe and healthy environment; and
- Encourage the involvement of communities and community organisations in the matters of local government.

The Structures Act provides for the establishment of local government structures in accordance with the Constitution. It endorses the constitutional objectives of local government, which include the promotion of a safe and healthy environment. The Systems Act, promulgated two years after the Structures Act, has the primary object of providing for the core principles, mechanisms and processes necessary to enable municipalities to achieve the goal of the social and economic upliftment of local communities.

This policy strives to ensure that the Overberg District Municipality's activities are aligned to legislation that refers to good environmental management practices. The ODM recognise the

following legislation as key in guiding environmental management but it is not limited to the list below.

#### Legislation Framework:

- Constitution of South Africa of 1996 (Act 108 of 1996)
- National Development Plan 2030
- National Environmental Management Act of 1998 (Act 107 of 1998)
- NEM: Integrated Coastal Management Act of 2008 (Act 24 of 2008)
- NEM: Biodiversity Act of 2004 (Act 10 of 2004)
- NEM: Waste Management Act of 2008 (Act 59 of 2008)
- NEM: Protected Areas Act of 2003 (Act 57 of 2003)
- NEM: Air Quality Act of 2004 (Act 39 of 2004)
- Forest Act of 1998 (Act 84 of 1998)
- National Heritage Resources Act of 1999 (Act 25 of 1999)
- National Water Act of 1998 (Act 36 of 1998)
- Municipal System of 2000 (Act 32 of 2000)
- Municipal Structures Act of 1998 (Act 117 of 1998)
- National Climate Change Response White Paper

#### Vision:

***Working together from catchment to coast, towards a legacy of a healthy functioning environment in the Overberg, for the benefit and enjoyment of all***

The Overberg District Municipality will be guided in its activities by the abovementioned vision for the environment in the years ahead by:

- Ensuring a positive relationship between all spheres of government as well as civil society in order to promote a safe and healthy environment;
- Ensuring that environmental management and the principle of sustainability enjoys high priority in all planning and strategic documents within the municipality; and
- Striving to ensure that environmental quality will be improved in terms of air, water, land and sea.

#### Policy Principles:

- A commitment to adopt and implement the principles and underlying approaches to sustainable development of the Overberg district.
- A commitment to promote the current generations use of natural resources in such a way as to maximise the benefit to all, while ensuring that those resources are protected for the use of future generations.
- A commitment to the protection of the Constitutional rights to a healthy environment and the recognition of the responsibilities, together with the obligations of sustainable service delivery, and ecologically sustainable development for the benefit of all.
- A commitment to a holistic approach to the environment and to protection of the Overberg's unique biodiversity.

- A commitment to, as a minimum, meeting or where practical exceeding the requirements of relevant international, national and provincial environmental legislation. The recognition by the Overberg District Municipality of the inherent rights of all living creatures and a commitment to the humane treatment of all.
- A commitment to applying the precautionary principle, which states that if the environmental consequences of a proposed activity are of significant impact and/or concern, and are uncertain, that activity should not be undertaken.
- The commitment by the Overberg District Municipality to the integration of environmental considerations in its strategic planning initiatives such as the Integrated Development Plan (IDP) and Spatial Development Framework (SDF).
- A commitment to the involvement of, and partnerships with, civil society in decision-making processes regarding environmental management within the Municipal Coastal Committee, Regional Waste Forum and other relevant structures.
- A commitment by the Overberg District Municipality to open, transparent and effective environmental governance.

### **Sectoral Approach:**

#### **COASTAL MANAGEMENT**

The NEM: Integrated Coastal Management Act (ICMA) states that District Municipalities are responsible for coastal management within their respective jurisdiction.

- Municipal Coastal Committee (MCC) -

Section 42 of ICMA states that: *Each metropolitan municipality and each district municipality that has jurisdiction over any part of the coastal zone may establish a coastal committee for the municipality;*

The Overberg District Municipality will convene a MCC on a quarterly basis to provide a platform to discuss coastal management matters and strive towards improving integrated coastal management. The Overberg District Municipality is also represented as an elected member on the Provincial Coastal Committee.

- Coastal Management Programme (CMP) –

Section 48 of ICMA states that: (1)(a) *A coastal municipality 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;*

The Overberg District Municipality has taken responsibility for the drafting of the Coastal Management Programme (CMP) as prescribed. The implementation of the CMP will require various role-players to achieve the desired outcomes, giving effect to integrated coastal management. Participation and effective implementation will be based on the availability of capacity and resources.

The ODM will also be assisted by the National Department of Environmental Affairs as well as the Provincial Department of Environmental Affairs and Development Planning through the roll out of initiatives, assisting the implementation of the CMP.

- DEA: National Resource Management, Working for the Coast Programme -

The ODM supports the Working for the Coast Programme as a (DEA) national job creation initiative.

- Coastal Monitoring –

Environmental Management Services is responsible to conduct regular coastal and catchment inspections in order to determine if there are any changes/impacts on the environment pertaining to:

- Pollution;
- Illegal development;
- Access monitoring;
- Natural processes (erosion and sand movement).
- Marine mammal strandings.

- Estuary Management –

According to the NEM: ICMA National Estuarine Management Protocol, as published on 10 May 2013, the ODM will not act as an management authority for any of the estuaries within its jurisdiction.

Chapter 5 of the Protocol states that the following management authorities are responsible for the development of Estuary Management Plans and coordination of the implementation process:

<b>Estuary</b>	<b>Management Authority</b>
Breede River Estuary	Department of Environmental Affairs and Development Planning (DEA&DP)
Heuningnes Estuary	Cape Nature
Ratel River	Agulhas National Park
Uilenkraals River Estuary	Overstrand Municipality (DEA&DP / Cape Nature)*
Klein River Estuary:	Overstrand Municipality (DEA&DP / Cape Nature)*
Onrus River Estuary	Overstrand Municipality (DEA&DP / Cape Nature)*
Bot River Estuary	Overstrand Municipality (DEA&DP / Cape Nature)*
Palmiet River Estuary	Overstrand Municipality (DEA&DP / Cape Nature)*
Buffels River	Overstrand Municipality (DEA&DP / Cape Nature)*
Rooi Els River:	Overstrand Municipality (DEA&DP / Cape Nature)*

\* Read with the Department of Environmental Affairs and Development Planning, Circular 011/2017 dated 30 May 2017.

Any further additions to the table above of estuaries will be evaluated according to section 5.1 – 5.7 of the Estuarine Management Protocol.

The ODM will continue to support Estuarine Management through the MCC and the attendance of local Estuary Advisory Forums.

## **BIODIVERSITY CONSERVATION**

- **Spatial Planning and GIS**

The Overberg District Municipality will through its Integrated Development Plan and Spatial Development Framework as reflected on the GIS database promote the safeguard of endangered / threatened ecosystems.

When evaluating a development application, set criteria will be used based on the principles of sustainability, which includes the protection and conservation of endangered/threatened ecosystems.

The national list of ecosystems that are threatened and in need of protection as published under the NEM: Biodiversity Act will be used as tool to identify areas with a high conservation value.

- **Wetland Management**

The Overberg District Municipality will support the protection and conservation of Wetlands and wetland support areas within the Overberg. Recognition will be given to the important roll that wetlands play with regards to; provisioning, Regulatory, and Cultural functions.

<b>Ecosystem Service Type</b>	<b>Ecosystem Service</b>	<b>Description/ Case Study</b>
<b>Provisioning</b>	Food and medicinal plants	The various local communities living within the Overberg District Municipality harvest local plants such as waterblommetjies and fish to support their diets.
	Raw materials supporting local economies and livelihoods	The various local communities living within the Overberg District Municipality harvest reeds from the wetlands for roof thatching. Selling of wild flowers.
	Clean drinking water	Local communities throughout the Overberg District Municipality use clean water supplied by the wetlands for drinking purposes (both human and livestock).
<b>Regulatory</b>	Water storage and stream flow regulation	Wetlands store stormwater runoff and slowly release the water as the water table drops. This contributes to sustained streamflow throughout the year.

	Flood attenuation and control	Wetlands and the associated plants (particularly Palmiet) absorb flood water and reduce the velocity of flood waters moving through the system. This contributes to the protection of infrastructure downstream.
	Erosion control	Wetland plants, particularly Palmiet, strengthen the banks of wetlands and thereby contribute to sediment stabilisation and soil retention within the catchment.
	Water filtration	Wetlands contribute substantially to improving water quality by modifying or trapping a wide range of substances commonly considered to be pollutants. This includes suspended sediment, excess nutrients, toxicants and pathogenic bacteria and viruses. This contributes to clean drinkable water downstream.
<b>Cultural</b>	Recreation	Recreation activities undertaken within the wetlands of the Overberg District Municipality include fishing, flower harvesting, bird watching and canoeing.
	Tourism	Wetlands within the Overberg District Municipality, particularly De Hoop Vlei, provide a diverse landscape and rich biodiversity that promote tourism.
	Social upliftment	The rehabilitation and maintenance of wetlands within the district provide opportunities for job creation for the local communities. These opportunities not only support local incomes but also include important skills development as well as environmental education.

The Wetland Report together with the Wetland Strategy and Action Plan will guide future priorities, funding and integration of effort in an attempt to protect our wetlands.

Special recognition is given to three RAMSAR sites in the Overberg namely: De Hoop Vlei, Heuningnes and Botriver estuaries.

- Alien Invasive Species Monitoring, Control and Eradication Plan (AIS Control Plan)

The ODM will give effect to the NEM: Biodiversity Act: Alien Invasive Species Regulations of 2014, through the above mentioned plan. AIS Control Plan will list all the ODM properties and indicate the listed Invasive Alien Species that require management in order to eradicate or effectively control these species.

- Milkwood Tree conservation

The Environmental Management section will furthermore play an active role in the conservation of the Milkwood Tree forest remnants within the ODM's coastal resorts of Die Dam and Uilenkraalsmond. The Environmental Management Services Department will act as custodian of the ODM's Milkwood Tree policy.

## **SOLID WASTE MANAGEMENT**

Functions and power of district municipalities are outlined in Section 84(1) of the Municipal Structures Act as:

*(e) Solid waste disposal sites, in so far as it relates to:*

- i. the determination of a waste disposal strategy;*
- ii. the regulation of waste disposal;*
- iii. the establishment, operation and control of waste disposal sites, bulk waste transfer facilities and waste disposal facilities for more than one local municipality in the district.*

The waste management function resides within the Environmental Management Services Department of the ODM. In terms of waste management the department will strive to achieve the following –

- Waste reduction –

Waste reduction targets will be aligned with available technology and capacity at the landfill facility. Recycling and waste diversion from landfill will be promoted through the Integrated Waste Management Plan and Regional Waste Forum.

- Promoting good IGR structures within the waste management sector –

The Overberg District Municipality will convene a Regional Waste Forum that will include representation from all the Local Municipalities as well as Provincial Government on a quarterly basis. The purpose of the forum will be:

- To promote cooperation between Municipalities in order to improve Waste Management within the region;
- To share best practises and transferral of knowledge and information; and
- To provide a platform for which information can be gathered to feedback to the Provincial Waste Forum.

- Integrated Waste Management Plan –

Section 11(4)(a) of the NEM: Waste Act states that:

*Each municipality must –*

- (i) Submit its integrated waste management plan to the MEC for approval; and*
- (ii) include the approved integrated waste management plan in its integrated development plan contemplated in Chapter 5 of the Municipal Systems Act.*

The Department will continuously investigate alternative sources of funding to address the waste management challenges in the district.



- Karwyderskraal Landfill Site

The Department will play an oversight role in the management of the site and adhere to the permit conditions (Permit 16/2/7/G501/D3/Z3/P374 dated 30 March 2000 and amended on 08 November 2000 and 09 April 2002). This will be done through the Karwyderskraal Landfill Monitoring Committee that is convened on a quarterly basis.

### **REGIONAL GEOGRAPHIC INFORMATION SYSTEM (GIS) DATABASE –**

The Environmental Management Services Department will source relevant and updated GIS information from credible sources. All GIS information will be based on vector mapping data standards. In an attempt to maintain the GIS database, data will be sourced from relevant departments to create linkages with other database sources.

This GIS information will be used in the context of spatial planning, environmental- and coastal management monitoring and development application evaluation.

### **CLIMATE CHANGE MITIGATION AND ADAPTATION -**

The ODM recognise the long term effect of climate change on the environment

The Overberg Climate Change Response Framework (CCRF) will be used as a guiding document to give effect to project to address climate change mitigation and adaptation, upon the adoption and revision of the CCRF by the ODM Council.

This CCRF is meant to give a strategic overview of climate change responses that is relevant for the Overberg region; accordingly, not all of the responses identified in this document will be implementable by the District and local municipalities alone. This document is therefore not only aimed at the District and local municipalities, but also civil society including the private sector and NGOs as well as National and Provincial government, and is intended to guide a wider Overberg climate change response informed by local knowledge. **Climate change is however a transversal issue requiring consideration across all sectors.**

**Table 1: Climate Change projections for the Western Cape 2030 - 2045 (updated 2017)**

<b>Projection</b>	<b>Possible impacts</b>
Higher mean annual temperature	<ul style="list-style-type: none"> <li>• Increased evaporation and decreased water balance; and</li> <li>• Reduced crop quality and food security.</li> </ul>
Higher maximum temperatures, more hot days and more heat waves	<ul style="list-style-type: none"> <li>• Increased heat stress on humans and livestock;</li> <li>• Increased incidence of heat-related illnesses;</li> <li>• Increased incidence of death and serious illness, particularly in older age groups;</li> <li>• Increased heat stress in livestock and wildlife;</li> <li>• Decreased crop yields and rangeland productivity;</li> <li>• Extended range and activity of some pests and disease vectors;</li> <li>• Increased threat to infrastructure exceeding design specifications relating to temperature (e.g. traffic lights, road surfaces, electrical</li> </ul>

Projection	Possible impacts
	equipment, etc.); <ul style="list-style-type: none"> <li>• Increased electric cooling demand increasing pressure on already stretched energy supply reliability; and</li> <li>• Exacerbation of urban heat island effect</li> <li>• Increased frequency and intensity of fire regime</li> </ul>
Higher minimum temperatures, fewer cold days and frost days	<ul style="list-style-type: none"> <li>• Decreased risk of damage to some crops and increased risk to others such as deciduous fruits that rely on cooling period in autumn;</li> <li>• Reduced heating energy demand;</li> <li>• Extended range and activity of some pests and disease vectors; and</li> <li>• Reduced risk of cold-related deaths and illnesses</li> </ul>
General drying trend in western part of the country	<ul style="list-style-type: none"> <li>• Decreased average runoff, stream flow;</li> <li>• Decreased water resources and potential increases in cost of water resources;</li> <li>• Decreased water quality;</li> <li>• Decrease in shoulder season length threatening the Western Cape fruit crops;</li> <li>• Increased fire danger (drying factor); and</li> <li>• Impacts on rivers and wetland ecosystems</li> </ul>
Intensification of rainfall events	<ul style="list-style-type: none"> <li>• Increased flooding;</li> <li>• Increased challenge to storm water systems in urban settlements;</li> <li>• Increased soil erosion;</li> <li>• Increased river bank erosion and demands for protection structures;</li> <li>• Increased pressure of disaster relief systems;</li> <li>• Increased risk to human lives and health; and</li> <li>• Negative impact on agriculture such as lower productivity levels and loss of harvest which could lead to food insecurity</li> </ul>
Increased mean sea level and associated storm surges	<ul style="list-style-type: none"> <li>• Salt water intrusion into groundwater and coastal wetlands;</li> <li>• Increased storm surges leading to coastal flooding, coastal erosion and damage to coastal infrastructure; and</li> <li>• Increased impact on estuaries and associated impacts on fish and other marine species</li> </ul>

Chapter five of the National Development Plan – 2030, refers to *ensuring environmental sustainability and an equitable transition to a low-carbon economy*. The environmental management sections will implement the following action toward this vision as part of its operations.

- Support to renewable energy initiative where it is not harmful or pose little impact on the environment;
- Promote climate change mitigation and adaptation within the IDP and its sector plans;
- Support initiatives and projects that address climate change;
- Ensure that new developments do address climate change impacts within the planning and operational phases.

### **ENVIRONMENTAL EDUCATION AND AWARENESS CAMPAIGNS**

The Environmental Management Services Department will strive to continuously improve environmental awareness in order to inform communities. Information, programmes and

campaigns need to be relevant to local stakeholders and residents. Making people aware of policies and environmental issues will create a willingness on the people's side to become more involve.

It is important to reach diverse audiences, with a variety of channels of information (such as newsletters, website, Facebook, public meetings and Council meetings). Communication with the public will be according to the Communication Policy of the Overberg District Municipality.

The ODM will furthermore promote and coordinate environmental awareness initiatives in Overberg region.

### **ENVIRONMENTAL GOVERNANCE**

In order to achieve affective environmental governance the ODM's environmental management section will advocate sustainability as a consideration for managing all human activities – social and economic.

All decision-making processes involving the controlling and management of the environment should be inclusive, representative, transparent, well informed, effective and equitable.

The environmental management section will actively participate in the IDP process in order to ensure sufficient participation and input from environmental role-players into the IDP.

<p>This Policy shall come into effect after the date of Council adoption and shall remain in force and effect until it is reviewed, revoked or amended by Council.</p>
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