

UEM Project Completion Note

March 2011

1. **Name of Project:**
EMF GUIDELINE UPGRADE
2. **UEM Partner(s) (Applicant institution):**
The Urban Environment Management Programme
PSC Secretariat, Department of Environment Affairs
ranjinip@environment.gov.za +27 12 310 3032
3. **Name, telephone, email of the person responsible of institution:**
Simon Moganetsi
Project Manager: Department of Environmental Affairs
Private Bag X 447, Pretoria, 0001
Smoganetsi@environment.gov.za 012 310 3062
4. **Consultant:**
Thomas van Viegen Pr. Larch
Consultant Company: EarthInc Environment and Development Consultants
Postal address: Box 14315, Lyttelton 0140, Pretoria
Street Address: P O Box 14312, Lyttelton, 0140, South Africa
Thomas@earthinc.co.za 012 667 5742 083 456 6945
5. **Contract:**
Contract dated 11 February 2009, signed between the Department of Environmental Affairs (signed by Joanne Yawitch) and EarthInc Environment and Development Consultants (signed by Thomas van Viegen). The Contract was signed on the 26th January and 11th February 2009.

Contract start date: 11 February 2009; end date: 30th September 2010.
6. **Assignment started:**
11th February 2009
7. **Project completed and this report signed:**
The EMF guideline was completed on the 24th September 2010, and the final report was signed on the 30th September 2010.
8. **Title and dates for earlier reports to PSC Secretariat**
Not Applicable
9. **List of annexes (reports produced by the assignment)**
 - a) Consultant's Final Report: EMF guideline (dated 30 September 2010).
 - b) Schedule of documents included in the Project (electronic) archive

- Draft EMF guideline that was gazetted on the 18th June 2010 for public comments
 - Comment and Response Register
- c) Press Release
Not applicable

A. Original problem(s), Outputs aimed for and accomplished solutions (outputs)

The specific problem:

When the guideline development was initiated, there were not specific regulations for EMFs (provisions for EMF as a tool were included in the EIA regulations). At the same time, there was a number of EMFs already initiated by provinces and the Department of Environmental Affairs. As such, there was no standard approach towards the development of EMFs.

The main output to be delivered is:

With the legal reform taking place in the environmental field, the Department developed specific regulations for EMFs (i.e. the Environmental Management Framework Regulations of 2010). Based on these regulations, the guideline was developed to set a standard approach in developing and implementing the EMF tools.

Perspective:

The practice of EMFs in South Africa is largely in a relatively 'young' stage of development, especially in its use and recognition in the broader IEM tools application. Similarly, there is a considerable amount of confusion in the application of EMFs as well as the appropriate technical methodology to be used in compiling an EMF. The purpose of this guideline is to provide clarity with regards to the purpose and application of EMFs in the South African context, as well as to provide the appropriate amount of knowledge and detail to support the EMF Regulations, 2010.

Indicators of successful accomplishment:

1. Immediate indicator: This guideline document provides detailed guidance on the fundamentals of the EMFs as well as a descriptive step-by-step process to the technical development and public participation process required
2. Intermediate indicator: The recommendations and methodology set out in the guideline will be fully implemented and give effect to EMF regulations.
3. Long term: The contextualisation of the EMFs is entrenched in framework legislation.

Section 24 (2) and (3) of the National Environmental Management Act, Act No. 107 of 1998, and the Environmental Management Framework Regulations of 2010 stipulates that the Minister and every MEC with the concurrence of the Minister may identify:

- geographical areas based on environmental attributes, and as specified in spatial development tools adopted in the prescribed manner by the environmental authority, in

which specified activities may not commence without environmental authorisation from the competent authority; and

- geographical areas based on environmental attributes, and specified in spatial development tools adopted in the prescribed manner by the environmental authority, in which specified activities may be excluded from authorisation by the competent authority.

B. Assessment of the applicability in your own context

The guideline will be applied across the country as a guiding tool in developing and implementing the EMFs.

C. Assessment of the applicability in the context of other partners (or SAfrica as a whole).

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D. Lessons learnt about the subject matter

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E. Lessons learnt about the implementation of project

During the development of the guideline various workshops and planning sessions were held and there were questions that were frequently. The questions indicate areas of complexity and confusion in the development and implementation of EMFs. These questions include the following:

1. What are the differences between SEAs and EMFs?
2. Will the EMF's take spatial planning processes into consideration and how will the EMF's be aligned with spatial planning processes?
3. At what scale must the EMF's be compiled?
4. What level of spatial accuracy must be considered?

The guideline provides clarity to such questions.

F. Number of Jobs created through this project

Not applicable.

G. Overall declaration:

Make the following statement: 'I as the responsible manager I am satisfied with the delivery of the project, and find this in compliance with the terms of references and the intentions of your administration. On this background I sign the project off and encourage the PSC-Secretariat to settle the accounts and wrap up the assignment as indicated.'

(If you have reservations to the statement, explain this + propose how this should be handled by the PSC Secretariat.)