

# Legal and policy framework for marine spatial planning

Biodiversity Planning Forum

Cape St Francis

22 June 2018



# Marine Spatial Planning Bill

- Adopted by the National Assembly on 24 April 2018
- Transmitted to the National Council of Provinces for concurrence
- Provides the framework for a comprehensive multisectoral spatial planning regime for the marine realm

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## MARINE SPATIAL PLANNING BILL

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*(As introduced in the National Assembly (proposed section 76); explanatory summary of  
Bill published in Government Gazette No. 40726 of 28 March 2017)  
The English text is the official text of the Bill)*

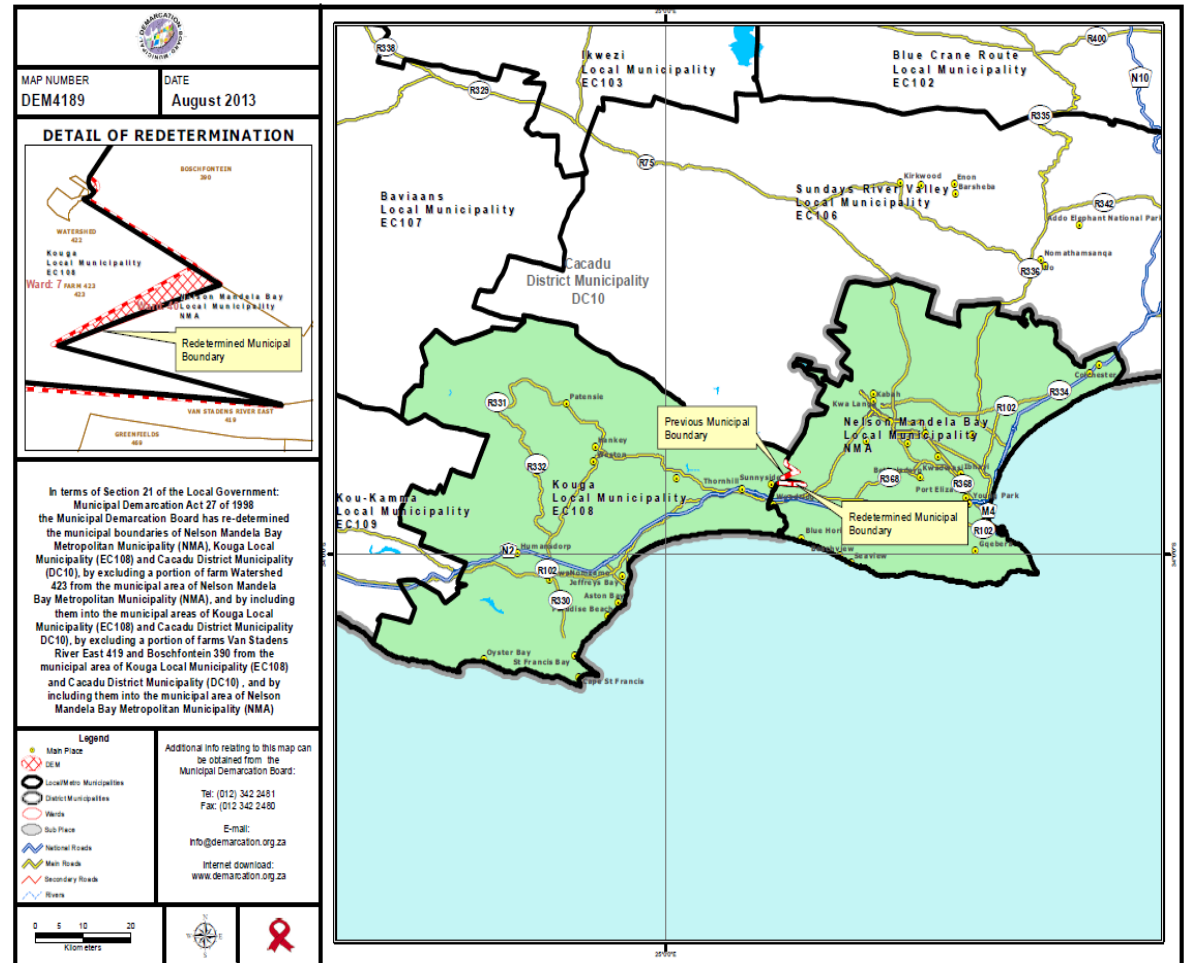
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# Environmental spatial planning instruments

National biodiversity framework 	Biodiversity and land 	Listed ecosystems and threatened processes 
Biodiversity management plans and biodiversity management agreements 	"Spatial development tools" and "systematic biodiversity plans" 	Restrictions and prohibitions 
Environmental  	Restrictions and prohibitions 	Fisheries management areas 

# Multisectoral spatial planning tools



- Spatial Planning and Land Use Management Act, 2013
- Spatial development frameworks (SDF)
  - National Spatial Development Framework?

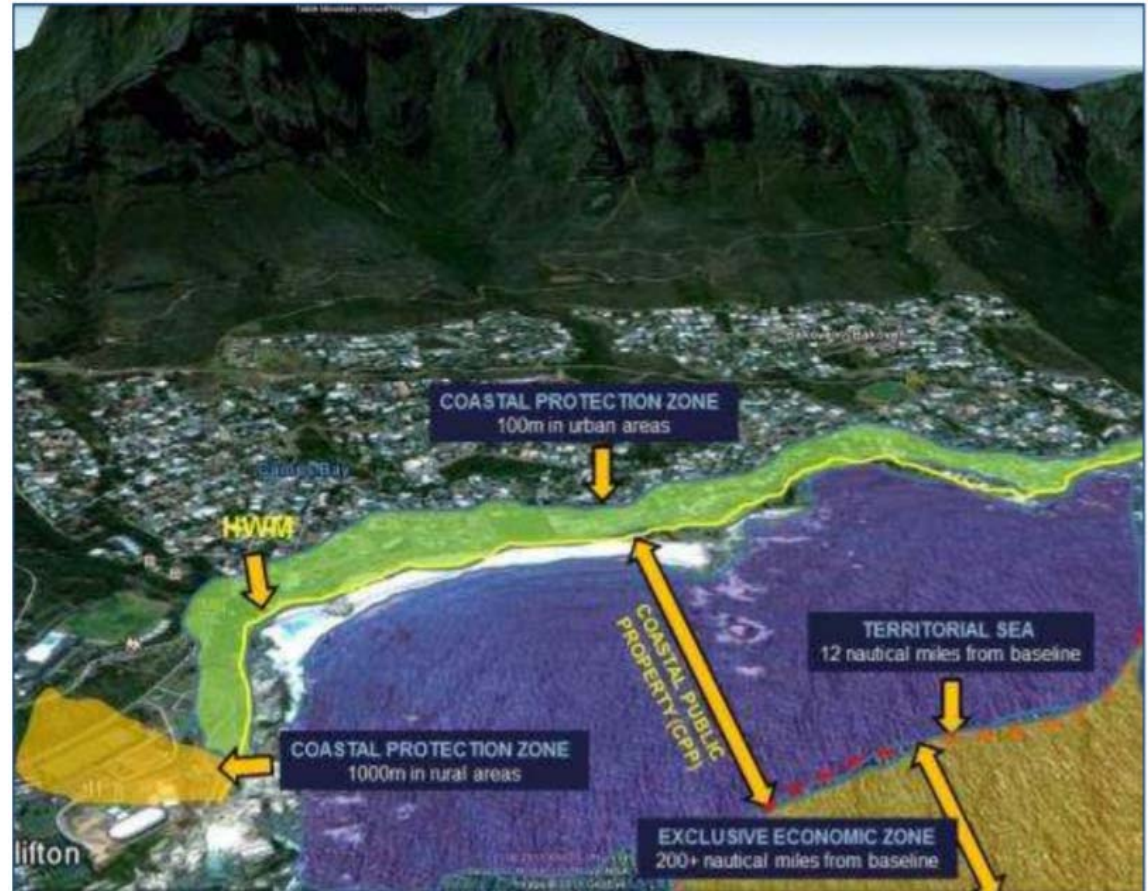




# Integrated coastal planning

“coastal zone” means the area comprising coastal public property, the coastal protection zone, coastal access land, coastal protected areas, the seashore and coastal waters, and includes any aspect of the environment on, in, under and above such area

- Special management areas? 
- Coastal planning schemes? 



# Legislative planning instruments applicable in respect of the marine realm

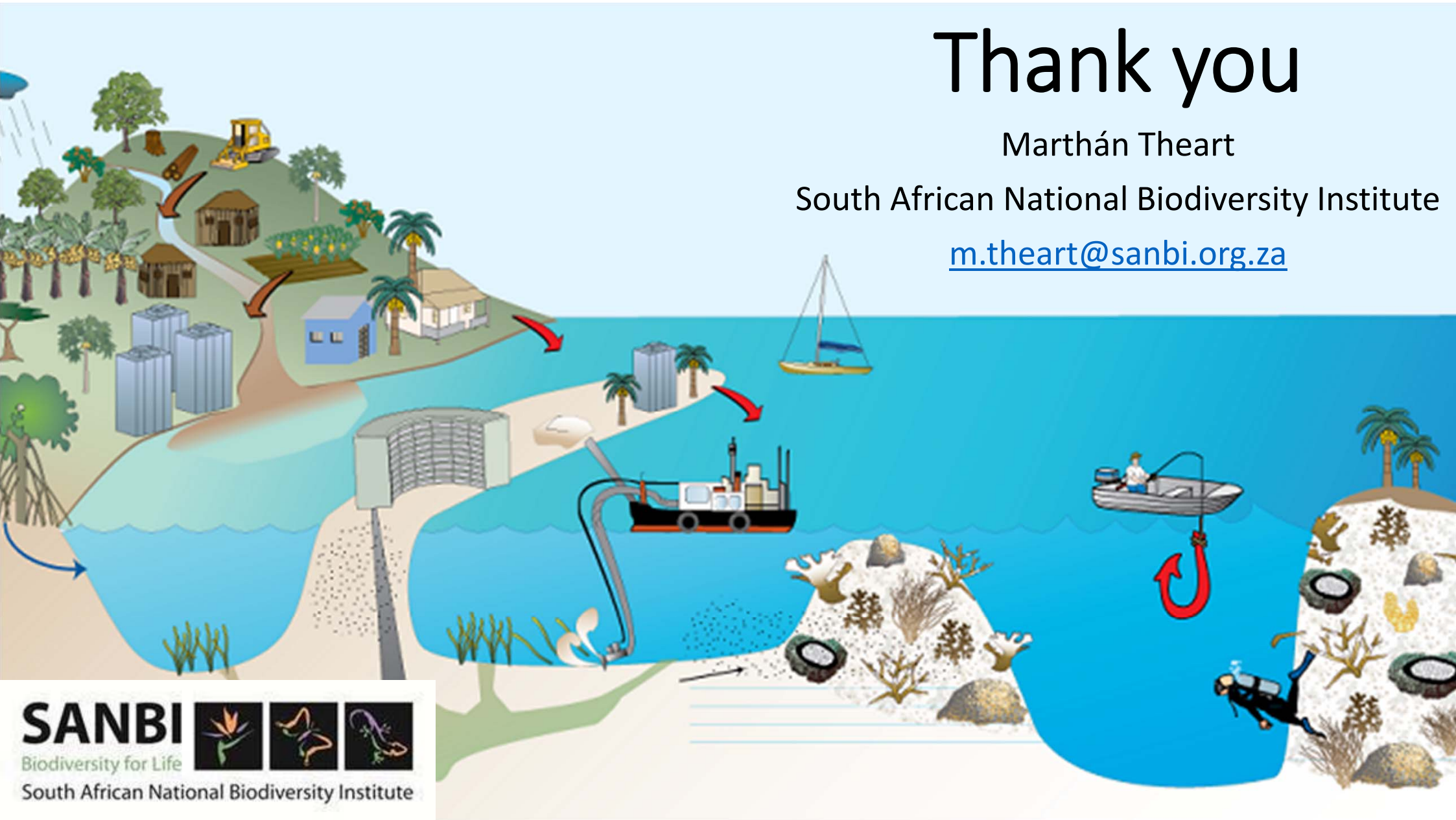
Tool	Legal nature	
National biodiversity framework	Guideline	
Threatened ecosystems and threatening processes	Trigger for EIA	<b>Environmental management</b>
Spatial development tools and systematic biodiversity plans	Trigger for EIA	
Biodiversity management plans and biodiversity management agreements	Contractual obligations	
Restrictions and prohibitions in terms of NEMA	Restriction / prohibition	<b>Moratorium</b>
Restrictions and prohibitions in terms of the MPRDA	Restriction / prohibition	
Fisheries Management Areas	Species specific management tool	

# Thank you

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