

# INTEGRATED COASTAL MANAGEMENT BILL

- » *“The coast contributes 35% of the country’s GDP”*
- » *World-wide 60% of the population resides along coast*
- » *There are challenges along the coast not adequately dealt with in the past which this Bill seeks to address*
- » *Bill sets a new approach to managing coastal resources to promote social equity and best economic use, while protecting the environment*
  - *Integrated management of the coastal zone*
  - *Framework for management of activities in the coastal zone*



# THE CHALLENGES

## ***“Coastal processes ignored”***

- » *Natural coastal processes (wind, waves, currents) results in sediment movement, eg erosion, wind-blown sand, along the coast*
- » *Climate change/sea level rise*
- » *Planning and developments did not adequately consider these processes in the past e.g.:*
  - *Erosion along coast e.g. at Langebaan & St Francis*
  - *Storm damage along KZN coast*
  - *Wind-blown sand*



# STORM DAMAGE KZN NORTH COAST



# STORM DAMAGE KZN NORTH COAST



# STORM DAMAGE MARGATE KZN



# WIND-BLOWN SAND WITSAND WC



# DEVELOPMENT BELOW 1: 50 YR FLOOD LINE: SOUTHERN CAPE



# THE SOLUTIONS

## ***“Coastal process considered”***

*Bill:*

» *Requires that planning and EIA's take coastal processes into account, e.g.*

- *Sea level rise*
- *Erosion-prone coasts*
- *Flood plains*
- *Wind-blown sand*

» *Mechanisms employed by Bill includes:*

- *Demarcation of coast (see diagramme)*
- *Adjust zone boundaries according to sensitivities of coast (not private property boundaries)*
- *Set-back lines*
- *Control of certain activities via stricter EIA's*



**environment & tourism**

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# THE CHALLENGES

## *“Coastal access denied”*

- » *Limited access to the coast caused by*
  - *Farm land*
  - *Property developments, e.g. golf estates*
  - *Mining areas*
  - *Residential owners “closing” existing access servitudes*



# ACCESS DENIED



# THE SOLUTIONS

## *“Improve access to coast”*

*Bill:*

- *Ensures existing access points and access strips over land (servitudes) are reinstated*
- *Requires Municipalities to demarcate access land, sign-post access points and properly maintain*
  - *To coast*
  - *Along coast (e.g. over cliff-top)*
- *Enables expropriation, only if:*
  - *Owner refuse to allow access strip (servitude)*
  - *No existing access in general area*



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# ACCESS PROVIDED OVER STATE LAND, PE, EASTERN CAPE (SPWP)



# POLLUTION, CAPE TOWN WC



Cape Town, Western Cape

# THE CHALLENGES

## ***“Pollution not adequately controlled”***

- » *Pollution challenges stem from discharge of untreated and/or inadequately treated waste water into:*
  - *Sensitive coastal areas*
  - *Predominantly near-shore areas*
- » *Inadequate control over incineration & dumping at sea*
- » *Impact on environment, tourism, health and development (e.g. aquaculture)*



# FISH FACTORY OUTFALL, WC



Western Cape

# THE SOLUTIONS

## *“Control pollution”*

Bill:

- » Requires all existing waste disposal pipelines (sea outfalls) to be assessed
- » Requires strict control over new sea outfalls, e.g.
  - Sewage and industrial outfalls
  - Fish factories
  - Aquaculture outlets
- » Clarifies roles of DEAT and DWAF in pollution management
- » Aligns legislation with international best practice, e.g.
  - Dumping at sea
  - Prohibiting incineration



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# THE CHALLENGES

## ***“Planning & decision-making fragmented”***

- » *Planning and decision-making has been sectoral, e.g.:*
  - *Sewage or bloody water outfalls constructed next to hotels and Blue Flag beaches*
  - *Development allowed in flood-prone areas (Mercedes Benz picture)*
  - *Development allowed in areas subject to coastal erosion (KZN Coast pictures)*
- » *Planning usually stops at the high water mark*

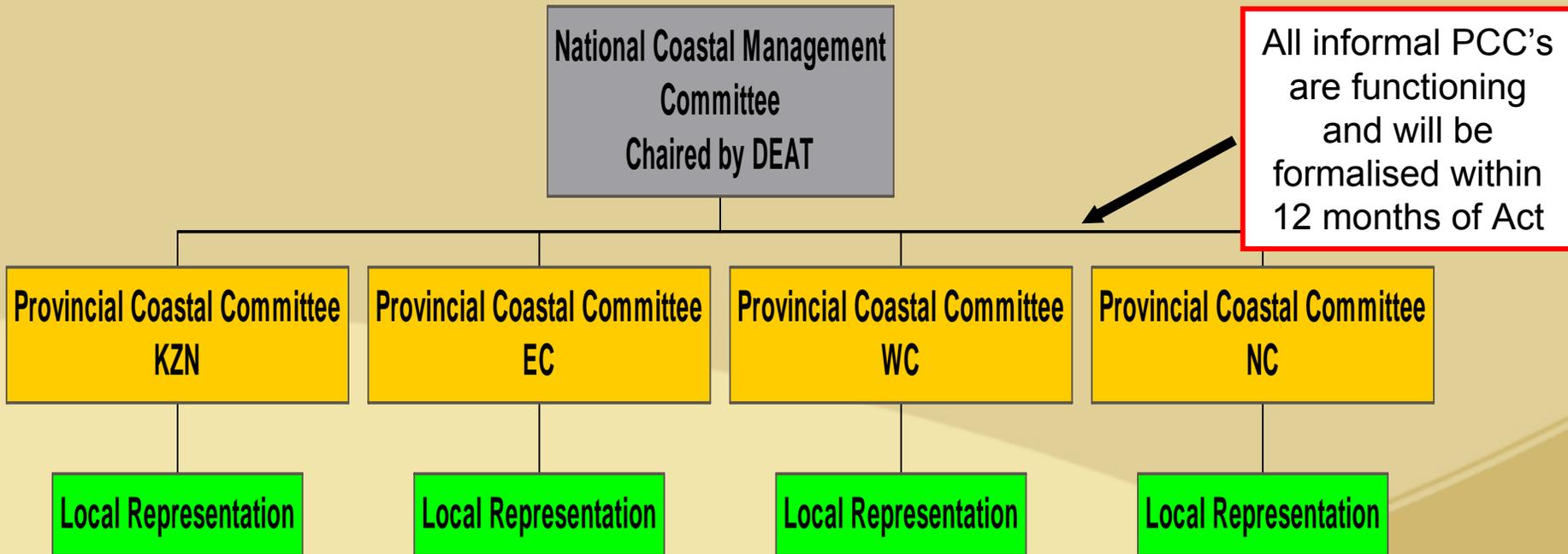


# THE SOLUTIONS

## “Integrated planning & decision-making”

*Bill:*

- » *Creates an integrated (non-sectoral) institutional framework*
- » *Wide representivity*



All informal PCC's are functioning and will be formalised within 12 months of Act

Some informal regional and local CC's are already functioning



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# THE SOLUTIONS

## *“Integrated planning & decision-making”*

BILL REQUIRES COASTAL MANAGEMENT PROGRAMMES

NATIONAL  
COASTAL MANAGEMENT PROGRAMME



PROVINCIAL COASTAL  
MANAGEMENT PROGRAMMES



MUNICIPAL COASTAL  
MANAGEMENT PROGRAMMES

Wide participation results in agreement on e.g.:

- Common vision
- Objectives
- Priorities
- Strategies
- Norms and standards
- Indicators



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# THE CHALLENGES

## ***“Inadequate control over activities affecting the coast”***

- » Activities along coast causes environmental damage, e.g.
  - Damage to dunes
  - Agricultural activities, e.g.
    - Clearing of land/indigenous vegetation
    - Draining of wetlands
    - Abstraction of water affecting estuaries
- » Development activities along the coast not properly managed (EIA’s focus too narrow) e.g.
  - Erecting structures and infrastructure in inappropriate areas, e.g.
    - Sea walls, harbours and piers
    - Car parks and access roads
    - Resorts





environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# CHAPTER -SPECIFIC KEY ISSUES

## Chapter 1: Objectives and application of the Act

- » Minor amendments of definitions; new ones added to ensure proper alignment with impacting legislation
  - Eg NEMA and Biodiversity Act

## Chapter 2: Coastal zones

- » Preconditions for the extension of coastal public property made less restrictive (s8)
- » Movement of high water mark in relation to property boundaries clarified to address misconceptions of expropriation (s14)
- » “Buffer Zone” renamed to “protection zone” - buffer zone perceived negatively
- » Composition of the protection zone was redrafted to align it with land-use planning terminology (s16)



# CHAPTER- SPECIFIC KEY ISSUES

## Chapter 3: Boundaries of coastal areas

- » Two zones are created:
  - “Coastal public property” – state land along the coast, the beach, estuaries and seas
  - “Coastal protection zone” – 100 m wide in urban and 1000m wide in rural areas
- » The “Coastal protection zone’s” inland boundary can be adjusted to:
  - Make it narrower in non-sensitive areas
  - Make it wider in sensitive areas
- » The “coastal public property” and the “coastal protection zone” **do not affect:**
  - **Existing property rights**
  - **Provincial, municipal, cadastral, or other legally recognized boundaries**
  - **Powers of any organ of state to dispose of land**
- » Whether provincial, municipal or private, the Bill seeks to regulate activities with potential adverse environmental impacts



# CHAPTER -SPECIFIC KEY ISSUES

## Chapter 4: Estuaries

- » Aims to facilitate effective management of all estuaries e.g.
  - Estuarine Management Protocol to be jointly implemented by the Minister and the Minister responsible for water affairs
  - No changes were made to this chapter.

## Chapter 5: Institutional arrangements

- » New Part 4 empowers municipalities to establish municipal coastal committees (s40)

## Chapter 6: Coastal management programmes

- » Time frame for production of national coastal management programme reduced from six to four years
- » Section on zoning amended to clarify the purpose of a coastal zoning scheme (s56), e.g.:
  - Areas subject to coastal erosion and vulnerable to sea storms, as well as inland areas subject to flooding (below 1: 50 year flood line) should be identified and not be zoned for residential purposes
  - Zoning can now also occur below the high water mark e.g. identify areas for surfing only



# CHAPTER- SPECIFIC KEY ISSUES

## Chapter 7: Protection of coastal resources

- » Amended to reduce overlap and to streamline processes
  - EIA for coastal activities will be done under NEMA
    - Single authorization
    - No more special permits or coastal use permits
  - Provision for integrated permitting elevated to NEMA

## Chapter 8: Marine and coastal pollution

- » Amended to clarify roles of DEAT and DWAF in pollution management



# CHAPTER- SPECIFIC KEY ISSUES

## Chapter 9: Appeals

- » Amended to exclude appeal panels

## Chapters 10, 11 and 12: Enforcement, General Powers and Duties and Miscellaneous matters

- » Only minor amendments and consequential amendments were made



environment & tourism

Department:  
Environmental Affairs and Tourism  
REPUBLIC OF SOUTH AFRICA

# GOOD EXAMPLE OF DEVELOPMENT LAYOUT, NATURES VALLEY WC



**Thank You**

