



SECOND GENERATION OVERBERG DISTRICT COASTAL MANAGEMENT PROGRAMME



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**PREPARED BY:
T. Martin (ODM) & S. Laven (DFFE:LGS)**

Contents

EXECUTIVE SUMMARY	1
SITUATIONAL ANALYSIS	1
STAKEHOLDER ENGAGEMENT	1
A COASTAL VISION, PRIORITY AREAS, GOALS AND OBJECTIVES	2
VISION 2	
POLICY DIRECTIVES	2
PRIORITY AREAS	2
IMPLEMENTATION STRATEGIES	3
ABBREVIATIONS	4
CHAPTER 1: INTRODUCTION	6
1.1. Overview	6
1.2. Defining the Coastal Zone	6
1.3. Regulatory Context of Coastal Management Programme	8
CHAPTER 2: INTEGRATED COASTAL MANAGEMENT	9
2.1. Background of Integrated Coastal Management	9
2.2. Integrated Coastal Management Tool: Coastal Management Programme	10
2.3. Purpose and Outcomes of this Municipal Coastal Management Programme	11
2.4. Content of the CMPs	12
2.5. Municipal Coastal Management Roles and Responsibilities	13
2.6. Municipal Functional Areas of Constitutional Competence	14
2.7. Overview of the Overberg Coast	29
2.8. Key Issues Identified during Stakeholder Engagement	38
2.9. Vision for the Overberg Coast	42
CHAPTER 3: PRIORITIES, POLICY DIRECTIVES AND STRATEGIES FOR COASTAL MANAGEMENT	43
3.1. Incorporation and Alignment with Existing Plans and Strategies	43
3.2. Climate Change and Integrated Coastal Management	43
3.3. Policy Directives	45
3.3.1. Policy Directive 1: Facilitating Coastal Access	45
3.3.2. Policy Directive 2: Working for the Coast	47
3.3.3. Policy Directive 3: Estuary Management	49
3.3.4. Policy Directive 4: Blue Flag Programme	50
3.3.5. Green Coast Initiative	51

3.4.	Five Year Plan: Priority Areas, Coastal Management Goals, Objectives & Action Plans ...	52
3.4.1.	Implementation Strategies/Projects	52
3.4.2.	Indicators	52
3.4.3.	Donor Funding / Special Project	52
3.4.4.	Implementers	52
3.4.5.	District & Local Responsibilities.....	52
3.4.6.	Municipal Interpretation of Roles and Responsibilities	52
3.5.	Priority Area 1 – Facilitation of Coastal Access	53
3.6.	Priority Area 2 - Compliance and Enforcement	54
3.7.	Priority Area 3 – Estuaries	55
3.7.1.	Status of Estuary Management in the Overberg.....	56
3.7.2.	Issues Identified:	56
3.7.3.	Indicators	57
3.8.	Priority Area 4 - Land and Marine-Based Sources of Pollution and Waste.....	57
3.8.1.	Issues Identified:	57
3.9.	Priority Area 5 - Cooperative Governance and Local Government Support	58
3.9.1.	Issues Identified	58
3.10.	Priority Area 6 - Climate Change, Dynamic Coastal Processes and Building Resilient Communities	59
3.10.1.	Issues Identified:	60
3.11.	Priority Area 7 - Natural Capital and Natural Resource Management	60
3.11.1.	Issues Identified:	61
3.12.	Priority Area 8 - Social, Economic & Development Planning	62
3.12.1.	Issues Identified:	62
3.13.	Priority Area 9 – Education and Capacity Building.....	62
3.13.1.	Issues Identified:	63
3.14.	Action Plan Summary / Implementation Table	63
	CHAPTER 4: PROGRAMME REVIEW AND AMENDMENT	65
	CHAPTER 5: CONCLUSIONS.....	65

LIST OF TABLES

Table 1: Coastal Zone Components Definitions	7
Table 2: Common Content requirements for CMPs of the three spheres of government, National, Provincial and Local	12
Table 2: Functional areas of exclusive provincial legislative competence	17
Table 3: Division of Powers & Functions between Category B & C Municipalities in terms of the Municipal Systems Act	18
Table 4: Marine Activities Seaward of the High-water Mark	19
Table 5: Coastal Activities Landward of the High-water Mark	20
Table 6: Key Areas of Local Government Involvement in Marine and Coastal Management	22
Table 7: Municipal Coastal Management Roles and Responsibilities in terms of the ICM Act	23
Table 8: Consolidated Overview of the proposed roles and responsibilities of Category C and B Municipalities in respect to Marine and Coastal Management	25
Table 10: Overberg District Municipality Focus Areas	26
Table 11: Key Coastal Areas	31

LIST OF FIGURES

Figure 1: South African Coastal Zones (DFFE & SSI, 2009)	7
Figure 2: Responsibilities and processes for the development of Coastal Management Programmes	11
Figure 3: Overberg Coast	29
Figure 4: Coastal Management Lines	29
Figure 5: Estuary Status in Overberg District	30
Figure 6 Marine protected areas of the Overberg Coastline	32
Figure 7: Draft National Marine Spatial Plan	33
Figure 8: Overview of Stakeholder Engagement Process & CMP Review	40

EXECUTIVE SUMMARY

South Africa's coastline has not always been utilized and managed in an appropriate manner, resulting in the degradation of significant portions of this valuable national asset. In response, the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008 as amended by Amendment Act No. 36 of 2014, ICM Act) was developed to promote ecologically, socially, and economically sustainable coastal development and resource use, as well as to control inappropriate development along our coast. The ICM Act mandates all three spheres of Government to prepare Coastal Management Programmes (CMPs). In essence, a CMP is a policy or strategy document that contains a system of principles to guide decisions and achieve rational outcomes relating to the coastal environment. CMPs consist of three core components, these being a situational analysis (sometimes referred to as a status quo assessment or inventory analysis), a vision and objectives setting component (which includes public consultation), as well as a programme of implementation which includes specific strategies and policy directives.

SITUATIONAL ANALYSIS

The Situational Analysis component of the Overberg District Municipality (ODM) CMP provides a review and interpretation of existing information on the legal, policy, biophysical and socio-economic characteristics of the coastal area under the municipality's jurisdiction to identify and describe emergent and recurrent coastal issues, constraints, and opportunities. The primary objective of the situational analysis is to integrate the findings of the numerous bodies of legislation, policy and planning documentation and research outputs relevant to coastal management within the ODM. In so doing, this CMP component highlights issues of concern that require attention and action within the CMP framework. This is an important step in the CMP process as it allows for categorization of the Priority Areas for coastal management. In addition to these sub-components, the Situational Analysis also contains a Gap Analysis and Needs Assessment for areas where coastal management information gaps and future research needs are identified.

STAKEHOLDER ENGAGEMENT

As part of the situational analysis for the Overberg District Coastal Management Programme (CMP), stakeholders discussed challenges and identified needs across municipalities. Environmental and coastal management staff participated in meetings and correspondence to highlight key issues. Workshops allowed community members to voice their concerns. Stakeholder involvement in revising the CMP began in May 2023 with a questionnaire and interviews conducted with Cape Agulhas, Swellendam, and Overstrand Municipalities to assess the relevance of the 2016 priority areas.⁴

A COASTAL VISION, PRIORITY AREAS, GOALS AND OBJECTIVES

In addition to identifying key priority areas, the situational analysis identifies a coastal management vision, coastal management goals and strategic objectives to address the identified issues. The coastal vision encompasses the future desired state of the coastal zone but also embodies the principles of the ICM Act, and thus provides the framework for strategic planning. Coastal management objectives (CMOs) are then formulated for each of the priority areas as statements of intent, to express what needs to be achieved to realize the overall vision. Following this, specific objectives are devised as detailed steps to achieve each goal.

VISION

“We, the people of the Overberg District Municipality, celebrate the diversity, beauty and uniqueness of our coast and its communities. We strive for a safe, accessible coastal environment that is sustainably managed and protected for the benefit of current and future generations.”

POLICY DIRECTIVES

The ODM CMP also includes specific ‘Policy Directives’ which are intended as guidelines, policy statements or finer scale coastal management objectives to assist with current and future decision-making and implementation. Policy Directives for the ODM have been developed to allow implementing authorities to take an immediate policy stance on important coastal management issues that are not necessarily captured within the respective implementation strategies. Policy directives have been defined for coastal access, the Working for the Coast Programme, estuarine management, and the Blue Flag and Green Coast Programme.

PRIORITY AREAS

Nine priority areas were identified with respective overarching goals, namely:

1. Facilitation of Coastal Access – to provide reasonable and equitable access to the coast for all.
2. Compliance & Enforcement – to promote compliance and enforcement of legislation to facilitate protection of coastal resources within the municipal mandate.
3. Estuaries – to ensure appropriate management and conservation of estuaries.
4. Land and Marine-based Sources of Pollution & Waste – to minimize the impacts of pollution on the coastal environment.
5. Cooperative Governance & Local Government Support – to promote integrated and cooperative governance of the coastal zone and coastal planning/governance.
6. Climate Change, Dynamic Coastal Processes & Building Resilient Communities – to promote resilience to the effects of dynamic coastal process and environmental hazards and natural disasters.
7. Natural Capital & Resource Management – to promote conservation of biodiversity, ecosystem function and the sustainable use of natural resources.

8. Social, Economic & Development Planning – to promote sustainable local economic development; and
9. Education & Capacity Building – to promote coastal awareness, education, and training.

IMPLEMENTATION STRATEGIES

Implementation Strategies¹ have been developed according to each priority area and involved identification of specific actions, activities or projects, role-players, estimated budget requirements, priority rating and indicators towards effective management intervention. By employing the information and outcomes from the situational analysis, the Provincial CMP for the Western Cape and the stakeholder engagement process, this section complements the policy aspect of the CMP by making specific recommendations and proposing implementation steps to address coastal issues and capitalize on opportunities.

¹ *The implementation of strategies that are defined in the CMP is dependent on available funding and capacity in relation to resources required to execute such strategies.*

ABBREVIATIONS

BLS	Boat launch site
CAMP	Coastal Access Management Plan
CFR	Cape Floristic Region
CML	Coastal Management Line
CMP	Coastal Management Programme
DEA&DP	Western Cape Department on Environmental Affairs & Development Planning
DFFE	Department of Forestry & Fisheries and the Environment
DM	District Municipality
DTI	Department of Trade & Industry
EIP	Environmental Implementation Plan
EMP	Environmental Management Plan
EP	Environmental Programmes
EPWP	Expanded Public Works Programme
GDP-R	Real Gross Domestic Product
IBA	Important Bird Area
ICM	Integrated Coastal Management
IDP	Integrated Development Plan
IMSC	Information Management & Sector Coordination
LED	Local Economic Development
LM	Local Municipality
MARPOL	Marine Pollution (Prevention of Pollution from Ships)
MEC	Member of Executive Council
MPA	Marine Protected Area
MTRF	Medium-term revenue framework
NEM:BA	National Environmental Management: Biodiversity Act
NEMA	National Environmental Management Act
NEMP	National Estuarine Management Protocol
NGO	Non-Government Organization
NRM	Natural resource management
ODM	Overberg District Municipality
OLM	Overstrand Local Municipality
OPEX	Operational expenditure
SAMSA	South African Marine Safety Association
SANParks	South African National Parks

SDF

Spatial Development Framework

WESSA

Wildlife & Environment Society of South Africa

CHAPTER 1: INTRODUCTION

1.1. Overview

The promulgation of the National Environmental Management: Integrated Coastal Management Act No. 24 of 2008 (NEM: ICMA) instituted the development and implementation of a legislated mechanism, namely Coastal Management Programmes (CMPs), intended to ensure the coordinated and integrated management of the coastal zone. The onus of developing CMPs are placed on all three spheres of government. The NEM:ICMA further lays down the requirement for the review of CMPs developed by each sphere of government at least once every five years. Accordingly, the Overberg District Municipality's first Coastal Management Programme (ODM CMP) was developed and adopted in 2016.

The hierarchical approach with regards to Coastal Management Programmes provided for in the NEM: ICMA therefore necessitates that the review of the first generation ODM CMP be consistent with and aligned to the Western Cape Provincial CMP as well as the draft National CMP. Alignment of the CMPs is fundamental for realising co-operative governance efforts. The review of both the provincial and national CMPs, together with the mandatory five-year review period, therefore also prompted the current review of the ODM CMP. The review of the ODM CMP provides an opportunity to establish the extent to which the implementation of the CMP has successfully facilitated and guided the coordinated implementation of local government coastal management functions across the District. Whilst the structure and contents of CMPs as prescribed in the NEM: ICMA has been adhered to in this second generation document, emphasis has been placed on structuring the CMP in a manner that facilitate the implementation of activities that forms part of the identified priority areas as well as the local government coastal management functions.

Each coastal municipality in the Overberg District was provided the opportunity to inform and provide structured input on the review CMP. The main outcomes resulting from the engagements and consultations with the coastal local municipalities in the District, specifically in relation to the adoption and implementation of the current CMP by these municipalities, signaled the need for the second generation CMP to be streamlined, and refined so as to provide a strategic guidance and framework document that clearly articulates actions (implementation plan) aimed at addressing matters contained in the nine (9) priority areas.

1.2. Defining the Coastal Zone

Given that Coastal Management is a concurrent function and that it cuts across several functional areas of national, provincial and local government competencies, including "environment", "nature conservation", "pollution control", "regional planning and development", "tourism", "municipal public works" and "pontoons, ferries, jetties, piers and harbours" it is important that the different components of the coastal zone is understood to provide context with regards to the functions of each sphere of government. The coastal zone is illustrated in Figure 1 and includes

coastal public property (including the Admiralty Reserve and land below the high water mark), the coastal protection zone (area along the inland edge of coastal public property, coastal access land, special management areas, and includes any aspect of the environment on, in and above these component areas.

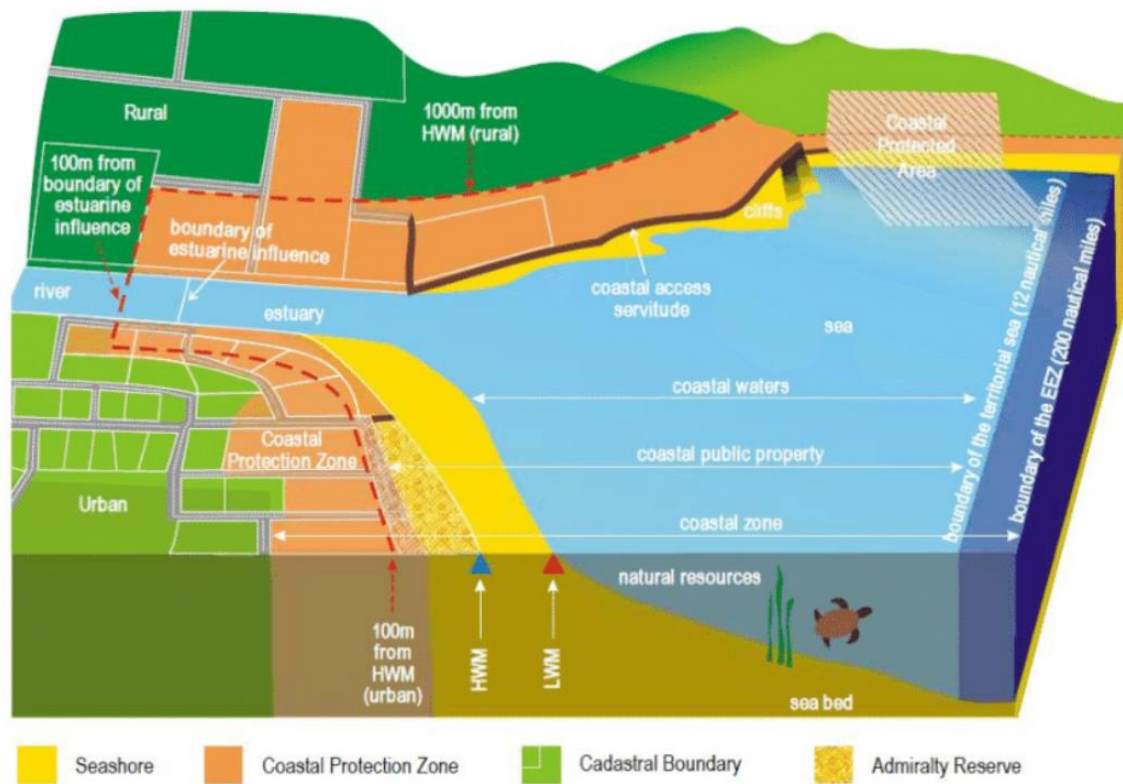


Figure 1: South African Coastal Zones (DFFE & SSI, 2009)

The coastal zone comprises of several components, each of which has been defined in the NEM: ICMA. The definitions of the various components of the coastal zone is provided in Table 1.

Table 1: Coastal Zone Components Definitions

COASTAL ZONE	DEFINITION
Admiralty Reserve	Any strip of land adjoining the inland side of the high-water mark which, when the NEM:ICMA took effect, was state land reserved or designated on an official plan, deed of grant, title deed or other document evidencing title or land-use rights as “admiralty reserve”, “government reserve”, “beach reserve”, “coastal forest reserve” or other similar reserve.
Coastal Access Land	Land designated as coastal access land in terms of Section 18(1), read with Section 26, of the NEM: ICMA.
Coastal Protected Areas	A protected 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 in terms of Section 22 of the NEM: ICMA.
Coastal Protection Zone	A continuous strip of land, starting from the High-Water Mark and extending 100 meters inland in developed urban areas zones 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.

COASTAL ZONE	DEFINITION
Coastal Public Property	"Coastal Public Property" means coastal public property referred to in Section 7 of the NEM: ICMA.
Coastal Public Property	Coastal Public Property includes coastal waters, land submerged by coastal waters, seashore, any island in coastal waters, any admiralty reserve owned by the state, any other state land declared as coastal public property as well as any natural resources found in the aforesaid areas.
Coastal Waters	Marine waters that form part of the internal waters or territorial waters of the Republic of South Africa.
Estuary	A body of surface water - (a) that is part of a water course that is permanently or periodically open to the sea; (b) 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 (c) in respect of which the salinity is measurably higher as a result of the influence of the sea.
High-water Mark	The highest line reached by coastal waters, but excluding any line reached as a result of - (a) exceptional or abnormal floods or storms that occur no more than once in ten 40 years: or (b) an estuary being closed to the sea:
Littoral Active Zone	Any land forming part of, or adjacent to, the seashore that is - (a) unstable and dynamic as a result of natural processes; and (b) characterised 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.
Low-water Mark	The lowest line to which coastal waters recede during spring tides.
Seashore	The area between the low-water mark and the high-water mark.
Special Management Area	An area declared as such in terms of Section 23 of the NEM: ICMA.

1.3. Regulatory Context of Coastal Management Programme

In accordance with Section 49 (2) of the NEM: ICMA, which stipulates the contents of municipal CMPs, the following information is provided in the ODM CMP:

- Vision for the management of the coastal zone within the jurisdiction of the municipality, including the sustainable use of coastal resources;
- Coastal management objectives for the coastal zone within the jurisdiction of the municipality;
- Priorities and strategies -
 - *to achieve the coastal management objectives of the municipality; and*
 - *to assist in the achievement of the national and provincial coastal management objectives as may be applicable in the municipality;*
 - *to address the high percentage of vacant plots and the low occupancy levels of residential dwellings;*
 - *to equitably designate zones for the purposes of mixed cost housing and taking into account the needs of previously disadvantaged individuals;*
 - *to address coastal erosion and accretion; and*
 - *to deal with access issues.*

- Performance to measure progress with the achievement of defined objectives;
- Programme of projected investment by the coastal municipalities in coastal management infrastructure and implementation of coastal management programmes;
- Description of specific areas within the coastal zone that require special coastal management, and management strategies for those areas; and
- Estuarine Management Plans.

CHAPTER 2: INTEGRATED COASTAL MANAGEMENT

2.1. Background of Integrated Coastal Management

Coastal environments are recognised globally as multifaceted systems of immense biophysical, socioeconomic and cultural value (Sowman & Malan, 2018). The concept of Integrated Coastal Management (ICM) (first referred to as Integrated Coastal Zone Management) was introduced during the 1970s, formally defined at the Charleston Workshop held in 1989 and subsequently entered the international political scene during the Rio Earth Summit in 1992 (Billé, 2008). The core of the ICM philosophy is based on two ‘pillars’, namely governance and reliable knowledge (Olsen, 2003), which are adopted to manage the coastal area using an integrated and inclusive approach, taking cognisance of all aspects of the coastal zone, including geographical and political boundaries, in an attempt to achieve sustainable coastal development.

With regards to ICM in South Africa, the promulgation of the National Environmental Management Act, Act 107 of 1998, as the country’s framework environmental legislation, contributed to paving the way for the development of a Specific Environmental Management Act that would be tailored to address all aspects of ICM. The NEMA serves as a broad “umbrella” legislative instrument, the primary objectives of which include the promotion of a coordinated approach to matters affecting the environment by ensuring that co-operative governance as well as coordinating mechanisms and institutions are implemented as key principles for the effective management of the environment of South Africa (DFFE, 2020). Following the promulgation of the NEMA, the first ICM policies were developed and included the Coastal Policy Green Paper and the White Paper for Sustainable Coastal Development in South Africa (DEAT,2000). Several shortcomings with respect to manner by which coastal management were implemented was identified and documented in the White Paper. Such shortcomings included that coastal management was resource-centered as opposed to being people-centered, and sought to control, instead of promoting the sustainable use of coastal resources. Furthermore, management of the coastal area was fragmented and uncoordinated, and was undertaken largely on a sector-specific basis, with an emphasis on maximising coastal resource use on a single sector basis and the exclusive use of areas and resources (DFFE, 2020). The aforementioned shortcomings were not aligned to the concept of ICM and did not constitute a holistic approach, as ICM is aimed at taking full advantage of the benefits provided by the coastal zone whilst and to minimising the conflicts and harmful effects of activities upon each other, on resources and on the environment.

The promulgation of the NEM: ICMA in 2008 marked a paradigm shift with regards to instituting coastal management and governance in South Africa. The NEM: ICMA furthermore also represented an altered mindset with regards to the shared and vested use of these resources by all South African citizens. The promulgation of the NEM: ICMA was also driven to provide legislation that aims to ensure that equitable access to South Africa's rich and diverse coastline and the use of its resources in a manner that is ecologically, socially and economically sustainable is provided. In South Africa, ICM prescribes the inclusion of norms, standards, policies and regulations for further elaboration and guidance on coastal management provisions within legislation and specific scenarios and/or issues. This is aimed at promoting the conservation of the coastal environment and maintaining the natural character of coastal landscapes and seascapes (Department of Environmental Affairs, 2012).

2.2. Integrated Coastal Management Tool: Coastal Management Programme

The ICM Act contains a variety of measures that act as important tools for the promotion of ICM in South Africa (Department of Environmental Affairs 2014; Celliers et al., 2009). Of these, CMPs are the most appropriate vehicles for the practical implementation of ICM principles and directives in provinces and municipalities. At their core, CMPs are:

- Policy directives for the management of the coastal zone;
- Strategies and plans for the effective implementation of the ICM Act;
- Enablers that allow organs of state to strategize over a period of 5 years for addressing coastal management issues; and
- Enablers of long-term sustainable development and management of the coastline.

A CMP is therefore regarded as a policy directive for the management of the coastal zone, which incorporates strategies and plans for the effective implementation of the ICM Act and that enables organs of state to plan accordingly. Furthermore, the intention of the ICM Act is that CMPs are established in all three spheres of government starting with a National CMP.

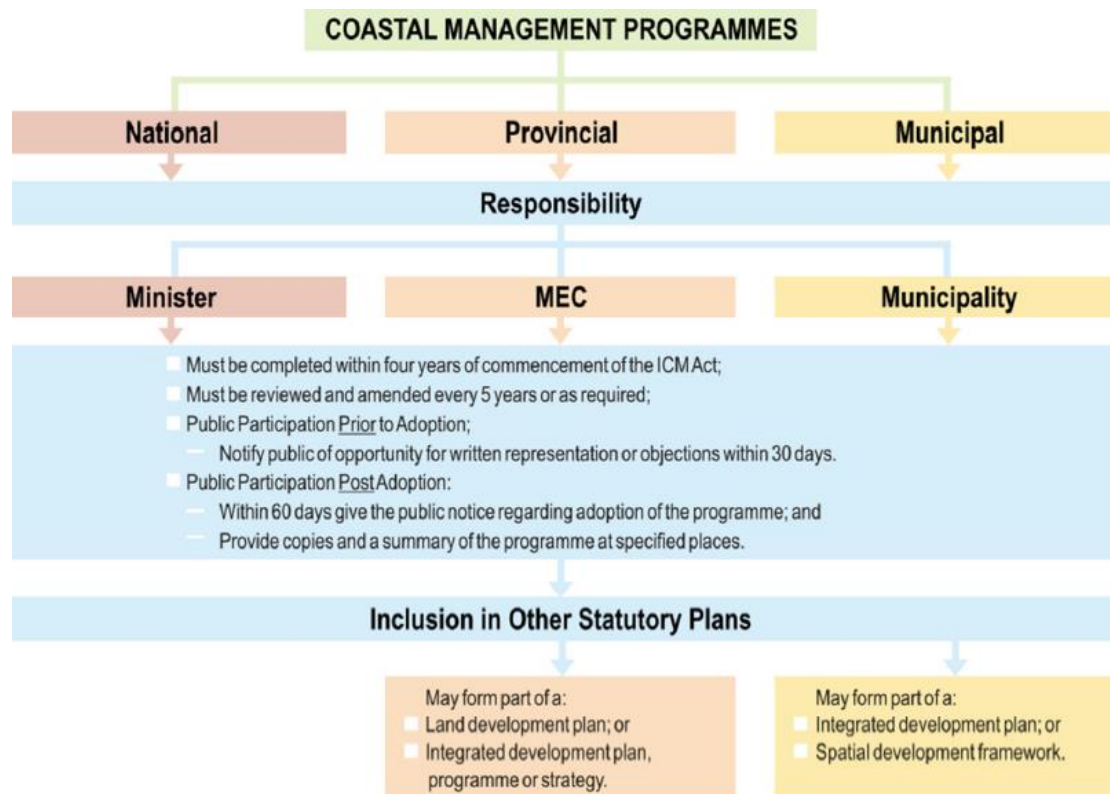


Figure 2: Responsibilities and processes for the development of Coastal Management Programmes

The Provincial CMPs must be established to be consistent with the National CMP, and the Municipal CMPs must be established to be consistent with both the Provincial and National CMPs (Celliers et al., 2009). This hierarchical relationship allows for the development of a strategic and overarching National CMP followed by CMPs that include increasing levels of local management detail. This arrangement furthermore accommodates management responses that are sensitive to the natural, social and economic diversity of the South African coastal zone.

2.3. Purpose and Outcomes of this Municipal Coastal Management Programme

Broadly, the aim of a Municipal CMP (Metropolitan, district and/or local) is to facilitate the achievement of integrated and coordinated coastal management in the spatial area for which it is responsible. Part of this requirement means ensuring consistency with national and provincial objectives as well as the National Estuarine Management Protocol (Department of Environmental Affairs, 2012). This municipal programme takes the unique and diverse qualities of the Overberg District Municipality coastal zone into account through a Situational Assessment (Section 3) (variously referred to as the status quo assessment or inventory analysis), which identifies both areas of concern as well as opportunities that require emphasis. The CMP thereafter uses this information in concert with input from the stakeholder engagement process to present a strategy that:

- Establishes a benchmark or status quo of biophysical and socioeconomic coastal management parameters;
- Identifies issues/key areas of concern or areas that require priority attention;
- Sets a vision for the coast with associated goals to achieve that vision;

- Situates these issues within priority areas for action;
- Establishes coastal management goals and objectives within these priority areas;
- Establishes specific policy directives to allow the ODM to adopt key policy stances on important issues;
- Provides strategies to address the key issues identified;
- Proposes action plans to address the issues identified for each strategy;
- Provides estimated financial requirements to carry out the approved functions/tasks; and
- Develops performance indicators to assess the effectiveness of the CMP as well as its contents relating to its action plans and strategies

2.4. Content of the CMPs

The ICM Act requires that CMPs must meet a number of requirements before formal acceptance of such programmes. These requirements are listed in **Error! Reference source not found.** below. It should be noted that additional requirements may be prescribed and CMPs will have to take these into account.

Table 2: Common Content requirements for CMPs of the three spheres of government, National, Provincial and Local²

COMMON CONTENT REQUIREMENTS FOR CMPS OF THE THREE SPHERES OF GOVERNMENT, <u>N</u> ATIONAL, <u>P</u> ROVINCIAL AND <u>L</u> OCAL		
All CMPs	1. All programmes must be a policy directive on integrated coastal management that provides for a coordinated, integrated and uniform approach by government departments (organs of state), NGOs, the private sector and local communities.	This programme must be consistent with the National CMP and National Estuarine Management Protocol. P
		This programme must be consistent with the National and Provincial CMPs and the National Estuarine Management Protocol. L
	2. All programmes must contain, as appropriate, either a national, provincial or municipal vision for coastal management including the sustainable use of resources.	Provincial (i) Achieve the provincial coastal management objectives of the province; and (ii) Develop priorities and strategies to develop estuarine management plans for estuaries in the province.
	3. All programmes must contain, as appropriate, either a national, provincial or municipal objective for coastal management.	Local (i) Achieve the provincial and local coastal management objectives of the municipality; (ii) Address the high percentage of vacant plots and low occupancy levels of residential dwellings; (iii) Equitably designate zones for mixed-coast housing taking into account the needs of previously disadvantaged people; (iv) Address coastal erosion and accretion; and (v) Deal with the coastal access.
	4. Priorities and strategies to achieve the national coastal management objectives.	
	5. All programmes must include performance indicators to measure progress with the achievement of relevant coastal management objectives	N+P+L
NATIONAL CMP	6. National norms and standards for the management of the coastal zone generally as well as specific components therein.	Although not explicit in the ICM Act, it follows that the Provincial and Municipal CMP must implement national norms and standards P+L

² Source: The Department of Environmental Affairs and Royal Haskoning DHV (2017). The Updated User Friendly Guide to South Africa's Integrated Coastal Management Act. Cape Town.

COMMON CONTENT REQUIREMENTS FOR CMPS OF THE THREE SPHERES OF GOVERNMENT, NATIONAL, PROVINCIAL AND LOCAL

<p>7. Framework for co-operative governance that identifies the responsibilities of different organs of state, including their responsibilities in relation to marginalised or previously disadvantaged communities that are dependent on coastal resources for their livelihood and facilitates coordinated and integrated coastal management.</p>	<p>Although not explicit in the ICM Act, it follows that the Provincial and Municipal CMP must implement the framework for co-operative governance.</p>	<p>P+L</p>
<p>8. Although the Act is silent on the need for a programme of projected expenditure, it follows that such a programme of expenditure will be desirable.</p>	<p>May include a programme of projected expenditure and investment by the provincial and municipal government in order to implement the CMPS.</p>	<p>L</p>

May also include:

- (i) Description of specific areas within the coastal zone that require special management and strategies; and
- (ii) Estuarine management plans.

2.5. Municipal Coastal Management Roles and Responsibilities

It is important to note that the functions and powers of municipalities are assigned in terms of sections 156 and 229 of the Constitution of the Republic of South Africa (Act No. 108 of 1996, hereafter 'the Constitution'). When two municipalities have the same fiscal powers and functions with regard to the same area, an appropriate division of those powers and functions must be made in terms of national legislation, namely, the Municipal Structures Act (Act No. 117 of 1998). This Act assigns responsibility for the adjustment of the division of functions and powers as well as the resolution of disputes between district and local municipalities to the Minister of Local Government, Environmental Affairs and Development Planning for local government of the respective province. Any action taken should be done after consultation and via notice in the Government Gazette. The Municipal Systems Act therefore further directs district and local municipalities to co-operate, assist and support each other wherever possible. Therefore, while this CMP reflects on the above division in alignment with environmental and coastal specific legislation, adjustment thereof and the resolution of disputes remains the mandate of the MEC for Local Government in the Western Cape.

This portfolio is currently held by the Minister of Local Government, Environmental Affairs and Development Planning.

Where reference is made to a 'supporting role' by local government, this is an interpretation by the authors and the authors of the work cited, and must be read to mean the following:

- *That the issue at hand is understood to be partially assigned to Category B or C municipalities to the extent that the crosscutting nature of the issue includes areas of municipal competence and/or responsibility that are defined in terms of the Constitution, Municipal Structures Act, or other relevant Act of Parliament; but*
- *That such role or responsibility is not explicitly defined in terms of the aforementioned Acts.*

All three spheres of government have mandates, responsibilities, roles, functions and powers (often overlapping) that relate to the management of the marine and coastal environment (Parramon-Gurney, 2015). At its most basic level, the governing function of local government (i.e. municipalities) in respect to the marine and coastal environment is to ensure that the coastal zone under its jurisdiction is managed, protected and enhanced, while social and economic opportunities are optimised (Parramon-Gurney, 2015). Such a mandate is aligned with the Constitution; the underlying principles of integrated coastal management; as well as the principles of the National Environmental Management Act (Act No. 108 of 1998, NEMA) and the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2009, as amended by Act No. 36 of 2014, ICM Act). It is important to note that the overall governing and regulation function of local government in terms of the marine and coastal environment applies predominantly to the landward/terrestrial aspects of the coastal zone.

This section is divided into municipal responsibilities in terms of the Constitution as well as the Municipal Structures Act, in line with the distinction between marine and coastal aspects, responsibilities in terms of other Acts are further divided into activities that are likely to occur below (or seaward of) the high-water mark, i.e. marine activities; and those that are likely to occur above (or landward of) the high-water mark but within the coastal zone, i.e. coastal activities.

This is followed by an overview of the responsibilities assigned to local government in terms of the National Coastal Management Programme; and a summary of the specific responsibilities that were determined by engagement with the Overberg DM and its local municipalities and concluding with a consolidated overview of the proposed roles and responsibilities of the Overberg District Municipality in relation to those of the Overstrand, Cape Agulhas and Swellendam local municipalities. A hierarchical approach of this nature (i.e. beginning most generally with the Constitution, followed by relevant Parliamentary Acts, the National Coastal Management Programme and finally the inputs from the Overberg DM, Overstrand, Cape Agulhas and Swellendam local municipalities) is considered a comprehensive overview of municipal coastal management roles and responsibilities¹ for the purposes of this municipal CMP.

2.6. Municipal Functional Areas of Constitutional Competence

While the functions and powers of municipalities are assigned in terms of sections 156 and 229 of the Constitution, schedules 4 and 5 of the Constitution prescribe the most relevant areas of functional competence for national, provincial and local governments. Part B of Schedule 4 and 5 refers to Section 155 (6) (a) and (7) of the Constitution, an abridged excerpt of which is shown in the text box below.

Table 1 and Table 2 must therefore be read in conjunction with the Text Box 1. This is the professional opinion of the authors at the time of reporting; however, this does not represent a legal opinion and as such is subject to reinterpretation and/or other change from time to time, as further insights come to light.

Box 1: Section 155 (6) (a) and (7) of the Constitution

(6) Each provincial government must establish municipalities in its province in a manner consistent with the legislation enacted in terms of subsections (2) and (3) and, by legislative or other measures, must-

(a) Provide for the monitoring and support of local government in the province

(7) The national government, subject to section 44, and the provincial governments have the legislative and executive

authority to see to the effective performance by municipalities of their functions in respect of matters listed in Schedules 4 and

5 , by regulating the exercise by municipalities of their executive authority referred to in section 156 (1).

Table 1: Functional areas of concurrent national and provincial legislative competence relevant to coastal management

Source: Adapted from Environmental Law and Local Government in South Africa (Parramon-Gurney, 2015)

Schedule 4 (Functional areas of concurrent national and provincial legislative competence)	
Part A (Concurrent National/Provincial)	Part B (Category A, B and/or C Municipalities)
<ul style="list-style-type: none"> • Administration of indigenous forests (relevant in terms of coastal forest and related biodiversity management and their role in terms of erosion management) • Agriculture (relevant especially in terms of land-based marine pollution from agricultural activities) • Animal control and diseases (only to the extent applicable to marine animals) • Cultural matters (in terms of coastal and marine related cultural matters) • Disaster management (in terms of the coastal zone and marine environment) • Environment (environmental management of the marine and coastal environment) • Health services (in relation to water quality and quality of marine resources for human consumption) • Housing (coastal zone development) • Indigenous law and customary law (as applicable to coastal management) • Industrial promotion (coastal zone development) • Nature conservation (excluding national parks and national botanical gardens) and marine resources • Pollution control (marine and land-based marine pollution) • Public works (only in respect of the needs of provincial government departments in the discharge of their responsibilities to administer functions specifically assigned to them in terms of the Constitution or any other law) • Soil conservation • Tourism (coastal zone development) • Urban and rural development (coastal zone development) 	<ul style="list-style-type: none"> • Air pollution (risk of deposition of air pollution in the coastal and marine environment) • Building regulations (coastal zone development) • Electricity and gas regulation (land use in the coastal zone) • Firefighting services (emergency and disaster management in the coastal zone) • Local tourism (pressure on the coastal zone and an important economic sector) • Municipal airports (land use in the coastal zone) • Municipal planning (coastal zone development) • Municipal public transport (land use in the coastal zone) • Municipal public works (only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under the Constitution or any other law) (coastal zone development and public works related to stormwater, sewage and coastal infrastructure) • Pontoons, ferries, jetties, piers and harbours; excluding the regulation of international and national shipping and related matters (coastal zone development) • Stormwater management systems in built-up areas (marine and coastal pollution) • Water and sanitation services limited to potable water supply systems and domestic wastewater and sewage disposal systems (marine and coastal pollution)

Table 3: Functional areas of exclusive provincial legislative competence

Schedule 5 (Functional areas of exclusive provincial legislative competence)	
Part A	Part B (Local government matters, to the extent set out in Section 155 (6) (a) and (7) of the Constitution)
<ul style="list-style-type: none"> • Provincial cultural matters of a coastal and/or marine nature • Provincial planning (coastal zone development) • Provincial recreation and amenities • Provincial roads and traffic (coastal zone development) 	<ul style="list-style-type: none"> • Beaches and amusement facilities • Cleansing • Control of public nuisances • Fencing and fences (land use in the coastal zone, and access to coastal public property) • Licensing and control undertakings that sell food to the public (e.g. close to the seashore) • Local amenities (related to coastal activities) • Markets (specifically fish markets) • Municipal parks and recreation (land use in the coastal zone) • Municipal roads (land use in the coastal zone) • Noise pollution • Public places (land use in the coastal zone) • Refuse removal, refuse dumps and solid waste disposal

There are legal requirements and enabling provisions for local government that assist directly and indirectly in the (sustainable) management of the marine and coastal environment and related resources. According to Parramon-Gurney (2015), these pertain to the following areas:

- Waste;
- Air quality;
- Soil and capability management;
- Hazardous substances control;
- Biodiversity management;
- Cultural heritage management;
- Environmental health;
- Sustainable land use planning;
- Resource management;
- Built environment management;
- Disaster reduction; and
- Transport planning and management.

2.6.1. Division of Powers and Functions in terms of the Municipal Structures Act

As detailed above, when two municipalities have the same fiscal powers and functions with regard to the same area, an appropriate division of those powers and functions must be made in terms of national legislation, namely, the Municipal Structures Act (Act No. 117 of 1998). This division, as detailed in the Municipal Structures Act, is included in Table 4.

Table 4: Division of Powers & Functions between Category B & C Municipalities in terms of the Municipal Systems Act

Division of functions and duties of Municipalities	
Category C (District)	Category B (Local)
<p>In terms of chapter 5 of the Municipal Structures Act: A district municipality must seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole by</p> <ol style="list-style-type: none"> a) ensuring integrated development planning for the district as a whole; b) promoting bulk infrastructural development and services for the district as a whole; c) building the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking; and d) promoting the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within the area. <p>A district municipality has the following functions and powers:</p> <ol style="list-style-type: none"> a) Integrated development planning for the district municipality as a whole, including a framework for integrated development plans of all municipalities in the area of the district municipality. b) Potable water supply systems. c) Bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and, where applicable, the generation of electricity. d) Domestic waste-water and sewage disposal systems. e) Solid waste disposal sites, in so far as it relates to the determination of a waste disposal strategy; the regulation of waste disposal; 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. f) Municipal roads which form an integral part of a road transport system for the area of the district municipality as a whole. g) Regulation of passenger transport services. h) Municipal airports serving the area of the district municipality as a whole. i) Municipal health services. j) Firefighting services serving the area of the district municipality as a whole, which includes- planning, co-ordination and regulation of fire services; specialised firefighting services such as mountain, veld and chemical fire services; co-ordination of the standardisation of infrastructure, vehicles, equipment and procedures; The training of fire officers. k) The establishment, conduct and control of fresh produce markets and abattoirs serving the area of a major proportion of the municipalities in the district. l) The establishment, conduct and control of cemeteries and crematoria serving the area of a major proportion of municipalities in the district. m) Promotion of local tourism for the area of the district municipality. n) Municipal public works relating to any of the above functions or any other functions assigned to the district municipality. o) The receipt, allocation and, if applicable, the distribution of grants made to the district municipality. p) The imposition and collection of taxes, levies and duties as related to the above functions or as may be assigned to the district municipality in terms of national legislation. 	<p>In terms of chapter 5 of the Municipal Structures Act: A local municipality has the functions and powers referred to in section 83 (1), excluding those functions and powers vested in terms of subsection (1) of this section in the district municipality in whose area it falls. Section 83 (1): A municipality has the functions and powers assigned to it in terms of sections 156 and 229 of the Constitution (see section 2.4.1. of this document)</p>

2.6.2. Marine Activities Seaward of the High-water Mark

According to Parramon-Gurney (2015), the main role of local government in respect to marine activities seaward of the high water mark is as detailed in **Table 5**. The 'mainly supporting role' identified relates to Local Government enabling competent authorities to undertake their responsibilities and maintaining a positive and stable political and social environment in which competent authorities can fulfil their mandates.

Table 5: Marine Activities Seaward of the High-water Mark

MARINE ACTIVITIES Below (seaward of) the high-water mark			
Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Dumping at sea	Dumping at Sea Control Act (No.73 of 1980) NEM: ICM Act	Department of Forestry, Fisheries and the Environment: Oceans and Coast	N/A
Maritime transport	Merchant Shipping Act (No. 57 of 1951) Marine Traffic Act (Act No. 2 of 1981) Maritime Zones Act (Act No. 15 of 1994) Wreck and Salvage Act (Act No. 94 of 1996) National Ports Act (Act No. 12 of 2005)	Department of Transport South African Maritime Safety Authority (SAMSA) South African National Ports Authority (if within port limits) DFFE	Mainly supporting role in emergencies and disaster management (land-based activities)
MARINE ACTIVITIES Below (seaward of) the high-water mark			
Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Offshore facilities	National Ports Act (Act No. 12 of 2005) Marine Pollution (Prevention of Pollution from Ships) Act (Act No. 2 of 1986, MARPOL Act)	SAMSA South African National Ports Authority (if within port limits) DFFE	Mainly supporting role in emergencies and disaster management (land-based activities)
Ports activities (marine based)	National Ports Act (Act No. 12 of 2005)	South African National Ports Authority (if within port limits) SAMSA DFFE Other environmental competent authorities (national and provincial)	Mainly supporting role in emergencies and disaster management (land-based activities)
Fishing activities	Marine Living Resources Act (Act No. 18 of 1998)	DFFE	Mainly supporting role in emergencies and disaster management (land-based activities)
Management of marine resources	Sea Birds and Seals Protection Act (Act No. 46 of 1973) Marine Living Resources Act (Act No. 18 of 1998) NEM: ICM Act NEMA National Environmental Management: Biodiversity Act (Act No. 10 of 2004)	DFFE	Mainly supporting role in emergencies and disaster management (land-based activities)

Offshore mining	Mineral and Petroleum Resources Development Act (Act No. 28 of 2002)	Department of Mineral Resources DFFE SAMSA Relevant provincial authorities	N/A
Invasive alien species from ballast waters	NEM:BA National Ports Act (Act No. 12 of 2005)	Department of Transport SAMSA DFFE National Ports Authority South African National Biodiversity Institute (SANBI)	Mainly supporting role in emergencies and disaster management (land-based activities)
MARINE ACTIVITIES Below (seaward of) the high-water mark			
Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Pollution management from marine activities	Marine Pollution (Intervention) Act (Act No. 64 of 1987) MARPOL Act Wreck and Salvage Act (Act No. 94 of 1996) Marine Pollution (Control and Civil Liability) Act (Act No. 6 of 1981) NEMA NEM: ICM Act	Department of Transport SAMSA DFFE SANBI National Ports Authority	Mainly supporting role in emergencies and disaster management (land-based activities)

Where reference is made to a 'supporting role' by local government, this is an interpretation by the authors and the authors of the work cited, and must be read to mean that the issue at hand is understood to be partially assigned to Category B or C municipalities to the extent that the cross-cutting nature of the issue includes areas of municipal competence and/or responsibility that are defined in terms of the Constitution, Municipal Structures Act, or other relevant Act of Parliament; but that such role or responsibility is not explicitly defined in terms of the aforementioned Acts³.

2.6.3. Coastal Activities Landward of the High-water Mark

According to Parramon-Gurney, 2015, the main role of local government in respect to coastal activities landward of the high water mark is as detailed in **Table 6** below.

Table 6: Coastal Activities Landward of the High-water Mark⁴

KEY COASTAL ACTIVITIES: Landward of the high-water mark			
Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Ports activities (land-based)	National Ports Act (Act No. 12 of 2005) Other environmental Acts	South African National Ports Authority (if within port limits) SAMSA DFFE Other environmental	Regulating and implementing role, mainly in cooperation with the National Ports Authority and other relevant competent authorities

³ Source: Adapted from Environmental Law and Local Government in South Africa (Parramon-Gurney, 2015)

⁴ Source: Adapted from Environmental Law and Local Government in South Africa (Parramon-Gurney, 2015)

		competent authorities (provincial and local)	Regulating land-based activities in ports in collaboration with the Ports Authority and other environmental competent authorities Regulating ports development in cooperation with other competent authorities Regulating development and coastal zone management
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KEY COASTAL ACTIVITIES:

Landward of the high-water mark

Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Biodiversity management	NEM:BA Sea Birds and Seals Protection Act (Act No. 46 of 1973) Provincial laws Municipal by-laws	DFFE SANBI Relevant provincial Departments Local government	Implementing role mainly (of provincial and national legislation), in cooperation with other relevant competent authorities
Protected areas	National Heritage Resources Act (Act No. 25 of 1999) National Environmental Management: Protected Areas Act (Act No. 57 of 2003) NEM: ICM Act Marine Living Resources Act (Act No. 18 of 1998)	DFFE Relevant provincial departments Local government	Mainly implementing role (of provincial and national legislation), in cooperation with other relevant competent authorities Local government also manages and regulates coastal protected areas from a tourism and local economic development (LED) perspective
Land use and urban development	Sea-shore Act (Act No. 21 of 1935) NEM: ICM Act Development Facilitation Act (Act No.67 of 1995) NEMA Provincial laws Municipal by-laws (i.e. zoning)	Local government in collaboration with other environmental competent authorities, currently provincial authorities have competent authority for the seashore	Implementing and regulating role in cooperation with other relevant competent authorities
Mining	Mineral and Petroleum Resources Development Act (Act No. 28 of 2002)	Department of Mineral Resources, in collaboration with other environmental competent authorities	Implementing and regulating role in cooperation with other relevant competent authorities
Beach management	NEMA NEM:BA NEM: ICM Act Municipal by-laws	Local government, in collaboration with other environmental competent authorities	Implementing and regulating role, in cooperation with other relevant competent authorities
Water quality and discharge at sea	NEMA National Water Act (Act No. 36 of 1998) NEM: ICM Act Water Services Act No. 108 of 1997) Municipal by-laws	Local government, in collaboration with other environmental Competent Authorities	Implementing and regulating role, in cooperation with other relevant competent authorities

KEY COASTAL ACTIVITIES:

Landward of the high-water mark

Relevant Areas	Relevant Acts	Competent Authorities	Main Role of Local Government
Pollution management	National Water Act (Act No. 36 of 1998)	Local government, in collaboration with other	Implementing and regulating role, in cooperation with other relevant competent authorities

	Hazardous Substances Act (Act No. 15 of 1973) Health Act (Act No. 63 of 1977) NEMA NEM: ICM Act Provincial laws Municipal by-laws	Environmental competent authorities	
State of the Environment Reporting (SOER)	NEMA NEM: ICM Act	Local government, in collaboration with other environmental competent authorities	Implementing and regulating role, in cooperation with other relevant competent authorities
Monitoring	NEMA NEM: ICM Act	Local government, in collaboration with other environmental competent authorities	Implementing and regulating role, in cooperation with other relevant competent authorities
Awareness	NEMA	Local government, in collaboration with other environmental competent authorities	Implementing and regulating role, in cooperation with other relevant competent authorities

Taking the Constitutional imperatives and directives from other Acts into account, Table 7 summarises the key areas where Parramon-Gurney, 2015, believes local government is required to regulate/govern in respect to coastal and marine management.

Table 7: Key Areas of Local Government Involvement in Marine and Coastal Management

Key areas in marine and coastal management that require local government to be involved and to serve a governing/regulatory function	
<ul style="list-style-type: none"> • Beach management, e.g. the existing Blue Flag and green coast initiative; • Regulation of land-based activities that impact on the coastal zone (e.g. in terms of by-laws); • Regulation and management of coastal recreation (e.g. in terms of by-laws); • Regulation and management of vendors (e.g. in terms of bylaws); • Optimising social and economic opportunities in the coastal zone; • Disaster and emergency management; • Marine water quality management; • Waste management (especially litter and illegal dumping); • Estuaries management; • Coastal dune management; • Coastal wetland management; • Coastal education and awareness; • Regulation of development in the coastal zone (landward, within municipal boundaries, e.g. in terms of by-laws and planning); • Coastal engineering; • Coastal community and stakeholder communication and participation; • Amenities quality control; • Wind and sand management; • Marine mammal carcass management; 	<ul style="list-style-type: none"> • Catchment, stormwater and river management; • Wastewater treatment works; • Compliance and implementation of all applicable national legislation that relates to the coastal zone; • Enforcement of coastal legislation (including a municipality's own by-laws); • Integration of coastal management into municipal Integrated Development Plans (IDPs) and spatial development frameworks (SDFs); • Developing and preparing planning approval guidelines for development proposals within the coastal zone; • Performance assessment of municipal integrated coastal management; • Administration of a wide range of infrastructure within the coastal zone (e.g. sea-walls, retaining walls, boardwalks, walkways, slipways, stormwater outfalls, parking areas and access points); • Stormwater management, industrial effluent, wastewater discharge and effluent outfalls management; • Communication, integration and partnerships with relevant stakeholders (e.g. national and provincial government, conservation authorities and parastatals); • Monitoring; • Document and record keeping; • Reporting; and • Performance assessment.

Key areas in marine and coastal management that require local government to be involved and to serve a governing/regulatory function

- | | |
|---|--|
| <ul style="list-style-type: none"> • Equitable access to recreation opportunities; | |
|---|--|

Source: Adapted from Environmental Law and Local Government in South Africa (Parramon-Gurney, 2015)

2.6.4. Directives from the National Coastal Management Programme

As environmental management is considered a concurrent legislative responsibility (i.e. all three levels of government are responsible for various aspects of implementation and/or enforcement) in terms of the Constitution, the ICM Act assigns roles and responsibilities to all three spheres of government in respect to the management of the coastal zone. It also provides for the delegation of power or duty and the revoking of any delegation issued (Department of Environmental Affairs, 2014). Mandatory roles and responsibilities have been defined in the National CMP (Department of Environmental Affairs, 2014) and are summarised as **Table 8**.

Table 8: Municipal Coastal Management Roles and Responsibilities in terms of the ICM Act

ROLE/RESPONSIBILITY	DESCRIPTION
Access to coastal public property	Ensuring that the public has equitable access to coastal public property by designating coastal access land, designate in by-laws strips of coastal access land to promote access to CPP along the coast, withdraw inappropriate coastal access land and Follow an environmentally sensitive and socially responsible process in designating coastal access land.
Coastal management line demarcation on zoning maps	Demarcate relevant coastal management line in municipal zoning schemes maps.
Determining and adjusting coastal boundaries of coastal access land	Ensure specified considerations are taken into account when determining or adjusting an inland coastal boundary of coastal access land.
Marking coastal boundaries on zoning maps	Demarcate coastal boundaries determined or adjusted in terms of S26 on zoning scheme maps.
Municipal CMPs	Prepare and adopt a municipal CMP for managing the coastal zone or specific parts of the coastal zone in the municipality.
Consistency and alignment between Municipal CMPs and other statutory plans	Ensure that any plan, policy or programme adopted by an organ of state that may affect coastal management is consistent and aligned with municipal coastal management programmes, which in turn is aligned with provincial coastal management programmes and the national coastal management programme and ensure that IDPs (including its spatial development) is consistent with other statutory plans [See ICM Act Section 52 (1) (a-f)] adopted by either a national or a provincial organ of state.
Consultation and public participation	Adequate consultation and public participation precede the exercising of a power by a municipality, which this Act requires to be exercised in accordance with this section.
Implementation of land use legislation in coastal protection zone	In implementing any legislation that regulates the planning or development of land, in a manner that conforms to the principles of co-operative governance contained in Chapter 3 of the Constitution, apply that legislation in relation to land in the coastal protection zone in a way that gives effect to the purposes for which the coastal protection zone is established as set out in Section 17 of the ICM Act.

Source: South Africa's National Coastal Management Programme (Department of Environmental Affairs, 2014)

The distinction between what is required of metropolitan and district versus local municipalities is less clear. The ICM Act defines municipality as detailed in the adjacent text box. Given this interpretation, responsibilities assigned to municipalities are automatically assigned to Metropolitan (such as the City of Cape Town) and District municipalities (such as Eden, Overberg and West Coast). Should capacity exist at a local government level, district municipalities can assign certain provisions as per the processes described in the Municipal Structures Act and the Constitution.

Box 2: Definition of Municipality in terms of the ICM Act

Municipality means:

A metropolitan, district or local municipality established in terms of the Local Government: Municipal Structures Act (Act No. 117 of 1998); or In relation to the implementation of a provision of this Act in an area which falls within both a local municipality and a district municipality, means —The district municipality; or The local municipality, if the district municipality, by agreement with the local municipality, has assigned the implementation of that provision in that area to the local municipality.

From a finance perspective, funding the implementation of the applicable sections of the ICM Act that have been assigned to local government should be undertaken using budgets motivated for via the Medium Term Revenue Framework (MTRF). Additional funding for coastal management implementation projects may be made available via the DFFE: Environmental Programmes Branch, such as the Working for the Coast Programme.

A consolidated overview of the proposed roles and responsibilities of the Overberg District Municipality in relation to those of the Overstrand, Cape Agulhas and Swellendam local municipalities is detailed in **Table 9**.

Table 9: Consolidated Overview of the proposed roles and responsibilities of Category C and B Municipalities in respect to Marine and Coastal Management

KEY AREAS IN MARINE AND COASTAL MANAGEMENT THAT REQUIRE LOCAL GOVERNMENT INVOLVEMENT AND A GOVERNING / REGULATORY FUNCTION	
Category C (District)	Category B (local)
<ul style="list-style-type: none"> • Waste Management (Co-ordination, refuse removal, bulk waste transfer, solid waste disposal sites); • Bulk infrastructure development and management (Waste Water Treatment Works, Stormwater management, industrial effluent, wastewater discharge and effluent outfalls management); • Bulk supply of electricity; • Municipal roads and regulation of passenger transport services; • Firefighting services (emergencies); • Disaster and emergency management; • Municipal integrated development planning; • Promotion of local tourism; • Regulation of development (commenting authority) • Access to the coast (coordination); • Integration of coastal management into municipal integrated development plans (IDPs) and spatial development frameworks (SDFs); • Communication, integration and partnerships with relevant stakeholders / Coastal community and stakeholder communication and participation; • Optimising social and economic opportunities in the coastal zone; / Local Economic Development and sustainable job creation; • Regulation of land-based activities that impact on the coastal zone (e.g. in terms of commenting on applications); • Coastal community and stakeholder communication and participation; • Marine water quality management; • Coastal education and awareness as well as capacity building; • Compliance and implementation of all applicable national legislation that relates to the coastal zone; • Catchment, stormwater and river management; and 	<ul style="list-style-type: none"> • Waste management (especially cleansing, litter and illegal dumping; Marine mammal carcass management); • Control of public nuisances • Municipal planning / land use management • Regulation of development (building regulations) • Access to the coast (equitable access to recreation opportunities) • Integration of coastal management into municipal integrated development plans (IDPs) and spatial development frameworks (SDFs); • Communication, integration and partnerships with relevant stakeholders / coastal community and stakeholder communication and participation; • Optimising social and economic opportunities in the coastal zone / Local Economic Development and sustainable job creation; • Estuaries management; • Beach management, (the existing Blue Flag and green coast initiative; Coastal dune management; Coastal wetland management; Conservation of natural coastal resources, Wind and sand management, lifesaving); • Regulation of land-based activities that impact on the coastal zone; • Regulation and management of coastal recreation and coastal amenities; • Regulation and management of vendors (e.g. in terms of by-laws); • Marine water quality management; • Regulation of development in the coastal zone (landward, within municipal boundaries, e.g. in terms of by-laws and planning); • Coastal engineering; • Enforcement of coastal legislation (including a municipality's own by-laws); • Compliance and implementation of all applicable national legislation that relates to the coastal zone; • Catchment, stormwater and river management;

KEY AREAS IN MARINE AND COASTAL MANAGEMENT THAT REQUIRE LOCAL GOVERNMENT INVOLVEMENT AND A GOVERNING / REGULATORY FUNCTION	
Category C (District)	Category B (local)
<ul style="list-style-type: none"> Monitoring and reporting. 	<ul style="list-style-type: none"> Administration of a wide range of infrastructure within the coastal zone (e.g. sea-walls, retaining walls, boardwalks, walkways, slipways, stormwater outfalls, parking areas and access points); and Monitoring and reporting.

Table 10: Overberg District Municipality Focus Areas⁵

DISTRICT MUNICIPALITY FOCUS AREAS	
Fire and Rescue Services	<p>Safer Communities Project Plan: For implementation throughout the year. Plan to include Safer Beaches, Fire Resilient Communities, Learn Not to Burn and Schools Safety Programme. A preparedness project to prevent unnecessary loss of life or serious injury due to incidents and disasters, e.g. shack fires, drowning, floods, etc. Prevention of malicious ignitions during fire season.</p> <p>Aerial Support (Helicopter): To provide for rapid aerial fire and rescue interventions in the Overberg area by placing a multi-purpose helicopter on standby in Bredasdorp from 1 December - 30 April annually. This is a mitigation action to prevent fires from turning into disasters and preventing fatalities by having a rescue service available.</p> <p>National Sea Rescue Institute- Active participation and support, creating an asset and resource to be used</p>
Roads Department	<p>Projects – flood damage to infrastructure, Preventative maintenance,</p>
Municipal Health	<p>Water Quality Monitoring – Through implementation of monthly water sampling program to ensure water is safe for human consumption; Conduct inspections of community water supplies & infrastructure; compile water analysis report to B– Municipalities & Industries. Communicate with community members & stakeholders in terms of potential unsafe water supply.</p> <p>Inspections/activities to Drinking Water Purification Plants</p> <p>Monitoring of drinking water in Towns and Communities through monthly water sampling programs.</p> <p>Inspections/activities at Sewerage Purification Plants</p> <p>Monitoring of Sewerage Final Outflow through monthly water sampling programs.</p> <p>Monitoring of Cholera</p> <p>Monitoring of Water at Milking Sheds</p> <p>Monitoring of Recreational Water</p> <p>Waste Management - Monitor safe management of waste, by ensuring proper refuse storage, collection, transportation, transfer processing & final disposal; Ensure proper management of liquid waste including sewage & industrial effluent; registration & monitoring of medical waste generator & disposal; through involvement in basic health educational programmes on waste-to-waste generators;</p> <p>(1) Inspections/activities at landfill sites, Transfer stations and Recycling Plant</p>

⁵ Source: ODM IDP (2022/23 – 2026/7)

DISTRICT MUNICIPALITY FOCUS AREAS

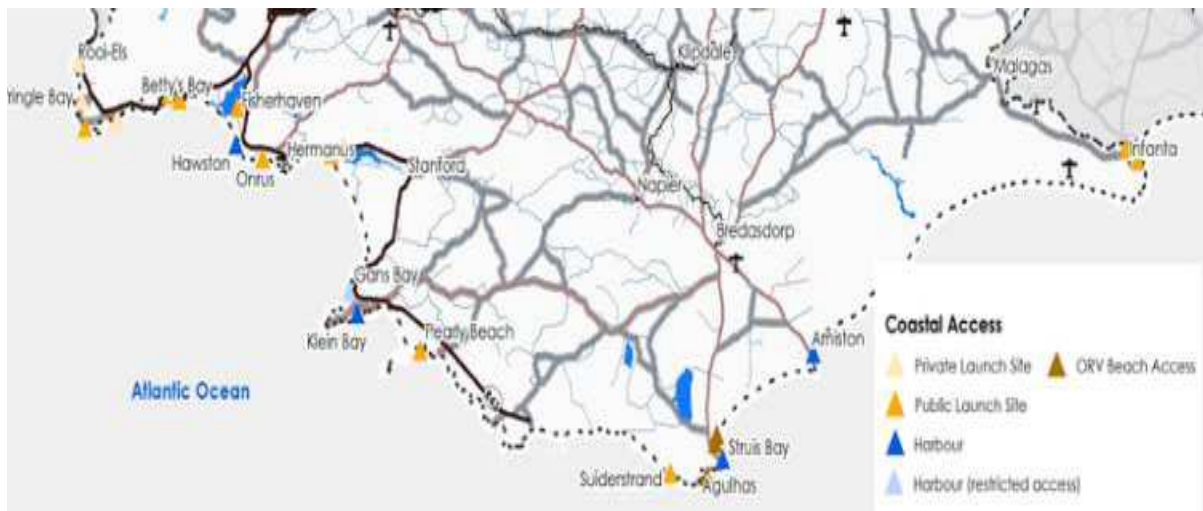
	(2) Inspections at Generators and Couriers of Medical Waste Environmental Pollution Control – Ensure a hygienic working, recreational & living environment; Environmental Health Practitioners carries out routine environmental health inspection to determine pollution agents on land, water & air ; Conduct community hazards, risk assessments & mapping; Ensure pollution sources are addressed through enforcement. (1.) Water Pollution: Incidents handled (2.) Number of Air Quality evaluations (3.) Soil Pollution: Incidents handled	
Environmental Management: Nine priority areas as identified in the Coastal Management Programme		
Priority area	Description	Actions
1. Facilitation of Coastal Access	To provide reasonable and equitable access to the coast for all.	The Overberg was selected as a pilot project for the implementation of the Western Cape Coastal Access Strategy.
2. Compliance & Enforcement	To promote compliance and enforcement of legislation to facilitate protection of coastal resources within the municipal mandate.	Regular coastal inspections are being conducted in order to determine if there are any changes/impacts pertaining to: - Pollution; - Impact evaluation; - Access monitoring; - Monitoring of ecological processes (erosion and sand movement). Non-compliance is reported to the relevant authority through the Municipal Coastal Committee and, Provincial Coastal Committee and National Coastal Committee. The Department of Environmental Affairs and Development Planning will develop a generic Integrated Coastal Management By-law to be adopted by local authorities.
3. Estuaries	To ensure appropriate management and conservation of estuaries.	According to the NEM: ICMA National Estuarine Management Protocol, as published on 10 May 2013, the ODM will not act as a management authority for any of the estuaries within its jurisdiction. The ODM continues to support Estuarine Management through the MCC and the attendance of local Estuary Advisory Forums. Estuary Management Plans and Mouth Management Plans has been drafted for some of the estuaries within the Overberg.
4. Land and Marine-based Source of Pollution & Waste	To minimize the impacts of pollution on the coastal environment.	Regular coastal inspections are being conducted in order to determine if there are any changes/impacts pertaining to: - Pollution; - Impact evaluation; - Access monitoring; - Monitoring of ecological processes (erosion and sand movement). Any source of pollution is reported to the relevant authorities through the Municipal Coastal Committee and, Provincial Coastal Committee and National Coastal Committee. Coastal clean-up through the Working for the Coast Programme is supported and the yearly international coastal clean-up day in September in collaboration with Provincial Government and other NGO'S.

DISTRICT MUNICIPALITY FOCUS AREAS

<p>5. Cooperative Governance & Local Government Support</p>	<p>To promote integrated and cooperative governance of the coastal zone and coastal planning/governance</p>	<p>The ODM will convene the Municipal Coastal Committee on a quarterly basis to ensure effective communication with all coastal role players. The Overberg District Municipality is also represented as an elected member on the Provincial Coastal Committee. The Overberg District Municipality is also nominated to represent on the National Coastal Committee. The MCC will be used as a platform to support local municipalities by means of coordination and integration.</p>
<p>6. Climate Change, Dynamic Coastal Processes & Building Resilient Communities</p>	<p>To promote resilience to the effects of dynamic coastal process and environmental hazards and natural disasters.</p>	<p>Draft Coastal Management Lines (CML) as well as the draft EIA Development Setback Line has been developed by the Department of Environmental Affairs & Development planning. Once the CML has been finalised and approved it will be incorporated into the ODM and Local Municipalities Spatial Development Frameworks and Coastal Management Programme. The ODM together with the Department of Environmental Affairs and Development Planning is also in the process of developing a Climate Change Response Framework that identify potential climate change hazards/impacts such as the increased mean sea level and associated storm surges. The Climate Change Response Framework will inform the Disaster Management Plan and other municipal strategic documents.</p>
<p>7. Natural Capital & Resource Management</p>	<p>To promote conservation of biodiversity, ecosystem function and the sustainable use of natural resources.</p>	<p>As a commenting authority for any development application a set criterion, based on the principles of sustainability is used to evaluate the impact a proposed development would have on the natural resources of the area.</p>
<p>8. Social, Economic & Development Planning</p>	<p>To promote sustainable local economic development.</p>	<p>Support the implementation of the Working for the Coast Programme promotes social and economic upliftment for local coastal communities. Employ temporally EPWP workers through grant funding in support of coastal initiatives. Linking with other LED/Tourism initiatives in the Overberg District.</p>
<p>9. Education & Capacity Building</p>	<p>To promote coastal awareness, education and training.</p>	<p>Participation in Environmental Calendar Day such as Coastal Clean-up and Marine Week. Facilitate the procurement of ORV and Informative Signage and the erection of such signs in collaboration with NGO, and government officials.</p>

2.7. Overview of the Overberg Coast

The coastline is a key economic resource for the District. If land use along the coast is not managed well, its quality will deteriorate and in turn, the economic value derived from the coastline will be lost. The shoreline area of the Overberg is rugged and has a high diversity of habitats including rocky headlands, boulder beaches, wave-cut platforms, sandy beaches, subtidal soft sediment habitats, pocket beaches, kelp forests, estuaries, sub-tidal reefs, and a pelagic habitat.



The above could be broadly categorized into the following four types of shoreline:

- Small sandy embayment's where urban development has taken place
- Large open sandy stretches of coastline
- Steep rocky shorelines, and
- Rocky promontories (SSI, 2012).

There are four proclaimed fishing harbours in the ODM namely Amriston, Gansbaai, Hermanus, and Struisbaai.

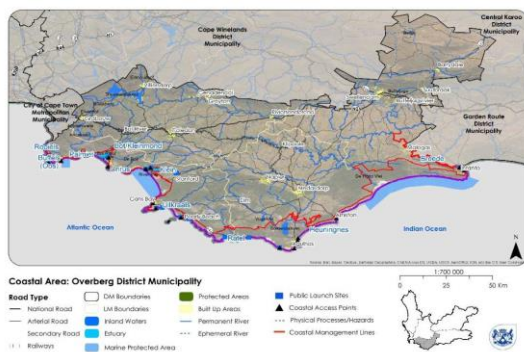


Figure 3: Overberg Coast

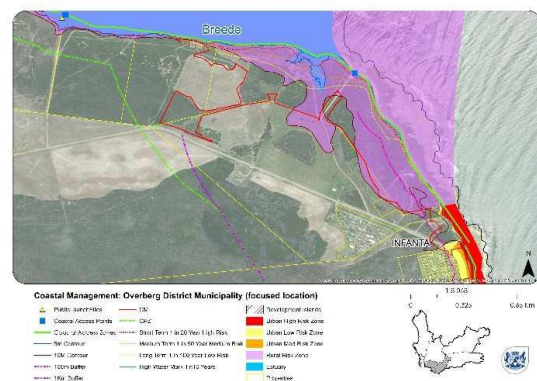


Figure 4: Coastal Management Lines

According to the Marine and Coastal chapter of the State of the Environment Report (Royal Haskoning DHV, 2013), many marine ecosystems along the Overberg coast are considered endangered with a pocket being critically endangered just off the Cape Agulhas coast. Seven of the 11 estuaries found within the ODM are located within the Overstrand Local Municipality, namely the Rooi-Els, Buffels, Palmiet, Bot, Onrus, Klein,

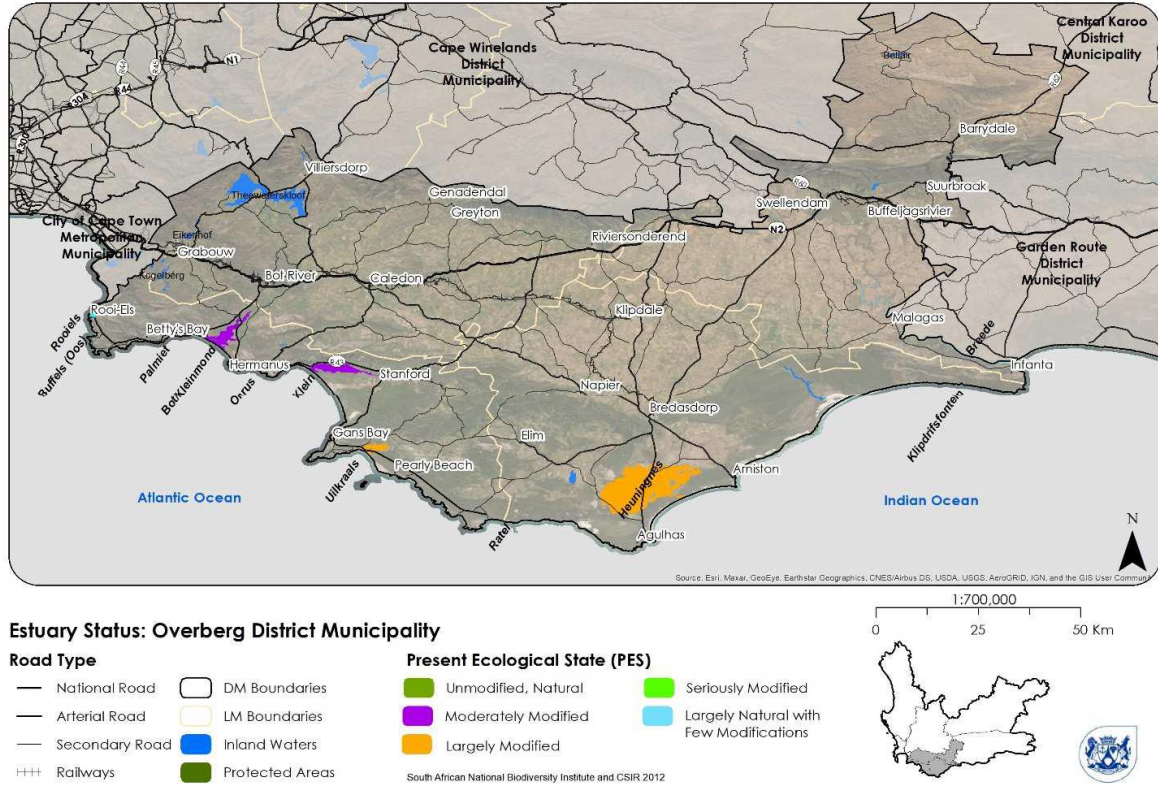


Figure 5: Estuary Status in Overberg District

The Overberg District CMP focuses on nine objectives:

- 1) Facilitation of coastal access.
- 2) Compliance and enforcement.
- 3) Estuaries.
- 4) Marine and land-based sources of pollution and waste.
- 5) Cooperative governance and local government support.
- 6) Climate change, dynamic coastal processes, and building resilient communities.
- 7) Natural capital and natural resource management.
- 8) Social, economic, and development planning.
- 9) Education and capacity building.

2.8.1. Key Coastal Areas

Key coastal areas (also known as special management areas) are considered those areas, which have significant scenic, economic, archaeological, paleontological, and/or ecological value, or areas that experience more severe threats than others. These coastal areas require special management to protect their value.

Table 11: Key Coastal Areas

SITE	IMPORTANCE/ FUNCTION	THREAT/ CONSTRAINT
Overstrand		
Cape Hangklip Ecological Corridor	Catchment to coast corridor & Supports Endangered & Critically Endangered Vegetation	Development
Coastal Dune System	Coastal ecological processes	Dune stabilization And development
Palmiet Catchment & Coastal Plain	Pristine river and estuarine system	Development
Botriver Estuary and Coastal	Nursery area for marine fish and maintenance of ecological functioning of Lamloch swamps	Sedimentation and decreased flows, urban development, and invasive alien plants
Onrus/Vermont Wetland & Greenbelt System	Flood attenuation and biodiversity value	Development, water flow
Klein River Ecological Corridor	Connectivity between nature reserves	Water flows
Danger Point Ecological Corridor	Connectivity between Danger Point and the Franskraal Mountains, semi-urban green corridor	Subdivision of agricultural land
Franskraal Ecological Corridor	The coastal plain system, aesthetics, and ecosystem services	Development
Hagelkraal Ecological Corridor	Aesthetic value and ecosystem services	Water quality and quantity
Urban Coastal Corridors		Uncontrolled access to the coast
Shell Middens	Heritage resource	
Wrecks	Heritage resource	Artifact collectors
Stony Point Penguin Colony	A shore-based breeding colony for African penguins	Overfishing
Cape Agulhas		
Waenhuiskrans Beach	Public amenity/Tourism	Erosion
Heuningnes Estuary	Biodiversity, fish breeding ground	Water quality and quantity
Southern Most Tip of Africa	Tourism	International Importance
Various shipwrecks, fish traps, and shell middens	Heritage	Human disturbance/ vandalism

2.8.2. Public Launch sites

Local Municipalities have been identified as the Management Body for public launch sites by the MEC for Environmental Affairs & Development Planning. DEA&DP is assisting LMs to develop these operational plans and to determine which sites should be registered as public launch sites. A review of the list of launch sites is underway.

2.8.3. Marine Protected Areas

Marine Protected Areas (MPAs)⁶ help manages part of the marine environment to promote fisheries sustainability, keep marine ecosystems working properly, and protect the range of species living there, helping people to benefit from the ocean. In South Africa, MPAs are declared through the National Environmental Management: Protected Areas Act.



- 16 – Betty’s Bay
- 17 – Walker Bay
- 18 – SE Atlantic Seamounts
- 19 – Brown Bank Corals
- 20 – Agulhas Mud
- 21 - De Hoop
- 23 – Agulhas Bank Complex

Figure 6 Marine protected areas of the Overberg Coastline

2.8.4. Marine Spatial Planning

Marine Spatial Planning (MSP) is a long-term and strategic decision-making process that guides where and when human activities occur in the ocean. Making sure the right activity takes place in the right areas helps facilitate the development of a sustainable blue economy – benefitting South Africans and the environment alike. The major MSP output is a comprehensive sustainable development plan that guides where and when uses occur in the ocean. MSP in South Africa aims at:

- Unlocking the ocean economy
- Enabling society to engage with the ocean
- Ensuring a healthy marine ecosystem
- Good ocean governance

Section 7 of the Marine Spatial Planning Act (Act no.16 of 2018) requires a national data-gathering exercise to be undertaken to provide for the development of Marine Area Plans. The Marine Spatial Planning National Working Group is currently undertaking a national data-gathering exercise in preparation for the development of the Southern Marine Area Plan. The coastline of the Overberg District falls within the Western Marine Planning Area. Developments in this regard must be monitored.

⁶ Sourced on 26/12/2021 <https://saveourseas.com/south-africa-announces-20-new-marine-protected-areas/>

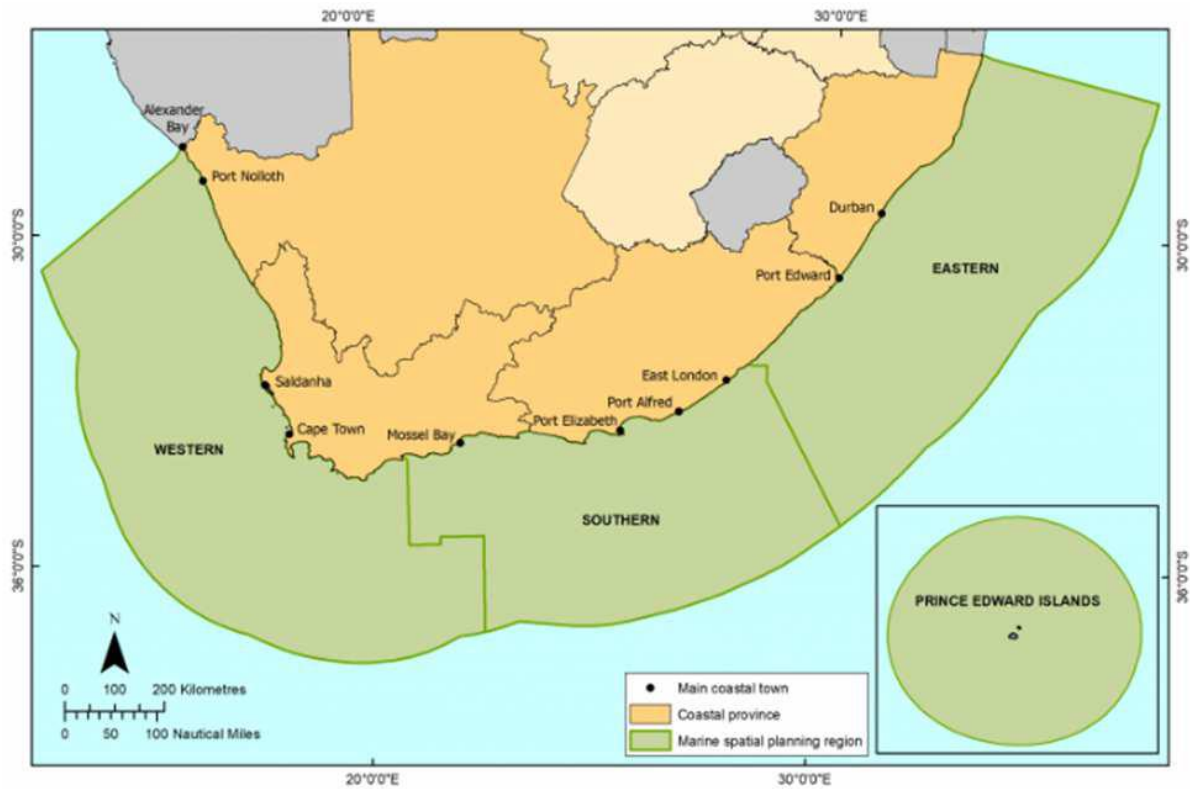


Figure 7: Draft National Marine Spatial Plan

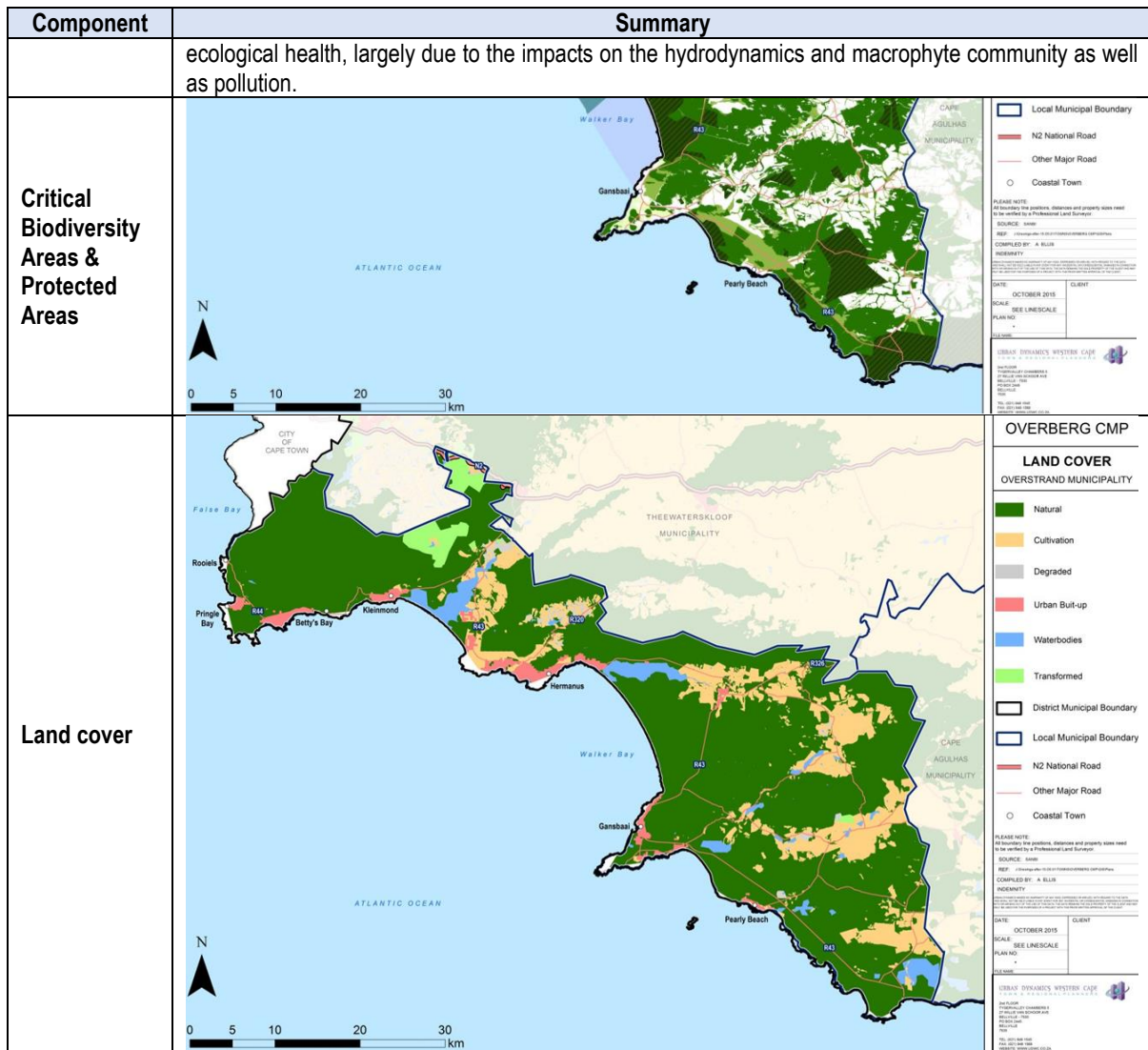
2.8.5. Biophysical Overview

Overstrand Local Municipality

A summary of the biophysical attributes of the Overstrand Local Municipality is summarised below:

Component	Summary
Marine Biodiversity Resources	<p>Predominant commercial fisheries along the Kogelberg coast within the Overstrand Local Municipality (OLM) include abalone, kelp, line-fishing and west coast rock lobster. There has been a substantial decline in reported yields over the last century, especially for reef species. Kelp harvesting is undertaken in allocated concession areas, with a total annual catch limit of 1 000 tons which is predominantly harvested to supply abalone farms.</p> <p>Recreational fishing within OLM includes shore anglers, boat anglers and spear fishers. There are public boat launch sites (BLS) at Rooiels, Stony Point, Maasbaai, Kleinmond, Gansbaai Harbour, Hawston Harbour, Hermanus New Harbour, Danger Point, Kleinbaai Slipway, Onrus (Harderbaai), Blousloep (Franskraal), Kruismansbaai and Pearly Beach.</p> <p>The proclaimed fishing harbour at Hermanus hosts three abalone farms and three abalone processing plants. Fishing activities within the harbour have decreased substantially over time and the main activities now include whale watching charters and recreational ski boating. Gansbaai proclaimed fishing harbour hosts a fishmeal/canning factory, an abalone farm (bordering the harbour fence) as well as a major pelagic landing point (mainly pilchards although a small amount of lobster and line-fish are also landed here).</p> <p>Dyer and Geyser Islands support a world-renowned population of Great White Sharks that feed off the Cape Fur Seals that breed on the Islands. These islands are important for the South African Sardine fishery, while Cape Anchovy are also common in surrounding waters.</p> <p>Large kelp forests which support a myriad of marine invertebrates, including Abalone, Alikreukel and West Coast Rock Lobster are present within OLM.</p>
Terrestrial Biodiversity Resources	<p>The Overstrand Local Municipality (OLM) is dominated by the fynbos biome, which accounts for approximately 99.7% of the existing natural vegetation. Three important bird areas (IBAs) are situated</p>

Component	Summary
	<p>within the OLM, namely the Eastern False Bay Mountains, the Botrivier Vlei and Kleinmond estuary and the Dyer Island Reserve Complex.</p> <p>The Eastern False Bay Mountains IBA runs from the Kogelberg Biosphere Reserve for 120 km to the Kuiltjieskraal State Forest southwest of Tulbagh and supports a number of threatened and range-restricted bird species, including breeding pairs of blue Cranes, Black Harriers, Ground Woodpecker, Cape Rockjumper and Cape Siskin. The greatest threat to the IBA is that of alien invasive plants, fire regimes and habitat transformation.</p> <p>The Botrivier Vlei and Kleinmond River estuary IBA supports over 163 bird species, of which at least 62 are waterbirds. Large numbers of birds (in excess of 25,000) are a regular occurrence, with numbers of up to 40,000 occasionally recorded. The IBA is a great breeding ground for a number of birds, including six threatened species (Lesser Flamingo, African Black Oystercatcher, African Marsh Harrier, Caspian Tern, Great White Pelican, Greater Flamingo and Black Stork).</p> <p>The Dyer Island Reserve Complex supports 12 breeding species of seabird and five breeding species of terrestrial bird. This includes the African Penguin, Bank Cormorant, Crowned Cormorant, African Black Oystercatcher and Cape Cormorant.</p>
Threatened Ecosystems	<p>Half of the 18 vegetation types are considered threatened, and are further categorised into critically endangered (6 vegetation types) and endangered (3 vegetation types).</p>
Estuaries	<p>Seven of the 11 estuaries found within the ODM are located within the Overstrand Local Municipality. They are summarised as follows:</p> <p>Rooiels: considered an unproductive system, but supports several species of invertebrates and fish species. Habitat loss and pollution in the estuary is considered the most significant threat, but the estuary is rated as having a good ecological health status</p> <p>Buffels: this system has a total catchment area of 23 km² and a river length of 8 km (Turpie et al., 2009). The river is impounded upstream (by the Buffels River dam), but pollution and habitat loss in the estuary is low, and it has been given an ecological health rating of "B" (good) (Van Niekerk & Turpie, 2012). Other impacts on the estuary include erosion and trampling of vegetation caused by people walking to the lagoon from the properties above. The lagoon is used extensively for recreational purposes (swimming) and contributes significantly to the aesthetic appeal of Pringle Bay</p> <p>Palmiet: The Palmiet River estuary is a medium-sized estuary situated just west of Kleinmond, and due to upstream abstraction and impoundment of water, has changed from a historically permanently open system to a temporarily closed system. The system is sensitive to nutrient loading, which causes aquatic weed blooms. Most of the Palmiet River catchment has been identified as river and floodplain wetland Freshwater Ecosystem Priority Areas (FEPAs) and the estuary is thought to provide an important nursery habitat for both resident and migratory estuary-dependent marine species. The estuary has a Category C health status and requires full protection, with an undeveloped estuary margin of 50%.</p> <p>Bot: The Bot River estuary is considered one of the top ten most important estuaries in the country due to the wealth of fish, botanical and bird biodiversity it supports. It is also listed as an IBA and is worthy of Ramsar Convention status as a wetland of international importance, especially as a waterfowl habitat. It has a catchment of 907 km², approximately 40% of which is used for agricultural cultivation and is connected to the adjoining Kleinmond estuary via Rooisand, forming a combined estuary. The estuary is estimated to contribute 40-50% of the estuarine nursery habitats for marine fish species between Cape Point and the Breede River, but is experiencing high fishing pressure. Although water quality in the Bot is considered good, some nutrient enrichment does occur and the Kleinmond lagoon regularly experiences contamination from polluted stormwater, which affects its recreational usability.</p> <p>Onrus: The Onrus River flows through the Hemel and Aarde valley, a well-known wine producing area within the municipality, before discharging into the estuary. The estuary is highly affected by poor water quality, habitat loss, sedimentation and reed encroachment and is the estuary with the worst health status within the municipality.</p> <p>Klein: situated east of Hermanus, the Klein River estuary is the highest ranked estuary in the ODM. Three quaternary catchments totalling 980 km² feed the estuary. It is considered valuable due to its botanical, fish and bird biodiversity, but it is plagued by flow reduction, nutrient loading, illegal gill-net fishing and sedimentation. It is a priority estuary for biodiversity conservation, the provision of ecological services and, most importantly, its nursery area linked to the recovery of fish species. Although the physical habitat is considered to be in good condition, the estuary is rated as overall only being in fair ecological health.</p> <p>Uilkraals: situated east of Franskraal, the Uilkraals supports extensive areas of sandflats and saltmarshes. It covers an area of 105 ha and is the country's 34th most important estuary from a conservation value point of view. It is unique due its large sections of salt marsh areas and high macrophyte diversity and has been identified as an IBA. The estuary is currently considered to be in poor</p>



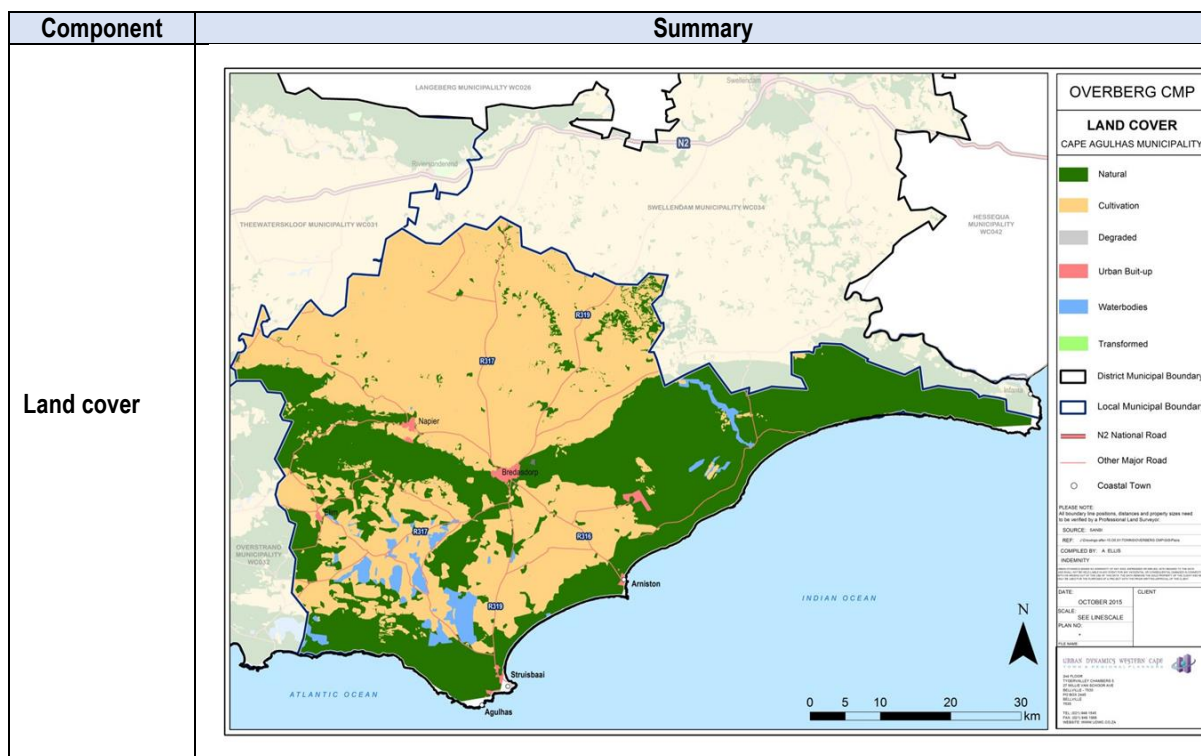
Source: Adapted from Overberg District Municipality Coastal Management Programme: Situational Analysis Component (Mott McDonald PDNA, 2015)

Cape Agulhas Local Municipality

A summary of the biophysical attributes of the Cape Agulhas Local Municipality is provided below:

Component	Summary
Marine Biodiversity Resources	<p>The Agulhas National Park supports a large number of marine species which are harvested both commercially and recreationally in other areas. These include shellfish, seaweed, rock lobster and line fish, with Struisbaai being one of the southwest pelagic- and line-fishing industry hotspots. Over exploitation is a major threat to the area's marine environment. Although the majority of the pelagic seine netting is undertaken west of Quoin Point, some substantial seasonal fishing occurs within 5.5 km of the shore. Commercial line-fishing occurs near Danger Point and Cape Agulhas Point. A large portion of the line-fish caught consists of migratory species such as Yellowtail, Cob, Geelbek and Snoek.</p> <p>The proclaimed fishing harbour at Arniston/Waenhuiskrans is used exclusively for traditional line-fishing and is closely associated with the Kassiesbaai fishing community. Struisbaai is also an important line-fishing harbour, with almost four times the volume of fish landed at Arniston. The harbour hosts a resident colony of stingrays, which are attracted by the fish the fishermen bring in.</p> <p>The De Hoop Marine Protected Area, which extends 5 km out to sea, is one of the largest marine protected areas within South Africa and one of only two no-take protected areas in the Western Cape. The reserve extends 46 km along the coast from Stilbaai Point in the east to a point between Ryspunt and Skipskop in the west.</p>

Component	Summary
	<p>Due to the mixing of waters from the South Indian, South Atlantic and Southern oceans both species associated with the more sub-tropical Agulhas Current of the east coast and the more temperate waters occur here. The Waenhuiskrans/Cape Infanta area is also situated next to the broadest part of the continental shelf known as the Agulhas Bank. The Agulhas Bank also functions as an important fish spawning and nursery ground for pelagic fish. This significantly contributes to the high biodiversity found within the area. As harvesting of marine species is not allowed, it provides protection to a number of marine organisms. The MPA has been shown to be successful in actively protecting populations of popular reef fish and recruiting migrants of over-fished species to other areas.</p>
Terrestrial	<p>The terrestrial area of the Cape Agulhas Local Municipality consists largely of the Agulhas Plain. This is the coastal lowland, which covers an area of approximately 270,000 ha, stretching from the Klein River mouth</p>
Biodiversity Resources	<p>to the Breede River. It forms the southernmost section of the Cape Floristic Region (CFR) and contains a myriad of fynbos, wetlands and coastal Renosterveld vegetation. Vegetation in the Cape Agulhas Local Municipality consists predominantly of Central Ruens Shale Renosterveld (39% of the municipal area) more inland and centrally, whilst the west is covered largely by Elim Ferricrete Fynbos (12.41% of the municipal area) and the east by De Hoop Limestone Fynbos (7.81% of the municipal area).</p>
Threatened Ecosystems	<p>Six Critically Endangered, two Endangered and one Vulnerable vegetation types occur within the municipal area.</p>
Estuaries	<p>Three estuaries occur within the municipal borders, namely the Ratel River estuary, the Heuningnes estuary and the Klipdriftfontein River estuary. These are summarised below.</p> <p>Ratel: approximately 9 ha in extent, the Ratel is South Africa's southernmost estuary. It experiences medium levels of pollution and low levels of habitat loss and is classified as being in fair ecological condition.</p> <p>Heuningnes: forms part of an IBA and is listed as a Ramsar site (De Mond State Forest Ramsar site) under the Ramsar convention. It falls within the De Mond Nature Reserve Complex and extends for approximately 12 km across the coastal plain of the Zoetendals Valley, fed by the Nuwejaars and Kars Rivers. The catchment for the estuary is recorded to be 1,938 km². The estuary experiences pressures from habitat loss, changes in hydrology and pollution and has been rated as being in poor ecological health.</p> <p>Klipdriftfontein: The Klipdriftfontein River estuary is a small, black-water estuary. Very little information is available on the estuary. The National Biodiversity Assessment indicates that it is in excellent ecological health and experiences only minor impacts on water flow and quality.</p>
<p>Critical Biodiversity Areas & Protected Areas</p>	

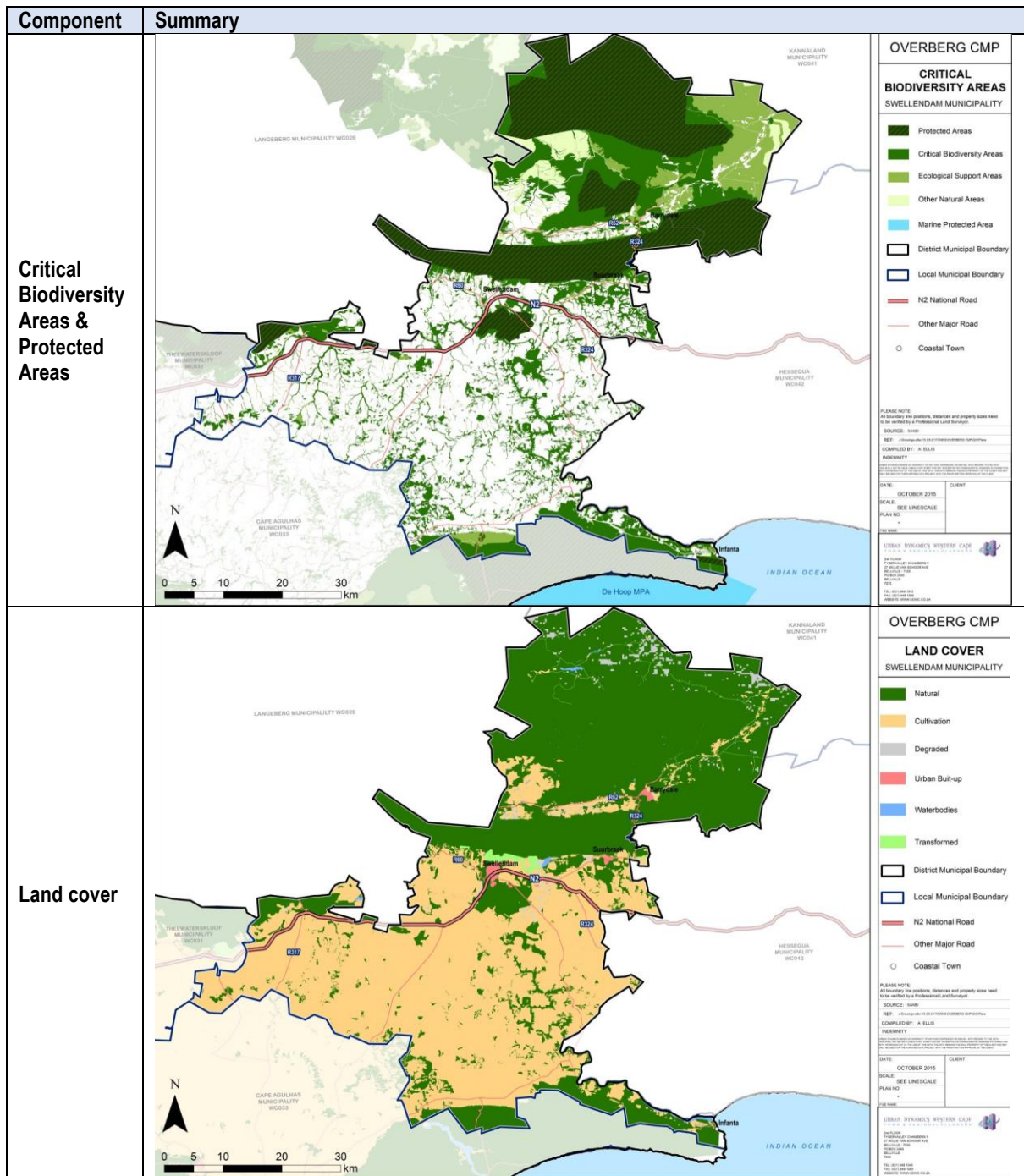


Source: Adapted from Overberg District Municipality Coastal Management Programme: Situational Analysis Component (Mott McDonald PDNA, 2015)

Swellendam Local Municipality

A summary of the biophysical attributes of the Swellendam Local Municipality is provided below:

Component	Summary
Marine Biodiversity Resources	Marine living resources within Swellendam Local Municipality are limited due to the limited extent of its coastline. As highlighted in the section above, the Cape Infanta area is situated adjacent to the Agulhas Bank, which supports a vast number of marine species. Resource use occurs within the Breede River estuary, predominantly through recreational fishing and bait collection.
Terrestrial Biodiversity Resources	Eastern Ruens Shale Renosterveld is the dominant vegetation type, making up 39.97% of the municipal area. Along the coast De Hoop Limestone Fynbos gives way to Potberg Sandstone Fynbos and Potberg Ferricrete Fynbos as you head away from the coast, which in turn gives way to Eastern Ruens Shale Renosterveld as you head in a northerly direction. The northern most sections of the municipality support Swellendam Silicrete Fynbos, South and North Langeberg Sandstone Fynbos, Montagu Shale Fynbos and Montagu Shale Renosterveld.
Threatened Ecosystems	The municipality supports four Critically Endangered, two Endangered and three Vulnerable vegetation types
Estuaries	Only one estuary occurs within the Swellendam Local Municipality, and also forms the border with Eden District Municipality. Breede: this system is situated on the border of the Swellendam Local Municipality and Hessequa LM (situated in the Overberg and Eden Districts, respectively). The river extends some 322 km upstream to its source near Ceres and has a catchment of approximately 12,600 km ² . The estuary stretches for 62 km and has a total surface area of 455 ha. The construction of several dams within the catchment has caused a 42% reduction in the mean annual runoff and is the single largest factor contributing to a change in the ecological state. Despite this reduction in water quantity, the estuary remains a permanently open system. Its present ecological condition is classified as good.



Source: Adapted from Overberg District Municipality Coastal Management Programme: Situational Analysis Component (Mott McDonald PDNA, 2015)

2.8. Key Issues Identified during Stakeholder Engagement

a) Summary of stakeholder engagement process

As part of the situational analysis, stakeholders were engaged to discuss challenges and identify gaps and needs for successful coastal management within their various municipalities. Staff dealing with environmental and coastal management issues were involved in a questionnaire-based meeting, and further meetings and email/telephonic correspondence informed the identification of key coastal issues.

Stakeholder involvement in the revision of the Overberg District Coastal Management Programme began in May 2023. A questionnaire was developed to allow stakeholders to participate in the review of the CMP and facilitate their engagement in the process. In May 2023, interviews were carried out with Cape Agulhas, Swellendam, and Overstrand Local Municipalities. These interviews offered an opportunity to assess the continued relevance of the priority areas outlined in the Inaugural ODM CMP (2016). The interviews conducted also assisted in identifying any potential new coastal management priorities. The questionnaire included the following queries posed to the municipalities:

- Do you consider the nine (9) priority areas identified in the Overberg District Municipality Coastal Management Programme (CMP) as encompassing of all coastal management related matters that are encountered by the municipality?
- Does the current format of the Overberg District Municipality CMP constitute a practicable coastal management implementation tool which covers all aspects for optimal coastal protection and resource utilisation?
- Which aspects of the CMP have been mainstreamed in the key strategic planning documents of the municipality?
- Which measures have been taken by the municipality to translate the actions associated with each of the current priority areas into implementable programmes / projects?
- Which stumbling blocks have been encountered which prevents the implementation of each of the nine (9) priority areas and which of these priority areas has taken precedence.
- Which institutional arrangements have been made by your municipality to address coastal management matters?
- Are there any aspects relating to coastal management areas which are currently being focused on by the municipality which has not been incorporated / addressed in the current CMP?
- In your opinion, which measures are required to effectively implement coastal management.

After conducting one-on-one engagements with the LM's, it was found that the current CMP is impractical for implementation and lacks effectiveness as a tool. Exploring the potential of an SLA for further enhancing the CMP, along with a funding mechanism, is recommended to enable municipalities to implement the provisions of ICMA. Furthermore, while the questionnaire facilitated discussions on CMP review, the level of engagement with coastal municipalities and the extent of input received were correlated with the resources allocated to addressing coastal management functions. Each municipality is either planning or implementing several projects that could align with identified Priority Areas. However, these projects may not necessarily be informed by the nine priority areas included in the CMP. Streamlining the current CMP format and emphasizing the significance of the associated implementation plan were key discussion points arising from engagements. Projects related to coastal access were prominent in each coastal municipality.

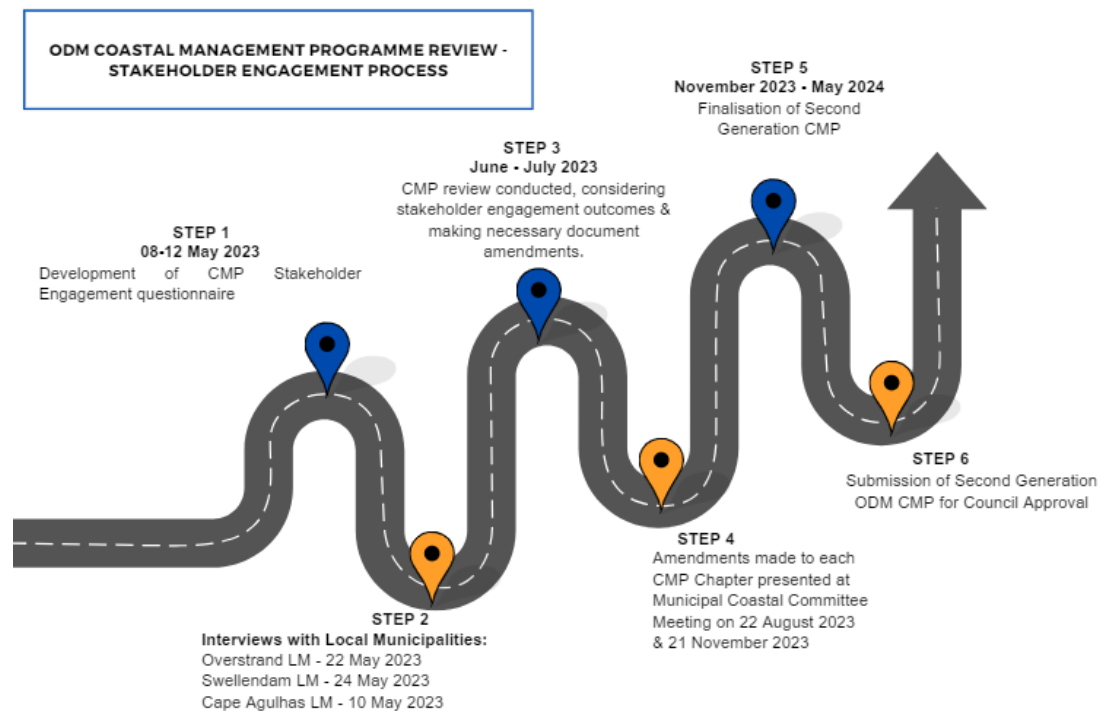


Figure 8: Overview of Stakeholder Engagement Process & CMP Review

Similar to the current arrangement between the Overberg District and Local Municipalities regarding Fire Protection Services, the possibility of using Service Level Agreements for coastal management matters was discussed. Establishing management agreements between the District and Local Municipalities could facilitate the distribution of funds obtained by either party to implement programmes.

b) Kelp Harvesting Challenges

An internal meeting was convened by the DFFE: Local Government Support during April 2024, to address challenges concerning Kelp Harvesting in the Overberg District. Despite previous efforts, representatives from all DFFE Branches responsible for aspects of kelp harvesting were not present at the meeting. The session featured a presentation highlighting the specific challenges faced by the Overberg District in kelp harvesting to ensure that the Department's response effectively addresses these issues. Representatives from the DFFE Integrated Coastal Management Branch requested further elaboration on the challenges from the Overberg District.

The difficulty in addressing these issues arises from several factors. Firstly, there are significant challenges related to compliance and enforcement of permit conditions for kelp harvesting and processing. Additionally, there is a disconnect between the activities conducted by permit holders and the conditions outlined in the permits. As a result, kelp harvesting and processing in the Overberg District lead to adverse coastal ecological impacts, which local government lacks the authority to mitigate, as this falls under national jurisdiction. Key outcomes of the meeting included:

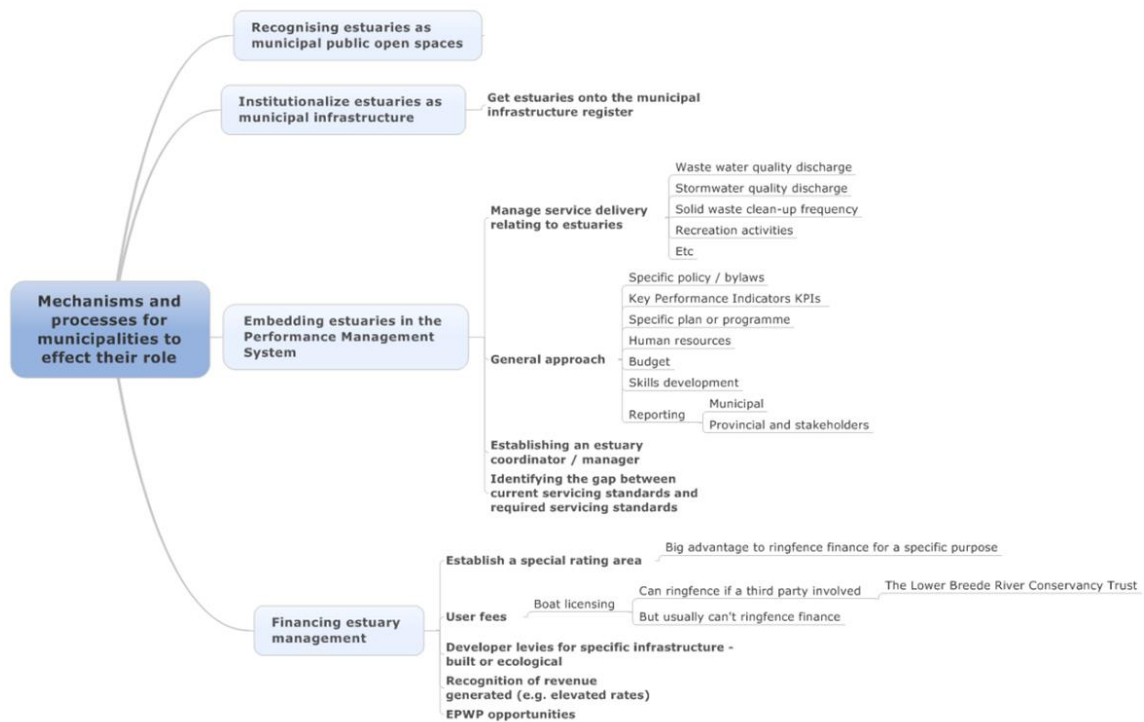
- Confirmation of the feasibility of incorporating generic conditions to address the challenges encountered in kelp harvesting and processing permits.

- A suggestion to schedule another meeting with the ODM to further discuss the raised issues.
- Meanwhile, a comprehensive list of relevant DFFE Officials, each handling specific aspects of kelp harvesting matters, will be compiled and provided to the ODM.

C) Estuaries

Estuarine Management Roles and Actions	
1	<p>Performance Management</p> <ul style="list-style-type: none"> • Determining level of municipal service to be applied to estuaries (e.g. parks and recreation, litter collection etc), and level of service expected from estuaries (e.g. recreational capacities, sustainable livelihoods, local economic development etc.) • Monitoring and reporting estuary levels of service as described above
2	<p>Integrated, Strategic and Land Use Planning</p> <ul style="list-style-type: none"> • Support estuary functionality in Long-term Development Plans / Frameworks, IDPs and SDFs • Adding value to estuary functionality through appropriately designed land use management systems (LUMS) and local area planning (LAP) / precinct planning • Planning that promotes equitable access to estuaries and the coast • Planning that creates opportunities for different types, intensities and locations for recreational activities in the coastal zone
3	<p>Municipal Infrastructure Development and Management</p> <ul style="list-style-type: none"> • Establishment of municipal services standards that protect estuary functionality (e.g. wastewater treatment and polishing, stormwater attenuation and filtration, solid waste management, response timeframes to wastewater / other pollution incidents that may impact on estuaries, include private infrastructure such as septic and conservancy tanks) • Infrastructure design and construction that protects estuary functionality and is not exposed to estuary-related risks • Protecting and enhancing estuary functionality through regular infrastructure maintenance and / or upgrading • Dealing with issues relating to flood damage, and avoidance best practice, associated with estuaries • Appropriate frequency and standard of wastewater effluent discharge (to estuaries) quality monitoring • Appropriate frequency and standard of stormwater discharge (to estuaries) quality monitoring
4	<p>Regulation and enforcement</p> <ul style="list-style-type: none"> • Development of appropriate by-laws and building control regulations that protect estuaries from development impacts and prevent development in zones affected by coastal risks • Appropriate levels of development control and associated enforcement in the coastal zone and coastal protection zone – linked to coastal management lines or setback lines • Zonation of estuaries for different types of recreational use and determination of rules of recreational access and use of the estuary • Control of vendors in the coastal zone • Control of public nuisances in the coastal zone (excluding biological agents)
5	<p>Parks and Recreation Area Management</p> <ul style="list-style-type: none"> • Development and management of estuary and coastal recreational access / amenity areas (including public launch sites) • Monitoring compliance of estuary use regulations • Estuary Mouth management • Conservation management in estuaries (if a municipal protected area) • Invasive species control in and around estuaries (if a municipal protected area or a municipal erf) • Public events management in and around estuaries • Monitoring of estuary water quality in respect of safety for recreational use (in association with the district municipality)

Estuarine Management Roles and Actions	
6	Disaster management <ul style="list-style-type: none"> • Risk identification and ensuring emergency response preparedness for estuary and coastal risks, that may include marine or river pollution sources • Dealing with estuary-related flooding and other issues that impact on private property owners • Managing risks associated with estuary mouth opening events
7	Communication and community participation <ul style="list-style-type: none"> • Coordination of estuary management forums or platforms • Engagement with all relevant agencies in respect of estuary protection and management priorities • Engagement with upstream land users in respect of estuary protection and management priorities • Communicating relevant rules / standards for estuary access and use • Environmental education associated with estuaries (if a municipal protected area)
8	Local economic development <ul style="list-style-type: none"> • Promotion of sustainable local economic development opportunities associated with estuaries



2.9. Vision for the Overberg Coast

The overarching Vision for the Overberg coast was developed taking into consideration the comments and inputs received during the stakeholder engagement process, the Vision for the Kogelberg CMP, as well as the Visions set out in the National and draft Provincial CMPs to reflect the desired state of the Overberg coast and the people that utilize its resources.

“We, the people of the Overberg District Municipality, celebrate the diversity, beauty and uniqueness of our coast and its communities. We strive for a safe, accessible coastal environment that is sustainably managed and protected for the benefit of current and future generations.”

CHAPTER 3: PRIORITIES, POLICY DIRECTIVES AND STRATEGIES FOR COASTAL MANAGEMENT

This section details the incorporation and alignment with existing plans and identifies overarching municipal priorities in response to issues identified. It sets out the goals, objectives; strategies and actions required and provides direction for achieving the vision through integrated coastal management in the ODM.

3.1. Incorporation and Alignment with Existing Plans and Strategies

Notably, an environmental implementation plan or environmental management plan in terms of Chapter 3 of the NEMA, an IDP in terms of the Municipal Systems Act, and a provincial or municipal land development plan must be aligned with the national CMP and any applicable provincial CMP (Parramon-Gurney, 2015). These plans must also incorporate those provisions of the National CMP and any applicable provincial CMP that specifically apply to them; as well as giving effect to the National CMP and any applicable provincial CMP. Each municipality that has jurisdiction in the coastal zone must ensure that its Integrated Development Plan (IDP) (including its SDF) is consistent with other statutory plans adopted by either a national or a provincial organ of state. The municipality should also ensure alignment and integration of the IDP and municipal CMP, which should be included in the IDP. In terms of Section 88 (1) of the ICM Act, the MEC of a coastal province may direct a municipality, in writing, to take specified measures if the MEC is satisfied that the municipality is not taking adequate measures to prevent or remedy adverse effects on the coastal environment; adopt or implement a municipal CMP; or give effect to the provincial CMP.

Local government also has specific obligations and responsibilities for the implementation of relevant policies, legislation, plans and programmes of national and provincial government, ensuring the alignment of IDPs and provincial Environmental Implementation Plans (EIPs) and ensuring that IDPs comply with the principles of the NEMA and the principles of integrated coastal management as described in the ICM Act (Parramon-Gurney, 2015).

3.2. Climate Change and Integrated Coastal Management

In recent years, there has been a significant increase in awareness regarding climate change and its impacts. Scientific evidence indicates that rising sea levels pose a significant risk to coastal communities and infrastructure. Therefore, it is essential to consider targeted measures to both mitigate and adapt to the effects of climate change on coastal environments. Decision-making should recognize the complex interactions among coastal processes, infrastructure, and risk management. Various strategies exist to address the dynamic and hazardous nature of

coastal areas, with the establishment of coastal management or development setback lines being particularly crucial. Coastal landforms, such as estuaries, barrier islands, beaches, and sand dunes, play a vital role in mitigating the effects of climate change and providing ecosystem and environmental services. Viewing these landforms as "green infrastructure" enables us to collaborate with nature in managing the impacts of climate change. Climate change adaptation and response measures, informed by technical and scientific analysis of coastal vulnerability, will involve safeguarding and preserving dynamic coastal features, identifying vulnerable areas, and implementing development guidelines to address dynamic coastal processes.

The Overberg District needs to apply a multi-disciplinary approach and 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:

- Promoting the healthy functioning of coastal ecosystems by strengthening the natural defences that protect people and coastal systems, such as the protection of sand dunes, sea grass, estuaries and beaches are physical buffers.
- Promoting that the extraction and use of natural resources do not compromise the sustainability of vital coastal ecosystems. Reducing or eliminating non-climate stresses and unfavourable trends helps to achieve functional ecosystems that are more resilient to climate change and variability.
- Promoting that illegal sand and gravel mining in coastal riverbeds, estuaries and beaches is stopped.
- Promoting 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 15km 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 complies with the defined coastal management setback lines as developed by DEA&DP for the Overberg District Municipality;
- 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;
- Promoting that coastal defences to protect private property from the threat of coastal erosion is compliant with the relevant legislation;
- To not approve coastal defence 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 defence;
- Requiring that coastal defences be proven to reduce risk prior to being approved;
- Favouring coastal defences 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 defence interventions. (Garden Route CMP,2022)

3.3. Policy Directives

While the implementation strategies described in Section 4.4 provide detailed responses to coastal management issues for the five-year implementation process, 'policy directives' are intended to assist with current and future decision-making and implementation by detailing finer-scaled coastal management objectives. Policy directives for the ODM have been developed in order to allow implementing authorities to take an immediate policy stance on important coastal management issues that are not necessarily captured within the Action Plan component, Section 4.4.

3.3.1. Policy Directive 1: Facilitating Coastal Access

Supporting Legislation/Policy

- National White Paper for Sustainable Coastal Development
- ICM Act (as amended), specifically Section 18-20
- National Coastal Management Programme
- National Strategy for the Facilitation of Coastal Access in South Africa
- A Step-by-Step Guide for the Designation and Management of Coastal Access in South Africa
- Approved Western Cape Provincial CMP 2022-2027

Background

The interaction between humans and the coastal environment in relation to gaining access to this dynamic interface requires specific management interventions in order to maintain the benefits accruing from coastal natural resources. No activity should therefore totally restrict access to and along the shoreline, and all effort should be made to facilitate reasonable access at identified locations. Accessing the shoreline for subsistence purposes, recreation, relaxation, and education must also not compromise the privacy, safety, and quality of life for adjacent residents or the value of coastal private property. While providing access is an indisputable civil right, it also provides many other social and economic opportunities for local communities. The broad access and accessibility principles communicated by the ICM Act are:

- The public has an expectation and right to access the coast and shoreline;
- Access to the coast must be planned and managed to protect coastal resources, their values and public safety;
- Access facilities to the foreshore, ocean and adjacent features must be planned and managed in a coordinated manner to avoid or minimise adverse impacts; and
- Coordination of coastal access is the responsibility of municipalities.

The ICM Act formally assigns facilitating coastal access to Municipalities and they are required to declare coastal access land and public access servitudes using by-laws; and report to the MEC, on their progress in declaring coastal access land. Further municipal responsibilities regarding coastal access land are:

- Signpost entrances to coastal access land;
- Control of use of activities on that land;
- Protect and enforce the rights of the public to use such access;
- Maintain the land to ensure continued public access;
- Promotion of access via the provision of appropriate amenities such as parking, toilets, boardwalks, etc.;
- Remove inappropriate access that is causing adverse environmental effects that cannot be prevented or mitigated;
- Ensure that coastal access land does not cause adverse environmental effects; and
- Describe coastal access land in municipal coastal management programmes and in any spatial development framework.

Coastal access, including the road network, must be carefully planned to facilitate key access nodes and take future district development plans/ strategies into account. The development of new roads that do not serve a very specific purpose, aligned to the spatial framework, should be avoided, and roads that are simply intended to "open up the coast" should be avoided.

Policy Directive/ Guidelines

- Providing controlled and equitable access by the public to the area and its resources is a key principle in considering coastal access.
- Coastal access locations and management issues/actions must be included in municipal IDPs and SDFs.
- Management Objectives for municipal coastal access, as included in this CMP, are as follows:
 - To ensure that the public has the right of reasonable physical access to the sea, and to and along the sea shore, on a managed basis and facilitated via infrastructure where appropriate;
 - 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;
 - Where appropriate, public access shall be managed to minimise adverse impacts and to resolve incompatible uses; and
 - Resolve issues of disputed boundaries and leases in sensitive areas.
- Reporting to the MEC (legal responsibility) must include a description of management interventions such as:
A description of the strategic use of the access to promote the development of the municipality as detailed in both the Municipal IDP and SDF;
- Management objectives of the municipality;
- Location and description of access provided (via coastal public property and coastal access land) including:
 - Signposting of entry points;
 - Measures to control the use of and activities;
 - Development of a plan to maintain coastal access; and
 - The provision of facilities that promote access, including parking areas, toilets, boardwalks and other amenities taking into account the needs of physically disabled (where appropriate and within available resources); and
 - Any removals of access.

3.3.2. Policy Directive 2: Working for the Coast⁷

Supporting Legislation/Policy

- Expanded Public Works Programme (EPWP)
- DFFE Environmental Programmes

⁷ The DFFE Working for the Coast Programmes are dependent on budget availability.

Background

As per the National Coastal Management Programme, Working for the Coast funding is available via the DFFE Environmental Programmes Branch, which is nested under the EPWP programme (Department of Environmental Affairs, 2014).

The EPWP is a key government initiative, which contributes to policy priorities in terms of decent work and sustainable livelihoods, education, health; rural development; food security & land reform and the fight against crime & corruption. EPWP subscribes to Outcome 4 which states “Decent employment through inclusive economic growth.”

In order to tackle our country’s socio-economic challenges, the government adopted the Outcomes based approach to improve government performance and provide focus on service delivery. The government then introduced the Expanded Public Works Programmes (EPWP) initiative, aimed at drawing a significant number of unemployed South Africans in a productive manner that will enable them to gain skills and increase their capacity to earn income.

The Environmental Programmes (EP) Branch is tasked with carrying out the mandate of the DFFE by employing the Expanded Public Works Programme (EPWP) approach. Serving as a public employment initiative, EPWP plays a role in mitigating unemployment, poverty, and inequality. EP collaborates with other branches within the department and endeavours to fulfill policy commitments through the labour-intensive EPWP framework whenever feasible. In its operational endeavours, EP gives precedence to adhering to national demographic targets, aiming for 60% representation of women, 55% of youth, and 2% of individuals living with disabilities. Furthermore, EP integrates skills development into its job creation efforts and provides support for the growth of small, medium, and micro enterprises (SMMEs). EP executes its projects through service providers and utilizes its own in-house project management capabilities.

Policy Directive/ Guidelines

- Where local economic development (LED) initiatives are proposed, ensure that EP and Working for the Coast are considered as a source of funding and local employment
- Include coastal LED initiatives in the IDP of the ODM

3.3.3. Policy Directive 3: Estuary Management

Supporting Legislation/Policy

- National White Paper for Sustainable Coastal Development
- ICM Act (as amended), specifically Sections 33 and 34
- National Estuarine Management Protocol (NEMP), and associated guidelines document
- National Guidelines for the Development and Implementation of Estuarine Management Plans
- NEM:BA
- MLRA
- National Biodiversity Assessment

Background

Management of estuaries is an integral part of the ICM Act, which provides the overarching legal framework for coastal and estuarine management in South Africa. The Act aims to facilitate the efficient and co-ordinated management of all estuaries. This includes provisions that ensure they are managed in accordance with the NEMP and an individual management plan for each estuary. The NEMP provides the national policy for estuarine management and guides the development of individual estuary management plans, thus ensuring national consistency.

The objectives of the NEMP include:

- *“To conserve, manage and enhance sustainable, economic and social use without compromising the ecological integrity and functioning of estuarine ecosystems;*
- To maintain and/or restore the ecological integrity of South African estuaries by ensuring that their ecological interactions between adjacent estuaries, between estuaries and their catchments, and between estuaries and other ecosystems, are maintained;
- To manage estuaries co-operatively through all spheres of government, and to engage the private sector / entities and civil society in estuarine management;
- To protect a representative sample of estuaries in order to achieve overall estuarine biodiversity targets as determined by the 2011 National Biodiversity Assessment and the subsequent updates;
- To promote awareness, education and training that relate to the importance, value and management of South African estuaries; and
- To minimize 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”.

Policy Directive/ Guidelines

- Development of estuary management plans for all estuaries, beginning with nationally important systems
- Linkage with ongoing Western Cape Estuary Management Framework project to be prioritised once it becomes operational
- In the interim, the following principles for estuarine management should be applied, pending the development of estuarine management plans for all estuaries:
 - Estuaries must be permitted to function naturally as part of the local coastal dynamic process, and intervention should only be permitted under specifically authorised or emergency circumstances;
 - Regulate the abstraction of water from estuaries;
 - Regulate development and land-use activities in or adjacent to estuaries;
 - A Coastal Management Line should be instated for estuaries;
 - Minimise all forms of local or direct marine and land-based pollution entering estuaries, particularly mining effluent and fertilisers emanating from irrigation activities;
 - Appropriately regulate all recreational use of estuaries;
 - Regular monitoring of estuaries should be undertaken, particularly in respect to water quantity and quality, through a formalised estuary monitoring programme. Where possible thresholds of concern must be established and adjacent land user/s be engaged in respect to maintaining healthy ecological conditions;
 - Eradicate alien invasive species from estuaries;
 - Promote the rehabilitation of degraded areas within, and adjacent to, estuaries, areas subject to mining/sand winning and overharvesting of natural resources;
 - Promote on-going public awareness and education, including government department capacity building, through a range of programmes and media; and
 - A precautionary approach must be adopted for non-functional estuaries that persist as permanently dry environments, or systems that dry over the long term, which may still hold ecological value in terms of landscape processes and the provision of certain ecosystem goods and services under specific conditions (e.g. groundwater storage/recharge). In this regard, development should be excluded from the remnant channel and floodplain, that is, the area that would constitute the estuarine functional zone, thereby reducing the risk to development, infrastructure and human life during episodic extreme environmental disturbance. Such systems should thus be maintained as part of an open space system.

3.3.4. Policy Directive 4: Blue Flag Programme

Supporting Legislation/Policy

- None, but already implemented in ODM (Blue Flag is a voluntary programme)

Background

The Blue Flag programme, implemented in South Africa by the Wildlife and Environment Society of South Africa (WESSA) is a voluntary international initiative aimed at standardizing and promoting world-class clean, safe and attractive beach environments. Blue Flag is categorized as an 'eco-label', and strict monitoring requirements are needed to both attain and retain Blue Flag status, where beaches are assessed according to 25 criteria in four specific categories namely: water quality, environmental education and awareness, environmental management, and safety and services.

Policy Directive/ Guidelines

- Prioritise the assessment of potential for Blue Flag beaches and marinas within ODM that do not already have pilot or full Blue Flag status
- Ensure adequate provision of funds to maintain Blue Flag beaches
- Include Blue Flag programme in IDP and prioritise funding

3.3.5. Green Coast Initiative

Building on the success of the Blue Flag eco-label and acknowledging its suitability limited to urban beaches, WESSA introduced an additional coastal award programme designed for broader application targeting coastal sites with high biodiversity, cultural value and eco-tourism potential. The Green Coast eco-label, officially introduced in 2017, represents an annual accolade from WESSA, recognising coastal locations that uphold an exemplary standard in collaborative initiatives for coastal preservation, environmental education, and the advancement of eco-tourism. Green Coast offers a platform for collaboration, innovation, and involvement of the local community in coastal stewardship. To attain Green Coast status, coastal sites must fulfill a set of criteria aimed at ensuring the consistent enhancement of environmental, developmental, and participatory benchmarks. Implementing Green Coast fosters partnerships between local government and civil society, emphasising that the responsibility for these sites extends beyond the local authorities to encompass every citizen who depends on valuable coastal resources. The Green Coast standards encompass elements of fundamental ecological monitoring and support community-driven citizen science projects, empowering local residents to actively participate in coastal stewardship and influence local policy decisions. Coastal regions bearing the Green Coast status draw the attention of a distinct segment of the tourism market, catering to those seeking adventure, outdoor lifestyles, and nature-based experiences along our coastline. This eco-label enhances the visibility of these sites in the tourism sector, consolidating them under a single national eco-label. The annual submissions undergo validation by WESSA and evaluation by the Green Coast National Jury (WESSA,).

3.4. Five Year Plan: Priority Areas, Coastal Management Goals, Objectives & Action Plans

The implementation component inherent in CMPs takes the form of 'action plans' that consist of the components listed below.

3.4.1. Implementation Strategies/Projects

These specific, actionable interventions are aimed at addressing the issues identified during the situational analysis and stakeholder engagement processes, as well as meeting coastal management goals and objectives per priority area.

3.4.2. Indicators

If undertaken correctly, indicators serve both as a corrective function during the project cycle - enabling timely adjustments, and/or as a guide to structuring future projects more effectively (Department of Environmental Affairs, 2012). With this in mind, the implementation strategies also include indicators to allow for evaluation of progress.

3.4.3. Donor Funding / Special Project

Donor funding requirements may force CMP priorities to focus outside the scope of work. Requirements by international funders are not met by the CMP, the District needs to be mindful of the funding opportunities available and still be able to support such projects under a special project section e.g. Green Climate Fund.

3.4.4. Implementers

A list of implementers is provided who are responsible for carrying out the strategy or project. Implementers are further divided into a lead party and supporting parties, with detailed roles and/or tasks assigned.

3.4.5. District & Local Responsibilities

Where implementation is specifically assigned to a local municipality, detailed action plans will be shown in the subsidiary CMPs which have been developed for each LM.

3.4.6. Municipal Interpretation of Roles and Responsibilities

Whilst the Constitution sets out mandated municipal functions as outlined in Section 2.6.1, certain responsibilities are assigned to municipalities. It must be noted, however, that no clear distinction is made between local and district municipal functions. The Municipal Structures Act provides for the delegation of powers and functions between district and local municipalities by agreement, but does not prevent a local municipality from undertaking a function assigned to the district. The Structures Act also promotes cooperation between the local and district municipalities. Fundamentally, then, the assignment of functions and powers relating to coastal management should be undertaken in consultation and by agreement between the district and local municipalities, and should take into consideration who is best placed (from a capacity, financial and practical point of view) to perform the function. Generally, the district would take on a more coordinating role and assist the local municipalities in the performance of their functions.

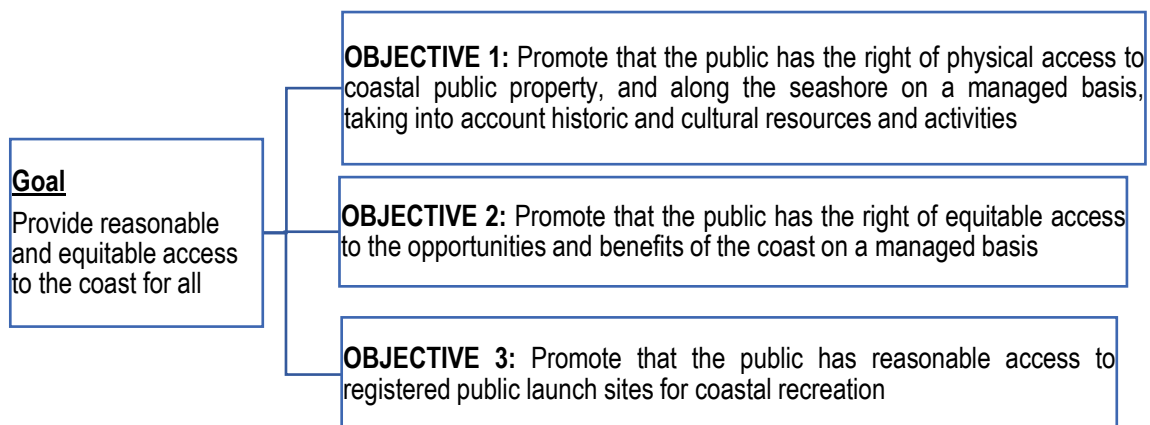
The NEM:ICMA makes provision for the delegation of certain provisions contained in the NEM: ICMA. The overarching roles and responsibilities of local government in Integrated Coastal Management (ICM) include:

- Managing access to coastal public property;
- Demarcating coastal management lines on zoning maps;
- Determining and adjusting coastal boundaries of coastal access land;
- Marking coastal boundaries on zoning maps;
- Developing Municipal Coastal Management Programmes;
- Ensuring consistency and alignment between Municipal CMPs and other statutory plans;
- Facilitating consultation and public participation processes; and
- Implementing land use legislation in coastal protection zones.

In cases where local government entities have the necessary capacity, district municipalities may delegate specific responsibilities to them. The allocation of these responsibilities will be based on the entity best suited to fulfill the required functions, taking into account their capacity and resources, and formalized through written agreements. If there is sufficient capacity at the local government level, district municipalities can therefore delegate certain provisions in accordance with the procedures outlined in the Municipal Structures Act and the Constitution.

3.5. Priority Area 1 – Facilitation of Coastal Access

The facilitation of coastal access is a municipal function in terms of the ICM Act, and coastal municipalities are required to effectively implement, maintain and monitor coastal access. This priority area includes ensuring that the public has an equitable right of access to the coast and its resources as well as the management of such access.



Issues Identified:

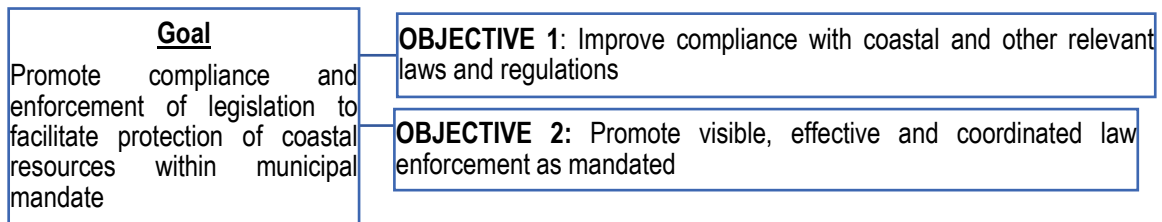
- Access over private land (designation of coastal access servitudes)
- Protection of coastal access
- Maintenance of access infrastructure
- Management and control of access

- Management of slipways/jetties/boat launching sites/harbours

#	Implementation strategies/projects	Indicators	Implementers	
1	Maintenance of Blue Flag and Green Coast infrastructure	Completed Infrastructure and retention of Blue flag status.	Lead Party	Role/Tasks
			Cape Agulhas Municipality	• Create a blue flag beach
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	Guidance and oversight in respect of reporting requirements
2	Blue Flag Beach five projects a year for cleaning	<ul style="list-style-type: none"> • Beach clean-up report • Collected waste to be linked to waste management 	Lead Party	Role/Tasks
			Cape Agulhas Municipality	• Clean blue flag beach
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	Guidance and oversight in respect of reporting requirements
#	Implementation strategies/projects	Indicators	Implementers	
3	Tidal pool repair at Agulhas	Repaired infrastructure report	Lead Party	Role/Tasks
			Cape Agulhas Municipality	• Repaired damaged infrastructure
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	To provide guidance and oversight where required to ensure consistency.
4	Bikini Beach Arniston access engineering	Repaired infrastructure report	Lead Party	Role/Tasks
			Cape Agulhas Municipality	• Implement repairs at the coast
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	Guidance and oversight in respect of reporting requirements
5	Groin Installations at Infanta (Completed)	Installation report	Lead Party	Role/Tasks
			Swellendam Municipality	• Implement repairs at Infanta
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	Guidance and oversight in respect of reporting requirements
6	Planned new public slipway on Erf 422 Malgas (Die Pont)	New associated infrastructure provided and report	Lead Party	Role/Tasks
			Swellendam Municipality	• Provide and install new infrastructure
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • DFFE • DEA&DP • ODM 	To provide guidance and oversight where required to ensure consistency

3.6. Priority Area 2 - Compliance and Enforcement

In keeping with the National CMP, certain compliance and enforcement of the aspects of the ICM Act are assigned to municipalities.



Issues Identified:

- Development of by-law for administration of MCMP
- Kelp Harvesting enforcement and compliance monitoring issues

#	Implementation strategies/projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Peace officer resident appointment Infanta	<ul style="list-style-type: none"> • Appointment of peace officers by municipality. • Peace Officers appointment certificates 	Swellendam Municipality	Facilitation of peace officers appointment.
			Supporting Parties <ul style="list-style-type: none"> • DFFE • DEA&DP • Cape Nature • SANParks 	Technical and advisory support.
#	Implementation strategies/projects	Indicators	Implementers	
2	Continuation of Lower Breede River Conservancy Trust services		Swellendam Municipality	Ensuring conformance to Service Level Agreement and execution of duties assigned to the Lower Breede River Conservancy Trust.
			Supporting Parties <ul style="list-style-type: none"> • DFFE • ODM • DEA&DP • Cape Nature • SANParks 	Technical and advisory support.

3.7. Priority Area 3 – Estuaries

Estuaries, which are under increasing pressure from human interference, modification and degradation, are considered amongst the most threatened ecosystems in the world. These sensitive, yet highly productive and diverse ecosystems, are of critical importance in the provision of ecological social and economic benefits in the ODM. This priority area focuses on the requirements of the National Estuarine Management Protocol which prioritises the development of estuary management plans.

Goal:

Support appropriate management and conservation of estuaries

OBJECTIVE 1: Develop and implement estuarine management plans for all estuaries

OBJECTIVE 2: Participate in existing estuarine management structures

3.7.1. Status of Estuary Management in the Overberg

Estuary	Estuary Management Plan	Mouth Management Plan	Estuary Advisory Forum
Breede River Estuary	Draft 2024	N/A	Yes
Klipdriftfontein Estuary	Yes 2023	None	None
Heuningnes Estuary	Yes 2023	Yes 2018	Yes
Ratel River Estuary	New plan	None	None
Uilkraal Estuary	Yes 2023	Yes 2018	Yes
Klein River Estuary	Yes 2023	Yes 2018	Yes
Onrus Estuary	Draft 2021	Yes 2018	Yes
Bot River Estuary	Yes 2023	Yes 2018	Yes
Palmiet Estuary	Yes 2023	None	None
Buffels River Estuary	Draft 2021	None	None
Rooi-Els Estuary	Draft 2021	None	None

3.7.2. Issues Identified:

- Outstanding Estuary Management Plans

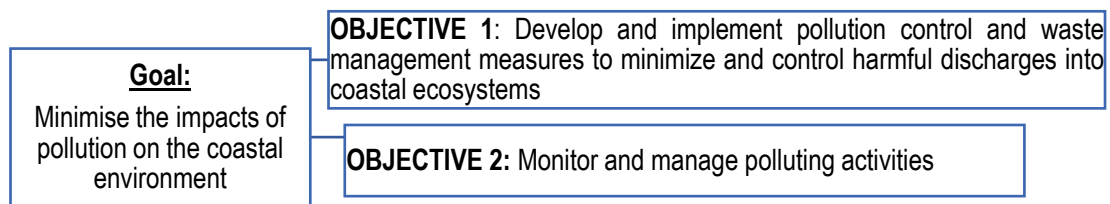
N	Implementation strategies/projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Coordinate development of outstanding estuary management plans by agencies designated in terms of the National Estuarine Protocol (CapeNature, DEA&DP, Local municipalities), including estuarine management structures	Approved and signed off Estuary Management Plans developed for all estuaries in ODM	<ul style="list-style-type: none"> Cape Nature Conservation/management authority 	<ul style="list-style-type: none"> Participate in Western Cape Estuary Management Framework development in respect of ODM estuaries Guidance and facilitation in respect of district-mandated issues, e.g. sanitation
			<ul style="list-style-type: none"> ODM Local Municipalities SANParks 	<ul style="list-style-type: none"> Facilitation where they are the management authority for the estuary in question Ongoing management of estuaries Support the implementation of approved Estuary Management Plans

3.7.3. Indicators

- EMP priority actions imbedded in IDPs, SDFs reflect estuary zonation
- Recreational Water Quality monitoring undertaken in estuaries
- Disaster Risk Management Plans include estuary related risks - flood management, etc.
- Awareness activities include estuary component

3.8. Priority Area 4 - Land and Marine-Based Sources of Pollution and Waste

Coastal areas are particularly vulnerable to the negative impacts of pollution, being the end or collection point in various solid and liquid waste streams. This pollution emanates from both the marine environment, because of shipping and commercial fishing activities, as well as from land-based sources, because of effluent discharges, urban stormwater and the ‘throw-away’ mentality that pervades our society. This priority area aims to minimise the impacts associated with pollution in the coastal environment by proposing and implementing appropriate pollution control and waste management measures.



3.8.1. Issues Identified:

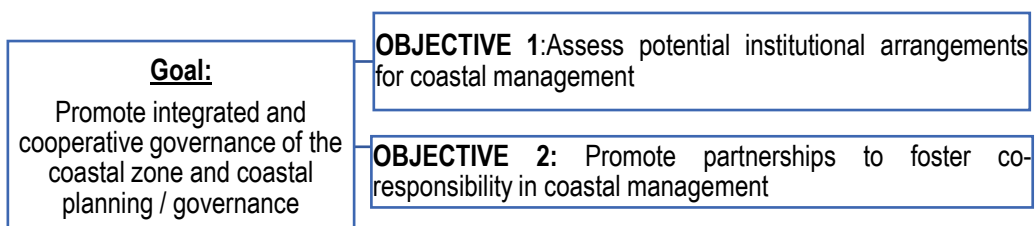
- Pollution from sewer systems
- Other sources of pollution
- Stormwater management
- Cleaning (waste disposal)

#	Implementation Strategies/Projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Maintenance and management of bulk wastewater treatment plant at Uilenkraalsmond	<ul style="list-style-type: none"> • Blue Drop status attained/retained 	ODM	<ul style="list-style-type: none"> • Take regular water quality monitoring samples
			Local municipalities Cape Nature	<ul style="list-style-type: none"> • Advisory role • Support water quality monitoring
			ODM	<ul style="list-style-type: none"> • Coordination of water quality monitoring at district level
2	Water quality monitoring (link to Environmental Health)	<ul style="list-style-type: none"> • Ongoing water quality monitoring for all LMs within ODM 	ODM	<ul style="list-style-type: none"> • Coordination of water quality monitoring at district level

#	Implementation Strategies/Projects	Indicators	Implementers	
	by-law), coordination and implementation of Waste Management Plans			<ul style="list-style-type: none"> Implementation of waste management plans
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> Local municipalities 	<ul style="list-style-type: none"> Water quality monitoring
3	Annual coastal clean-up (link with Working for the Coast)	<ul style="list-style-type: none"> Close out report Photographic evidence of event 	Lead Party	Role/Tasks
			ODM	<ul style="list-style-type: none"> Coordination of Coastal cleanup activities in September
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> Local municipalities DEADP DFFE Plastic SA 	<ul style="list-style-type: none"> Implement coastal cleanup activities. Procure promotional Items and Catering Budget. Procure Promotional items Provide plastic bags for the event

3.9. Priority Area 5 - Cooperative Governance and Local Government Support

Co-operative government and governance, mandated by the South African Constitution, is prescribed in the coastal environment by the ICM Act. The Act promotes stakeholder engagement and co-operation via the implementation of the provincial and municipal cross-sectoral, multi-actor CMPs and the formal cooperative governance structures established via the ICM Act, namely coastal management committees. Co-operative governance, in contrast to cooperative government, includes collaboration and partnerships between all forms of government and business, the private sector, research institutions and civil society (including traditional leadership).



3.9.1. Issues Identified

- Roles and responsibilities between B & C municipalities
- General lack of integrated coastal management/management structures
- Linkages with other CMPs and guidance from National and Provincial
- Inadequate Programme Budgeting
- Alignment with other plans, policies or programmes

- Identification of areas requiring special management and development of management strategies for these
- Disaster management

#	Implementation Strategies/Projects	Indicators	Implementers	
1	Formalise Municipal Coastal Committee	<ul style="list-style-type: none"> • Regular MCC meetings (quarterly) 	Lead Party	Role/Tasks
			ODM	<ul style="list-style-type: none"> • Secretariat • Chair meetings • Address actions arising from MCC meetings • Escalate issues to PCC as required
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • Local municipalities • DEA&DP • DFFE • Cape Nature • SANParks 	<ul style="list-style-type: none"> • Local municipalities to address assigned tasks arising from MCC • DEA&DP and DFFE to provide guidance on provincial and national issues
#	Implementation strategies/projects	Indicators	Implementers	
2	Supporting/assisting local municipalities in respect of coastal management functions including cooperative governance agreements/initiatives to address funding structures, areas of special management, etc.	<ul style="list-style-type: none"> • Municipal functions in respect of coastal management fulfilled throughout ODM 	Lead Party	Role/Tasks
			ODM	<ul style="list-style-type: none"> • Maintain relationship and co-operation between all spheres of government
			Supporting Parties	Role/Tasks
			<ul style="list-style-type: none"> • Local municipalities • DEA&DP • DFFE 	<ul style="list-style-type: none"> • Maintain relationship and co-operation between all spheres of government Liaison with ODM in respect of coastal management issues

3.10. Priority Area 6 - Climate Change, Dynamic Coastal Processes and Building Resilient Communities

The vulnerable and sensitive Overberg coastal zone is increasingly being threatened as a result of rising demands for development, the exploitation of resources and the effects of global climate change (e.g. flooding, sea level rise and increase in severe weather events). Resilience of both the environment and the communities living there is the focus of this priority area, which proposes that development is both properly planned and managed to avoid exposure to the significant risks associated with dynamic coastal processes. A uniform response is required to assessing and responding to coastal vulnerability as well as in respect to the rehabilitation of coastal areas.

Goal:

Promote resilience to the effects of dynamic coastal process and environmental hazards and natural disasters

OBJECTIVE 1: Promote coastal development and planning provides for the effects of climate change, natural hazards and dynamic coastal processes

OBJECTIVE 2: Encourage a uniform approach in dealing with existing infrastructure at risk and areas of coastal vulnerability

3.10.1. Issues Identified:

- Erosion
- Climate Change
- Mobile dune management
- Sustainable development
- Infrastructures and services
- Illegal developments
- Coastal management lines

#	Implementation Strategies/Projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Waenhuiskrans coastal erosion partnered with Cape Nature	<ul style="list-style-type: none"> • Coastal Erosion Management Plan and required Environmental Authorisations granted to proceed. 	<ul style="list-style-type: none"> • Cape Agulhas Municipality 	<ul style="list-style-type: none"> • Implement coastal erosion rehabilitation measures according to Environmental Management Legislative requirements.
			<ul style="list-style-type: none"> • DEA&DP • DFFE • ODM 	<ul style="list-style-type: none"> • Competent and Commenting Authorities.

3.11. Priority Area 7 - Natural Capital and Natural Resource Management

The ecosystem goods and services of the Overberg coastal zone contribute an enormous amount of tangible and intangible benefits to residents and visitors. These benefits cannot be measured in purely economic terms, and the protection, conservation and continued ecological functioning of this natural capital is an asset to the district beyond measure. It is thus critically important that the natural functioning of the coastal system and its resources be allowed to continue with minimum anthropogenic interference. Of particular conservation concern are environmental assets that promote sustainable livelihoods, which must be sustainably utilised, adequately protected and appropriately rehabilitated.

Goal:
Promote conservation of biodiversity, ecosystem function and the sustainable use of natural resources

OBJECTIVE 1: Maintain and promote a network of coastal protected areas

OBJECTIVE 2: Identify and rehabilitate damaged or degraded coastal ecosystems and habitats

3.11.1. Issues Identified:

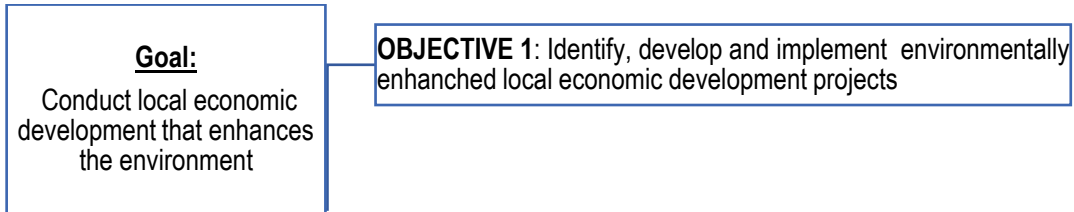
- Management of alien invasive species
- Protection of coastal and marine species, including bird breeding areas
- Conservation of biodiversity
- Estuarine management
- Scientific input into decision-making

#	Implementation strategies/projects	Indicators	Implementers	
1	Maintenance of fire breaks	• Photographic Evidence	Lead Party	Role/Tasks
			Cape Agulhas Municipality	Implementation of fire break repairs and maintenance
			Supporting Parties	Role/Tasks
			ODM	Advisory Role
2	Community clean-ups at Malgas, Swellendam and Infanta	• Photographic Evidence	Lead Party	Role/Tasks
			Swellendam Municipality	Facilitating the implementation of clean-up campaigns.
			Supporting Parties	Role/Tasks
			• ODM • DFFE	Advisory Role

#	Implementation Strategies/projects	Indicators	Implementers	
3	Implementing Beach Management Plans	• Feedback on implementation of management plans.	Lead Party	Role/Tasks
			Overstrand Municipality	• Implementation of management measures contained in plans.
			Supporting Parties	Role/Tasks
			• ODM • DFFE • DEA&DP	Advisory Role
4	Onrus Catchment to coast	• Feedback provided on rehabilitation measures at quarterly Steering Committee and MCC meetings.	Lead Party	Role/Tasks
			Overstrand Municipality	• Implementer
			Supporting Parties	Role/Tasks
			• ODM • Cape Nature • DFFE • DEA&DP	• Technical support and Guidance • Participate on the steering committee

3.12. Priority Area 8 - Social, Economic & Development Planning

A cornerstone of effective Integrated Coastal Management is the promotion of a balance between sustainable, viable and appropriate development and the protection of coastal resources/assets, including the natural, social and cultural environments. A focus on social upliftment and economic development and effective planning is critical in the continued fight to alleviate poverty and to generate sustainable livelihoods in the ODM.



3.12.1. Issues Identified:

- Inadequate development of tourism facilities and aqua culture construction.

#	Implementation strategies/projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Development of the Agulhas Lighthouse Precinct	• Completed building structure	Cape Agulhas Municipality	<ul style="list-style-type: none"> • Plan and implement the development • Align SDF accordingly.
			Supporting Parties	Role/Tasks
			SANParks	<ul style="list-style-type: none"> • Construct the development. • Maintenance of coastal tourism facility

3.13. Priority Area 9 – Education and Capacity Building

The recognition of the value of the coast, shared ownership of the coastal zone and accompanying shared responsibility and need to facilitate co-operation can only be effectively implemented if awareness is created and coastal managers and stakeholders are effectively trained. Applied training and capacity-building of coastal managers and other stakeholders as well as accessible and co-ordinated research are required to ensure effective co-operative governance and government under this Priority Area.

Goal:
Promote coastal awareness, education and training

OBJECTIVE 1: Promote public awareness about the coastal zone

3.13.1. Issues Identified:

- Signage
- Public Awareness

#	Implementation strategies/projects	Indicators	Implementers	
			Lead Party	Role/Tasks
1	Weekly social media environmental management awareness	52 Posters/Flyers a year	Swellendam Municipality	Design environmental education material
			Supporting Parties	
			• ODM	Share content on ODM website/Facebook page
2	Environmental Awareness school talk with Bontebok National Park	Environmental Awareness Report	Swellendam Municipality	Host Event
			Supporting Parties	
			SANParks	Liaison with schools and facilitating awareness campaign.
3	Marine Week Awareness	Environmental Awareness Report, Posters/Flyers.	Overberg District Municipality	Design environmental education material
			Supporting Parties	
			• DFFE	Share content on DFFE website/Facebook page

3.14. Action Plan Summary / Implementation Table

This section provides a summary of the Action Plan component in order to allow the ODM to prioritize the implementation aspect of the CMP at a glance.

Implementation strategies/projects	Priority Area	Year 1 2024 - 2025	Year 2 2025 - 2026	Year 3 2026 - 2027	Year 4 2027 - 2028	Year 5 2028 - 2029	Implementation %
Maintenance of Blue Flag and Green Coast infrastructure	1						
Blue Flag Beach five projects a year for cleaning	1						
Tidal pool repair at Agulhas	1						
Bikini Beach Arniston access engineering	1						

Implementation strategies/projects	Priority Area	Year 1 2024 - 2025	Year 2 2025 - 2026	Year 3 2026 - 2027	Year 4 2027 - 2028	Year 5 2028 - 2029	Implementation %
Groin Installations at Infanta	1	100%					100%
Planned new public slipway on Erf 442 Malgas	1						
Peace officer resident appointment Infanta	2						
Continuation of Lower Breede River Conservancy Trust services	2						
Coordinate development of outstanding estuary management plans by agencies designated in terms of the National Estuarine Protocol (CapeNature, DEA&DP, Local municipalities), including estuarine management structures	3						

Implementation strategies/projects	Priority Area	Year 1 2024 - 2025	Year 2 2025 - 2026	Year 3 2026 - 2027	Year 4 2027 - 2028	Year 5 2028 - 2029	% Completed
Maintenance and management of bulk sanitation infrastructure including wastewater treatment works and sea outfalls	4						
Water quality monitoring (link to Environmental Health by-law), coordination and implementation of Waste Management Plans	4						
Formalise municipal coastal committee	5						
Supporting/assisting local municipalities in respect of coastal management functions including cooperative governance agreements/initiatives to address funding structures, areas of special management, etc.	5						
Waenhuiskrans coastal erosion partnered with Cape Nature	6						
Maintenance of fire breaks	7						
Community clean-ups at Malgas, Swellendam and Infanta	7						
Implementing Beach Management Plans	7						
Onrus Catchment to coast	7						
Development of the Agulhas Lighthouse Precinct	8						

Implementation strategies/projects	Priority Area	Year 1 2024 - 2025	Year 2 2025 - 2026	Year 3 2026 - 2027	Year 4 2027 - 2028	Year 5 2028 - 2029	% Completed
Weekly social media environmental management awareness	9						
Environmental Awareness school talk with Bontebok National Park	9						
Marine Week Awareness	9						

CHAPTER 4: PROGRAMME REVIEW AND AMENDMENT

Following endorsement and acceptance of the updated CMP, it is recommended that the next substantive amendment occur five years after publication of this updated CMP, in compliance with the requirements of the ICM Act. It is suggested that ad hoc, minor amendments to the programme be made as and when needed and in consultation with the relevant role-players identified within this CMP.

CHAPTER 5: CONCLUSIONS

The development of the inaugural ODM CMP has followed the process as proposed in both the National CMP (DFFE, 2014) as well as the directives contained in the ICM Act for municipal CMPs. This CMP will stand as the primary policy directive for coastal management for the ODM to inform actions and activities in the identified coastal zone as well as those influencing the coastal zone. It also stands as the ODM's commitment to achieving the practical and tangible outcomes that have been identified in the development of this document. The CMP process is a cyclical process and is intended to be adapted as and when amendments are required and updates need to be incorporated, through discussions and debate within the municipal coastal committee and within the internal structures of the ODM.

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