

SCHEDULE A

PROHIBITED ACTIVITIES IN OVERSTRAND ENVIRONMENTAL MANAGEMENT OVERLAY ZONES

PROHIBITED ACTIVITY	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Agricultural practices within this EMOZ which may cause water logging and [salination] <u>siltation</u> .	x	x	x	x	x
Planting or harbouring of declared alieninvasive plant species on properties located within and adjacent to this EMOZ.	x	x	x	x	x
Planting or harbouring of declared emerging weeds on properties within and adjacent to this EMOZ.	x	x	x	x	x
Planting or harbouring of locally important emerging weed species within and adjacent to this EMOZ.	x	x	x	x	x
Development or agriculture on slopes steeper than 1:4.	x	x	x	x	x
Development above the 120m geographical contour line.		x	x	x	x
Development on the crest of a mountain, ridge or hill.		x	x	x	x
Establishment of Informal settlements or Temporary Relocation Areas.	x	x	x	x	x
No land user within this EMOZ may utilise the vegetation in a vlei, marsh or within the flood area of watercourse in a manner that may cause the deterioration or damage to the natural agricultural resources.	x	x	x	x	x
Placement of religious symbols or memorabilia.	x		x		x

Harvesting /collection of kelp / seaweed in municipal designated “no-take” zones.	x		x		<u>x</u>
Harvesting, collection, moving, loading drying of kelp /seaweed, <u>with a valid Seaweed Harvesting Permit or an exemption in terms of Section 81 or the MLRRA issued by the DAFF [without MLRA licence].</u>	x		x		x
Stockpiling, drying, processing or loading of marine resources beyond areas designated, demarcated and signposted by the Municipal Council for such purposes.	x		x		x

PROHIBITED ACTIVITY	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Modification of the littoral active zone / functional dune system in absence of approved management plans.	x		x		x
Feeding, disturbing / pursuit of fauna.	x	<u>x</u>	x	<u>x</u>	x
Disturbance, modification or destruction of the environment or species within special management areas designated, demarcated and signposted by the Municipal Council from time to time.	x	<u>x</u>	<u>x</u>	<u>x</u>	x
Defacing / damaging / removing of any notice, sign, barrier building or other infrastructure.	x	x	x	x	x
Playing or tampering with any rope, float, buoy, [marine] vessel, shelter or similar life-saving device.	x			<u>x</u>	
Staying overnight.	x	<u>x</u>	<u>x</u>	<u>x</u>	x
[Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.]	[X]	[X]	[X]	[X]	[X]

The discharging of domestic effluent / grey water into [EMOZ Zones] all natural systems	x	<u>X</u>	x	x	x
Tampering with security / surveillance infrastructure	x	<u>X</u>	x	<u>X</u>	x
Defacing of rocky outcrops and placement of memorial plaques, religious symbols or structures on natural features.	x	<u>X</u>	<u>X</u>	<u>X</u>	x
Graffiti, vandalism or damaging of municipal infrastructure.	x	<u>X</u>	<u>X</u>	<u>X</u>	X
Littering.	x	<u>X</u>	<u>X</u>	<u>X</u>	X
Disposal of cigarette butts, ash or other hazardous materials in any place or manner other than a receptacle designated for such items.	x	x	x	x	x
Dog walking/exercise in non-designated zones	x	x	x	x	x

SCHEDULE B

ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT IN OVERSTRAND ENVIRONMENTAL OVERLAY ZONES

ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT	Applicable Environmental Management Overlay Zone (EMOZ)				
A) WITH WRITTEN PERMISSION BY DELEGATED AUTHORITY	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Permission for the utilization of access routes to permitted kelp / seaweed harvesting sites.	x				<u>x</u>
Removal or destruction of [protected tree species] <u>vegetation which is protected and/or of conservation concern.</u>	x	x	x	x	x
Dune maintenance on private land [in Betty's Bay and Pringle Bay,] <u>on all sensitive dune systems,</u> as per approved [Overstrand] dune maintenance management plans.	x				<u>x</u>
Excavation and destruction or removal of substrate (soil, substrate, rock, shellgrit, dune sediment, mineral deposits).	x	x	x	x	x
Discharging of pool backwashing or untreated grey water or the channelling of storm water into open spaces without the necessary approval from the Municipality.	x	<u>x</u>	x	x	x
B) PERMIT UPON APPROVAL BY DELEGATED AUTHORITY AND / RECEIPT OF TARIFF	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Installation of conservancy tanks or biological treatment plants within 50 metres from the edge of a watercourse / wetland.	<u>x</u>	<u>x</u>	x	x	
Access from private properties to open spaces, including the removal of vegetation and the establishment of structures and infrastructure.	x	<u>x</u>	x		x

Commercial filming.	X	<u>X</u>	X	<u>X</u>	X
Construction or placement of any temporary object, building, shelter or structure.	X	<u>X</u>	X	<u>X</u>	X
Use of engine or motor driven vehicles, remotely piloted aircraft or any other means of transport or other conveyances beyond designated, demarcated and signposted areas.	X	X	X		X
Launching of vessels at registered launch sites.	X			X	

ACTIVITIES ONLY PERMITTED WITH COUNCIL CONSENT	Applicable Environmental Management Overlay Zone (EMOZ)				
C) COUNCIL AUTHORISATION PENDING Consent Use Application / Lease Agreement / Applicable Tariffs as applicable	Coastal	Mountain	Protected Area Buffer	Riverine	Urban Conservation
Buildings / Structures associated with: Taking of water, storing of water, impeding or diverting flow, stream flow reduction, altering the bed, banks, course characteristics, outflow structures or discharge pipes.	X	X	X	X	X
Application for the designation of industrial sites and activities associated with the seaweed harvesting, collection, drying, transport and processing fishery.	X		X		<u>X</u>
Encroachment of private buildings, structures, infrastructure, access routes.	X		X	X	X
Commercial Harvesting/collection and removal of any natural resource [;]	X	<u>X</u>	X	<u>X</u>	X
Construction or placement of any permanent object, building, shelter or structure	X	<u>X</u>	X	<u>X</u>	X

SCHEDULE C

GENERAL REGULATIONS APPLICABLE TO THE ENVIRONMENTAL OVERLAY ZONES OF THE OVERSTRAND MUNICIPALITY

GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Access ☐ Municipal EMOZ open spaces shall be regarded as Public Places whereby the right of access for the general public is guaranteed, excluding where such access constitutes a negative environmental impact or where such access will constitute a public nuisance. ☐ Members of the public shall at all times respect the right of other users of Municipal property in terms of access to natural areas within EMOZ Open Space Properties as well as the personal integrity, health, safety and wellbeing of other persons present. ☐ Members of the public shall at all times respect the environment and natural resources within Municipal EMOZ properties and refrain from inflicting damage to natural resources, the ecology or landscape integrity in such areas. ☐ Members of the public shall at all times respect Municipal infrastructure and refrain from damaging any building, structure , work, amenity, regulation sign or interpretive material present in these public places. ☐ The Municipality may designate existing development nodes and access routes on spatial plans per suburb in the Municipal area, signpost such areas and provide for their operational management in maintenance management plans. ☐ Members of the public shall not stray beyond designated nodes, access routes and associated infrastructure. ☐ Council may from time to time promulgate bylaws prohibiting specific actions and behaviour within <u>all</u> [urban and coastal] EMOZ properties and impose penalties for transgression of such bylaws.	x	<u>x</u>	<u>x</u>	<u>x</u>	x

GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Restriction of Access ☐ [The right of access to EMOZ properties shall be restricted to hours between 06:00 – 20:00.] • [Occupation of buildings, infrastructure and vegetation on Municipal EMOZ properties between 20:00 – 06:00, with the exception of Municipal Festivals and official events, shall be deemed as staying overnight.] ☐ The right of access shall be restricted to formally designated, demarcated and signposted development nodes, pathways and trails, <u>in an identified EMOZ</u>. ☐ Council or the delegated management authority may close any access point, trail or encroachment that has or will have an adverse impact on the environment or that is deemed to be an unlawful or unauthorised access point or route. ☐ Objectors towards any closure or removal of any path, trail, route or encroachment will have to provide proof of Municipal authorisation or permission for the establishment of such means of access from private properties. ☐ Council or the delegated management authority may order the removal of structures in unauthorised access points or routes and the rehabilitation of such sites at the expense of the responsible party. ☐ Overstrand Municipality may publish Bylaws which manage the right of public access to - and recreational use of watercourses, wetlands and dams.	x	x	x	x	x

GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Remedy of Breach of the Right of Access and Occupation of Municipal EMOZ Properties ☐ Council may remove buildings, structures, pathways, vegetation, memorabilia or religious symbols which have been placed, erected, constructed, cleared or planted on Municipal EMOZ properties. ☐ Council may issue repair / removal / rehabilitation notices where structures, vegetation, memorabilia or religious symbols encroach on Municipal property and where the ownership or custodianship of such items can be established. ☐ Costs incurred in the removal of infrastructure as well as for the repair / rehabilitation of damaged ecosystems, shall be for the account of the responsible party.	x	x	x	x	x

Development Nodes ☐ The design and development of new buildings, infrastructure and utilities within development nodes in EMOZ properties must complement the natural character and sense of place of the ecological corridor and existing development in such areas. ☐ Council may require the submission of Environmental Impact Assessments and EMPs for activities, buildings and infrastructure within development nodes, for each application. ☐ Council may require the submission of independent environmental audit reports for specified activities contained in environmental management plans for consent use activities. ☐ Based on the NEMA 'Precautionary' and 'Duty of Care' principles, the Municipality may also direct the developer/owner/applicant to prepare and submit Construction and Operational EMPs to prevent, mitigate and manage any adverse impacts in sensitive EMOZ zones, for consideration and approval by the Municipality.	X	X	X	x	x
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GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Management Agreements ☐ The Municipality may enter into Co-Management Agreements with community organisations with locus standing for the funding / operational management of Municipal Open Spaces EMOZ zones. ☐ The Municipality may enter into Co-Management Agreements with public / community organisations for the management and funding of operational management activities in [Buffer Zones] EMOZ.	x	x	x	x	x

Management of Locally Problematic Invasive Alien Species & Emerging Weeds ☐ Council may, within any EMOZ, consider and approve a list of locally problematic alien invasive species and emerging weeds which pose a risk to the environment and which could have cost implications for the Municipality if such species had to be removed from Municipal land. ☐ Council may, through a system of delegations, issue removal notices for locally listed alien invasive species and emerging weeds which are found on properties within or adjacent to EMOZ properties, including those on State Owned land.	x	x	x	x	x
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GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Management Plans for NEM:BA Invasive Alien Species ☐ [All organs of state owned land within the Overstrand Environmental Management Zones must compile an IAS monitoring, control and eradication plan for land under their control (legally required in terms of NEMBA). Copies of these plans and an annual report on implementation status must be submitted to the municipality. Should they fail to do so, the municipality may report the matter to the Department of Environmental Affairs Biodiversity Directorate.] ☐ Overstrand Municipality may request access to Invasive Alien Species Management Plans from that are required for all State Land, from Government Departments responsible for land, where such State Land falls within an EMOZ. ☐ Overstrand Municipality may correspond with DEA: Biosecurity Directorate and request the serving of Directives for the clearing of Invasive Alien Species on Government Departments that have jurisdiction over State Land, if there are no IAV plans in place for such properties. ☐ Council may request access to Alien Invasive Species Clearing plans for private land, if such private land is found to contain listed NEM:BA or locally important Invasive Species and Emerging Weeds.	x	x	x	x	x

Management of Forests [in Urban Areas] on Municipal Land ☐ The Municipality may categorise, designate and manage specific forest areas as Coastal Forest Reserve / Recreational Area / Special Management Area, depending on the existing state of transformation of such ecosystems and in accordance with the provisions of management plans for such areas, as approved by Council.	x	x	x	x	x
GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain Catchment	Protected Area Buffer	Riverine	Urban Conservation
Prioritisation of Areas for Fire Control Management ☐ The municipality may prioritise and facilitate areas for proactive and / or urgent Fire Control Management in collaboration with landowners - where the fire risk to natural environment as well as life and property is reaching extreme levels. ☐ The Municipality may call for the submission or development of co-operative fire protection and fire management plans for private properties within the Environmental Overlay Zones or within the buffer zones that abut Overstrand property. ☐ The Municipality may request the provision of fire protection and fire management plans from Government Departments that have jurisdiction over State Land that abuts or is part of an Environmental Overlay Zone and report the said Departments to the MEC for Agriculture, Forestry and Fisheries if such plans are not forthcoming from the relevant department.	x	x	x	x	x

GENERAL REGULATIONS APPLICABLE TO OVERLAY ZONES IN THE OVERSTRAND MUNICIPAL REGION	Applicable Environmental Management Overlay Zone (EMOZ)				
	Coastal	Mountain	Protected	Riverine	Urban

Fire Management ☐ Overstrand Municipality may develop an Ecological Fire Management Plan in coordination with the Fire and Rescue department of the Municipality for the ecological management of open spaces within the urban edge. ☐ Properties subject to the fire management plan shall be exempt from the general Overstrand Fire Management Policy and will be burned according to correct fire management cycles. ☐ The Municipality may prepare fuel breaks and fire breaks on and along the boundaries of all residential properties to provide access for fire fighting teams and to reduce the risk of the spread of fires across boundaries. ☐ The Municipality may restrict the placement of high fire risk structures and buildings within building lines on the boundary of the EMOZ Open Spaces and order the removal of structures where such structures constitute a fire hazard and / threaten life / other property. ☐ The Municipality may order the installation of sprinkler systems / fire protection systems on buildings with thatched roofs, which are located adjacent to EMOZ <u>Open Spaces</u> [open space] properties.	x	x	x	x	x
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Management of Encroachment ☐ Council may institute measures to safeguard coastal land against encroachment of private properties (gardens, garden refuse, structures, mown areas etc.) into EMOZ open spaces or to prosecute persons that cause such encroachments. ☐ Council may approve procedures for the removal of infrastructure that is placed in open spaces without authorization from the Municipal Manager or the delegated Authority. ☐ Council may authorize procedures for the recovery of costs from persons that are responsible for encroachments, dumping or the modification of vegetation in the EMOZ. ☐ Council may prohibit the installation of memorabilia, religious symbols, objects of art and culture or other structures in open spaces.	x	<u>x</u>	x	x	x
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