



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref:02/1/5/2

MINISTER

QUESTION NO. 1419 FOR WRITTEN REPLY: NATIONAL ASSEMBLY

A draft reply to **Dr A Lotriet (DA)** to the above-mentioned question is enclosed for your consideration.

**MS LIZE MCCOURT
DIRECTOR-GENERAL (ACTING)**

DATE:

DRAFT REPLY APPROVED/AMENDED

**MRS B E E MOLEWA, MP
MINISTER OF ENVIRONMENTAL AFFAIRS**

DATE:

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 1419 {NW1632E}

INTERNAL QUESTION PAPER NO.10 of 2015

DATE OF PUBLICATION: 17 April 2015

Dr A Lotriet (DA) to ask the Minister of Environmental Affairs:

Does her Department have a Regulatory Burden Reduction Strategy in place; if not, why not; if so, what are the relevant details of the strategy?

1419. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

- (1) The Department does not have a formal strategy in place to reduce the legislative burden on the regulated community. However, several initiatives are underway that are specifically aimed at streamlining regulations and legislative requirements which will move the sector towards proactive environmental protection based on the identification of areas in which development could be encouraged or should be discouraged rather than reactive command and control methods which require permits/authorisations and must be implemented through compliance monitoring. Some examples are included below:
- the development of standards in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Management: Waste Act, 2008, which will result in the use of standards in the place of applications for environmental authorisations, waste management licences and environmental impact assessments (EIA);
 - the development of a screening tool that would ensure a better information base for decision-making and alleviate the burden of unnecessary impact assessments;
 - the development of minimum information requirements and standard environmental management programmes (EMPrs) that could be used by proponents, where they are relevant and applicable, leading to a reduction in costs to proponents and time spent on preparation of documents required as part of applications for environmental authorisation;
 - the development of a number of strategic environmental assessments (SEAs), resulting in baseline information being available and authorisation processes requiring only outstanding information to inform decision-making;
 - the use of environmental management instruments, e.g. environmental management frameworks (EMFs) to delist or exclude from the requirement to obtain environmental authorisation;
 - the Department is in the process of identifying the activities which will be taken forward from the Environmental Impact Assessment and Management Strategy (EIAMS) which has been prepared over the past 6 years by the sector, and which has provided a number of suggestions to improve the current environmental management system, including suggestions on law reform; and
 - the implementation of the one environmental management system by the DEA, provinces, DMR and DWS since 8 December 2014, with the preceding amendments made to relevant legislation to give effect to this streamlined decision-making process, should already result in a decrease in regulatory burden for mining.

- (2) The Department also hosts a Mintech Working Group meeting each quarter which considers all legislation which affects the sector. These interactions are specifically set up in an effort to streamline environmental legislation and avoid duplication.
- (3) As the Department is firmly of the view that the land areas that require protection are best protected at the planning stage, the Department is currently developing a strategy that will ensure that environmental planning considerations are integrated into the work done under the Spatial Planning and Land Use Management Act to ensure sustainable development.
- (4) From 1 June 2015 all the Departments will be obliged to do socio-economic impact assessments on all their new policies and regulations. As part of this assessment the Department will consider options other than legislation that will address the challenge.

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