



edtea

Department :

Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL

ENVIRONMENTAL PLANNING

SALGA'S MUNICIPAL THINK TANK DISCUSSION

DATE: 19 JUNE 2020

VIA ZOOM

PRESENTATION OUTLINE

1. Introduction to environmental management
2. Legislative context of environmental planning
3. Municipal spatial planning tools for environmental planning
4. Environmental services during COVID-19 regulations
5. Conclusion

1. INTRODUCTION: ENVIRONMENTAL MANAGEMENT

1.1 ENVIRONMENTAL MANAGEMENT

- Environmental management is the management of conflict between developmental aspirations and contextual realities that entails people and their sustaining economic activities and the ecological environment and it culminates to a compromise development solution and/or a compromise level of ecosystem functionality .

[Mdu Zondo]

Environmental management *cont...*

- Effective and efficient environmental management requires functional cooperative government systems at planning, implementation and decision making levels. *[Mdu Zondo]*
- This is achieved through recognition of conflict and subsequent alignment, bargaining, and integration. *[Mdu Zondo]*

SPATIAL DEVELOPMENT COOPERATIVE GOVERNMENT ACTIVITIES

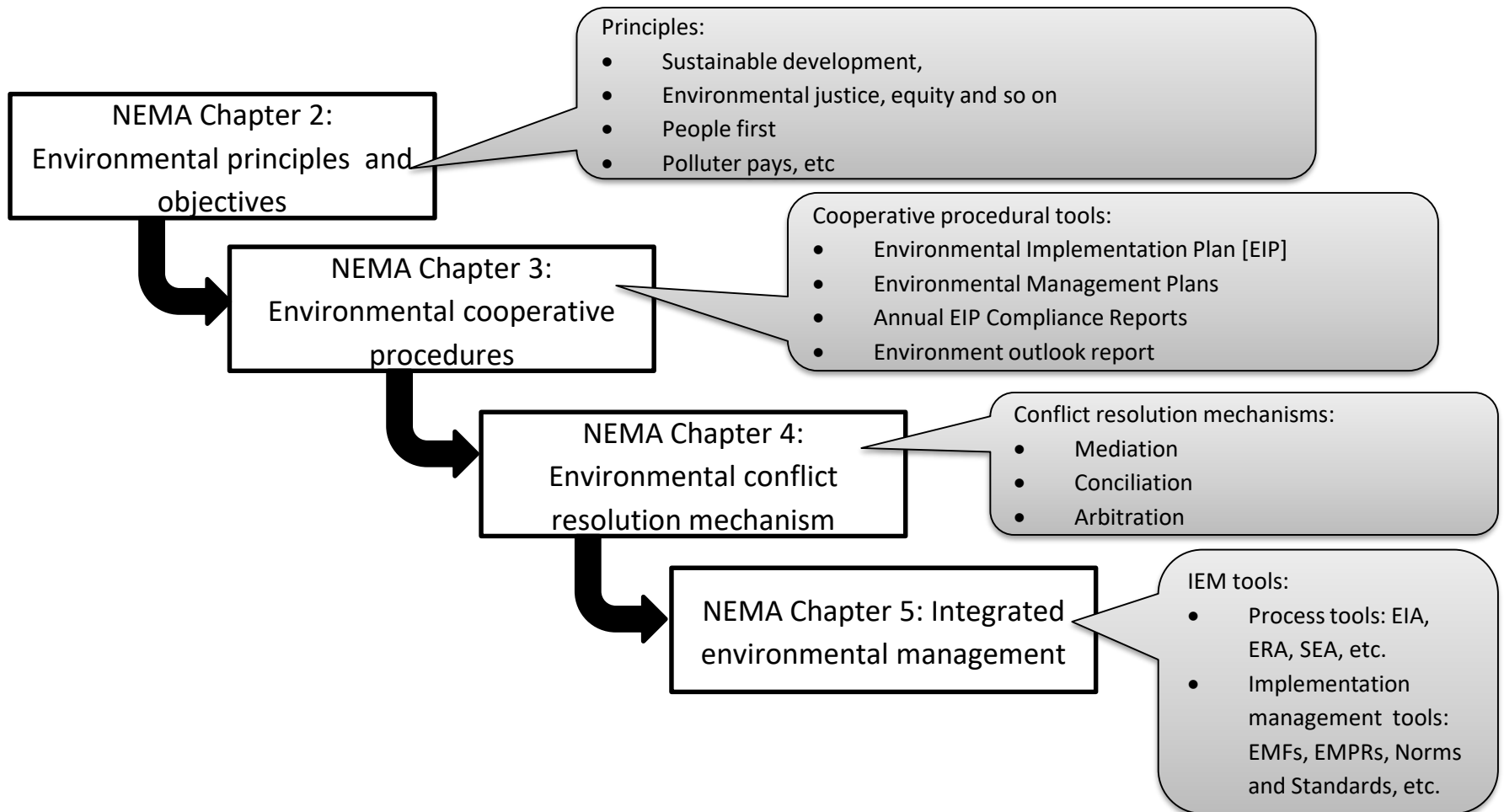
**Cooperative
government
activities**

ALIGNMENT - sector
EIPs/national SDF

BARGAINING - provincial
EIP/provincial SDF

INTEGRATION -
EMF/Municipal IDP-SDF

1.2 OVERVIEW OF ENVIRONMENTAL MANAGEMENT ACT



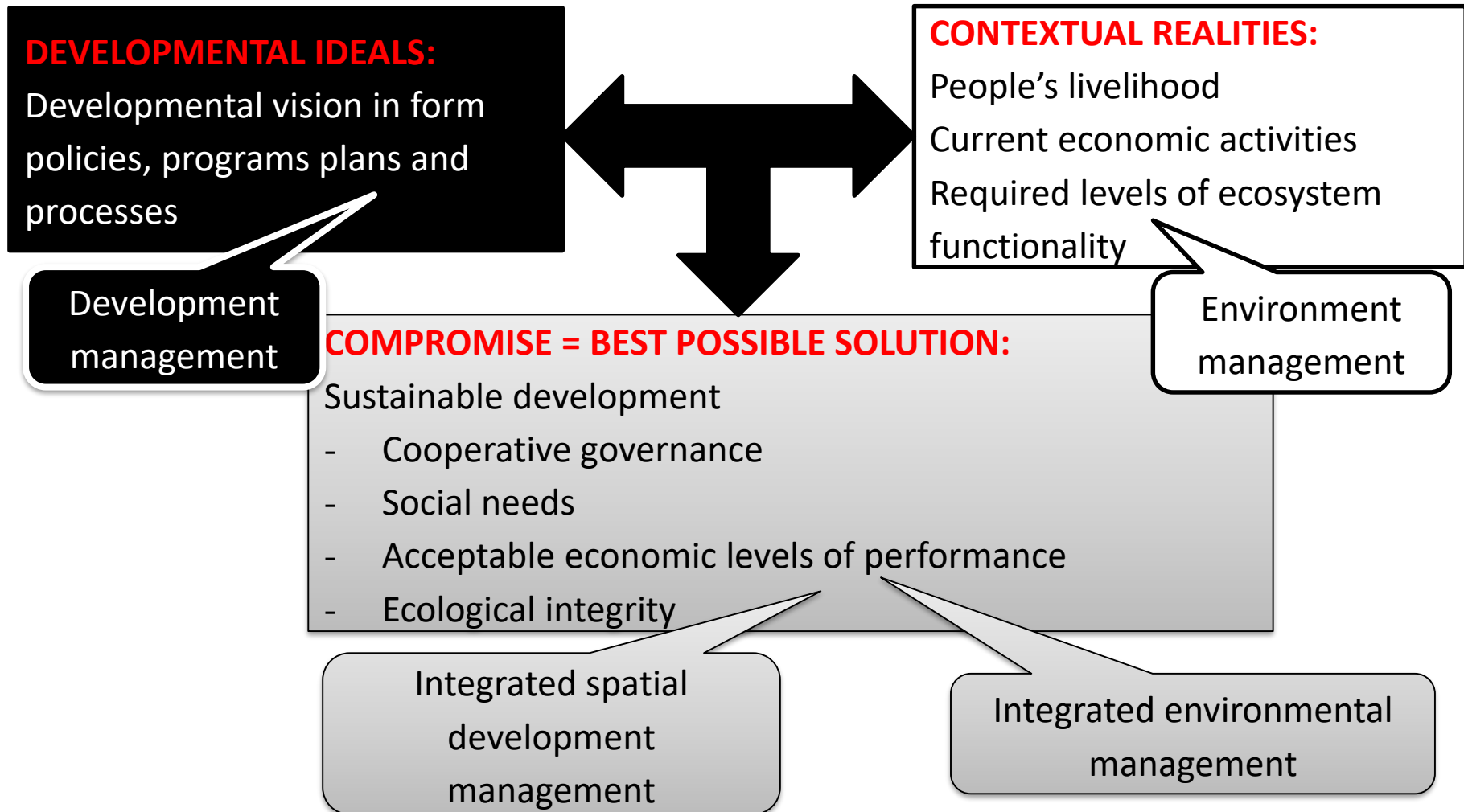
1.3 SUSTAINABLE DEVELOPMENT AS ENVIRONMENTAL MANAGEMENT APPROACH

- Sustainable development advocates that no development vision will be successful without considering its context. In short, a vision for a development is also a vision for its own context [social, economic and environmental context]

SUSTAINABLE DEVELOPMENT AS ENVIRONMENTAL MANAGEMENT APPROACH *cont...*

- Similarly, no vision for the society, economy and environment shall be successful without considering the developmental needs of the society.
- Basically, development planning is environmental planning and vice versa if sustainable development is put in context.

1.4 ENVIRONMENTAL MANAGEMENT IN DEVELOPMENT PLANNING

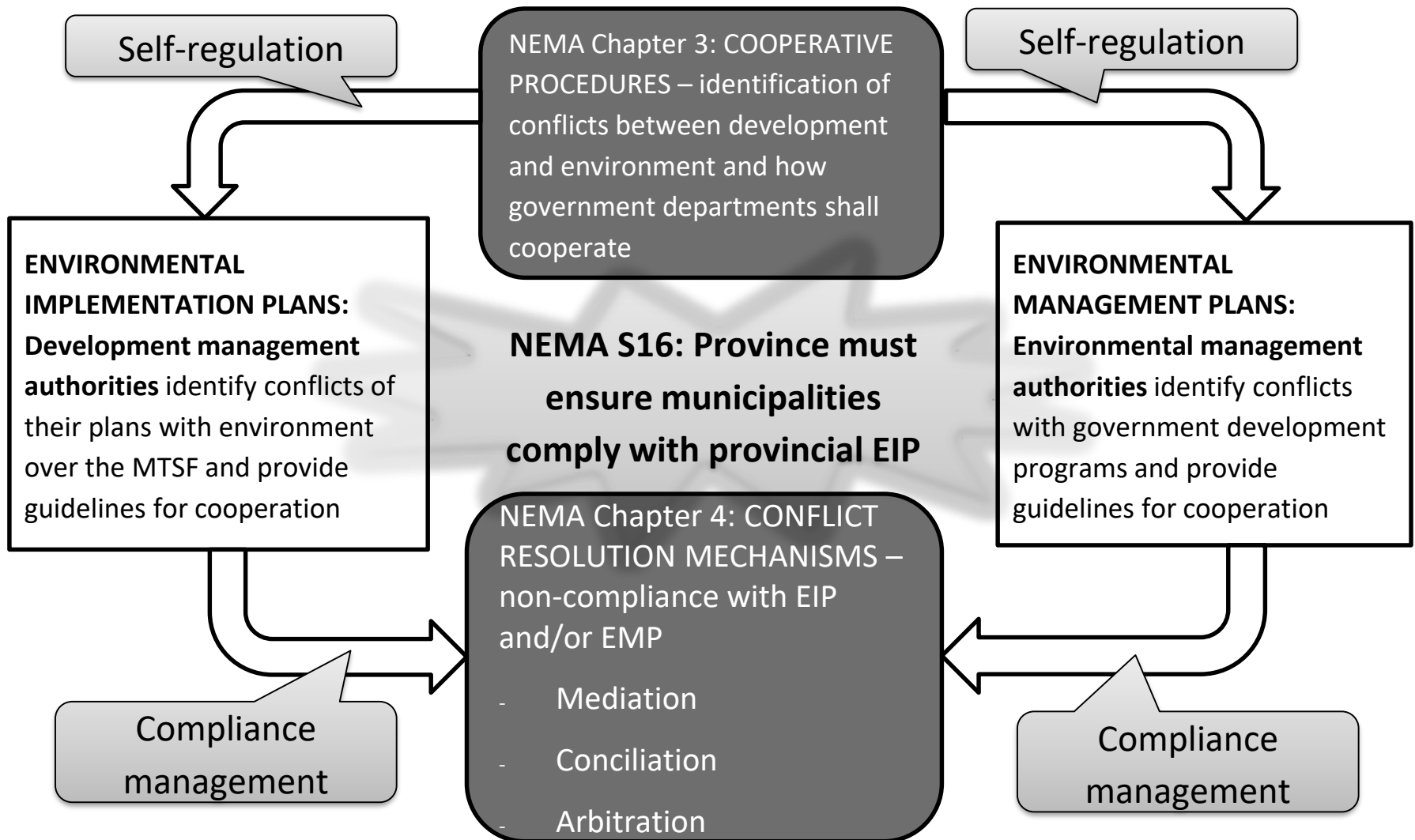


2. LEGISLATIVE CONTEXT OF ENVIRONMENTAL PLANNING

2.1 NATIONAL ENVIRONMENTAL MANAGEMENT ACT [NEMA]

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
NEMA Chapter 3	EIP and EMP	Provincial Committee for Environmental Coordination	Compliance with adopted provincial EIP	Every 5 years

NEMA Chapter 3: “Cooperative procedures”



NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT [NEMAQA]

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
NEMA Chapter 3	EIP and EMP	PCEC	Compliance with adopted provincial EIP	Every 5 years
NEM: AQA Chapter 3	Air Quality Management Plan [AQMP]	Air quality officers forum	<ul style="list-style-type: none"> • Designate air quality officers • Develop, maintain and implement AQMP • AQMP Implementation reports 	<ul style="list-style-type: none"> • Part of IDP • Annual AQMP Implementation reports

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT [NEMBA]

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
NEM: BA – Chapter 3	National biodiversity Framework , Bioregional plans, and Biodiversity management plans	???	Implement bioregional plans	Review every 5 years
NEM: BA – Chapter 5	Invasive species control plans	???	Develop, manage and implement invasive alien species control plans	Part of IDP

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT [NEMWA]

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
NEM: WA – Chapter 3	Integrated Waste Management Plan [IWMP]	Waste Officers Forum	<ul style="list-style-type: none"> • Designate waste officers • Develop, maintain and implement IWMP • Annual IWMP Implementation progress reports 	Part of IDP

NATIONAL ENVIRONMENTAL MANAGEMENT ACT: INTEGRATED COASTAL MANAGEMENT ACT [ICMA]

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
NEM: ICMA – Chapter 2 and 3	Coastal protection zones, Coastal protected areas, Special management, coastal setback lines	Municipal coastal committees	<ul style="list-style-type: none"> Plan and implement 	Part of IDP
NEM: ICMA – Chapter 4 and 6	Estuary plans, and Coastal management programmes	Municipal coastal committees	<ul style="list-style-type: none"> Plan and implement 	Part of IDP

NATIONAL CLIMATE CHANGE BILL

ACT	PLANNING REQUIREMENT	COOPERATIVE TOOL	MUNICIPAL ROLE	FREQUENCY OF PLANNING
Chapter 3	Climate change response implementation plan	??	<ul style="list-style-type: none">Plan and implement	Every 5 years

Other environmental legislations

- Protected Areas Act
- National Forestry Act
- National Water Act

3. MUNICIPAL SPATIAL PLANNING TOOLS FOR ENVIRONMENTAL PLANNING

DEFINITIONS

3.1 DEFINITIONS

“*Sustainable development*” means the **INTEGRATION** of social, economic and environmental factors into **PLANNING, IMPLEMENTATION AND DECISION-MAKING** so as to ensure that development serves present and future generations; [NEMA]

The term '*Strategic Environmental Assessment*' (SEA), as defined in South Africa, refers to a process that **INTEGRATES** sustainability considerations into the formulation, assessment and implementation of **POLICIES, PROGRAMMES, PLANS AND PROCESSES** (PPPPs). [DEA's Guideline Series 4]

Definitions *cont...*

'**activities**' [includes], when used in NEMA, means **policies, programmes, processes, plans** and projects;

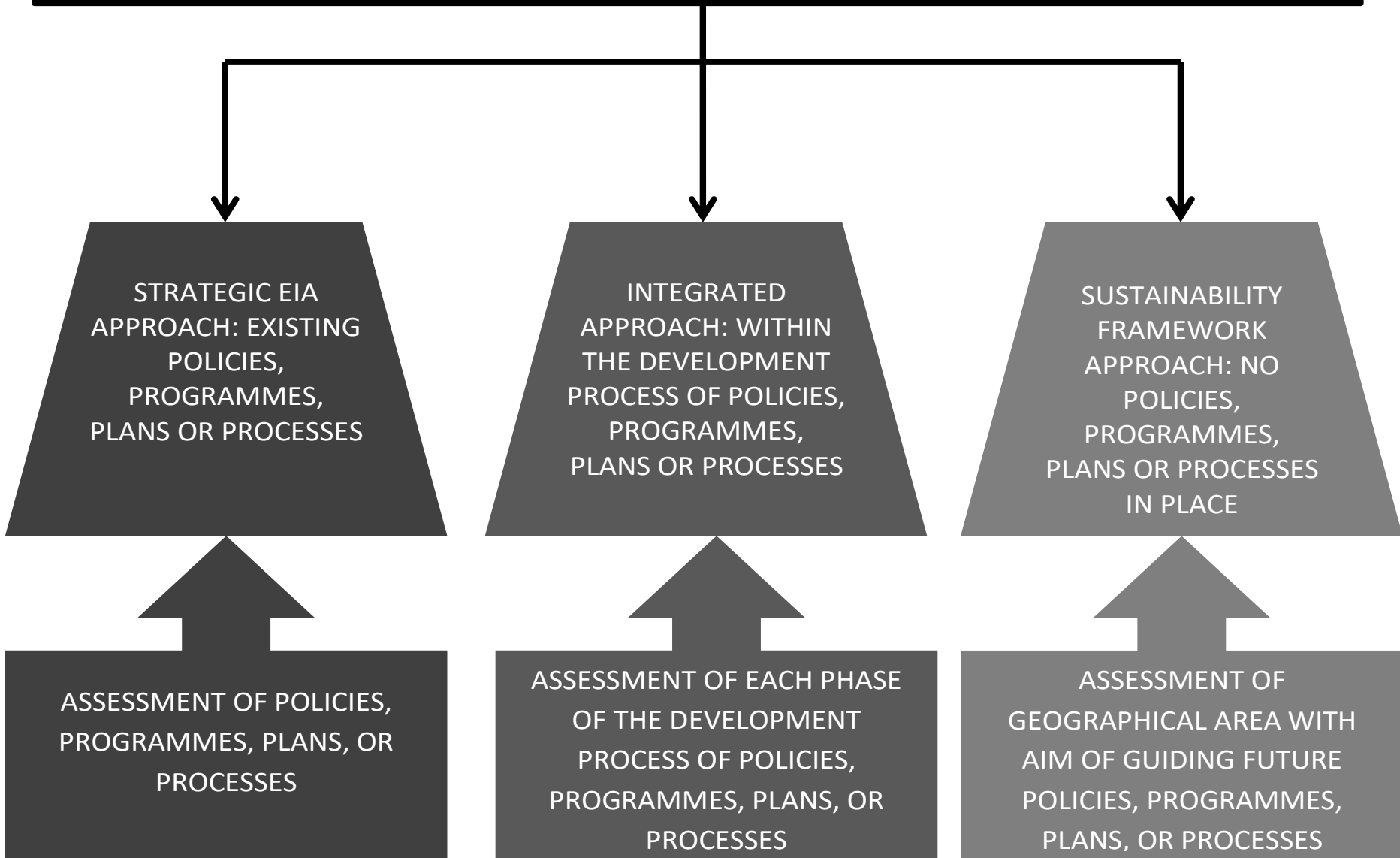
[NEMAA 62 of 2008]

“Environmental management framework” means a study of the biophysical and socio-cultural systems of a geographically defined area to reveal where specific land uses may best be practiced and to offer performance standards for maintaining appropriate use of such land;
[NEMA EMF Regs 2010]

**STRATEGIC
ENVIRONMENTAL
ASSESSMENTS**

2.1 STRATEGIC ENVIRONMENTAL ASSESSMENT APPROACHES

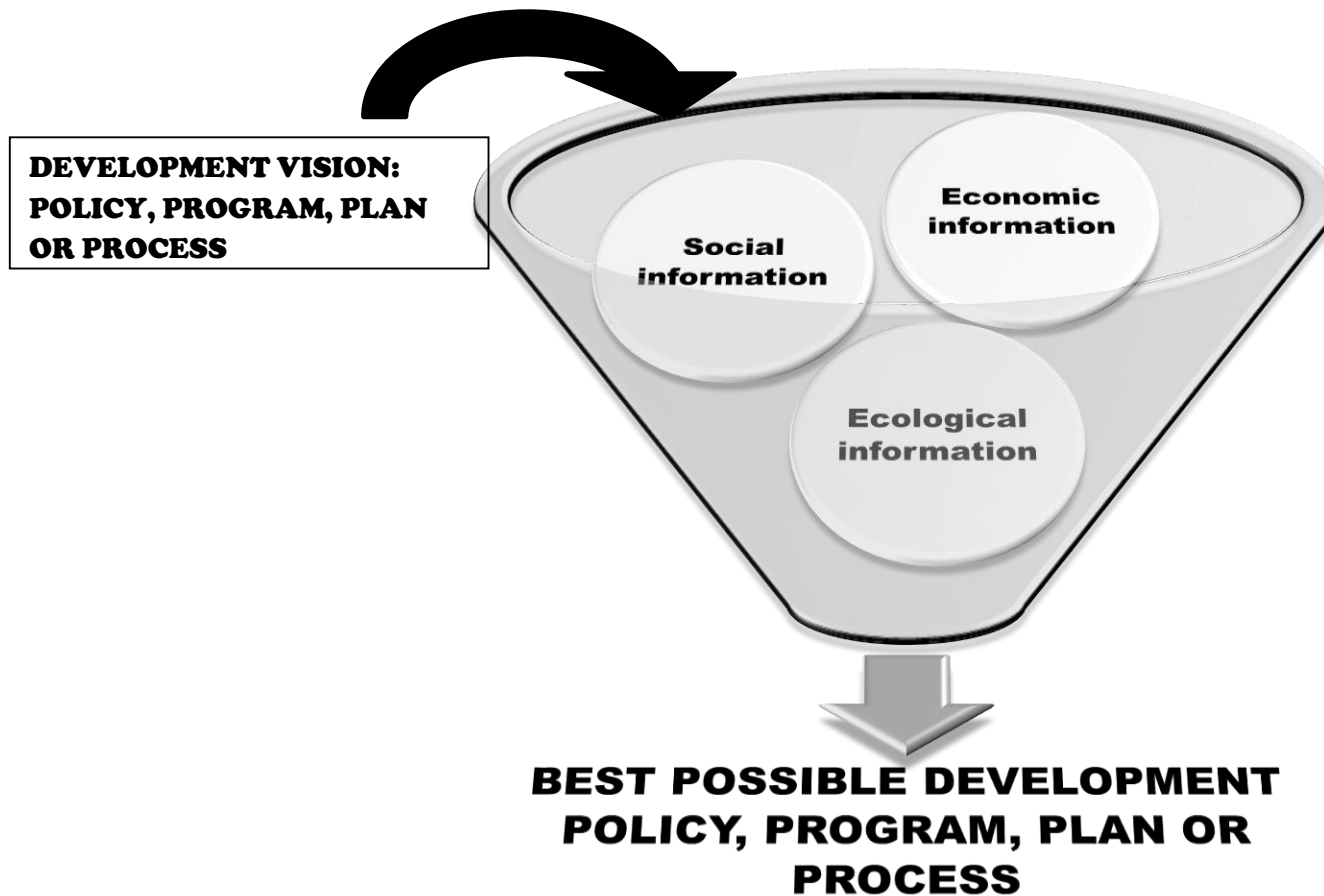
STRATEGIC ENVIRONMENTAL ASSESSMENT APPROACHES



ROLE OF STRATEGIC ENVIRONMENTAL ASSESSMENTS cont...

- Strategic environmental assessments are specific to a development policy, development programme, development plan or development process. **SEA is, in the main, not independent!!!!**
- Example: the integration of environmental information into the spatial development framework through the SDF development value chain, that is, from visioning, states establishment right to implementation guidelines will constitute an SEA.
- NB! Information in the EMF may be used for the SEA processes in formulation of SDF.

ROLE OF STRATEGIC ENVIRONMENTAL ASSESSMENTS *cont...*



**ENVIRONMENTAL
MANAGEMENT
FRAMEWORKS**

2.2 ROLE OF ENVIRONMENTAL MANAGEMENT FRAMEWORKS [EMFs]

- EMFs provide contextual information for spatial development tools since it is not specific to any proposal but specific to a geographical area. EMF is independent of development policies, programs, plans and processes but these development PPPs may be dependent on the EMF!!!!

ENVIRONMENTAL MANAGEMENT FRAMEWORK

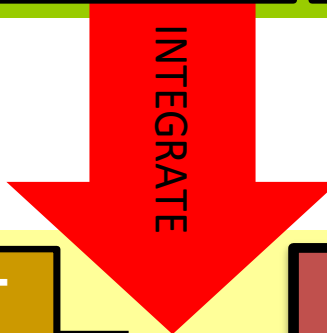


**ENVIRONMENTAL
STATUS QUO**

**ENVIRONMENTAL
DESIRED STATE**

**ENVIRONMENTAL
MANAGEMENT
ZONES (EMZs)**

**STRATEGIC
ENVIRONMENTAL
MANAGEMENT
PLAN (SEMP)**



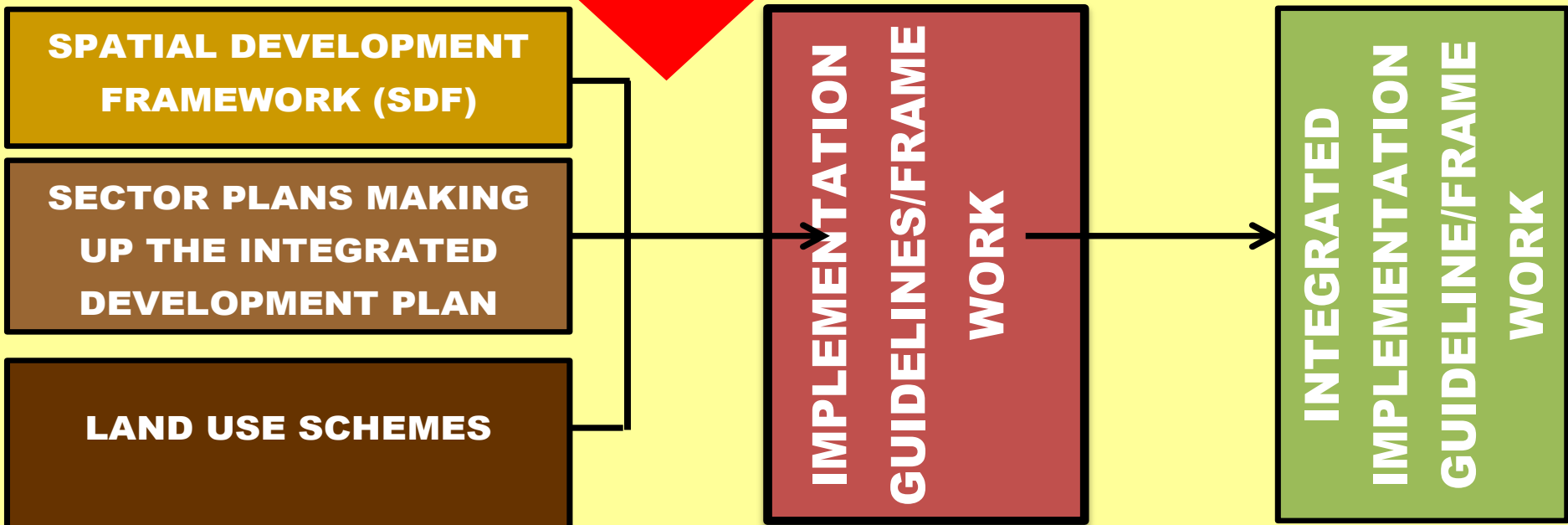
**SPATIAL DEVELOPMENT
FRAMEWORK (SDF)**

**SECTOR PLANS MAKING
UP THE INTEGRATED
DEVELOPMENT PLAN**

LAND USE SCHEMES

**IMPLEMENTATION
GUIDELINES/FRAME
WORK**

**INTEGRATED
IMPLEMENTATION
GUIDELINE/FRAME
WORK**



EMF FOR EIA EXCLUSION ZONES

- EMFs can also be developed with the objective to remove EIA requirements for specific set of activities.

Example: if an industrial hub is identified within a municipality vegetation removal or infill of wetlands may be waived from EIA requirements if EMF showed that the ecosystem is no longer functional...

**3. ARE THESE TOOLS A
DRIVING FORCE BEHIND THE
APPROVAL OF DEVELOPMENT
APPLICATIONS?**

Sustainability is the driving force...

- COMMON SENSE – we need **livelihood** as much as we need **oxygen** to live... and sustainability says, “Find balance”.
- Sustainable development is the driving force and these tools such as SEA and EMF are meant to support the definition of sustainability for your area of interest (whether your interest is development or environmental protection), facilitate cooperative governance and ensure informed decision making at all strategic levels

4. ENVIRONMENTAL SERVICES DURING COVID-19

ENVIRONMENTAL SERVICES DURING COVID-19

- IDP REVIEWS – the department has plans to review all IDPs for levels of environmental consideration within the stipulated timeframes.
- EIA APPLICATIONS – the function was affected by stricter lockdown regulations but these were relaxed, the function is operating at more than 80%
- COMPLIANCE MONITORING AND ENFORCEMENT – the function was declared essential by the acting Head of Department
- COASTAL SERVICES – the function is operating at more than 80%
- EMPOWERMENT SERVICES – the service was initially curtailed under stricter lockdown regulations but now

ENVIRONMENTAL SERVICES DURING COVID-19

Environmental services	Effect of stricter lockdown regulations	Effect of lower level lockdown regulations	COVID-19 forward planning
Environmental sustainable development	Services were prioritised based on demand and economic significance . Operations were at \pm 40% capacity	The operations are operational almost full capacity	The department plans to review all the IDPs for environmental considerations within stipulated timeframes. The department plans to provide updated environmental profiles for the District Development Model
Environmental quality management	Regulatory services like EIA approvals were curtailed due to requisite stakeholder engagement	The operations are operational almost full capacity	EIA, AEL and WML applications shall be approved within stipulated timeframes

ENVIRONMENTAL SERVICES DURING COVID-19

Environmental services	Effect of stricter lockdown regulations	Effect of lower level lockdown regulations	COVID-19 forward planning
Environmental compliance monitoring and enforcement	The services were fully operational as they were declared essential	The operations are operational almost full capacity	EMI inspections shall be undertaken as per demand
Environmental coastal services	Only coastal pollution was operational	The operations are operational almost full capacity	All services are at full capacity
Environmental empowerment services	Environmental social services were functional	The operations are operational almost full capacity	Services involving external stakeholders such as schools are dependent on regulations

CONCLUSION

THANK YOU

The ideal is not always the best and the best is derived from careful consideration of the context of the ideal.