



NO DRIVING ON DUNES AND VEGETATION



NO DRIVING ON SAND AND MUD FLATS



NO DRIVING ON BIRD BREEDING AREAS

There is general prohibition of vehicle use in the coastal area unless a permit is obtained.

ORV Permit application forms can be obtained by contacting Department Forestry, Fisheries and the Environment at: orvpermitting@dffe.gov.za or download the forms from the website at www.dffe.gov.za

Controlling Vehicle use in the Coastal Area



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forestry, fisheries & the environment

Department: Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA



CONTROL OF THE USE OF VEHICLES IN THE COASTAL AREA REGULATIONS, PROMULGATED UNDER NATIONAL ENVIRONMENTAL MANAGEMENT INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008) (HEREUNDER REFERRED TO AS "REGULATIONS")

THE PURPOSE OF THESE REGULATIONS IS AS FOLLOWS:

- To control the use of vehicles in the coastal areas;
- To identify vehicle use in coastal areas which are permissible (without any formal authorisation);
- To authorise the use of vehicles in the coastal area in certain circumstances and when the prescribed requirements have been complied with;
- To provide for specific measures to enforce the regulations and;
- To prescribe penalties for contraventions of the regulations.

WHY CONTROLLING VEHICLE USE IN THE COASTAL AREA?

- Vehicle use in the coastal area have the potential to irreversibly damage our coastal landforms and coastal ecosystems if access is not controlled properly.
- Vehicle use damages coastal dunes which protect us from flooding and other coastal process such as high sea level rise
- Vehicle use damages coastal sensitive environment that harbours indigenous birds, such as white fronted sand plovers, African black oystercatcher's, damara tern's etc.
- To protect our coastal sensitive environment.
- Minimize conflict between authorized off-road vehicle drivers and other coastal users.



PENALTIES:

- Any person who contravenes any provision of these Regulations shall be guilty of an offence and liable to conviction or a fine or of up to a maximum of R500 000 per vehicle per offence, or to imprisonment not exceeding two years or to both such fine and such imprisonment.
- Any person who there is reasonable grounds to believe that has committed or is committing an offence in terms of these regulations may be arrested.
- Any vehicle that has been or is being used in the commission of an offence in terms of the regulations, may be seized.

GENERAL CONDITIONS WHEN A PERSON IS AUTHORISED TO USE A VEHICLE IN THE COASTAL AREA FOR ANY CATEGORIES MENTIONED:

- You may only drive on a coastal area when a vehicle access is permitted and only after obtaining a permit as per the regulations;
- Enter and exit the coastal area using only the controlled access point or mentioned access point in your permit;
- Where permitted drive on the wet sand section of the beach between the high and low tide marks. Narrow beaches should not be accessed at high tides;
- Purpose of the permit is not to drive laterally in the coastal area;
- Avoid bathing beaches;
- Avoid ecological sensitive areas inter-alia pioneer plants on the backshore, dunes, salt marshes, sand and mud flats, bird and turtle nesting sites, drift material above the high tide mark;
- Driving is restricted to three hours before and after low tides;
- No vehicle access is allowed in the coastal area before sunrise and after sunset;
- Consider other vehicles and non-vehicle users;
- Permit holders must be in possession of their permits and certificates at all time and
- Vehicle use in the vegetated or unvegetated dunes, or the dune base is strictly prohibited.

OWNERSHIP & ACCESS THROUGH THE COASTAL AREA TO COASTAL PUBLIC PROPERTY

- Coastal Public Property vests in the citizens of Republic of South Africa and is held in trust by the state on behalf of the citizens of the Republic.
- Any natural person in the Republic has the right access the Coastal Public Property.
- The state ensures that the coastal public property is used, managed, protected, enhanced and that its natural resources benefit the present and future generations.
- Ensures safe and Equitable Access to Coastal Public Property for the public.

WHEN CAN A PERSON WITHOUT A PERMIT LAWFULLY USE A VEHICLE IN COASTAL AREAS?

- Regulation 3 provide specific provision for vehicle use in a coastal area as permissible uses.

ACCESS THROUGH PRIVATE PROPERTY IN THE COASTAL AREA

- Access via private property must be negotiated with the relevant property owner.

WHICH PERMIT CATEGORIES A PERSON MAY BE AUTHORISED TO USE A VEHICLE IN THE COASTAL AREA?

- Carrying out a non-recreational activity in terms of a right or permit or exemption granted under MLRA, (Act No. 18 of 1998) or Sea Fishery Act (Act No. 12 of 1988);
- Scientific research;
- Operating a tourism business;
- Accessing private property provided there is no reasonable alternative access the property;
- Producing an advertisement, film, still photograph or a television programme;
- Access by a physically disabled person;
- Hosting a fishing competition;
- The construction or maintenance of infrastructure authorised by a law.