

APPENDIX 1: ORIGINS AND SOURCES OF INTERNATIONAL BEST PRACTICE IN TERMS OF LBMP REGULATION

Various specialised institutions, agencies and expert groups have been established to address the specific issue of LBMP and have developed detailed reports, analysis and guidance documents in this context. International and regional conventions dealing specifically with the issue of LBMP also provide useful guidance on the regulatory instruments involved in LBMP regulation. The latest policy development in the European Union and the United States also set out the latest governance structures, objectives, and regulatory instruments to address LBMP regulation. This appendix is aimed at providing a presentation of the main sources of current international best practice in terms of LBMP.

1 Specialised international agencies, institutions and expert group(s)

1.1 *Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA)*

The GPA is an initiative of the United Nations Environmental Programme (UNEP). The GPA was adopted by 108 Governments and the European Commission in Washington in 1995. The GPA is:

designed to be a source of conceptual and practical guidance to be drawn upon by national and/or regional authorities for devising and implementing sustained action to prevent, reduce, control and/or eliminate marine degradation from land-based activities.²¹⁷³

The GPA assists states in taking action at the national, regional or global level through a number of capacity building and technical programmes addressing the following matters/subjects: National Programmes of Action (NPAs);²¹⁷⁴ the

2173 GPA 2009 <http://www.gpa.unep.org/content.html?id=181&ln=6>.

2174 "National Programmes of Action to protect the marine environment from land-based activities (NPAs) are the translation of the GPA at the national level. The implementation of the GPA and the NPAs is primarily the task of national governments. NPAs are flexible and result-oriented programmes for the protection of the marine environment from land-based activities". GPA 2009, <http://www.gpa.unep.org/>.

Physical Alteration and Destruction of Habitats (PADH); Wastewater; Training;²¹⁷⁵ Financing; Legislation;²¹⁷⁶ Small Island Developing states (SIDS); and the Regional Seas programme.²¹⁷⁷ The GPA provides legal assistance in terms of legislation development in the context of LBMP regulation at regional and national level. From a regional perspective, the GPA provides assistance to neighbouring governments²¹⁷⁸ regarding:

... new or on-going or processes for the development or revision of Protocols for the Protection of the Marine Environment from Land-based Sources and Activities (LBSA) to Regional Seas Conventions; to strengthen the implementation of LBSA Protocols by enhancing the legislation required for implementation, compliance and enforcement; and facilitate the exchange of experiences relating to the development, revision and regional implementation of LBSA Protocols.²¹⁷⁹

The objectives of the legal component of the GPA at the national level involve "assistance to national governments to promote the strengthening of national legislative and institutional frameworks". The GPA has developed numerous guidelines documents and reports for this purpose. In the context of this research, the following have been used to identify current best practice in terms of LBMP regulation:

- UNEP/GPA *Protecting coastal and marine environments from land-based activities: A guide for national action*, 2006;

2175 "UNEP/GPA, jointly with UNESCO-IHE Institute for Water Education and under the umbrella of the UNDOALOS Train-Sea-Coast Programme offer training courses for municipal managers and decision-makers on wastewater management. The aim of the GPA training programme is to improve capacity at the local level to identify and formulate environmentally-sound and feasible projects to collect and treat wastewater and offer access sanitation". GPA 2009 <http://www.gpa.unep.org/>.

2176 "The overall objective of the legislation component of the UNEP/GPA Coordination Office's programmes is to strengthen legislative frameworks to address marine pollution from land-based activities at the regional and national levels". GPA 2009 <http://www.gpa.unep.org/>.

2177 "The Regional Seas Programme (RSP) an alliance between the Regional Seas Conventions and Action Plans (RSCAPs) has since its inception 30 years ago constituted a unique approach to the protection of the coastal and marine environment, mandated by the Governing bodies of the individual RSCAPs. The RSP is UNEP's central mechanism for the implementation of activities relevant to Chapter 17 of Agenda 21 referring to the Protection of the Oceans and Seas". GPA 2009 <http://www.gpa.unep.org/>.

2178 GPA 2008 <http://www.gpa.unep.org/content.html?ln=6&id=271>.

2179 GPA 2008 <http://www.gpa.unep.org/content.html?ln=6&id=271>.

- UNEP/GPA *Guidance on the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities for 2007–2011: Global Programme of Action contribution to the internationally agreed goals and targets for the sustainable development of oceans, coasts and islands*, 2006;
- *Report of the second session of the Intergovernmental Review Meeting on the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities*, 23 October 2006;
- UNEP, GPA and the Stockholm Environment Institute *Making mainstreaming work: an analytical framework, guidelines and checklist for the mainstreaming of marine and coastal issues into national planning and budgetary processes*, 2007.

1.2 Global Forum on Oceans, Coasts, and Islands

The Global Forum on Oceans, Coasts, and Islands was established at the World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa in September 2002, to achieve the sustainable development of oceans, coasts, and islands. The forum includes ocean leaders from governments, intergovernmental and international organisations, non-governmental organisations, the private sector, donors, and scientific institutions. The Global Forum's major goals are to:²¹⁸⁰

- Work as a catalyst to mobilise knowledge, resources, and organisational action to promote integrated oceans management.
- Foster a mutually-supportive global network of ocean policy leaders to implement integrated oceans management.
- Promote information-sharing and dissemination.
- Work together with governments, international and intergovernmental organisations, nongovernmental organisations, and others to effectively implement, at national and regional levels, major international agreements on oceans, especially the commitments made in the Plan of Implementation of the WSSD, commitments from Agenda 21, and other related agreements.

2180 The Global Forum 2008, <http://www.globaloceans.org/about/index.html>.

The main objectives of the Global Forum encompass the following:²¹⁸¹

- Promote the implementation of international agreements.
- Analyse emerging issues.
- Facilitate international consensus-building on unresolved issues.
- Promote cross-sectoral co-operation on ocean and coastal issues.
- Assist in linking oceans and freshwater issues and concerns.
- Ensure the implementation of an ecosystem-based and integrated approach to oceans governance at national, regional, and global levels, including treating the water system - from fresh water, to coasts, to oceans - as the interlinked system that it is.

1.3 *The Group of Experts on Scientific Aspects of Marine Environmental Protection (GESAMP)*

GESAMP is an advisory body, established in 1969, that advises the United Nations (UN) system on the scientific aspects of marine environmental protection. The functions of GESAMP are to conduct and support marine environmental assessments, to undertake in-depth studies, analyses and reviews of specific topics, and to identify emerging issues regarding the state of the marine environment.²¹⁸² GESAMP consists of a "pool" of experts drawn from various disciplines and sectors. Its mission is to "provide authoritative, independent, interdisciplinary scientific advice to organisations and member governments to support the protection and sustainable use of the marine environment".²¹⁸³ In terms of this mandate, GESAMP's work involves:

- Supporting global assessments of the marine environment.
- Providing scientific and technical guidance for marine environmental assessments.
- Providing an overview of the marine environment.

2181 The Global Forum 2008, <http://www.globaloceans.org/about/index.html>.

2182 GESAMP 2009, <http://www.gesamp.org/page.php?page=1>.

2183 GESAMP 2009, <http://www.gesamp.org/page.php?page=1>.

- Monitoring, assessing, and advising on how to improve the marine environment from an international perspective, and
- Identifying new and emerging issues.²¹⁸⁴

GESAMP has developed numerous reports and guidelines documents in the performance of its functions. In the context of this research, the following report was the most relevant:

- GESAMP, *Protecting the Oceans from Land-based Activities: Land-based sources and activities affecting the quality and uses of the marine, coastal and associated freshwater environment*. Report and Studies 71, IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP, 2001.

2 International conventions, agreements, programmes and projects

Various international and regional conventions, programmes, agreements and projects provide valuable information and guidance on the most suitable governance organisation, instruments and structure to address LBMP from a national, regional and international perspective, including the following international instruments and programmes which have been identified as the most relevant:

- The Regional Seas Programme, 1974
- The Barcelona Convention, 1976²¹⁸⁵
- The OSPAR Convention, 1992²¹⁸⁶
- The Nairobi Convention, 1981 and 2010²¹⁸⁷
- The Abidjan Convention, 1985²¹⁸⁸

2184 GESAMP 2009, <http://www.gesamp.org/page.php?page=1>.

2185 *Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean* 1976.

2186 *Convention for the Protection of the Marine Environment of the North-East Atlantic* 1992.

2187 *Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region* 1981, as amended during the 6th Conference of Parties Meeting for the Nairobi Convention and the Conference of Plenipotentiaries for the Nairobi Convention 29th March to 1st April 2010, Nairobi, Kenya. France (Reunion) and South Africa signed the Convention on 22 June 1985.

- The Mediterranean Action Plan, 1975²¹⁸⁹
- The WIO-Lab Project, 2004²¹⁹⁰
- The BCLME Programme,
- The Montreal Guidelines for the Protection of the Marine Environment against Pollution from Land-Based Sources, 1985

2.1 *Regional Seas Programme*

The Regional Seas Programme was launched in 1974 as an outcome of the 1972 United Nations Conference on the Human Environment held in Stockholm. The Regional Seas Programme aims to address:

The accelerating degradation of the world's oceans and coastal areas through the sustainable management and use of the marine and coastal environment, by engaging neighbouring countries in comprehensive and specific actions to protect their shared marine environment. It has accomplished this by stimulating the creation of Regional Seas Programmes prescriptions for sound environmental management to be coordinated and implemented by countries sharing a common body of water.²¹⁹¹

More than 140 countries currently participate in thirteen of the Regional Seas programmes. France participates in the North-East Atlantic and Mediterranean regional programmes. South Africa belongs to the Eastern Africa and Western Africa programmes. The Regional Seas programmes function through action plans. In most cases the action plan is supported by a regional convention and associated protocols on specific problems. The Nairobi (Eastern Africa) and Abidjan (Western Africa) Conventions are relevant in the South African context. For France, the OSPAR and Barcelona Conventions are the most relevant. The following associated documents have been reviewed in the context of this study:

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- 2188 *Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region* 1985.
- 2189 In 1975, sixteen Mediterranean countries and the European Community adopted the Mediterranean Action Plan (MAP). MAP 2009, <http://www.unepmap.org/index.php?module=content2&catid=001001002>.
- 2190 WIO-LaB *Addressing Land-based Activities in the Western Indian Ocean*. This UNEP/GEF project started in June 2004 and was completed in May 2008.
- 2191 UNEP 2009 <http://www.unep.org/regionalseas/about/default.asp>.

- UNEP, *Overview of Land-based Sources and Activities Affecting the Marine, Coastal and Associated Freshwater Environment in the West and Central African Region*. Regional Seas Reports and Studies No. 171, 1999.
- UNEP, *Overview of Land-based Sources and Activities Affecting the Marine, Coastal and Associated Freshwater Environment in the Eastern African Region*. Regional Seas Reports and Studies No. 167, UNEP/Institute of Marine Sciences, University of Dar es Salaam/FAO/SIDA 1998.

2.2 The Barcelona Convention

In 1976 sixteen Mediterranean countries and the European Community adopted the *Convention for the Protection of the Mediterranean Sea Against Pollution* (the Barcelona Convention). In 1995 the contracting parties adopted an amended version of the Barcelona Convention of 1976, renamed the *Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean*. The Convention's objectives are:

- to assess and control marine pollution;
- to ensure sustainable management of natural marine and coastal resources;
- to integrate the environment in social and economic development;
- to protect the marine environment and coastal zones through the prevention and reduction of pollution and, as far as possible, the elimination of pollution, whether land- or sea-based;
- to protect the natural and cultural heritage;
- to strengthen solidarity among Mediterranean coastal states; and
- to contribute to the improvement of the quality of life.

The Convention is important to this research project, but its "*Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources*" is more relevant. The protocol was adopted on 17 May 1980 and amended on 7

March 1996, but is not yet in force.

2.3 OSPAR Convention

In 1992, the *Convention for the Protection of the Marine Environment of the North-East Atlantic* (the "OSPAR Convention") was adopted by the fourteen signatory states to the Oslo and Paris Conventions, by Switzerland, and by a representative of the Commission of the European Communities. The new Convention merged and modernised the Oslo and Paris Conventions. The parties to the Convention include Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, The Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

2.4 The Nairobi and Abidjan Conventions

The *Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region* (the Nairobi Convention) was signed in 1985 and came into force in 1996. The Nairobi Convention was amended during the 6th Conference of Parties Meeting for the Nairobi Convention and the Conference of Plenipotentiaries for the Nairobi Convention 29th March to 1st April 2010. The Nairobi Convention has been ratified by ten states including: the Comoros, France (La Reunion), Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, Tanzania and the Republic of South Africa. The *Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region* (the Abidjan Convention) was adopted in 1981. Parties to the Convention include Benin, Cameroon, Congo, Cote d'Ivoire, Gabon, Gambia, Ghana, Guinea, Liberia, Nigeria, Senegal, Sierra Leone, South Africa and Togo. The two conventions are coordinated by a joint secretariat hosted by UNEP under the Division of Environmental Policy Implementation (DEPI). The texts of these two conventions are reviewed in this research project, as are the texts of the following associated documents:

- *Third Draft Protocol additional to the Nairobi convention concerning land-based sources and activities (lbs/a) in the Eastern African region*". Prepared with the support of UNEP/GEF/WIO-LaB project, April 2007.
- UNEP-GEF WIO-LaB project, *Addressing land-based activities in the western Indian ocean: third draft regional report on legal, regulatory and institutional frameworks in the WIO region*, 2007.
- UNEP, *Framework for a Strategic Action Programme for Addressing Land-based Sources and Activities in the Western Indian Ocean Region*. Draft for discussion, 26 September 2007.
- *Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-based Sources and Activities to the Nairobi Convention*, 31 March 2010. (LBMP Protocol to the Nairobi Convention.)

2.5 **Mediterranean Action Plan (MAP)**

The MAP was the first plan adopted (in 1975) as a Regional Seas Programme under UNEP. The MAP is a regional initiative involving the 22 Contracting Parties to the Barcelona Convention²¹⁹² as well as the European Union. The main objectives of the MAP are to assist the Mediterranean countries:

- to assess and control marine pollution;
- to formulate their national environment policies;
- to identify adequate development paths and to optimise the allocation of resources;
- to implement integrated coastal zone planning and management;
- to reduce pollution from land-based sources;
- to protect marine and coastal habitats and threatened species;

²¹⁹² 22 countries bordering the Mediterranean Sea: Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Libya, Malta, Monaco, Morocco, Serbia and Montenegro, Slovenia, Spain, Syria, Tunisia, Turkey.

- to make maritime activities safer and more conscious of the Mediterranean marine environment;
- to intensify the integrated planning of coastal areas;
- to monitor the spreading of invasive species;
- to limit and intervene promptly on oil pollution; and
- to further promote sustainable development in the Mediterranean region.

It is also important to highlight the role of the MED POL Programme (Mediterranean Marine Pollution Monitoring and Research Programme), which was created in 1975 to answer specific needs in terms of the assessment, qualification and quantification of marine environmental problems of the Mediterranean Sea. The Programme was then the scientific and technical component of the Mediterranean Action Plan (MAP). Considering the scope and objectives of this study, the following reports and document developed in the context of MAP have been reviewed:

- UNEP, *A Strategic Action Plan to eliminate pollution from land-based sources in the Mediterranean*. MEDPOL Programme 2006, MAP Special Publications.
- UNEP/MAP, *Protecting the Mediterranean from land-based pollution*. UNEP/GAP 2001
- UNEP/MAP. *Review and assessment of national strategies for sustainable development in the Mediterranean region*. MAP Technical Reports Series No. 162, 2005.

2.6 WIO-LaB Project

This project titled "Addressing land-based activities in the Western Indian Ocean" (referred to as "WIO-LaB") was aimed at addressing some of the major environmental challenges related to the degradation of the marine and coastal environment resulting from land-based activities (LBA) in the Western Indian Ocean (WIO) region. The project was a partnership between the countries of the

WIO Region²¹⁹³, the Norwegian government, UNEP, and the GEF, and was designed to serve as a demonstration project for the GPA. The project had the following main objectives:²¹⁹⁴

- Reduce stress to the ecosystem by improving water and sediment quality.
- Strengthen the regional legal basis for preventing land-based sources of pollution through GPA.
- Develop regional capacity and strengthen institutions for sustainable, less polluting development.
- Improve the knowledge base and establish regional guidelines for the reduction of stress to the marine and coastal ecosystem by improving water and sediment quality.

The project was completed in May 2008. The following documents have been reviewed in the context of this research:

- Regional Legal and Technical Review Task Force, *Report of the Inception Meeting prepared by the WIO-LaB, Project Management Unit*. Antananarivo, Madagascar, 24-25 May 2005, WIO-LaB Report No. UNEP/GEF/WIOLAB/LTF.1/11.
- UNEP, *Addressing Land-based Activities in the Western Indian Ocean* 2006. Report of the Second Meeting of the Regional Legal and Technical Review Task Force Meeting UNEP/GEF/WIOLAB/LTRTF.2/06.
- UNEP, *Addressing Land-based Activities in the Western Indian Ocean*, 2007. Report of the 3rd Meeting of the Regional Legal and Technical Review Task Force. UNEP/GEF/WIO-LaB/LTF.3/07.

2.7 BCLME Programme

The Benguela Current Large Marine Ecosystem (BCLME) Programme is a coordinated initiative by Angola, Namibia and South Africa to manage the living marine resources of the BCLME. It is funded by the GEF under its International

2193 Kenya, Tanzania, Mozambique, South Africa, the Comoros, Madagascar, Mauritius and Seychelles.

2194 WIO-LaB 2007 http://www.wiolab.org/copy_of_Other_per_cent20Activities/Project_per_cent20Activities.

Waters portfolio and is implemented by the United Nations Development Programme (UNDP). The BCLME Programme focuses on key areas, including fisheries, environmental variability, seabed mining, oil and gas exploration and production, coastal zone management, ecosystem health, socio-economics and governance. The following document was most relevant to this research:

- BCLME Project BEHP/LBMP/03/01, January 2006.

2.8 The Montreal Guidelines for the Protection of the Marine Environment against Pollution from Land-based Sources, 1985

The guidelines were developed in response to the UNEP Governing Council decision 10/24 of 31 May 1982 by an Ad-Hoc Working Group of Experts on the Protection of the Marine Environment against Pollution from Land-based Sources. They were adopted on 19 April 1985. This set of guidelines is aimed at assisting Governments in the process of developing appropriate bilateral, regional and multilateral agreements and national legislation for the protection of the marine environment against pollution from land-based sources.

They have been prepared on the basis of common elements and principles drawn from relevant existing agreements, drawing upon experience already gained through their preparation and implementation. Principal among these agreements are the United Nations Convention on the Law of the Sea (Part XII), the Paris Convention for the Prevention of Marine Pollution from Land-based Sources, the Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area, and the Athens protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources.²¹⁹⁵

²¹⁹⁵ Preamble of the *Montreal Guidelines for the Protection of the Marine Environment Against Pollution from Land-Based Sources* 1985.

3 European Union: The Marine Strategy Framework Directive

The aim of the European Union's ambitious Marine Strategy Framework Directive (adopted in June 2008) is to protect the marine environment across Europe more effectively. It aims to achieve a "good environmental status of the EU's marine waters by 2021 and to protect the resource base upon which marine-related economic and social activities depend".²¹⁹⁶ The Marine Strategy will constitute the environmental pillar of the future maritime policy initiated by the European Commission. The European Commission's Green Paper "Towards a future Maritime Policy for the Union: A European vision for the oceans and seas, " June 2006, was followed in October 2007 by a Communication and Action Plan for an EU Maritime Policy and in 2008 by the Directive. The following documents were the most relevant in the context of this research:

- Green Paper, *"Towards a future Maritime Policy for the Union: A European vision for the oceans and seas: How inappropriate to call this planet Earth when it is quite clearly Ocean"*. Arthur C. Clarke, COM(2006) 275 final, 2006.
- *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the committee of the regions: An integrated maritime policy for the European Union*. COM (2007) 574 final, 2007.
- *Directive 2008/56/EC, 17 June 2008, establishing a framework for community action in the field of marine environmental policy*. (Marine Strategy Framework Directive.)

4 US: Ocean Policy

The policy document was released by the U.S. Commission on Ocean Policy on September 2004. The policy titled "An Ocean Blueprint for the 21st Century" contains the Commission's findings and recommendations for a new, coordinated

2196 European Commission 2009 http://ec.europa.eu/environment/water/marine/index_en.htm.

and comprehensive national ocean policy. On December 17, 2004, the US President issued an executive order to establish a Committee on Ocean Policy as part of the Council on Environmental Quality and released the U.S. Ocean Action Plan. The following documents were the most relevant in the context of this research:

- *An Ocean Blueprint for the 21st Century*, 2004.
- *US Ocean Action Plan*, 2004.

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The decentralization law of March 2nd 1982 transfers to the municipalities and departments of their own affairs, departments and regions are one of the largest metropolitanized structures in the last 15 years. Since then, it is no longer a decentralized unitary State. However, alone is not in the Nation's law, and the government alone concerns the Republic's population. The central authorities transferred neither legislative authority nor government to a local level, as in the German Länder. Among the metropolitan units, which is a mixed table, it is important to distinguish between the local authorities that are not in the law, as in the case of publicly metropolitan authorities, whose representatives are chosen by the citizens, and those that are not metropolitan, which are in the law, such as the State, which represents the State.

The Commune: The founding of the French republic into communes after 1789 by the French Revolution in 1789. There are 36,563 communes in France. Each commune has a mayor who is elected for 6 years by the inhabitants of the commune to direct municipal affairs. Mayors are elected by the town council. Mayor's prerogative: local administrative management, primary or primary schools, urban planning, local secondary schools, communal roads, municipal police, collection of taxes.

The wider conceptual structure starts from a view of groups as the "containers" of minority groups, as posed to the usual right the "containing community" from which individuals are drawn and the "minor community" from which individuals apply to it. In parallel, there are other forms of co-operation, such as the family, which is defined as a space presenting economic, financial, cultural, economic and social cohesion.

The Department France has 13 departments, 96 of which are in Metropolitan France and 4 overseas: Martinique, Guadeloupe, Reunion and Corsica. The executive authority of the department is the President of the Departmental Council, elected by the Council voting the members for 6 years. The Departmental Council is made up of 28 members. Corsica allows a shorter period of 5 years for departmental council members to retain the power of a 2nd term consecutively.

The Region France has 16 regions, 13 of which are in Metropolitan France and 3 overseas. The regions are made up of all the departments grouped together according to their economic interests. The executive authority of the Region is the President of the Regional Council elected by the regional councilors. He must be a French citizen, at least 23 years of age.

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Sectors makers	Decision	Communities communal Structures	Inter-	Departments	Regions	State
Local courts		x				x
Maintainance public order						x
Real estate Urban Planning	x					
Water - purification	x					
Municipal waste	x					
Electric distribution						
Urban Transportation	x					
Maintenance of roads and Public Spaces	x		x			x
Green spaces	x					
Revenue	x					x
Health	x		x		x	x
Social services	x		x			
Education	x		x		x	x
Culture	x		x		x	x
Sports leisure	x		x			
Early childhood	x		x			
Economic development creating employment and migration	x		x		x	x
Foreign - Justice						x

Remark: even if the distribution of the jurisdictions between the authorities is fixed in the laws of the organization, a jurisdiction can be exercised in cooperation by several authorities. Example of the education: the State is competent for all the matters which concern the quality of teaching (appraisal of the teachers...) while the municipalities are competent for the construction and the maintenance of buildings.

APPENDIX 3: ANNEX III OF THE MSFD, LIST OF PRESSURES IMPACTS

Physical and chemical features	topography and bathymetry of the seabed; annual and seasonal temperature regime and ice cover, current velocity, upwelling, wave exposure, mixing characteristics, turbidity, residence time; spatial and temporal distribution of salinity; spatial and temporal distribution of nutrients (NH₄⁺, TN, OP, TP, DOC) and oxygen pH, pCO₂ profiles or equivalent information used to measure marine acidification.
Habitat types	The predominant seabed and water column habitat types) with a description of the characteristic physical and chemical features, such as depth, water temperature regime, currents and other water movements, salinity, structure and substrate composition of the seabed. Identification and mapping of special habitat types, especially those recognised or identified under Community legislation (the Habitats Directive and the Birds Directive) or international conventions as being of special scientific or biodiversity interest; Habitats in areas which by virtue of their characteristics, location or strategic importance merit a particular reference. This may include areas subject to intense or specific pressures or areas which merit a specific protection regime.
Biological features	A description of the biological communities associated with the predominant seabed and water column habitats. This would include information on the phytoplankton and zooplankton communities, including the species and seasonal and geographical variability; information on angiosperms, macro algae and invertebrate bottom fauna, including species composition, biomass and annual/seasonal variability; information on the structure of fish populations, including the abundance, distribution and age/size structure of the populations; a description of the population dynamics, natural and actual range and status of species of marine mammals and reptiles occurring in the marine region or subregion; a description of the population dynamics, natural and actual range and status of species of seabirds occurring in the marine region or subregion; a description of the population dynamics, natural and actual range and status of other species occurring in the marine region or subregion which are the subject of Community legislation or international agreements; an inventory of the temporal occurrence, abundance and spatial distribution of non-indigenous, exotic species or, where relevant, genetically distinct biotypes of native species, which are present in the marine region or subregion.
Other features	A description of the situation with regard to chemicals, including chemicals giving rise to concern, sediment contamination, hotspots, health issues and contamination of biota (especially biota meant for human consumption); a description of any other features or characteristics typical of or specific to the marine region or subregion.

physical loss	Smothering (e.g. by man-made structures, disposal of dredge spoil); sealing (e.g. by permanent construction)
physical damage	Changes in siltation (e.g. by outfalls, increased run-off, dredging/disposal of dredge spoil); destruction (e.g. impact on the seabed of commercial fishing, boating, anchoring); selective extraction (e.g. exploration and exploitation of living and non-living resources on seabed and subseabed)
Other physical disturbance	Underwater noise (e.g. from shipping, underwater acoustic equipment); marine litter
interference with hydrological processes	Significant changes in thermal regime (e.g. by outfalls from power stations); significant changes in volume regime (e.g. by constructions impeding water movements, water abstraction)
Contamination by hazardous substances	introduction of synthetic compounds (e.g. priority substances under Directive 2002/61/EC which are relevant for the marine environment such as pesticides, anti-foulants, pharmaceuticals, resulting, for example, from losses from diffuse sources, pollution by ships, atmospheric deposition and biologically active substances); introduction of non-synthetic substances and compounds (e.g. heavy metals, hydrocarbons, resulting, for example, from pollution by ships and oil, gas and mineral exploration and exploitation, atmospheric deposition, riverine inputs); introduction of radionuclides
Systematic and/or intentional release of substances	introduction of other substances, whether solid, liquid or gas, in marine waters, resulting from their systematic and/or intentional release into the marine environment, as permitted in accordance with other Community legislation and/or international conventions
Nutrient and organic matter enrichment	Inputs of fertilisers and other nitrogen- and phosphorus-rich substances (e.g. from point and diffuse sources, including agriculture, aquaculture, atmospheric deposition); inputs of organic matter (e.g. sewers, maculature, riverine inputs);
Biological disturbance	introduction of microbial pathogens; introduction of non-indigenous species and translocations; selective extraction of species including incidental non-target catches (e.g. by commercial and recreational fishing)

APPENDIX 4: KEY LAW PRINCIPLES INCORPORATED IN THE SOUTH AFRICAN POLICY

OVERVIEW OF MAIN LAW PRINCIPLES APPLICABLE TO THE REGULATION OF LBMP	
White Paper on Environmental Management in South Africa, 1997	
Principles	Management instruments, measures and tools
Sustainable development Improve quality of life Equitable access to natural resources Efficient use of energy resources Integration Public participation Accountability Cradle to grave Demand management Coordination Equity Good governance Inclusivity Precautionary approach Prevention Polluter pays Environmental Justice Open Information Impact management Environmental performance Pricing natural resources Conflict resolution	Holistic and integrated planning Pro-active or reactive direct measures (law, regulations and directives) Pro-active and reactive indirect measures (capacity building, education, awareness) Supportive measures (EIA, SEA, EMS) Partnerships Enforcement measures Compliance measures

White Paper on A National Water Policy For South Africa, 1997	
Principles	Management instruments, measures and tools
Sustainable coastal development Interconnectivity of coastal ecosystems Land/sea interdependency Quality of life Protection of water quality, quantity and reliability Equity regarding water access and use Optimum resources use and protection Sustainable use Beneficial use Vertical and horizontal integration Fairness Respect of the recovery capacity of the environmental media Public trust doctrine Unity of the Water cycle Fulfil basic needs Interconnected nature of water cycle Water conservation Pollution control Ensure public safety Disaster prevention	Environmental reserve Resources directed measures Source directed measures Classification system of water resources Permits Standards Technology Registry Impacts Assessment Directives, fines Economic incentives Water use audit Water pricing policy Water catchment management "Right for use"
White Paper Towards Sustainable Coastal Development in South Africa, 2000	
Principles	Management instruments, measures and tools
Public participation Scientific integrity Integrated coastal management Practicality Pro-active and co-operative governance Social equity Holism Duty of care Integration Ecological integrity Risk aversion Participatory and incentive-based approach Adaptive management	Integrated coastal Planning and development Pollution control and waste management Co-operative governance legislation

White Paper on Integrated Pollution and Waste Management in South Africa, 2000	
Principles	Management instruments, measures and tools
Media-base approach Recognition of waste as main source of pollution Prevention and minimisation of waste Prevention and minimisation of pollution at source Management of impacts Integration Environmental integrity Sustainable fitness for use of environmental media Accountability Environmental justice Manage transboundary movement of pollution and waste Duty of care Universal applicability Participation Holism Integration Correct pricing of natural resources	Catchment management Education Capacity building Partnership Information management Economic instruments Classification system Pollution management system Audits Voluntary Agreement Quotas Environmental quality standards Planning
White Paper on Conservation and Use of South Africa's Biological Diversity, 1997	
Principles	Management instruments, measures and tools
Duty of care Protection of intrinsic value Sustainable use Fair and equitable distribution of benefits Full costs benefits accounting Informed and transparent decision making Precautionary principle Accountability and transparency Subsidiary principle Cross sectoral approach	Reserve Restoration Rehabilitation Integrated land-use planning Bioregional approach Environmental assessment

Others	
Principles	Management instruments, measures and tools
Impact assessment and management for full life cycle of activities ²¹⁹⁷ Pro-active and informed decision making ²¹⁹⁸ "Best" use ²¹⁹⁹ Certainty, neutrality and equity (regarding environmental tax) ²²⁰⁰ Minimising Cost/ cost effectiveness ²²⁰¹ Environmental effectiveness Food Security ²²⁰² Sustainable agriculture ²²⁰³ Meeting basic needs ²²⁰⁴ Sustainable and environmentally friendly growth and development path ²²⁰⁵ Sustainable Forest Development ²²⁰⁶ Sustainable fisheries ²²⁰⁷ Waste recycling and beneficiation ²²⁰⁸ Sustainable human development ²²⁰⁹	Forward Planning ²²¹⁰ Development Control ²²¹¹ Sustainable Development Framework ²²¹² Market-based instruments ²²¹³

Considering the above table, we can conclude that the current policy framework incorporate all the advocated law principles which should facilitate effective regulation of LBMP in South Africa.

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- 2197 *White Paper a Mineral and Mining Policy for South Africa* 1998.
2198 *Idem.*
2199 *White Paper on Spatial Planning and Land Use Management: "Wise Land Use"* 2001.
2200 *Idem.*
2201 *Idem.*
2202 *White Paper on Agriculture* 1995.
2203 *Idem.*
2204 *Idem.*
2205 *White paper on Reconstruction and Development* 1994.
2206 *Forestry White Paper* 1997.
2207 *White Paper: A Marine Fisheries Policy for South Africa* 1997.
2208 *Draft White Paper on National Sanitation* 1995.
2209 *White Paper on Population Policy.*
2210 *Idem.*
2211 *Idem.*
2212 *Idem.*
2213 *Draft Policy Paper "Framework for Considering Market-Based Instruments to Support Environmental Fiscal Reform in South Africa"* 2006.

APPENDIX 5: MOST RELEVANT REQUIREMENTS, BEST PRACTICES, GUIDELINES, OPERATIONAL POLICIES AND STRATEGIES IN TERMS OF LBMP REGULATION AND DEVELOPED BY THE FORMER DWAF.

- **Requirements**

- *Government Gazette* No 9225, 18 May 1984. Regulation No. 991: 18 May 1984. Requirements for the purification of waste water or effluent
- *Government Notice* No. 704, *National Water Act*, 1998 (Act No. 36 of 1998), Regulations on use of water for mining and related activities aimed at the protection of water resources.

- **Best practices**

- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A1: Small Scale Mining Practices, August 2006
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A2: Water Management for Mine Residue Deposits, July 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A3: Hydrometallurgical plants, July 2007
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A4: Pollution Control Dams, August 2007
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A5: Water Management for Surface Mines, July 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series A: Best Practice Guideline A6: Water Management for Underground Mines, July 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series G: Best Practice Guideline G1: Storm Water Management,

August 2006

- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series G: Best Practice Guideline G2: Water and Salt Balances, August 2006
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series G: Best Practice Guideline G3: Water Monitoring Systems, July 2007
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series G: Best Practice Guideline G4: Impact Prediction, December 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series G: Best Practice Guideline G5: Water Management Aspects for Mine Closure, December 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series H: Best Practice Guideline H1: Integrated Mine Water Management, December 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series H: Best Practice Guideline H2: Pollution Prevention and Minimization of Impacts, July 2008
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series H: Best Practice Guideline H3: Water Reuse and Reclamation, June 2006
- Best Practice Guidelines for Water Resource Protection in the SA Mining Industry, Series H: Best Practice Guideline H4: Water Treatment, September 2007
- **Guidelines**
 - Guideline Document for the implementation of Regulations on use of water for Mining and related activities aimed at the protection of Water Resources, Second Edition, May 2000
 - An Illustrated Guide to Basic Sewage Purification Operations, First Edition,

2002

- Guide: Permissible utilisation and disposal of treated sewage effluent by the Department of National Health and Population Development, 1998
- Guideline for the Management of Waterborne Epidemics, with the emphasis on Cholera, Edition 1, March 2002
- Guidelines for the Utilisation and Disposal of Wastewater Sludge: Volume 1: Selection of Management Options, March 2006
- Guidelines for the Utilisation and Disposal of Wastewater Sludge: Volume 2: Requirements for the agricultural use of sludge, March 2006
- Draft Guidelines for the Utilisation and Disposal of Wastewater Sludge: Volume 3: Requirements for the on-site and off-site disposal of sludge of wastewater sludge, March 2007
- Draft Guidelines for the Utilisation and Disposal of Wastewater Sludge: Volume 4: Requirements for the beneficial use of sludge at high loading rates, March 2008
- Draft Guidelines for the Utilisation and Disposal of Wastewater Sludge: Volume 5: Requirements for thermal sludge management practices and for commercial products containing sludge, March 2008
- Guideline for Authorising the Use of Water for Aquaculture, March 2007
- National Guidelines for Integrated Agriculture Water Use, July 2002
- Operational Policy: Use of Water for Aquaculture Purposes, April 2006
- Waste Management Guidelines: Application for Disposal Site Permit
- Waste Management Guidelines: Guidelines for handling, treatment and disposal of Abattoir Waste
- Waste Management Guidelines: Guidelines for Leachate Control
- Waste Management Guidelines: Disposal Site Definition
- Waste Management Guidelines: Waste Incineration Process (Process 39)
- Waste Management Policies: Asbestos - Handling Asbestos containing waste
- Waste Management Policies: Farms - The registration of small private non-commercial Farm Waste Disposal Site

- Waste Management Policies: Groundwater - Groundwater Quality Management in South Africa
- Waste Management Policies: Medical Waste - Policy on the Disposal of Medical Waste
- Waste Management Policies: Metal Finishing - Metal finishing sludge
- Waste Management Policies: Sanitary Waste - Policy on the Disposal of Sanitary Waste
- Waste Management Policies: Fluorescent Tubes - Disposal of Fluorescent Tubes collected in large quantities
- Waste Management Policies: Cemeteries - Interim arrangement
- **Minimum Requirements**
 - Minimum requirements for the Handling, Classification and Disposal of Hazardous Waste: Second Edition, Second Edition, 1998
 - Minimum requirements for Waste Disposal by Landfill: Second Edition, Second Edition, 1998
 - Minimum requirements for Water Monitoring at Waste Management Facilities: Second Edition, Second Edition, 1998
 - Guideline for Authorising the Use of Water for Aquaculture, March 2007
 - Operational Policy: Use of Water for Aquaculture Purposes, April 2006
- **Strategies and operational policies**
 - Development of a strategy to control Eutrophication in South Africa, Project Report Phase 1, January 2003
 - Managing the Water Quality: Effects of Settlements: The National Strategy Policy Document U 1.1 First Edition, First Edition, April 1999
 - Operational Guideline for Application by a Mine for a Permit in Terms of Section 12B and 21 of the Water Act (Act 54 of 1956)(Currently under revision), March 1997
 - Operational Policy for the disposal of land-derived water containing waste to the marine environment of South Africa (MS 13.2), Edition 1, 2004 and Guidance on Implementation (MS 13.3), Edition 1, 2004, Appendices (MS

13.4), Edition 1, 2004

- Source Management Strategy, March 2004
- Operational Policy for the disposal of land-derived water containing waste to the marine environment of South Africa (MS 13.2), Edition 1, 2004
- Operational policy for the disposal of land-derived water containing waste to the marine environment of South Africa (MS 13.3), Edition 1, 2004 - Guidance on Implementation
- Operational policy for the disposal of land-derived water containing waste to the marine environment of South Africa (MS 13.4), Edition 1, 2004 - Appendices

APPENDIX 6: OVERVIEW OF MARINE PROTECTED AREAS (MPA) IN SOUTH AFRICA

- **Background**²²¹⁴

A total of 22 per cent of South Africa's 3 000-km coastline has some degree of protection, but only 9 per cent of the coastline is protected by "no-take" Marine Protected Areas (Category 1) with an additional 13 per cent protected by "limited extraction" (Category 2) and "closed area" Marine Protected Areas (Category 3). The objective is to achieve 20 per cent of no-take Marine Protected Areas coastline in South Africa.

The country's Exclusive Economic Zone marine environment has been divided into five bioregions: Namaqua, South-Western Cape, Agulhas, Natal, and Delagoa (see map above). Since the promulgation of the Marine Living Resources Act, Act 18 of 1998 (MLRA), the Marine Protected Areas network has expanded and improved management strategies have been implemented. In 2004, four new Marine Protected Areas were declared in South Africa (Aliwal Shoal, Pondoland, Bird Island, and parts of the Cape Peninsula and Namaqua Marine Protected Area), which increased the length of coastline within Marine Protected Areas in four of the five bioregions. The proportion of the coastline with 'no-take' and 'limited-take' Marine Protected Areas increased in three bioregions, while the proportion of single-species reserves (inappropriate for ecosystem protection) decreased. Most importantly, the increases in Marine Protected Areas occurred in bioregions where they were most urgently required, except for the Namaqua bioregion, where increased protection inshore and offshore is still needed.

The total area of the South African EEZ encompassed in some form of Marine Protected Areas increased from 0.3 per cent in 1997 to 0.4 per cent in 2004, but no protected area currently extends further than 30 km offshore. A 50-km-long

2214 DEAT 2008 <http://www.mcm-deat.gov.za/about/index.html>.

Marine Protected Area has been proposed, located between the Groen and Spoeg rivers, stretching to the edge of the EEZ, in the Namaqua bioregion, which would greatly improve the protected proportion of this bioregion and that of the overall EEZ.

- **Marine Protected Areas and Closed Areas**

There are several types of areas in the marine and coastal environment where special regulations apply for conservation, fishery management and the promotion of tourism. These include:

Marine Protected Areas, which are declared under section 43 of the Marine Living Resources Act. In general no fishing, construction work, pollution, or any form of disturbance is allowed unless written permission has been granted by the Minister.

Closed Areas, which are declared under section 77 of the Marine Living Resources Act. Fishing is restricted or prohibited entirely in these areas as indicated below.

National Parks, which are declared under the National Parks Act.

MARINE PROTECTED AREAS (20 MPA in total)

1. Langebaan Lagoon Marine Protected Area
2. Sixteen Mile Beach Marine Protected Area
3. Maigas Island, Jutten Island and Marcus Island Marine Protected Areas
4. Table Mountain National Park Marine Protected Area
5. Helderberg Marine Protected Area
6. Betty's Bay Marine Protected Area
7. De Hoop Marine Protected Area
8. Goukamma Marine Protected Area
9. Robberg Marine Protected Area
10. Tsitsikamma National Park (includes the Tsitsi-kam-ma Marine Protected Area)
11. Sardinia Bay Marine Protected Area
12. Bird Island MPA
13. Dwesa-Cwebe Marine Protected Area
14. Hluikwa Marine Protected Area
15. Pondoland MPA
16. Trafalgar Marine Protected Area
17. Aliwal Shoal MPA
18. St Lucia Marine Protected Area
19. Maputaland Marine Protected Area
20. Stillbaai Marine Protected Area

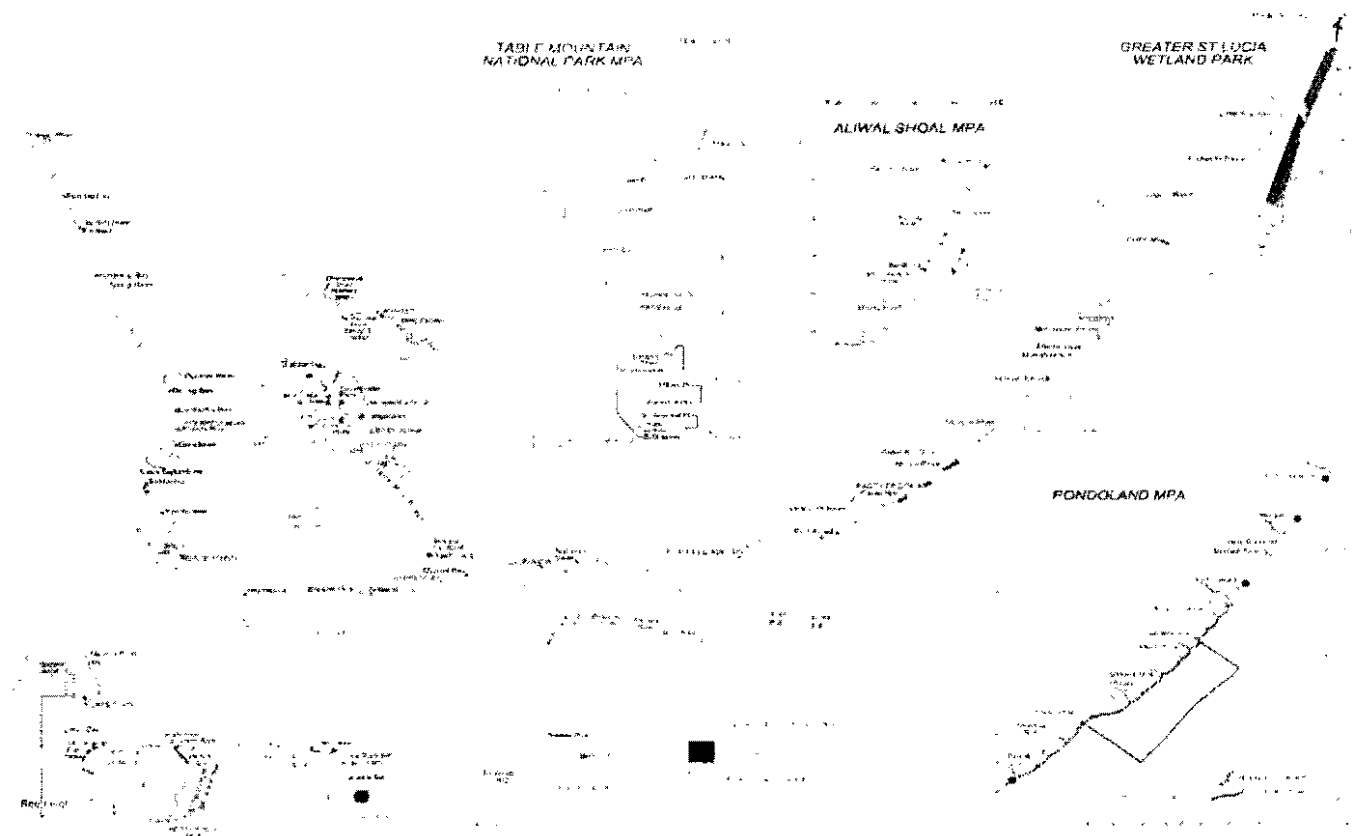
CLOSED AREAS

1. St Helena Bay
2. Saldanha Bay
3. Table Bay
4. Strand
5. Mudge Point
6. Onrus River
7. Hermanus

STATUS OF MARINE PROTECTED AREAS (MPA) IN SOUTH AFRICA (SEPTEMBER 2008)

Please take note that the Stillbaai MPA is not represented on this MAP, but it was established in October 2008

Source: Department of Environmental Affairs and Tourism (DEAT) Marine and Coastal Management: http://www.mcm-deat.gov.za/marine_protected/marine_protected_areas.html



APPENDIX 7: PRIORITISATION FOR FURTHER ACTIONS FOR IMPLEMENTATION (SOUTH AFRICAN NPA 2008)

Proposed actions for each key land-based activity/pressure

LAND-BASED ACTIVITY	RESPONSIBLE AUTHORITY	RECOMMENDED ACTION	IMPACT RATING	
			ENVIRONMENT	SOCIO-ECONOMIC
Waste disposal	ECOT + + Department of Water and Forestry	Improve the management of waste disposal sites	H	H
	DEAT	Develop a waste management plan for the country, including the development of a waste management strategy		
Waste management	DEAT	Develop a waste management plan for the country, including the development of a waste management strategy	H	H
	ECOT + + Department of Water and Forestry + Department of Agriculture, Forestry and Fisheries	Develop a waste management plan for the country, including the development of a waste management strategy		
Fishing	EMF	Develop a management plan for the EMF	H	H
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
Fishing and aquaculture	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT	H	M H
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		
	ECOT + + Department of Water and Forestry	Develop a management plan for the ECOT		

LAND-BASED ACTIVITY	RESPONSIBLE AUTHORITY	RECOMMENDED ACTION	IMPACT RATING	
			ENVIRONMENT	SOCIO-ECONOMIC
Mines and Waste Sites	ECOTM in cooperation with E.A. and relevant communities	Develop and implement a RAMP for the Department of Environmental Affairs in the Marine Environment in South Africa	M/H	M/H
	ECOTM in cooperation with E.A. and AEL	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	ECOTM in cooperation with DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DEAT	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
Marine Fisheries	ECOTM in cooperation with E.A. and relevant communities	Develop and implement a RAMP for the Department of Environmental Affairs in the Marine Environment in South Africa	M/H	M/H
	ECOTM in cooperation with E.A. and AEL	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	ECOTM in cooperation with DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DEAT	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
Other Species	ECOTM in cooperation with E.A. and relevant communities	Develop and implement a RAMP for the Department of Environmental Affairs in the Marine Environment in South Africa	H	H
	DEAT	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
Shallow Fisheries	ECOTM in cooperation with E.A. and relevant communities	Develop and implement a RAMP for the Department of Environmental Affairs in the Marine Environment in South Africa	M/H	M/H
	ECOTM in cooperation with DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DEAT	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
Preservation of ecosystems	ECOTM in cooperation with E.A. and relevant communities	Develop and implement a RAMP for the Department of Environmental Affairs in the Marine Environment in South Africa	L	L
	ECOTM in cooperation with DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DEAT	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		
	DSEAF	Develop a training programme on the Department of Environmental Affairs in the Marine Environment in South Africa		

LAND-BASED ACTIVITY	RESPONSIBLE AUTHORITY	RECOMMENDED ACTION	IMPACT RATING	
			ENVIRONMENTAL ASPECT	SOCIAL/ECONOMIC
Aquaculture Practices	Department of Agriculture	Develop CAPS Regulations to regulate the aquaculture industry to ensure that CAPS objectives are met and that the industry is sustainable.	M II	M II
	Department of Agriculture	Develop a National Aquaculture Policy to guide the industry and ensure that the industry is sustainable.		
	Department of Agriculture and Forestry (DAFF)	Develop a National Aquaculture Policy to guide the industry and ensure that the industry is sustainable.		
Offshore Wind	Department of Energy	Develop a National Offshore Wind Policy to guide the industry and ensure that the industry is sustainable.	Not Rated	Not Rated
	Department of Energy	Develop a National Offshore Wind Policy to guide the industry and ensure that the industry is sustainable.		
Renewable Energy	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.	Not Rated	Not Rated
Renewable Energy	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.	Not Rated	Not Rated
Renewable Energy	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.	Not Rated	Not Rated
	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.		
Renewable Energy	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.	Not Rated	Not Rated
	DAFF	Develop a National Renewable Energy Policy to guide the industry and ensure that the industry is sustainable.		

Priority actions for programme support elements

[illegible][illegible]

Priority actions for the establishment of resource-directed measures and the monitoring and evaluation of the NPA process

RECOMMENDED ACTION	RESPONSIBLE AUTHORITY
Ensure that the environmental impact for the proposed measures is assessed against the National Strategic Development Programme	ECAT
Carry out impact assessment process on a regular basis	ECAT in consultation with DWAF and Conservation Agencies
Review policies and an impact assessment process	ECAT in consultation with Forestry, Agriculture and Conservation Agencies
Develop strategic measures and measures for the coastal zone in the context of the National Coastal Management Programme	ECAT in collaboration with MEC
Establish proposed resource use and measures for the coastal zone in the context of the National Coastal Management Programme	Provincial Government of Environment in collaboration with ECCs
Establish local resource directed measures for the coastal zone in the context of the National Coastal Management Programme	Local Government in collaboration with MECs
Establish local resource directed measures for the coastal zone in the context of the National Coastal Management Programme	Local Government in collaboration with MECs
Review the impact of the South African Water Quality Guidelines for Coastal Marine Waters (DWAF, 1995)	ECAT
Develop guidelines for the implementation and monitoring of coastal management measures and establish a system of monitoring for the coastal zone	ECAT in collaboration with provincial departments of environment
Develop guidelines to determine the resource carrying capacity for the coastal zone	ECAT in collaboration with provincial departments of environment
Maintain and expand the Blue Flag Campaign	National Blue Flag Campaign and Municipalities
Develop a monitoring, evaluation and evaluation programme for the NPA around the coastal zone and the coastal zone	ECAT in collaboration with the NPA

APPENDIX 8: WATER SERVICES BYLAW (TEMPLATE)

WATER SERVICES BYLAW (TEMPLATE – CONTENT)

ARRANGEMENT OF SECTIONS

CHAPTER I

GENERAL PROVISIONS

PART 1 DEFINITIONS

Definitions

PART 2 PROVISION OF WATER SERVICES

Application for water services

Special agreements for water services

PART 3 TARIFFS AND CHARGES

Prescribed tariffs and charges for water services

Fixed charges for water services

PART 4 PAYMENT

Payment of deposit

Payment for water services provided

PART 5 ACCOUNTS

Accounts

Queries or complaints in respect of account

Appeals against finding of Municipality in respect of queries or complaints

Arrears

Agreement for the payment of arrears in instalments

PART 6 TERMINATION, LIMITATION AND DISCONTINUATION OF WATER SERVICES

Termination of agreement for the provision of water services

Limitation or discontinuation of water services provided

Restoration of water services

PART 7 GENERAL

Responsibility for compliance with this Bylaw

Exemption

Unauthorised use of water services

Change in purpose for which water services are used

Interference with water supply system or any sanitation services

Obstruction of access to water supply system or any sanitation services

Notices and documents

Power to serve and compliance with notices

Power of entry and inspection

False statements or information

Offences

Availability of Bylaw

CHAPTER II WATER SUPPLY SERVICES**PART 1 CONNECTION TO WATER SUPPLY SYSTEM**

Provision of connection pipe

Location of connection pipe

Provision of single water connection for supply to several consumers on same premises

Interconnection between premises or water installations

Disconnection of water installation from connection pipe

PART 2 COMMUNAL WATER SERVICES WORKS

Provision of a water services work for water supply to several consumers

PART 3 TEMPORARY SUPPLY

Water supplied from a hydrant

PART 4 STANDARDS AND GENERAL CONDITIONS OF SUPPLY

Quantity, quality and pressure

General conditions of supply

PART 5 MEASUREMENT OF WATER SUPPLY SERVICES

Measuring of quantity of water supplied

Quantity of water supplied to consumer

Defective measurement

Special measurement

No reduction of amount payable for water wasted

Adjustment of quantity of water supplied through defective measuring device

PART 6 INSTALLATION WORK

Approval of installation work

Provision and maintenance of water installations

Use of pipes and water fittings to be authorised

Labelling of terminal water fittings and appliances

PART 7 WATER POLLUTION, RESTRICTION AND WASTEFUL USE OF WATER

Owner to prevent pollution of water

Water restrictions

Waste of water unlawful

PART 8 WATER AUDIT

Water audit

PART 9 GENERAL

Notification of boreholes

Sampling of water

Supply of non-potable water by Municipality

Testing of pressure in water supply systems

Pipes in streets or public places

CHAPTER III SANITATION SERVICES

PART 1

STANDARDS AND GENERAL PROVISIONS

Standards for sanitation services

Objectionable discharge to sewage disposal system

PART 2

ON-SITE SANITATION SERVICES AND ASSOCIATED SERVICES

Application for infrastructure

Services associated with on-site sanitation services

Charges in respect of services associated with on-site sanitation services

PART 3

SEWAGE DISPOSAL

Provision of a connecting sewer

Location of connecting sewer

Provision of one connecting sewer for several consumers on same premises

Interconnection between premises

Disconnection of draining installation from connecting sewer

PART 4

SEWAGE DELIVERED BY ROAD HAULAGE

Acceptance of sewage delivered by road haulage

Written permission for delivery of sewage by road haulage

Conditions of delivery of sewage by road haulage

Withdrawal of permission for delivery of sewage by road haulage

PART 5

DISPOSAL OF INDUSTRIAL EFFLUENT

Permission to discharge industrial effluent

Control of industrial effluent

Metering and assessment of industrial effluent

Prohibited discharges

Limits of permanganate value (PV), ph and electrical conductivity and maximum concentration of certain substances

Industrial effluent charges

Application for a permit to discharge trade or industrial effluent into the sewage system

Permit to discharge trade or industrial effluent into the sewage system

PART 6

MEASUREMENT OF QUANTITY OF EFFLUENT DISCHARGE TO SEWAGE DISPOSAL SYSTEM

Measurement of quantity of standard domestic effluent discharged

Measurement of quantity of industrial effluent discharged

Reduction in the quantity determined in terms of sections above

PART 7

DRAINAGE INSTALLATIONS

Construction or installation of drainage installations

Drains in streets or public places

Construction by Municipality

Maintenance of drainage installation

Installation of pre-treatment facility

Protection from ingress of floodwaters

Short title

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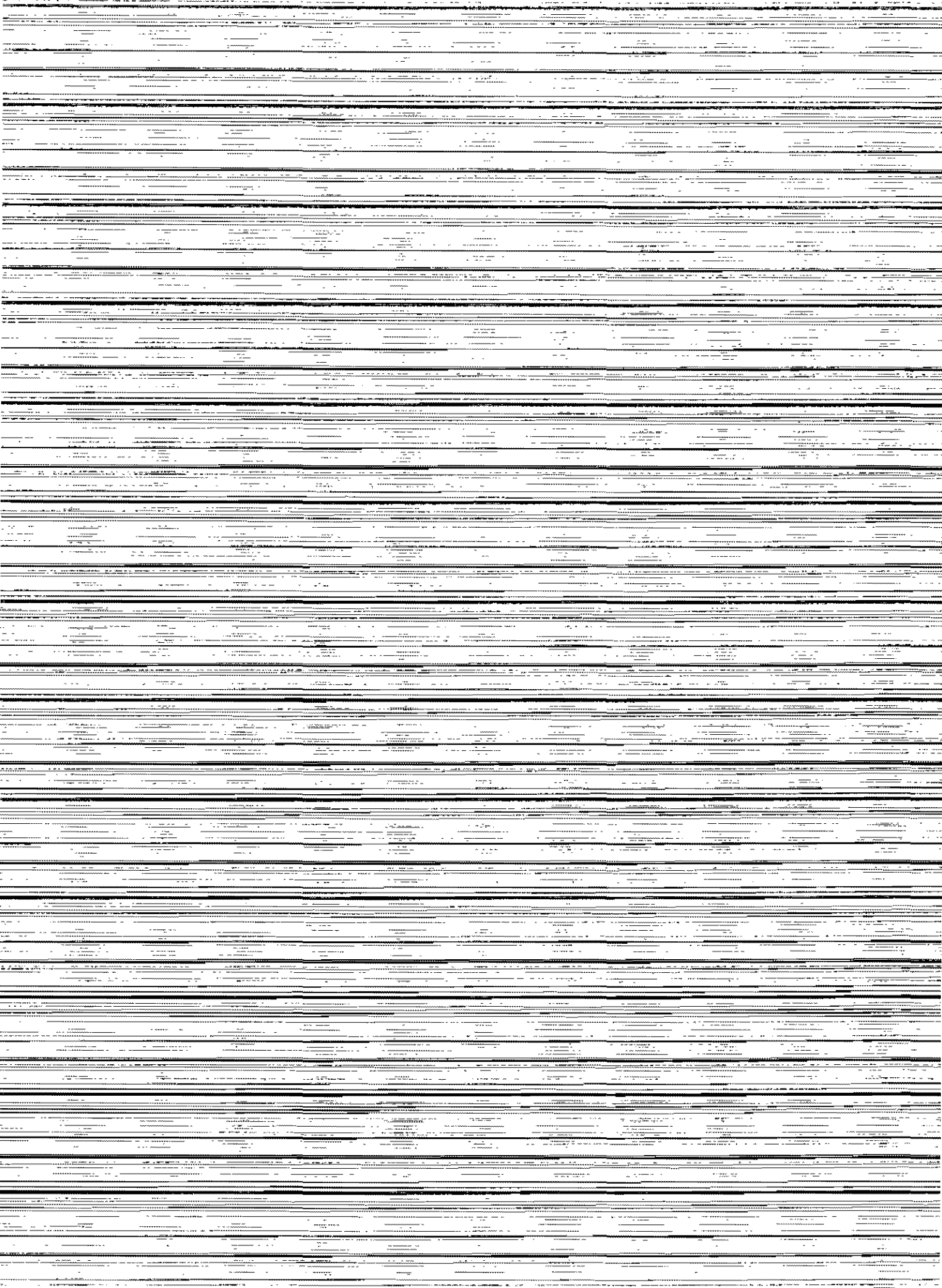
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