



**Western Cape
Government**
Environmental Affairs and
Development Planning

Development and Refinement of the Coastal Management/Set-back Lines for the Overberg District

Stakeholder Engagement Process Report

Final

April 2015

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Authors:

Rafeeqah Kamish Alexander, Gerard van Weele and Tasneem Collins

Acknowledgements:

Western Cape Government Environmental Affairs & Development Planning

Directorate: Spatial Planning and Coastal Impact Management

Sub-Directorate: Coastal Impact Management

Email: coastal.enquiries@westerncape.gov.za

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Compiled by: Royal HaskoningDHV

TABLE OF CONTENTS

1	PROJECT DESCRIPTION	1
2	OVERALL APPROACH	1
2.1	PROJECT OVERVIEW	1
2.2	PROJECT STEERING COMMITTEE	2
3	STAKEHOLDER ENGAGEMENT	4
3.1	PROJECT INCEPTION AND PUBLIC NOTIFICATION: STAKEHOLDER ENGAGEMENT #1	4
3.1.1	Stakeholder Database	4
3.1.2	Notice of Project Commencement	4
3.2	STAKEHOLDER CONSULTATION AND PUBLIC MEETINGS: STAKEHOLDER ENGAGEMENT #2	8
3.2.1	Notification of Stakeholder Engagement Meetings via email	8
3.2.2	Notification of Stakeholder Engagement Meetings via newspaper advertisements	10
3.2.3	Distribution of Relevant Material	10
3.2.4	Public Meetings	10
3.3	STAKEHOLDER CONSULTATION AND PUBLIC MEETINGS: STAKEHOLDER ENGAGEMENT #3	12
4	ANNEXURE: COMMENTS AND RESPONSES TABLE – ROUND 1 (FEBRUARY TO MARCH)	13
5	ANNEXURE: COMMENTS AND RESPONSES TABLE – ROUND 2 (APRIL)	24

TABLE OF FIGURES

Figure 1: Project Phases	1
Figure 2: Afrikaans text of the initial stakeholder notification	5
Figure 3: English text of the initial stakeholder notification	6
Figure 4: Copy of flyers posted to stakeholders	7
Figure 5: Screenshot of email sent to stakeholders	9

LIST OF TABLES

Table 1: Final PSC Members	2
Table 2: PSC meeting dates and locations	3
Table 3: Stakeholder Engagement Process	4
Table 4: Names and dates of the Local Newspapers the advertisement were placed in	10
Table 5: Venues of Public Meetings	11
Table 6: Stakeholder Engagement Issues Trail Round 1	14

ABBREVIATIONS

BID	Background Information Document
CML	Coastal Management Line
DEADP	Western Cape Government Provincial Department of Environmental Affairs and Development Planning
I&AP	Interested and Affected Party
OD	Overberg District
ODM	Overberg District Municipality
PSC	Project Steering Committee
WCG	Western Cape Government's Department of Environmental Affairs & Development Planning

1 PROJECT DESCRIPTION

Royal HaskoningDHV was appointed by the Western Cape Government Provincial Department of Environmental Affairs and Development Planning (DEADP) to develop and refine the Coastal Management Lines (formerly Coastal Set-back Lines) for the Overberg District. The revision of the lines comes in light of the success of establishing the Coastal Management Lines (CML) for West Coast District, and concludes the process started in the Overberg in 2011.

The municipal boundary of the Overberg District Municipality (ODM) was the study area of this project and is located between Rooi-Els to the west and Cape Infanta to the east. The Overberg District comprises of three coastal local municipalities / authorities, namely Cape Agulhas, Overstrand and Swellendam Municipalities. This project determined the CML for the Overberg District as well as the three risk zones based on a combination of expert scientific contributions and studies as well as local knowledge obtained from stakeholders and the general public.

2 OVERALL APPROACH

2.1 Project Overview

This project involved 3 main phases namely: Project Inception, Preparation of a draft CML and Project Finalisation (Figure 1). Note that the phases where stakeholder engagement took place are illustrated in red. Process related aspects are displayed in blue.

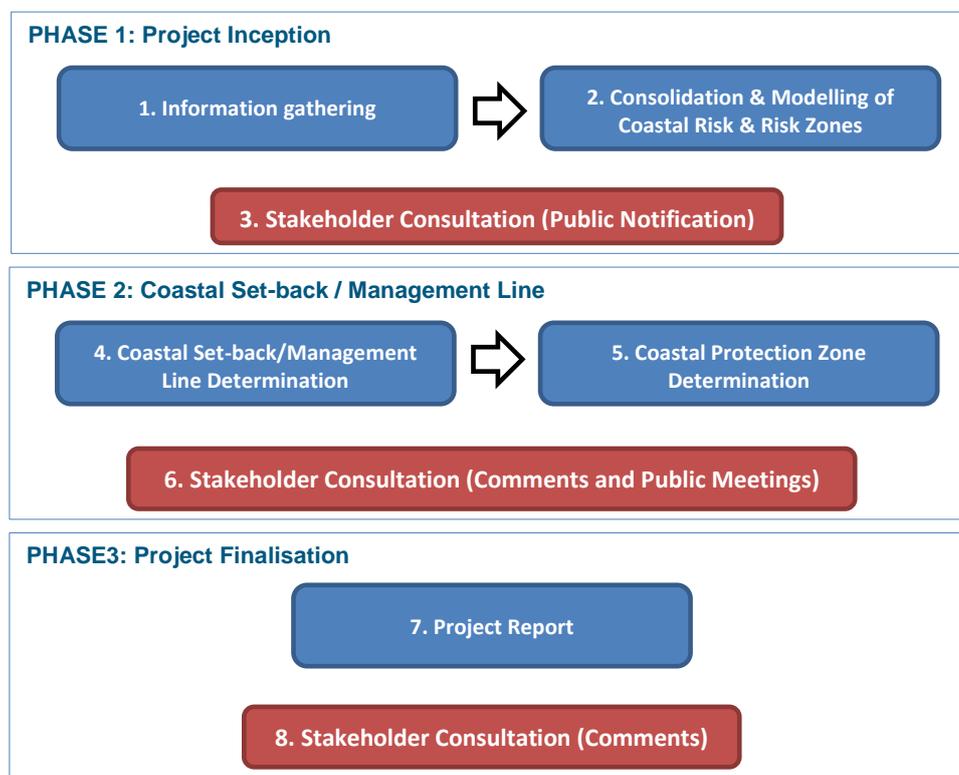


Figure 1: Project Phases

2.2 Project Steering Committee

The dynamic nature of the project required the establishment of a Project Steering Committee (PSC). Engagement with DEADP and an established Project Steering Committee (PSC) provided project management guidance as well as high level stakeholder input and continual guidance in the determination of the CML.

The development of the PSC involved DEADP sending nomination letters to various relevant organisations as well as national, provincial and local government departments, requesting that a representative be involved with the project. The organisations / departments invited included:

- National Department of Environmental Affairs: Oceans and Coasts
- National Department of Public Works: Cape Town Regional Office
- National Department of Water and Sanitation: Resource Protection
- Overberg District Municipality
- Cape Agulhas Municipality
- Overstrand Municipality
- Swellendam Municipality
- CapeNature
- South African Local Government Association
- South African National Biodiversity Institute
- South African National Parks: Planning and Development Conservation Services

Table 1 provides a list of the final PSC members from the various organisations and government departments.

Table 1: Final PSC Members

Organisation / Department	Representative
National Department of Environmental Affairs: Oceans and Coasts	Tshepiso Monnakgotla
	Lauren Williams
Department of Environmental Affairs and Development Planning: Coastal Impact Management	leptieshaam Bekko
	Caren George
Department of Environmental Affairs and Development Planning: Development Management Region 1	Eldon Van Boom
	Adrian Petersen
Department of Environmental Affairs and Development Planning: Climate Change	Goosain Isaacs
Department of Environmental Affairs and Development Planning: Spatial Planning	Jeanine Africa

Organisation / Department	Representative
Department of Environmental Affairs and Development Planning: Biodiversity and Coastal Management	Mellisa Naiker
Overberg District Municipality	Francois Kotze
Cape Agulhas Municipality	Bertus Hayward
Overstrand Municipality	Haneen van der Stoep
	Liezl Bezuidenhout
	Penelope Aplon
Royal HaskoningDHV	Gerard Van Weele
	Tandi Breetzke
	Rafeeqah Kamish-Alexander

The PSC committee met three times during the course of the five month project. Additionally, a two-day long workshop was convened with most of the PSC members present in order to discuss a draft CML, and *ad hoc* project team meetings took place. A list of the locations and times of the PSC engagements are reflected in Table 2.

Table 2: PSC meeting dates and locations

Project Phase	PSC Meeting Date	Location
2014		
PSC Meeting Number 1: Status Quo	1 st December 2014	RHDHV Office Cape Town
2015		
CML Workshop	21 st January 2015	Overstrand Municipality Offices
	22 nd January 2015	RHDHV Office Cape Town
PSC Meeting Number 2: Progress update	17 th February 2015	RHDHV Office Cape Town
PSC Meeting Number 3: Project Finalisation	27 th March 2015	RHDHV Office Cape Town

3 STAKEHOLDER ENGAGEMENT

This section of the report outlines the process followed in engaging with the public for each phase of the project i.e. red highlighted phases as per Figure 1. Three rounds of public engagement and a series of public meetings were held during this project.

Please note that questions and comments were received throughout the project, and these, along with responses, are provided as an annexure to this report.

Table 3: Stakeholder Engagement Process

Phase	Description
Phase 1: Project Inception	<ul style="list-style-type: none">• Public Notification;• Authority Notification;• Compilation and maintenance of a stakeholder database.
Phase 2: CML	<ul style="list-style-type: none">• Public Notification;• Authority Notification;• Public review of Draft CML;• Availability of Draft CML Reports;• Four Public Meetings (2nd - 5th March 2015);• Authority consultation;• Compilation and maintenance of an Issues & Response table.
Phase 3: Project Finalisation	<ul style="list-style-type: none">• Public Notification;• Authority Notification;• Public review of Final Draft Report

3.1 Project Inception and Public Notification: Stakeholder Engagement #1

The main objectives of the first stakeholder engagement process were to notify and inform the public about the development and refinement of the CML for the Overberg District and update as well as maintain an existing stakeholder database.

3.1.1 Stakeholder Database

An existing stakeholder database was obtained from the various municipalities and was maintained throughout the duration of the project.

3.1.2 Notice of Project Commencement

Stakeholders were notified about the project via electronic mail (e-mail) as well as posted mail. Emails were sent to the stakeholders on 1st December 2014. The content of the email can be viewed in Figure 2 and Figure 3, and this was supported with an attached background information document that was released simultaneously as a media statement.

Die Wes-Kaapse Regering, Departement van Omgewingsake en Ontwikkelingsbeplanning (DEADP), die verantwoordelike owerheid vir die implementering van Artikel 25 van die Nasionale Omgewingsbestuur: Wet op Geïntegreerde Kusbestuur, 2008 (Wet No. 24 van 2008) ("ICM Wet") soos gewysig, het as 'n provinsiale loodsprojek, kus terugsetlyne (nou bekend as kusbestuurslyne soos per die ICM Wysigingswet) vir die Overberg-distrik in 2011 ontwikkel. Die terugsetlyne was bedoel om onsensitiewe, onvanpaste en onvolhoubare ontwikkeling in sensitiewe kusomgewings te reguleer en te verhoed, sodat openbare veiligheid en belange verseker kan word en om die risiko's te verminder wat klimaatsverandering en die dinamiese kusprosesse wat plaasvind, meebring. Sekere praktiese struikelblokke het egter die effektiewe promulgering van die bestuurslyne en verwante konsep regulasies verhoed, voordat die volledige projek gefinaliseer kon word.

Daaropvolgend, het die Provinsiale owerheid 'n soortgelyke projek in die Weskus Distriksmunisipaliteit uitgevoer. Tydens hierdie projek is die metode wat vir die bepaling van kusbestuurslyne gebruik was, verfyn. Die bedoeling van die Overberg verfyningsprojek is om nou die ervaring van die Weskus-projek in die afhandeling van die ontwikkeling van kusbestuurslyne langs die kuslyn van die Overberg Distriksmunisipaliteit te gebruik. Hierdie proses om die bestuurslyne vir die Overberg Distrik te finaliseer, sal meer inligting met betrekking tot kus risiko's verskaf wat tydens toekomstige ontwikkelingsbeplanning in ag geneem moet word en ook die vrese van grondeienaars, grondontwikkelaars en die algemene publiek, dat die bestuurslyne bestaande regte gaan aantast, besweer.

Alle direk geaffekteerde belanghebbendes of geïnteresseerde partye en verteenwoordigende groepe word aangemoedig om op die projekdatabasis te registreer. Belanghebbendes sal direk gekontak word en insig in die afbakeningsproses, sowel as 'n geleentheid gegee word om aan die finale bepaling van die terugsetlyne deel te neem. Openbare forums sal gedurende Februarie en Maart 2015 gehou word en kennisgewings in hierdie verband sal in die plaaslike media geplaas en aan alle geïnteresseerde en geaffekteerde partye en geaffekteerde partye soos deur die projekspan identifiseer of wat belangstelling in die projek aangedui het, gestuur.

Openbare betrokkenheid en bydraes is welkom.

Om op die projek belangegroep databasis te registreer of om verdere inligting te bekom, kontak asseblief:

Tasneem Steenkamp
Posbus 5195
Tygervallei, 7536
021 936 7694 (t)
021 936 7610 (f)
overbergCML@rhdhv.com

Caren George
021 483 2724 (t)
021 483 8326 (f)
coastal.enquiries@westerncape.gov.za

Figure 2: Afrikaans text of the initial stakeholder notification

As a provincial pilot project, the Western Cape Government Department of Environmental Affairs and Development Planning (DEADP), the responsible authority for the implementation of Section 25 of National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act") as amended developed coastal set-back lines (now known as coastal management lines as per the ICM Amendment Act) for the Overberg District in 2011. The lines were intended to be used to regulate and prevent insensitive, inappropriate and unsustainable development from taking place in sensitive coastal environments, to ensure public safety and public interests and to reduce the risks posed by climate change and the dynamic coastal processes that are taking place. However, certain practical obstacles to the effective promulgation of the lines and associated draft regulations prevented full project finalisation.

Subsequently, the Provincial authority carried out a similar project in the West Coast District. During this project the methodology for delineating coastal management lines was refined. The intention of this Overberg refinement project is to now use the experience gained from the West Coast project to conclude the development of coastal management lines along the coastline of the Overberg District. This process of finalising the management lines for the Overberg District will provide more information with regards to the coastal risks to be considered during future development planning and also allay fears from landowners, land developers and the general public alike that the management lines will impact on existing rights.

All directly affected stakeholders or interested parties and representative groups are encouraged to register on the project stakeholder database. Stakeholders will be contacted directly and offered insight into the demarcation process as well as the opportunity to participate in the final delineation of the coastal management lines. Open forums will be held during February and March 2015, and notifications in this regard will be placed in the local media and forwarded to all interested and affected parties identified by the project team or who have indicated their interest in the project.

Public involvement and contribution are welcomed.

To register on the project stakeholder database or request further information, please contact:

Tasneem Steenkamp
P O Box 5195
Tyger Valley, 7536
021 936 7694 (t)
021 936 7610 (f)

overbergCML@rhdhv.com

Caren George
021 483 2724 (t)
021 483 8326 (f)

coastal.enquiries@westerncape.gov.za

Figure 3: English text of the initial stakeholder notification

Additionally, information sheets ('flyers') in both Afrikaans and English were distributed to all urban areas in the Overstrand area, and letters or flyers were sent to postal addresses for landowners in the affected areas obtained from the Swellendam and Cape Agulhas Municipalities. The content of the flyers are illustrated by Figure 4.

REFINEMENT OF THE COASTAL MANAGEMENT LINES FOR THE OVERBERG DISTRICT

As a pilot project, the **Western Cape Government Department of Environmental Affairs and Development Planning (DEADP)** developed coastal set-back lines (now known as coastal management lines) for the Overberg District in 2011. The lines were intended to be used to regulate and prevent insensitive, inappropriate and unsustainable development from taking place in sensitive coastal environments, to ensure public safety and public interests and to reduce the risks posed by climate change and the dynamic coastal processes that are taking place.

Certain practical obstacles to the effective promulgation of the lines and associated draft regulations, however, prevented full project finalisation. DEADP subsequently carried out a similar project in the West Coast District and refined the methodology for delineating coastal management lines.

This Overberg refinement project now aims to use the experience gained from the West Coast project to conclude the development of coastal management lines along the Overberg coastline.

The project will provide more information with regards to the coastal risks to be considered during future development planning and also allay fears from landowners, land developers and the general public alike that the management lines will impact on existing rights. The DEADP has appointed **Royal HaskoningDHV** to assist with the refinement of the coastal management lines.

All directly affected stakeholders or interested parties and representative groups are encouraged to register on the project stakeholder database. Stakeholders will be contacted directly and offered insight into the demarcation process as well as the opportunity to participate in the final delineation of the coastal management lines.

Public involvement and contribution are welcomed.

To register on the project stakeholder database or request further information, please contact:

Tasneem Steenkamp
P O Box 5195
Tyger Valley, 7536
021 936 7694 (t)
overbergCML@rhdhv.com

Caren George
021 483 2724 (t)
021 483 8326 (f)
coastal.enquiries@westerncape.gov.za



Western Cape
Government
Environmental Affairs &
Development Planning

BETTER TOGETHER.

VERFYNING VAN DIE KUSBESTUURSLYNE VIR DIE OVERBERG DISTRIK

Die **Wes-Kaapse Regering, Departement van Omgewingsake en Ontwikkelingsbeplanning (DEADP)**, het as 'n loodsprojek in 2011 kus terugsetlyne (nou bekend as kusbestuurslyne) vir die Overberg-distrik ontwikkel. Die terugsetlyne was bedoel om onsensitiewe, onvanpaste en onvolhoubare ontwikkeling in sensitiewe kusomgewings te reguleer en te verhoed, om openbare veiligheid en belange te verseker en om die risiko's wat klimaatsverandering en dinamiese kusprosesse meebring, te verminder.

Sekere praktiese struikelblokke rondom die promulgering van die bestuurslyne en verwante konsep regulasies het egter die finalisering van die projek verhoed. Daaropvolgend het DEADP 'n soortgelyke projek in die Weskus Distriksmunisipaliteit uitgevoer en die metode vir die bepaling van kusbestuurslyne verfyn. Die Overberg verfyningprojek stel dit ten doel om die ervaring van die Weskus-projek te gebruik om die ontwikkeling van kusbestuurslyne vir die Overberg kuslyn te voltooi.

Hierdie proses om die bestuurslyne vir die Overberg Distrik te finaliseer, sal meer inligting met betrekking tot kusrisiko's verskaf wat tydens toekomstige ontwikkelingsbeplanning in ag geneem moet word en ook die vrese van grondeienaars, grondontwikkelaars en die algemene publiek, dat die bestuurslyne bestaande regte gaan aantast aanspreek. DEADP het **Royal HaskoningDHV** aangestel om met die verfyning van die kusbestuurslyne te help.

Alle belanghebbendes of geïnteresseerde partye en verteenwoordigende groepe word aangemoedig om op die projekdatabasis te registreer. Belanghebbendes sal direk gekontak word ter insae in die afbakeningsproses, en sal ook 'n geleentheid om aan die finale bepaling van die terugsetlyne deel te neem, gegun word.

Openbare betrokkenheid en bydraes is welkom.

Om op die projek belangegroep databasis te registreer of om verdere inligting te bekom, kontak asseblief:

Tasneem Steenkamp
Posbus 5195
Tygervallei, 7536
021 936 7694 (t)
overbergCML@rhdhv.com

Caren George
021 483 2724 (t)
021 483 8326 (f)
coastal.enquiries@westerncape.gov.za



Wes-Kaapse
Regering
Omgewingsake &
Ontwikkelingsbeplanning

BETER TESAME.

Figure 4: Copy of flyers posted to stakeholders

3.2 Stakeholder Consultation and Public Meetings: Stakeholder Engagement #2

The second stakeholder engagement process focussed on the proposed CML and associated risk zones. A draft report was made available to the public for comment, as well as the draft CML and risk zones for viewing on the Google Earth™ platform. On special request, selected printed maps and a simple GIS viewer with the electronic maps were placed at the Kleinmond library.

3.2.1 Notification of Stakeholder Engagement Meetings via email

All stakeholders on the database were e-mailed a notification of the date, time and venue of the stakeholder engagement meetings and where to find information on the project.

All relevant authorities, including all three spheres of government, were notified via e-mail on 20 February 2015. Consultation with and the buy-in of the three affected Local Municipalities was deemed critical to the success of the project and was therefore actively sought. Figure 5 illustrates the content of the email.



PUBLIC MEETINGS: REFINEMENT OF OVERBERG COASTAL MANAGEMENT (SETBACK) LINES

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEADP), with the support of Royal HaskoningDHV, are refining the Coastal Management (Setback) Lines which were developed in 2011/12 for the Overberg District. Coastal Management (Setback) Lines along with coastal risk/overlay zones will be used to inform development planning and be integrated into local and regional planning schemes.

All interested and affected parties are invited to review and comment on the draft Coastal Management (Setback) Lines and associated information, including a technical report. The review period will extend from 20 February up until 19 March 2015.

The draft Coastal Management Lines will be presented at public meetings for public discussion. These public meetings will be held on the following dates and times:

Mon, 2 March	Struisbaai Library	17:00 – 19:00
Tues, 3 March	Kleinmond Town Hall	17:00 - 19:00
Wed, 4 March	Hermanus Femkloof Hall	17:00 - 19:00
Thurs, 5 March	Gansbaai Blompark Community Hall	17:00 - 19:00

All are welcome to attend these meetings.

Stakeholders can request to be registered on the project stakeholder database (if they are not already registered) or request further information from Tasneem Steenkamp 021 936 7694 (t) overbergCML@rhdhv.com or Caren George 021 483 2724 (t) coastal.enquiries@westerncape.co.za.

Additional information can be found on the Royal HaskoningDHV website at this location: <http://www.rhdhv.co.za/pages/services/environmental/cument-projects.php>

The available information includes:

- Draft project report
- Coastal protection zone (CPI)
- Coastal Management Lines (CML)
- Development Islands
- 100 m reference

1

- 1km reference
- Risk projections for 20years, 50years and 100years (only available from Monday, 23 Feb. 2015)
- Overlay zones (only available from Monday, 23 Feb. 2015)

Please ensure that everything except the report is viewed in Google Earth. If you do not have Google Earth installed on your computer, you will need to install it first. It is a free software which can be found easily using a Google search.

Kind regards

Tasneem Steenkamp (nee Collins)
Senior Environmental Consultant

T +27 (0)21 9367600 | D +27 (0)21 9367694 | M / | E tasneem.steenkamp@rhdhv.com | W www.rhdhv.co.za
Royal HaskoningDHV (Pty) Ltd trading as Royal HaskoningDHV | Reg No. 1966/001919/07
Royal HaskoningDHV House, Tygerberg Office Park, 163 Lys Krige Drive, Plattakloof, 7500
PO Box 5195, Tyger Valley, 7535, Western Cape, South Africa

Figure 5: Screenshot of email sent to stakeholders

3.2.2 Notification of Stakeholder Engagement Meetings via newspaper advertisements

The dates, times and venues of the stakeholder engagement meetings were placed by DEADP in three local newspapers in both English and Afrikaans. The names of the newspapers and dates of the meetings are illustrated in Table 4.

Table 4: Names and dates of the Local Newspapers the advertisement were placed in

Newspaper Name	Language	Date Advertised
Hermanus Times	English	26 th January 2014
	Afrikaans	
Theewaterskloof Gazette	English	24 th January 2014
	Afrikaans	
Langeberg Bulletin	English	27 th January 2014
	Afrikaans	

All adverts included a further invitation to the public to register as an I&AP, as well as where to find additional information on the project.

3.2.3 Distribution of Relevant Material

The draft report on the CMLs and Risk Zones of the project were made available to all registered I&AP's for a comment period of 30 calendar days.

The following information was provided on the WCG website and RHDHV's website:

- Draft Project Report
- Draft CML
- Draft Coastal protection zone (CPZ)
- Draft Development Islands
- 100 m reference line
- 1km reference line
- 5m and 10m contours around estuaries
- Risk projections for 20years, 50years and 100years (only available from Tuesday, 24 Feb. 2015)
- Overlay zones (only available from Tuesday, 24 Feb. 2015)

3.2.4 Public Meetings

Four (4) public meetings were held during this phase of the project. The purpose of these meetings was to:

- Communicate the purpose of the project;
- Communicate the revised CML and associated Risk Zones;
- Obtain comments from the stakeholders to further refine the CML; and
- Source suggestions on how the CML can or should be used to manage development.

The towns and venues in which the meetings were held and the respective dates and times are listed in the table below.

Table 5: Venues of Public Meetings

Town	Venue	Date	Time
Struisbaai	Struisbaai Library c/o 1 st and Deining Street Struisbaai	Monday 2 nd March 2015	17h00 – 19h00
Kleinmond	Kleinmond Town Hall Main Road Kleinmond	Tuesday 3 rd March 2015	17h00 – 19h00
Hermanus	Fernkloof Hall Fernkloof Nature Reserve Fir Avenue Hermanus	Wednesday 4 th March 2015	17h00 – 19h00
Gansbaai	Gansbaai Blompark Community Hall Great White Junction Kapokblom Street Gansbaai	Thursday 5 th March 2015	17h00 – 19h00

Further direct engagements involved the:

- Lower Breede Conservancy Trust
- Uilkraal Estuary Management Forum
- Bot River Estuary Forum
- Klein River Estuary Forum

Other key stakeholders informed of the process, and specifically invited to comment or engage with the project team included:

- Denel
- ESKOM
- Department of Public Works
- Hessequa Municipality
- Eden District Municipality
- Walker Bay Fynbos Conservancy
- CapeNature
- SanParks

All comments were collated into an issues trail table, discussed with the PSC and the outcomes integrated into the project approach and project reports. The issues trail is attached as Table 6.

3.3 Stakeholder Consultation and Public Meetings: Stakeholder Engagement #3

The third and final stakeholder engagement process provided the I&AP's with a final opportunity to confirm that their comments have been addressed or to raise outstanding matters.

All stakeholders on the database were e-mailed a notification to inform them that they have another final opportunity to comment on the project. This final comment period ran from 31 March until 21 April 2015.

Comments received from stakeholders were appended to a second issues trail table, which is attached as

4 ANNEXURE: COMMENTS AND RESPONSES TABLE – ROUND 1 (FEBRUARY TO MARCH)

Table 6: Stakeholder Engagement Issues Trail Round 1

Comment	Response
General	
<ul style="list-style-type: none"> • The project team has learnt a lot as it is evident that the lines are different from 2012. 	<ul style="list-style-type: none"> • Noted
<ul style="list-style-type: none"> • Surprised that the scientific output the study indicates that the coast is not affected a lot. 	<ul style="list-style-type: none"> • Noted
<ul style="list-style-type: none"> • Please also make sure that all the comments made to date are given in full to the new consultants 	<ul style="list-style-type: none"> • All comments and information from the 2011/2012 pilot project have been considered in the revised project approach and methodology
<ul style="list-style-type: none"> • An analysis of the outcome from the previous study when compared to actual ground truthing made a mockery of the entire study. Comparing the results with four instances of project sites in Rooi Els, Pringle Bay, Betty’s Bay, and on the Hermanus Lagoon showed that in each case the modelling ignored the reality of the actual topographical situation at a detailed level. The broad paintbrush approach taken eroded all possible credibility to the process and outcome. Certainly the previous process created a climate of scepticism that will have to be overcome • The prior work was founded on a number of assumptions that bore no resemblance to reality, and I trust that this time a more scientific approach will be adopted that is informed by the physical environment, and not by an arbitrary and seriously flawed computer model. 	<ul style="list-style-type: none"> • Scientific principles have been applied and will continue to be applied in terms of the modelling. Although, we do acknowledge that there were gaps in the previous study. This project aims to address these gaps, and to align with improvements made in the methodology and amendments to the Integrated Coastal Management Act. • The project aims to: <ul style="list-style-type: none"> ○ Use only the best current scientific method and information to define coastal risks, AND make the process entirely transparent ○ Acknowledge and respect existing rights and lawful development ○ Generate outputs that place the public and authorities on a level in terms of access to information ○ Reduce or eliminate areas of uncertainty around coastal and estuarine risk that currently create conflict
Stakeholder Engagement	
<ul style="list-style-type: none"> • Through what means were people advised that the report and information is available? 	<ul style="list-style-type: none"> • Three rounds of public engagement and a series of public meetings were held during this project. <ul style="list-style-type: none"> ○ Initial e-mail communication to all people registered previously on the Overberg project database (to which any new names were added), as well as the release of media notices, distribution of flyers in Overstrand and direct mail to postal addresses in Swellendam and Cape Agulhas. ○ E-mail communication to the updated stakeholder database regarding the availability of the information and dates of the public meetings, as well as notices in three newspapers. ○ E-mail communication to the final stakeholder database regarding the release of the final project information

	<ul style="list-style-type: none"> The project report and draft mapping products were made available electronically at these two locations: http://www.rhdhv.co.za/pages/services/environmental/current-projects.php http://eadp.westerncape.gov.za/news
<ul style="list-style-type: none"> Attendee enquired about the two opportunities for input as indicated in the presentation. 	<ul style="list-style-type: none"> The work done in 2012 was been updated and the updated work taken to the public in the form of public meetings where comments can be made about the work. The comments and suggestions made are then responded to and the project outputs revised accordingly. The public is then given another opportunity to comment on the final products.
<ul style="list-style-type: none"> What input from local knowledge would you require? Do you have enough manpower for site visits? Where would the first line of communication begin? Do I contact you for information? Conservancies and rate payers associations must be contacted. 	<ul style="list-style-type: none"> Any feedback on the accuracy of the lines or the content of the project report will be considered. Where appropriate, an effort will be made to assist and visit sites. The authorities will also be available to accommodate individuals where relevant. RHDHV or DEADP can be contacted directly. Many conservancies and ratepayers associates are included on the stakeholder database
<ul style="list-style-type: none"> Community would like a printed version of the lines. Would copies of the maps be made available to each of the villages so that the community can see the lines? And will copies of the reports be made available at the library? 	<ul style="list-style-type: none"> Where practical we will try to accommodate. However, printed versions may not be made available as the lines are often so close together that differentiation only becomes possible on small scales. The preference is for people to contact the project team directly to obtain a map of a particular property By special request, printed maps of selected areas, as well as the electronic maps in a simple GIS viewer were provided at the Kleinmond library
<ul style="list-style-type: none"> If people give you erven number, will you be able to indicate what is happening on that property? 	<ul style="list-style-type: none"> Yes. The people indicated in the contact list can be contacted directly.
<ul style="list-style-type: none"> Google Maps is a better product for you to use as it's not limited to a few Operating Systems. People with only Android tablets, for example, can use it. Perhaps you could use it instead? 	<ul style="list-style-type: none"> Google Maps™ finds an equivalent in Google Earth™, with the latter having a focus on using aerial photography as background rather than topocadastral maps, and the benefit of allowing users to upload their own data to the application. Google Earth™ is also simple and free to use, and thereby makes GIS information accessible to the general public.
Coastal access, movement of the HWM and public access to coastal public property	
<ul style="list-style-type: none"> For example, like Durban in 2011 where sea eroded erven and two years later retreats, what happens to the person's property? 	<ul style="list-style-type: none"> It is a difficult question to answer. In terms of the ICM Act, land 'lost' due to a HWM moving up becomes coastal private property. Essentially the individual loses his land.
<ul style="list-style-type: none"> Does the owner get compensated for the land? 	<ul style="list-style-type: none"> Essentially no, but the owners could apply for compensation. This however, is a lengthy process.
<ul style="list-style-type: none"> Main issue is private property becoming coastal public property as opposed to future development. Previously the 100 year floodline was used as limit to development. 	<ul style="list-style-type: none"> Coastal public property includes aspects such as land below the HWM and the admiralty reserve. Without due process, the authority does not have the right to expropriate your property and make it public property

<ul style="list-style-type: none"> • Suppose you have a property with access to the beach, are you supposed to allow access to public? 	<ul style="list-style-type: none"> • People are not allowed to trespass on your property but if there is historical public access, then that takes preference. • Provisions in ICMA specify (Sections 18-20) that access to coastal public property should be established in accordance with a specified process.
<ul style="list-style-type: none"> • The sea or beach is limited because people have private land whose houses go to the sea, providing no access for local people to walk on the beach. What now? • Example, no public access is possible past the abalone farm as the fence goes from the farm into the sea. How will access be granted since that is private land and the ICM Act says you cannot infringe on people's rights? 	<ul style="list-style-type: none"> • In terms of the ICM Act, people must have access to the sea. The municipality will need to determine where access will be for the beach. Negotiations will be entered into with the private land owners where access to beach is necessary. • Overstrand Municipality is aware of the fence and in a process of resolving the matter along with other involved entities.
<ul style="list-style-type: none"> • A landowner has built a house with a jetty that abuts the beach, thereby allowing no access to the beach because this becomes private property. Water actually flows through a trench under the house. 	<ul style="list-style-type: none"> • By all accounts, there was a full EIA process for the structure – the matter was reported to the green scorpions, and apparently resolved. • Bearing in mind that anything from the jetty to a house needs to go through a municipal process. The municipality can either agree or disagree. Further approval comes from Province.
<ul style="list-style-type: none"> • Does the CML mean I should allow people on my property if it abuts the water/HWM? 	<ul style="list-style-type: none"> • People can only cross your property with your permission. • If it is a historical access route public may be legally allowed continue to use that route. Everything is not black and white and certain provisions need to be made or formalised through prescribed processes. • Information on property boundaries is available and will show where property boundaries end.
<ul style="list-style-type: none"> • Could you please tell us what about any possible tsunamis etc.? We already had the sea take extra land that it never “had” in the past, so the sea created its own new line due to global warming. • The same thing we can see at Denels, Skipskop area. We already had some building that was removed at Struisbaai due to the encroaching sea. 	<ul style="list-style-type: none"> • The project does not account for extreme events such as anomalous ocean conditions (e.g. tsunamis) or man-made disasters (e.g. the failure of a dam wall upstream of an estuary). • However, there are many areas of the Overberg Coastline that are experiencing various aspects associated with natural coastline processes, e.g. erosion and sand deposition, or sand dune migration, etc. Unfortunately, historically such aspects (especially not from a long term perspective) were not taken into account when planning developments and we are now seeing the consequences. This project aims to better inform planning and development.
Coastal protection measures	
<ul style="list-style-type: none"> • Are there mitigation measures to protect property? 	<ul style="list-style-type: none"> • Yes, however, this is limited to individual erven and these measures are limited within legislation. In other words, the mitigation measures needs to be sensible.
<ul style="list-style-type: none"> • If your existing property is in an existing risk area – what do you do? • The HWM is usually not visible and in some cases changed by land owners by changing features on properties. • In a specific case, where property adjoins dunes, a neighbouring landowner dumped rubble to protect 	<ul style="list-style-type: none"> • The idea with this project is to inform integrated environmental management. It is acknowledged that you have the inherent right to protect property – but there are provisions that determine how you are allowed to protect property

<p>their property but the rubble encroached onto other properties. Authorities did come out and assisted in the situation.</p>	
<ul style="list-style-type: none"> • Is it allowed to protect your property in the risk zones? 	<ul style="list-style-type: none"> • Generally speaking, one may construct protection mechanisms within your property boundary if it complies with regulation. This project aims at improving the state of knowledge, so that an integrated and informed approach to such coastal management can be followed. • Unless the project information translates into formal management schemes, nothing will change in terms of current regulatory processes. The best is to consult your municipality on such matters.
<p>Implications for rural/undeveloped areas</p>	
<ul style="list-style-type: none"> • Farms along the coast that are within management lines. Do we need to ask for these farms to become islands 	<ul style="list-style-type: none"> • No, there are more appropriate management schemes for such properties. For individual houses or farms, it is irrelevant to place a development island or bring risk lines down, so the status quo is therefore maintained.
<ul style="list-style-type: none"> • Clarify the statement on rural properties and drawing the line through farms. So if I would to extend my property then I would need to get an EIA and incur more expenses? Why don't you go seaward around the property as illustrated in the presentation? 	<ul style="list-style-type: none"> • Development islands are drawn around existing formal development and not for farm houses and farm activities. The principle is that existing regulatory processes are sufficient to deal with farm activities. Extensions to development on farms may not necessarily require an EIA – this is purely determined by the applicable EIA triggers. The intention is to guide future development.
<ul style="list-style-type: none"> • Am I correct in saying therefore that as far as CML and CPZ are concerned, building can take place anywhere on a rural portion of land as long as it is outside both the CML and CPZ? 	<ul style="list-style-type: none"> • In essence, and in respect of the coastal management line, yes. The thinking behind the lines indicate a high risk of flooding below the CML, and an occasional risk below the CPZ. • However, until any of this is officially adopted by authorities, nothing will change in terms of existing regulatory schemes. Our aim is to have official adoption use these lines to refine the existing broad buffers existing in, for example, the EIA regulations, in order to reduce the need for costly and onerous investigations where the outcome is evidently a foregone conclusion. The current information on potential risk can, however, inform decision-making already. • What the CML will not affect though, now or in future, are regulatory requirements related to other factors such as the disturbance of sensitive biodiversity, local by-laws, town planning schemes, heritage surveys, or whatever. • In short - hopefully in the near future the CML will make the requirement for coastal set-back line related EIA's less onerous, but development still needs to tick all the other boxes in terms of regulatory requirements and on-site conditions.
<ul style="list-style-type: none"> • Where farming activities have existed for many decades on agricultural land, I understood that these will be allowed to continue unhindered. The question is whether it will necessary to register such use with the appropriate authorities or will it be automatic? 	<ul style="list-style-type: none"> • Farm activities or single residential development (i.e. single farmhouse on larger properties in rural spaces) will not be affected by this development management scheme, as it is the firm belief from the authorities that there are more appropriate management and regulatory schemes in place already. No action is required from your side. More intense development in future, such as the establishment of a resort, will however be subject to development restrictions that apply to the demarcated CML and risk zone in order to avoid irresponsible development and conflict over liabilities. • That, however, does not mean that development will not be able to proceed - all that will be required is a proper motivation based on information that can refine our approximation of a risk

	area. For example, detailed floodline determinations will likely identify a smaller flood risk area along the Buffels river, and an appropriately revised CML and risk zone can then be used to inform development.
Existing property rights	
<ul style="list-style-type: none"> • Are existing property rights affected? 	<ul style="list-style-type: none"> • No, existing rights are not affected, but some reasonable restrictions may result from the description of existing risks. We are, however, trying to avoid affecting existing property rights
<ul style="list-style-type: none"> • How is the structural development of municipalities affected? Do municipalities have to change future planning? In a specific case, landowners acquired property along the beach and appointed the CSIR to conduct impact assessments as they wanted to use area for abalone farming. A lot of work done now has been done in good faith, so what happens to all this information? Would municipalities turn around and refuse authorisation for the development? How do you mitigate impacts? 	<ul style="list-style-type: none"> • DEADP is working with municipalities. The information generated by the project is provided to municipalities who can then take it into account in decision making. The management lines are used to inform future planning of municipalities so that structures are not placed in areas of future risk. Location specific information will nearly always be more accurate than the lower detail information generated by this project, and will therefore be as important for any decisions taken.
<ul style="list-style-type: none"> • Unexecuted rights must be constrained as appropriate to the level of risk 	<ul style="list-style-type: none"> • The risk zones need to inform where and how development can proceed
<ul style="list-style-type: none"> • The difficult part is where there is existing development. Where there is no development, is the line moveable? 	<ul style="list-style-type: none"> • The project differentiates between urban/developed and rural/undeveloped areas. If, in a rural area where there is limited references to work with, the lines prove in future to be unreasonable, the MEC can and will amend them. • However, there should not be an argument about the risk projections as they are determined irrespective of the level of development. • Under certain conditions, you could motivate for development in a risk zone, but this will be done at your own risk because authorities would be aware of the risks.
<ul style="list-style-type: none"> • Where the CML as proposed excludes a whole property, the impact of this positioning if implemented prevent the building of a house – this obviously has huge value and financial implications and is effectively an infringement on property rights 	<ul style="list-style-type: none"> • Please note that the Western Cape Government specifically designed the outcomes of the project to indicate that existing rights will be respected – where there is the right to construct a residence, this will be allowed. New development simply needs to respond to risks and sensitivities that apply to the site (this project just describes the risks, it does not create them!). The WCG will also refine the outcomes of the project on a regular basis to ensure that the projections and delineations are informed by the best current information.
Implications for municipal planning and infrastructure maintenance	
<ul style="list-style-type: none"> • How is this project related to the SDF? 	<ul style="list-style-type: none"> • The project does differentiate between developed and undeveloped areas, and establish certain zonings that can inform future revisions of the SDF
<ul style="list-style-type: none"> • Do you include the roads and sewage lines? 	<ul style="list-style-type: none"> • Linear infrastructure is difficult to include, so are usually not considered for the CML delineation. The risk projections will, however, determine how risk should inform maintenance of existing and construction of new infrastructure.
<ul style="list-style-type: none"> • Will there be access to services such as sewage 	<ul style="list-style-type: none"> • Yes access to services will remain. The management lines will not affect infrastructure.

pipelines?	
<ul style="list-style-type: none"> • What have you done with Suiderstrand? Suiderstrand extensions do not follow the urban edge. 	<ul style="list-style-type: none"> • Development islands are drawn around Suiderstrand and future extensions. Management lines do not always follow the formal urban edge.
<ul style="list-style-type: none"> • How do you know which areas will be developed, or are earmarked for future development 	<ul style="list-style-type: none"> • This is based on consultation with owners and authorities to get an idea of the developmental landscape.
Risk demarcation	
<ul style="list-style-type: none"> • Betty's Bay dune movement - would that would be seen as part of the risk considering that the HWM brings in the movement of sand. 	<ul style="list-style-type: none"> • Betty's Bay - long term erosion trends for Betty's Bay were measured where previous photographs of the area were compared to current images. Research found that the sand moves between 1-2 metres a year which is then considered in the future risk projections.
<ul style="list-style-type: none"> • Have you included work from Cape Nature into this project 	<ul style="list-style-type: none"> • Yes, Cape Nature data was used in the development of the lines, especially the most recent Western Cape Biodiversity Framework.
<ul style="list-style-type: none"> • How does the littoral active zone feature? 	<ul style="list-style-type: none"> • The littoral active zone needs to be incorporated in the risk zones.
<ul style="list-style-type: none"> • Will a particular "status" of a property in any way influence the municipal services that a landowner can expect to continue to receive (e.g. infrastructure/road maintenance, water supply, sewage collection, electricity connection) and or any transactional restrictions (i.e. would I be able to sell my property without any restrictions). The RHDHV report makes mention a couple of times of "liabilities" and my worst case concern would be that the municipality deems my property a liability and hence no need to service? 	<ul style="list-style-type: none"> • Service delivery should not be affected, irrespective of where your property is located. Nor will there be any transactional restrictions. • The 'status' of the property merely describes existing physical processes and their manifestation as current and future risks, and therefore should have been informing infrastructure development and property values even before it was described through this project. • This information is intended to influence decisions in terms of investment in future developments.
<ul style="list-style-type: none"> • The choice of 0.2,0.5 and 1.0 metres sea level rises for the 20,50 and 100 year risk lines is arbitrary 	<ul style="list-style-type: none"> • To the contrary, the latest national agreement on the level of sea level rise to incorporate into this type of work specifies 0.5m to 2.0m over the next 100 years. We selected 1m as a reasonable value, and applied a linear regression to reduce the height as appropriate for 20 and 50 years
CPZ, EIA's and the 100m and 1km reference lines	
<ul style="list-style-type: none"> • Could you please explain why the Coastal Management Lines to be developed as part of this project are distinct from the Development Set-back Lines for EIA related regulation? 	<ul style="list-style-type: none"> • The Environmental Impact Assessment ("EIA") Development Setback Line, in terms of the National Environmental Management Act ("NEMA"): EIA Regulations, and the Coastal Management Line are lines that stem from different legislation and have different intended purposes. • The Coastal Management Line is delineated in terms of the National Environmental Management: Integrated Coastal Management Act ("ICMA") and its intention is, inter alia, to primarily protect coastal public property, coastal ecosystems, private property and ensure public safety from both coastal risk and inappropriate development. • The EIA Development Setback line delineates a line that would indicate where an EIA may or may not be required. • The delineation of the ICMA Coastal Management Line will inform the delineation of the EIA Development Setback Line and will also be used as an informant in considering any

	<p>applications proposed within the coastal zone.</p> <ul style="list-style-type: none"> • In certain areas, where risk from coastal processes may not be a factor, it may be plausible to have the EIA Development Setback Line and ICMA Coastal Management Line as one line. However, this is not the aim of this project. This project focuses on collating information in order to adequately model/determine risk from coastal processes so as to enable the Department to appropriately manage the coastal zone. • It is also the intention of this project to provide the Department with guidance as to how to manage already developed areas that are currently subjected to coastal processes as well as areas that may be at risk in future. • The information collated in this project may however be used to delineate an EIA Development Setback Line in future.
<ul style="list-style-type: none"> • Why must you have a coastal management line and coastal protection zone. The difference is not clear. What is the purpose of the CPZ? 	<ul style="list-style-type: none"> • The coastal risk zones are matched to the risk lines. The CML draws on these, but takes into account existing development and is therefore different to the CPZ which only considers coastal sensitivity and function. The CPZ is to be used as a designation of what is considered the 'coastal zone' in terms of ICM Act.
<ul style="list-style-type: none"> • What about the agricultural zones where farmers were not allowed to build within 1 km of the coastal private property? How was this 1 km determined? 	<ul style="list-style-type: none"> • The 1 km was a default threshold instituted nationally in different pieces of legislation. Note though that it is important to differentiate between control measures (prohibition to build) and thresholds (triggers for further investigation). The EIA regulations do not say that you cannot build, they merely specify thresholds - a threshold being a trigger for further assessment.
<ul style="list-style-type: none"> • Will any coastal protection zone contain a minimum buffer of 1km? 	<ul style="list-style-type: none"> • Yes. It can also be mentioned that initially the ICM Act stated that management lines surrounded any property bisected by the lines. Now the lines have been revised to use more realistic boundaries.
<ul style="list-style-type: none"> • Where does the not building within 100 m from the farms come from? 	<ul style="list-style-type: none"> • This might be land use planning related and not ICM Act. Also, it may be as a result of the triggers specified in the EIA regulations.
<ul style="list-style-type: none"> • The revised project is a vast improvement but the project will result in a lot of expenses for landowners. Could you confirm that the EIA scheme will adopt the management threshold? EIAs should be appropriate to the nature of development and property. 	<ul style="list-style-type: none"> • The intention of this project is for the EIA regulatory scheme to use the ICM Act delineations information which includes the identification of risk zones, to determine an appropriate EIA development setback line because it is more realistic. • It is, however, not possible to say when or how these lines will be adopted formally. • The general aim of this project is to inform regulatory schemes applicable to the coast, and to ultimately make development in the coastal areas more appropriate, not only to refine the EIA regulatory scheme.
<ul style="list-style-type: none"> • EIAs are very important and we need those setback lines. EIA guide development and are expensive. 	<ul style="list-style-type: none"> • Agreed – yet having an EIA regulatory scheme is better than not having one. One of the aims of this project is to make EIA requirements more appropriate. However, it must be noted that the EIA regulations merely guide development - they specify thresholds according to which further investigations need to inform development.
<ul style="list-style-type: none"> • What if the 1km buffer zone covers your entire property? 	<ul style="list-style-type: none"> • Section 63 of the ICM Act stated that if you propose any development in the CPZ, it would trigger an EIA, but this provision has been removed. • There is a clear distinction between work done here and the EIA regulations. • The only place where the CPZ is used is in higher level spatial planning.
<ul style="list-style-type: none"> • If area is designated as a coastal protection zone, it 	<ul style="list-style-type: none"> • This concern drives the determination of a realistic CPZ, like where the CPZ is changed from

<p>may not impact anything currently, but 3 years down the line it could produce problems when it becomes part of the SDF.</p>	<p>including an entire mountain and brought down to the coast.</p> <ul style="list-style-type: none"> The DEADP coastal impact management unit sits within the spatial planning unit in the Department and these practicalities are communicated to the spatial planners.
<ul style="list-style-type: none"> What is the difference from building the house inside the CPZ and outside? 	<ul style="list-style-type: none"> The CPZ has no bearing on the development. It will just inform the owner that the property is within the coastal zone and that the owner should be aware of the need for consideration of coastal factors. The most likely changes would relate to the CML and risk zones - the EIA process can adopt the management line and Zoning Schemes adopt the zones.
<p>Protected areas</p>	
<ul style="list-style-type: none"> Now you say you have identified development islands like for developments within SANParks properties? 	<ul style="list-style-type: none"> Often where owners with large farms cannot manage it, management/stewardship agreements between owners and SANParks are put in place to work towards mutual benefit. The development islands try to pin down the footprints of the formal developments within the larger protected areas so that it is clear where the developments are located and that they have existing rights/agreements in place.
<ul style="list-style-type: none"> What happened with De Hoop? 	<ul style="list-style-type: none"> The CML and CPZ are aligned to run on the landward side of the protected area, with development islands created for specific developments.
<p>Estuaries</p>	
<ul style="list-style-type: none"> The 5m is understandable, but why use the 10m line in estuaries? E.g. Hermanus Lagoon cannot rise to 10m. 	<ul style="list-style-type: none"> The 5m and 10m levels are proxy indicators that generally correspond well to estuarine dynamics. However, individual estuaries will have different characteristics that may determine unique levels. The levels to be used in the Klein River may therefore need to be determined through stakeholder feedback. Floodline determinations will enable further refinement of estuary flooding risk
<ul style="list-style-type: none"> One can add one metre for wind-driven waves on the Klein River lagoon during storms, and this can increase damage to property 	<ul style="list-style-type: none"> That is correct; it is not only wave action and inundation but wind effects as well that determine the risks.
<ul style="list-style-type: none"> When you have an estuary and river feeds into it, at what point do you determine what is estuary and river? How far does the estuary extend? 	<ul style="list-style-type: none"> Tidal influence and saline influence are the key aspects used to determine the limit of an estuary The Klein River estuary reaches up until approximately the Stanford bridge
<ul style="list-style-type: none"> Does that mean all property abutting the shore/estuaries will be coastal public property? 	<ul style="list-style-type: none"> Government does not have the authority to deny your rights on your property. However, where appropriate the hope is to extend public property, partly through information derived by this project. Land will not be taken away, but the ICM Act states that if the HWM moves inland, the property boundary should follow suit, but there is a process to be followed to formalise this.
<ul style="list-style-type: none"> Can the different lines around estuaries be explained again? Does the CML not infringe on the rights if the property is private property? 	<ul style="list-style-type: none"> Lines around estuaries include the 5m contour, 10m contour and CML The CML is demarcated on the water's side of developed space, and hence does not infringe on anyone's rights. CML says that development should not be waterside of the line. Development should be kept landward.

<ul style="list-style-type: none"> • The Klein River has no tidal influence. Historically it had salinity, but it is currently mostly freshwater. • It must be clear that the salinity comes from marine influence. 	<ul style="list-style-type: none"> • Whether the land is private or public, the extent of the estuary has to be scientifically justified. • For the purposes of the project, we work with a 5m contour height and not the definition of an estuary. We can make this contour line 3.4m etc., but this will only be informed by feedback from individuals. The salinity levels therefore do not influence our delineations. • With time groundtruthing and refinement can determine the extent of the estuary. Eventually all these lines would be replaced with floodline determinations or confirmed demarcations of the estuarine functional zone.
<ul style="list-style-type: none"> • Is the CML in estuaries the 100 year, the 50 year or the 20 year line? 	<ul style="list-style-type: none"> • The CML is aligned with the 5m amsl contour around the estuary and the CPZ with the 10m amsl contour. They are not affected/informed by the shoreline risk projections.
Way forward, implementation and enforcement	
<ul style="list-style-type: none"> • What is the process ahead? How will the lines be amended in the future? Will there be local coastal committees to monitor the coast? Suggest ongoing review. 	<ul style="list-style-type: none"> • The Amended ICM Act makes provision to improve the lines with time. The MEC can change the lines by means of a Notice in the official Gazette. • There are coastal provincial committees (such as the Overberg MCC) that meet quarterly and a national committee called Working Group 8
<ul style="list-style-type: none"> • Glad that municipalities do not impose new regulatory schemes. • Feels that local people should provide input to revise the lines 	<ul style="list-style-type: none"> • Agreed input valued as it is vitally important for local feedback and inputs
<ul style="list-style-type: none"> • All municipalities do not work in sync. Will municipalities be shown how to understand this project 	<ul style="list-style-type: none"> • Municipalities will be informed and capacitated, and due to the reliance on existing municipal systems, it will be a simple program to operate.
<ul style="list-style-type: none"> • Will GIS shapefiles be made available to the Overstrand municipality? 	<ul style="list-style-type: none"> • Absolutely. The draft shapefiles are currently with the Overstrand Municipality and can be made available upon request.
<ul style="list-style-type: none"> • Who is going to manage / enforce the bylaws? 	<ul style="list-style-type: none"> • It would be the relevant responsible authorities implementing it. • The department is running the project in conjunction with Municipalities. The idea is not to create a new administration system, but rather to piggyback on existing systems. Initially the idea was to link the CML to zoning schemes but the law does not allow this. The main focus is now on the zones. For example, you can build on property because of rights but the risk zones may imply restrictions like that you can only build within an existing footprint. This is not set in stone and still needs to be clarified.
<ul style="list-style-type: none"> • Each municipality must have a coastal management plan in place. Overstrand cannot put a plan in place unless the Overberg District plan is in place. Overstrand can therefore not be held responsible for not having a plan in place through which to manage development. 	<ul style="list-style-type: none"> • The Overberg is in the process of completing the coastal management program. The only state entity that made the legislated deadline for compilation of a CMP was Eden Municipality. Each Coastal management programme must be revised every five years - so it is a dynamic document. • Just because the plan is not in place, does not mean that you cannot make informed decisions – the party who grants authorisation should take into account all of the factors as the coast is dynamic and is constantly changing. • The Overstrand Coastal Management Programme is recognised in the overall Overberg coastal management process and is currently available for comment

	<ul style="list-style-type: none"> • DEA acknowledges that there will not be alignment with all the Municipalities, but hopefully with the regular revisions, alignment will be achieved.
<ul style="list-style-type: none"> • Is the Marine Coastal Management Unit going to take over? 	<ul style="list-style-type: none"> • The DEA Marine Coastal Management Unit is now called Oceans and Coasts. Neither this unit (DEA) nor the provincial Coastal Impact Management unit have the authority to extend coastal public property, but would form part of a process/group of stakeholders should this become necessary. The ICM Act aims to protect access to coastal public property and one of the intentions of this project is to create information on which to base future extensions of the coastal public property.
<ul style="list-style-type: none"> • Eventually, will the maps allow people to see where coastal access is found? 	<ul style="list-style-type: none"> • Both the CML and risk zones will be made available to both the public and authorities. However, the alignments and indication of areas to be protected do not necessarily mean that access will be available immediately. • This information can be added to any GIS information and will be constantly updated. It should be noted that 5m and 10m amsl contours are used as proxies for estuaries. It was used in the West Coast and worked well. The plan is to have a flood line determination study for the estuaries - this is a future plan when funds become available.
Specific locations	
<ul style="list-style-type: none"> • Various 	<ul style="list-style-type: none"> • Risk projections and management lines at these locations verified and corrected where necessary
<ul style="list-style-type: none"> • Can the lines be moved to exclude my property? 	<ul style="list-style-type: none"> • The delineation is consistently applied throughout the Overberg for all farm portions along estuaries, and therefore would need specific motivation to be changed. Since the CML is informed by existing development, we are unlikely to move it lower. And as for the CPZ - it is purely there for use in broad land use planning such as the local Spatial Development Framework, and therefore also unlikely to be moved simply on a whim.

5 ANNEXURE: COMMENTS – ROUND 2 (APRIL)

Comment ¹
<ul style="list-style-type: none"> • What does the High Risk Zone line running on the boundary of a property imply? • Are there any proposed plans to prevent any homeowner inside the red or yellow lines to alter the buildings on the site? From what I can figure out that the RED ZONES are HIGH RISK OVERLAY ZONES. I think it means any development between the sea's edge and this HIGH RISK OVERLAY ZONE will be difficult to get approved, but that property between the HIGH RISK and LOW RISK will be allowed to do alterations but with strict controls.
<ul style="list-style-type: none"> • We were requested by a property owner to comment on his behalf with regard to the proposed setback lines. However, he only approached us yesterday with the request. I see that the review period for the setback lines was from 20 February until 19 March. Is it still possible to submit comments with regard to the above? And if so, can we be afforded a couple of days to work through the documentation?
<ul style="list-style-type: none"> • I have been overseas and unable to attend the public meetings, which, from feedback from my colleagues able to attend, seem to be mainly the presentation of the consultant company's results as a <i>fait accompli</i>.
<ul style="list-style-type: none"> • The Zone Of High Risk 1m/100years (Red line) and the Line 5meter Reference Line above River Level (Light Green) is noted. There is no comment regarding these lines. • As it has been indicated the Coastal Management Zone (orange line) totally encloses my property. As mentioned by the representatives from Royal HaskoningDHV this line was determined by using the outer extent of the all rural properties bordering the sea shore. The source of this line originates from either the current Town Planning Scheme or by the CBAs, Critical Biodiversity Areas. As there is no direct link to any critical biodiversity on this property, except for the small Milkwood forest that falls within the High Risk Zone (red), the conclusion is drawn that this line originates from the current Town Planning Scheme. When asked for this line to be moved back to the High Risk Area, the consultant mentioned all the rural properties between Pringle Bay and Rooi Els, bordering the coastline was included in this zone, not considering any other factor of risk but was drawn due to the Zoning attached to these properties. Thus the line will stay fixed in its current position. No risk or limitations was identified for the remaining extent of the property beyond the High Risk(red) and 5m Reference Line (Light Green). Thus I would like it to be noted that if there are any further regulation or limitations placed on this property that it originates from an administrative factor and not due to a factor of risk. The limitations and regulations in the High Risk area and 5m Reference line will be taken in consideration.
<ul style="list-style-type: none"> • I see from the final map (attached) that the CPZ line has changed quite drastically from where it was on the draft map - it now makes a sort of hairpin detour on the erf. It is not sure what informed this change, but I trust that your original comment stands, i.e. that apart from other regulatory requirements related to other factors (e.g. disturbance of sensitive biodiversity, local by-laws, town planning schemes, heritage surveys etc.), it's OK to build on the erf as long as the building is outside this CPZ line and also outside the CML line?
<ul style="list-style-type: none"> • My smallholding between Pringle Bay and Rooiels is currently undeveloped, but has two erven included within it which are developed. The plan has always been to further develop in the corridor of the developed erven to minimise access road and service impact. A plan to this effect was submitted in 1996 but was never implemented. The CML as proposed excludes the whole property below the access road. The area above the access road is rocky mountain and cannot be built on. Presumably the positioning of the CML so far from the coast line is under the broad description of "sensitive ecology/littoral active zone" as set out in your methodology schematic. The impact of this positioning if implemented is that it

¹ Note: All comments and response exclude requests to be added to the stakeholder database, mistakes or missing information which was addressed immediately, and requests for how to access Google Earth and related questions.

that the whole useable property falls within the CML and I will never be able to build a house there – this obviously has huge value and financial implications and is effectively an infringement on my property rights. I propose that if the CML is to be left as proposed then the planned future development area be designated as a development island.

- I again offer my professional services to the company concerned based on my professional knowledge of our coastline over more than 50 years and my highly relevant qualifications and experience. I do not have the time at present to go through the report fully and comment on it in detail but am available to give neutral professional scientific comment were the Municipality to receive any serious queries about the implementation of the set-back lines, the siting of which, based on a quick look, will I am certain give rise to much debate!
- The predictive models used and the actual wave and sea level data on which these were based, need to be looked at very carefully indeed since as you very well know, it is hard to set a number on a risk and what happens if the risk assessment turns out to be incorrect? Then the lawyers will be happy to assist and there is a large legal cost factor to be met.

1. The 5m amsl LIDAR CML is not a sufficiently accurate guide for the known flooding experience on the Breede River Estuary in that the methodology used does not account for the natural land fall of long estuaries such as that of the Breede which has a tidal reach of some 50 kilometres. As a result (notwithstanding other known factors affecting flood levels) the 5m CML line in the upper reaches does not provide the same protection as afforded at the coast (lower reaches of the estuary) and will result in flood exposure and possibly unsafe development in such locations, as well as inconsistent treatment of property owners along the estuary.
2. There is a need to establish a more accurate major flood line – 100 year or one based on locally known flood levels , for example in the case of the Breede the 2008 flood.
3. The 5m amsl LIDAR CML line is particularly meaningful in that it correlates with the nationally accepted SANBI 5m amsl “Estuary Functional Zone” which is critical to the overall long term healthy functioning of an estuary and its supporting diversity as well as the estuary dependant diversity.
4. An overlay the of the “ 100 year flood line” and the LIDAR 5m amsl CML “Estuary Functional Boundary/Zone” , should be used in establishing a development control line with the setback trigger being whichever is the furthest back from the high-water mark. This will best fit the overall objectives of a CML as set out in the ICMA.
5. In developed urban areas with existing or executable rights, all new development if possible must comply with point 4. If this cannot be achieved on the land space available, then the development should be set back as far as possible and strict construction parameters applied. The use of engineering techniques to encroach into flood prone estuary areas and the Estuary Functional Zone should be avoided. South Africa is a water starved country and must do all it can to preserve its estuarine systems.
6. The concept of the 10m amsl Coastal Protection Zone (CPZ) for estuaries as an alternative to 1Km from the high watermark has merit in that it does provide more accurate protection especially in low lying areas. Further Comment:
 - a. In steep areas the existing natural environmental corridor will be substantially narrowed and exposed to undesirable and unsightly development. However the proposed further protection of any coastal related sensitivity, which intersects the 10 m general risk contour, by including such in the CPZ, should compensate for this, particularly on the Breede River Estuary where important natural vegetation extends up the slopes directly above the proposed 10m CPZ line, loosely in the region of up to 200 metres, though this does vary.
 - b. Some wetlands, sensitive vegetation, dunes and habitats outside of this area (but within 1km from HWM) which are important to the overall wellbeing of the estuary, will lose the protection they enjoy in terms of the currently defined CPZ. These should also be included in the CPZ on a ring-fenced basis.
 - c. The 10m amsl general risk contour and CPZ zone should however not be ignored in developed areas along the estuary as many of these properties are fairly extensive in size and contain natural area important to the overall wellbeing of the estuary.
 - d. There is however also merit for the time being in maintaining the 100m CPZ in developed areas and 1 km rural CPZ until such time as there is clarity on the establishment and application of the CML

7. The General Risk Estuarine Overlay Zone (below the 10m contour) and the suggested Development Management Parameters need to be refined so as to more practically reflect and cater for the risk, environmental, and development priorities associated with the Coastal Public Property Zone, the Littoral Zone, the Flood Zone, the Estuary Functional Zone and space beyond these zones. Further comment:
 - a. The suggested Zone Intention Parameters for estuaries do not distinguish between developed and rural areas.
 - b. The earlier mentioned use of engineering techniques to encroach into flood prone estuary areas and the estuary functional zone e.g. building on stilts, should be avoided as this will materially impact on the long term function of the estuary environment, sense of place, natural beauty and its attractiveness to tourism. Height restrictions and visual impacts on skylines and other estuary vistas, as well as architectural guidelines should also be factored in. Boathouses, garages and outbuildings should be attached to the main dwelling, to discourage illegal conversions into accommodation and impact on sense of place on the water side.
 - c. In-fill sub-division should be discouraged if this leads to development in a flood zone or within the Estuary Functional Zone.
 - d. Aside from effluent and sewerage control, consideration needs to be given to regulation in respect of water extraction from the estuaries and feeder streams.
 - e. The relationship between the 5m CML and the Estuary Functional Zone must be emphasised in the protective controls applied and advocate restoration of the natural environment within this zone.
8. As far as existing development and existing executable development rights in developed areas along estuaries are concerned it is proposed by Royal Haskoning DHV that the CML be implemented along the waterside of cadastral boundaries to accommodate existing structures and new development within property boundaries, even though such areas may fall below the 5m amsl contour line and be vulnerable to the associated risks. Such development should be undertaken in a strictly regulated and controlled manner. Reasons given for this are that existing legal structures cannot be removed nor can the basic property rights of an owner be taken away. Comment:
 - a. All future development in flood prone areas will be subject to the risk of more intense and greater flooding associated with climate change and increased inland run off caused by increased commercial land use and development.
 - b. Many of the developed properties on the Breede Estuary between the demarcated waterside property boundaries and the 5m amsl are severely exposed and subject to regular and dangerous flooding and some boundaries extend into the water area. Allowing any new development in such areas even under strict conditions would be nothing short of foolhardy.
 - c. The setting of the type of standards and controls proposed and achieving consistency in the implementation, monitoring and management of such standards and controls will create all kinds of problems for affected municipalities which are already sadly lacking in human capacity and finance to cope with the increasing degree of responsibility being delegated to them.
 - d. It is not clear what purpose this line serves as these properties are already legally bound in terms of their cadastral boundaries.
9. In explaining the coastal management lines for estuaries there is a need (for simplicity and understanding) to schematically depict and clarify these in relation to NEMA and other impacting acts and regulations within the coastal zone. This could also include examples of zoning and overlay zones. The current "Decision Tree" on page 23 of the report is limited in its depiction of the Coastal Management Lines and Zones. Further comment:
 - a. In as far as estuaries are concerned, because of their special importance, sensitivity and vulnerability to development, it is important that NEMA and its listed activities, are applicable at least in the Flood Risk and Estuary Functional Zones (5m amsl contour). Accordingly the LBRCT cannot support the proposed Urban Waterside Cadastral Boundaries as a form of setback line which would obviate this.
 - b. The National Water Act (1998) also places some restrictions on development adjacent to water courses, which includes estuaries and the riparian habitat which is considered to include everything within the 1:100 year flood line of a water course.

10. The principle of allowing property owners to develop in risk prone areas on the basis of limiting, reducing or abdicating from Public Risk liability cannot surely be a responsible approach. Clarification on the legal aspects of this as well as the right of use of regulations and by-laws to prevent/restrict/control development is not adequately dealt with in the report.

11. At present much is made of private persons not abiding by the numerous and complex legislation and regulations that govern coastal management. This is particularly noticeable in sought after property adjoining estuaries. Unfortunately many problems also arise as a result of the various authorities not being aware of illegal development taking place or that has taken place or failing to act when they become aware of this. In many cases municipalities, partly due to a lack of capacity, fail to ensure that developments comply with relevant legislation and regulations prior to and during the development process. This is compounded by a lack of; integrated systems, communication and co-operation between government departments. While the principle of devolving increased responsibilities to municipalities has fundamental value, they are struggling with the basics of running efficiently and will have increasing difficulty in coping with their expanded rolls. On the other hand the general public is bewildered and frustrated by the complex legislation, regulations and processes involved and need assurance that there will be strong oversight and support by government to ensure consistent decision making, competent municipal delivery and also in providing an independent channel for members of the public to lodge enquiries and complaints which will be timeously investigated and acted upon.