



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

## Provincial Gazette Extraordinary

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**PROVINCIAL NOTICE**

The following Provincial Notice is published for comment.

DR H.C. MALILA,  
DIRECTOR-GENERAL

Provincial Legislature Building,  
Wale Street,  
Cape Town.

**PROVINSIALE KENNISGEWING**

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

DR H.C. MALILA,  
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,  
Waalstraat,  
Kaapstad.

**ISAZISO SEPHONDO**

Esi saziso silandelayo sipapashelwe ukunika izimvo.

GQIR H.C. MALILA,  
MLAWULI-JIKELELE

ISakhiwo sePhondo,  
Wale Street,  
eKapa.

**PROVINCIAL NOTICE**

P.N. 44/2022

8 April 2022

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING****NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT 24 OF 2008)****INVITATION FOR PUBLIC COMMENT: DRAFT WESTERN CAPE PROVINCIAL COASTAL MANAGEMENT PROGRAMME 2022-2027**

The Provincial Minister of Local Government, Environmental Affairs and Development Planning in the Western Cape (the Provincial Minister) gives notice that he is reviewing the Western Cape Coastal Management Programme, 2016 (WC:CMP, 2016), and that he intends to adopt the Draft Western Cape Provincial Coastal Management Programme 2022-2027 (Draft WC:PCMP 2022-2027), in terms of section 46(1)(b) and (c) of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (the Act). He invites members of the public to submit written representations or objections on the Draft WC:PCMP 2022-2027.

The WC:CMP, 2016, currently under review, was published by the Provincial Minister under Provincial Notice 212/2016 in *Provincial Gazette* 7620 dated 27 May 2016.

In terms of section 47(1) of the Act, a provincial coastal management programme (PCMP) must be a provincial policy directive for the management of the coastal zone in a province. It must provide for an integrated, coordinated and uniform approach to coastal management in a province and must be consistent with the national coastal management programme and national estuarine management protocol. A PCMP must be reviewed at least once every five years and may be amended when necessary (section 46(1)(b) and (c) of the Act).

A PCMP must be taken into account when a coastal boundary is determined or adjusted (section 26(4)(b)(iii) of the Act) as well as when an application for an environmental authorisation for coastal activities in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) (section 63(1)(d) of the Act), a general discharge authorisation or an application for a coastal waters discharge permit (section 69(7)(c) of the Act) or an application for a dumping permit (section 71(2)(b) of the Act) is considered. A coastal authorisation may be amended, revoked, suspended or cancelled if it is in conflict with a PCMP or if it will significantly prejudice the attainment of a coastal management objective (section 68(1)(b) of the Act).

The designation of coastal access land by municipalities is subject to the applicable PCMP (section 18(3)(a)(ii) of the Act). Programmes and plans in terms of the NEMA or any specific environmental management Act, integrated development plans in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), and provincial and municipal land development plans must be aligned with the applicable PCMP, contain those provisions of the PCMP that specifically apply to it, and give effect to the PCMP (section 51 of the Act). In addition, estuarine management plans and the process by which they are developed, municipal coastal management programmes as well as coastal planning schemes must be consistent with the applicable PCMP (sections 34(1)(b)(ii), 49(1)(b)(i) and 56(2)(b)(iii) of the Act).

The Draft WC:PCMP 2022-2027 is informed by the Western Cape Government's plans; responds to the requirements of current legal mandates as well as national and provincial policies, strategies and programmes; and supports the implementation of the national coastal management programme. The Draft WC:PCMP 2022-2027 is a transversal initiative that is implemented through partnership with all relevant sectors, spheres of government and stakeholders. It seeks to indicate and align itself with changes to the legislative, environmental, and economic context, and primarily aims to reflect updated implementation targets in respect of planned and ongoing projects, and strategies to achieve projects.

After all representations and objections from the public have been considered, the review will be completed, and the Draft WC:PCMP 2022-2027 will be finalised and submitted to the Provincial Minister for adoption under section 46(1) of the Act.

The Draft WC:PCMP 2022-2027 may be viewed at <https://www.westerncape.gov.za/eadp/>. Alternatively, details may be obtained electronically on request by email to [wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za). Queries can be made on weekdays between 08:30 and 16:00 to Ms M Naiker at tel: 060 984 5004.

Written representations and objections on the Draft WC:PCMP 2022-2027 may be submitted before or on 31 May 2022 by—

- (a) posting the representations or objections to:  
Department of Environmental Affairs and Development Planning  
Attention: Ms Mellisa Naiker  
Directorate: Biodiversity and Coastal Management  
Private Bag X9086  
Cape Town 8000;
- (b) emailing the representations or objections to:  
[wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za); or
- (c) delivering the representations or objections to:  
Department of Environmental Affairs and Development Planning  
Attention: Mr Mfundo Ndovela  
4th Floor, Leeusig Building  
1 Dorp Street  
Cape Town 8001.

Representations and objections received after the deadline may not be considered.

## PROVINSIALE KENNISGEWING

P.K. 44/2022

8 April 2022

## DEPARTEMENT VAN OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

“NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008” (WET 24 VAN 2008)

## OPROEP OM OPENBARE KOMMENTAAR: WES-KAAPSE PROVINSIALE KONSEPKUSBESTUURSPROGRAM 2022-2027

Die Provinsiale Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning in die Wes-Kaap (die Provinsiale Minister) gee kennis dat hy tans die “Wes-Kaapse Kusbestuursprogram, 2016” (WK:KBP, 2016), hersien en dat hy van voorneme is om die “Wes-Kaapse Provinsiale Konsepkusbestuursprogram 2022-2027 (Konsep-WK:PKBP 2022-2027) ingevolge artikel 46(1)(b) en (c) van die “National Environmental Management: Integrated Coastal Management Act, 2008” (Wet 24 van 2008) (die Wet), aan te neem. Hy nooi lede van die publiek om skriftelike versoë of besware oor die Konsep-WK:PKBP 2022-2027 in te dien.

Die WK:KBP, 2016, wat tans hersien word, is deur die Provinsiale Minister onder Provinsiale Kennisgewing 212/2016 in *Provinsiale Koerant* 7620 gedateer 27 Mei 2016 gepubliseer.

Ingevolge artikel 47(1) van die Wet moet ’n provinsiale kusbestuursprogram (PKBP) ’n provinsiale beleidsvoorskrif vir die bestuur van die kussone in ’n provinsie wees. Dit moet voorsiening maak vir ’n geïntegreerde, gekoördineerde en eenvormige benadering tot kusbestuur in ’n provinsie en moet met die nasionale kusbestuursprogram en nasionale riviermondingsprotokol bestaanbaar wees. ’n PKBP moet minstens een keer elke vyf jaar hersien word en kan wanneer nodig gewysig word (artikel 46(1)(b) en (c) van die Wet).

’n PKBP moet in ag geneem word wanneer ’n kusgrens bepaal of aangepas word (artikel 26(4)(b)(iii) van die Wet) asook wanneer ’n aansoek om ’n omgewingsmagtiging vir kusaktiwiteite ingevolge Hoofstuk 5 van die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998) (WNOB), (artikel 63(1)(d) van die Wet), ’n algemene magtiging om afvalwater te stort of ’n aansoek om ’n kuswaterafvoerpermit (artikel 69(7)(c) van die Wet) of ’n aansoek om ’n stortingspermit (artikel 71(2)(b) van die Wet) oorweeg word. ’n Kusmagtiging kan gewysig, ingetrek, opgeskort of gekanselleer word indien dit strydig is met ’n PKBP of indien dit die bereiking van ’n kusbestuursdoelwit aansienlik sal benadeel (artikel 68(1)(b) van die Wet).

Die aanwysing van kustoegangsgrond deur munisipaliteite is onderhewig aan die toepaslike PKBP (artikel 18(3)(a)(ii) van die Wet). Programme en planne ingevolge die WNOB of enige spesifieke omgewingsbestuurswet, geïntegreerde ontwikkelingsplanne ingevolge die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000), en provinsiale en munisipale grondontwikkelingsplanne moet met die toepaslike PKBP ooreenstem, daardie bepaling van die PKBP bevat wat spesifiek daarop van toepassing is, en uitvoering gee aan die PKBP (artikel 51 van die Wet). Daarbenewens moet riviermondingsbestuursplanne en die proses waardeur dit opgestel word, munisipale kusbestuursprogramme, asook kusbeplanningskemas, in ooreenstemming wees met die toepaslike PKBP (artikel 34(1)(b)(ii), 49(1)(b)(i) en 56(2)(b)(iii) van die Wet).

Die Konsep-WK:PKBP 2022-2027 word ingelig deur die Wes-Kaapse regering se planne; takel die vereistes van huidige wetlike mandate asook nasionale en provinsiale beleidsdokumente, strategieë en programme; en ondersteun die implementering van die nasionale kusbestuursprogram. Die Konsep-WK:PKBP 2022-2027 is ’n transversale inisiatief wat geïmplementeer word deur vennootskap met alle tersaaklike sektore, regeringsfere en belanghebbendes. Dit poog om veranderinge aan die wetgewende, omgewings- en ekonomiese konteks uit te lig en om daarmee ooreen te stem, en het hoofsaaklik ten doel om bygewerkte implementeringsmikpunte ten opsigte van beplande en deurlopende projekte en strategieë om projekte te bereik, te weerspieël.

Nadat alle versoë en besware van die publiek oorweeg is, sal die hersieningsproses afgehandel word en die Konsep-WK:PKBP 2022-2027 gefinaliseer word en aan die Provinsiale Minister vir goedkeuring kragtens artikel 46(1) van die Wet voorgelê word.

Die Konsep-WK:PKBP 2022-2027 kan verkry word by <https://www.westerncape.gov.za/eadp/>. Andersins kan besonderhede elektronies verkry word op versoek van [wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za). Navrae kan op woensdae tussen 08:30 en 16:00 aan me M Naiker gerig word by tel: 060 984 5004.

Skriftelike versoë en besware oor die Konsep-WK:PKBP 2022-2027 kan voor of op 31 Mei 2022 ingedien word deur—

- (a) die versoë of besware te pos aan:  
Departement van Omgewingsake en Ontwikkelingsbeplanning  
Aandag: Me Mellisa Naiker  
Direktoraat: Biodiversiteit en Kusbestuur  
Privaat Sak X9086  
Kaapstad 8000;
- (b) die versoë of besware per e-pos te stuur aan:  
[wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za); of
- (c) die voorleggings of besware af te lewer by:  
Departement van Omgewingsake en Ontwikkelingsbeplanning  
Aandag: Mnr Mfundo Ndovela  
4de Vloer, Leeusig-gebou  
Dorpstraat 1  
Kaapstad 8001.

Vertoë en besware wat ná die sperdatum ontvang word, sal moontlik nie oorweeg word nie.

## ISAZISO SEPHONDO

I.S. 44/2022

8 uTshazimpuzi 2022

## ISEBE LEMICIMBI YOKUSINGQONGILEYO NOCWANGCISO LOPHULISO

UMTHETHO I-NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008  
(UMTHETHO 24 KA-2008)ISIMEMO SOKUPHAWULA IZIMVO ZOLUNTU: UQULUNQO LWENKQUBO YOLAWULO LWAMANXWEME EPHONDO  
LENTSHONA KOLONI 2022-2027

UMphathiswa wePhondo woRhulumente weNgingqi, iMicimbi yokuSingqongileyo noCwangciso loPhuhliso eNtshona Koloni (uMphathiswa wePhondo) unika isaziso sokuba uphonononga iNkqubo yoLawulo lwamaNcweme ePhondo leNtshona Koloni, 2016 (i-WC:PCMP, 2016), kwaye uzimisele ukulwamkela olu Qulunqo lweNkqubo yoLawulo lwamaNcweme ePhondo leNtshona Koloni 2022-2027 (UQulunqo lweWC:PCMP 2022-2027), ngokwecandelo 46(1)(b) no-(c) lomthetho iNational Environmental Management: Integrated Coastal Management Act, 2008 (uMthetho 24 ka-2008) (uMthetho). Umema amalungu oluntu ukuba angenise izimvo okanye izichaso zawo ezibhaliweyo ngoluQulunqo lweWC:PCMP 2022-2027.

I-WC:PCMP, 2016, ephantsi kovavanyo ngoku, yapapashwa nguMphathiswa wePhondo phantsi kweSaziso sePhondo 212/2016 kwiGazethi yePhondo 7620 yomhla wama-27 kuCanzibe 2016.

Ngokwecandelo 47(1) loMthetho, inkqubo yolawulo lwamanxweme ephondo (i-PCMP) kufuneka ibe sisikhokelo somgaqo-nkqubo wephondo wolawulo lommandla wonxweme kwiphondo. Kufuneka ibonelele ngendlela edibeneyo, elungelelanisiweyo nefanayo kulawulo lonxweme kwiphondo kwaye kufuneka ihambelane nenkqubo yolawulo lonxweme yesizwe kunye nenkqubo yolawulo lwamachweba esizwe. I-PCMP kufuneka iqwalaselwe kanye kwiminyaka emihlanu ubuncinane kwaye inokutshintshwa xa kukho imfuneko (icandelo lama-46(1)(b) kunye (c) loMthetho).

I-PCMP kufuneka ithathelwe ingqalelo xa umda wonxweme umiselwa okanye uhlehlengisiwe (icandelo 26(4)(b)(iii) loMthetho) ngokunjalo naxa isicelo sesigunyaziso sokusingqongileyo semisebenzi yamanxweme ngokweSahluko 5 somthetho iNational Environmental Management Act, 1998 (uMthetho 107 ka-1998) (i-NEMA) (icandelo 63(1)(d) loMthetho), isigunyaziso sokukhupha okanye isicelo semvume yokukhupha emanzini onxweme jikelele (icandelo 69(7)(c) loMthetho) okanye isicelo semvume yokulahla (icandelo 71(2)(b) loMthetho) siyaqwalaselwa. Ugunyaziso lwamanxweme lunokulungiswa, lurhoxiswe, lunqunyanyiswe okanye lurhoxiswe ukuba lungquzulana nePCMP okanye ukuba luya kudlelelela ngokumandla ukufikelelwa kwenjongo yolawulo lwamanxweme (icandelo 68(1)(b) loMthetho).

Ukumiselwa komhlaba wofikelelo kumanxweme ngoomasipala kuxhomekeke kwiPCMP esebenzayo (icandelo 18(3)(a)(ii) loMthetho). Iinkqubo kunye nezicwangciso ngokweNEMA okanye nawuphi na uMthetho wolawulo lokusingqongileyo, izicwangciso zophuhliso ezihlanganisiweyo ngokomthetho iLocal Government: Municipal Systems Act, 2000 (uMthetho 32 ka-2000), kunye nezicwangciso zophuhliso lomhlaba zephondo nomasipala kufuneka zihambelane nePCMP esebenzayo, ziqulathe loo malungiselelo wePCMP asebenza ngokukuyo, kwaye enze iPCMP isebenze (icandelo 51 loMthetho). Ukongeza, izicwangciso zolawulo lwamachweba kunye nenkqubo eziphuhlisa ngayo, iinkqubo zolawulo lwamanxweme kamasipala, kunye neziskimu zezicwangciso zamanxweme, kufuneka zihambelane nePCMP esebenzayo (amacandelo 34(1)(b)(ii), 49(1)(b)(i) kunye nelama-56(2)(b)(iii) oMthetho).

UQulunqo lweWC:PCMP 2022-2027 lusekelwe kwizicwangciso zikaRhulumente weNtshona Koloni; lusabela kwiimfuno zemithetho ekhoyo ngoku kwakunye nemigaqonkqubo yesizwe neyephondo, amaqhinga kunye neenkqubo; kwaye luxhasa ukuzalisekiswa kwenkqubo yolawulo lwamanxweme esizwe. UyQulunqo lweWC:PCMP 2022-2027 linyathelo elixananazileyo eliphunyezwa ngentsebenziswano nawo onke amacandelo afanelekileyo, amanqanaba karhulumente nabachaphazelekayo. Lufuna ukuzibonisa nokuzilungelelanisa notshintsho kumthetho, kokusingqongileyo, kunye nemeko yezoqoqosho, kwaye lujolise ikakhulu ekuboniseni okujoliswe kuko okuhlaziyiweyo ngokubhekiselele kwiiprojekthi ezicwangcisiweyo neziqhubekayo, kunye nezicwangciso zokuphumeza iiprojekthi.

Emva kokuba zonke izimvo nezichaso zoluntu ziqwalaselwe, uphononongo luya kuqunyelwa kwaye uQulunqo lweWC:PCMP 2022-2027 luya kuqunyelwa luze lungeniswe kuMphathiswa wePhondo ukuze amkelwe phantsi kwecandelo 46(1) loMthetho.

UQulunqo lweWC:PCMP 2022-2027 lunokujongwa apha <https://www.westerncape.gov.za/eadp/>. Kungenjalo, iinkcukacha ezithe vetshe zinokufunyanwa ngekhompyutha xa ziceliwe ngokuthumela i-imeyili apha [wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za). Imibuzo ingathunyelwa phakathi evekini phakathi kwentsimbi yesi-08:30 neyesi-16:00 kuNkszn M Naiker kule nombolo yomnxeba: 060 984 5004.

Izimvo nezichaso malunga noQulunqo lweWC:PCMP 2022-2027 zingangeniswa phambi okanye ngomhla wama-31 kuCanzibe 2022—

- (a) ngokuzithumela ngeposi izimvo nezichaso kwi:  
Sebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso  
Ingqale kuNkszn Mellisa Naiker  
ICandelo loLawulo: IiNtlobontlobo zezityalo nezilwanyana noLawulo lwamaNcweme  
Private Bag X9086  
Cape Town 8000;
- (b) ukuzithumela nge-imeyili izimvo nezichaso:  
[wccmp@westerncape.gov.za](mailto:wccmp@westerncape.gov.za); okanye
- (c) ngokuzisa ngesandla izimvo nesichaso kwi:  
Sebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso  
Ingqale kuMfundo Ndovela  
kuMgangatho wesi-4, kwisakhiwo iLeesus Building  
Kwanombolo 1 kwisitalato iDorp Street  
EKapa 8001.

Izimvo nezichaso ezifunyenwe emva komhla wamanqam zisenokungaqwalaselwa.