

**DEPARTMENT OF TRANSPORT
NOTICE 728 OF 2018**

3RD EDITION ENVIRONMENTAL IMPLEMENTATION PLAN (EIP)

2015 – 2020

**COMPILED IN TERMS OF SECTION 11 OF THE NATIONAL
ENVIRONMENTAL MANAGEMENT ACT: NO. 107 OF 1998, AS
AMENDED.**

Prepared by: Environmental Coordination Directorate

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Annexure A: List of Acronyms

Annexure B: DOT legislation relevant to the EIP

Annexure C: Multilateral instruments relevant to the DOT's EIP

Annexure D: DEA Template for the Preparation of EIPs/EMPS

- Key framework and policy documentation, including NEMA, the MTSF and the NDP,
- Departmental Policies, Strategic Plan and Annual Reports,
- EIPs for other Schedule 1 Departments,
- Consultations with Departmental branches and public entities, and
- Inputs and comments solicited from DEA and EIP/EMPs Sub-committee member Departments.

1 (A): S.A TRANSPORT LANDSCAPE

The 1996 White Paper on National Transport Policy, hereinafter referred to as the "White Paper", makes reference to various roles, functions, and activities of government. In some instances, these relate only to national government, but in others they are, in accordance with the Constitution, the concurrent responsibility of national, provincial and local levels of government. In the past, the DOT's concurrent role was that of a regulator, a provider of infrastructure, as well as a transport operator, but was weak in policy formulation and strategic planning.

This DOT's role has since been revised - with the shift towards policy and strategy formulation, as its primary roles, and substantive regulation as its responsibility, with a reduced direct involvement in operations and the provision of infrastructure and services, in order to allow for a more competitive environment. The shift impacts on all levels of government: local, provincial, and national, and has implications for transport public entities. In accordance with the Constitution, powers and responsibilities for transport are shared between the various levels of government.

For transport, shared responsibility items are a matter for negotiation and agreement between the national and provincial departments. Where it is in the national interest to have uniformity, the DOT plays a leading role. Where flexibility is required, or where there are reasons for different approaches in the different provinces, a joint approach is preferred, with provinces legislating and implementing as appropriate. An example of the latter is the case of road traffic legislation, where the overarching National Road Traffic Act (Act No. 93 of 1996) legislates and regulates matters of national concern, while separate provincial Road Traffic Acts legislate and regulate matters of specific provincial concern, within the framework of the overarching Act. In order to promote integration and co-ordination of policy and activities between national and

Provincial-local

In terms of the Constitution, national government is not directly involved in the relationship between provincial and local governments. The metropolitan conurbations in particular are, however, of major importance as a large proportion of South Africa's transport activities take place within these areas. Institutional arrangements recognise this, and commit the DOT to the principle of subsidiarity. Schedule 5 of the Constitution lists functional transport areas of exclusive provincial legislative competence, namely:

- Provincial roads and traffic, and the following local government matters to the extent set out for provinces in section 155(6)(a) and (7):
- Municipal roads, and
- Traffic and parking

1 (B): CRITICAL PLANS OF RELEVANCE TO THE EIP

National Development Plan 2030

The National Development Plan (NDP) offers a long-term perspective and defines a desired goal and identifies the role different sectors of society need to play in reaching that goal. As a long-term strategic plan, it serves four broad objectives:

1. Providing overarching goals for what the country wants to achieve by 2030,
2. Building consensus on the key obstacles to the country achieving these goals and what needs to be done to overcome those obstacles.
3. Providing a shared long-term strategic framework within which more detailed planning can take place in order to advance the long-term goals set out in the NDP.
4. Creating a basis for making choices about how best to use limited resources.

The NDP aims to ensure that all South Africans attain a decent standard of living through the elimination of poverty and reduction of inequality by 2030. To this end, the Plan has identified radical economic transformation as a catalyst for accelerated economic growth and job creation. This intervention will be better achieved through sustainable programmes that will stimulate productivity, improve efficiencies and accelerate elimination of inequality that exists in South African society.

1. Efficient and integrated infrastructure network and operations
2. A transport sector that is safe and secure
3. Improved rural access, infrastructure and mobility
4. Improved public transport services
5. Increased contribution to job creation
6. Increased contribution of transport to environmental protection

Priority area 6 is particularly relevant to the Departmental EIP. In order to contribute towards environmental sustainability, the DOT will, in the current MTSF, develop and implement the Green Transport Strategy (GTS), which aims to reduce greenhouse gas (GHG) emissions across the sector.

Transport MTSF Priority Outcomes

To give effect to the NDP, the DOT has formulated a Strategic Plan (2015 – 2020), which was guided by key government macro-policies, including the NDP, the NGP framework, the IPAP, and the NIP, which guides the work of the Presidential Infrastructure Coordinating Commission (PICC). These policies and the Departmental Strategic Plan were considered in the development of this EIP. The Strategic Plan is aligned with the Ministers' Service Delivery/Performance Agreement with the President of the Republic.

The DOT's service delivery targets are aligned with the 14 Priority Outcomes for Government to be implemented through intergovernmental cooperation over the MTSF period. The DOT will focus on the implementation of four of the 14 outcomes for Government to achieve related outputs. These outcomes are:

Outcome 4: Decent employment through inclusive economic growth

Outcome 6 – An efficient, competitive and responsive economic infrastructure

Outcome 7 – Comprehensive rural development and land reform

Environment Conservation Act, No. 73 of 1989 (ECA)

Although NEMA has replaced most of the Environment Conservation Act provisions, the following provisions are still applicable to the DOT:

- Sections 21, 22 and 26 of Part V and Schedule 1, identifies activities that are likely to have a detrimental effect on the environment, and include transportation, land use and land transformation. These sections also identify activities and projects in terms of which an Environmental Impact Assessment (EIA) is obligatory, namely: road projects, airports, helipads and maritime ports infrastructure, and
- Regulations regarding noise control, particularly road and aircraft noise in the vicinity of an airfield.

National Environmental Management Act, No. 107 of 1998 (NEMA)

This legislation provides for cooperative environmental governance by establishing principles for decision-making on matters attendant to the environment, institutions that will promote cooperative governance and procedures for coordinating environmental functions exercised by organs of state, including the DOT's public entities. The DOT is listed in Schedule 1 of NEMA as a department whose activities may affect the environment, and is therefore required to prepare an EIP every five (5) years (subsequent NEMA amendment).

Marine Living Resources Act, No. 18 of 1998

The Act provides for, among others, the conservation of the marine ecosystem and the long-term sustainable utilisation of marine living resources. The Act regulates a number of transport-related activities and prohibits certain others, such as the use of fishing vessels without a license.

National Environmental Management: Air Quality Act, No. 39 of 2004

This Act aims to prevent pollution and ecological degradation, and ensure sustainable development by providing for air quality measures, norms and standards, management and control by all spheres of government. The Act addresses management and regulation of air quality, and establishes atmospheric emissions standards, and further includes emissions emanating from mobile sources. The Act may have several implications for transport-related activities, namely:

National Environmental Management: Biodiversity Act, No. 10 of 2004

As the name suggests, the Act provides for the management of the country's biological diversity. Transport-related activities that occur in a listed environment may be identified as a threatening process. There is a prohibition on the transportation of listed protected, alien or invasive species unless one is in possession of a permit issued in terms of the Act.

National Environmental Management: Waste Act, No. 59 of 2008

The Act aims to regulate waste management in order to protect health and the environment and provide measures for the prevention of pollution and ecological degradation, and securing ecologically-sustainable development. In the context of transport, the Act further provides a guideline on the transportation and storage of waste.

Environment Conservation Amendment Act, No. 50 of 2003

In terms of this amended legislation, the distribution, sale, import and export of products that may have a detrimental effect on the environment or human health may be subjected to regulation by the Minister (DEA).

National Environmental Management Amendment Act: No. 46 of 2003

The Act provides for the administration and enforcement of certain environmental management laws. The provisions empower environmental management inspectors to conduct search and seizure activities in respect of any vessel, vehicle, aircraft or pack animal.

National Environmental Management Amendment Act: No. 9 of 2004

The amended legislation has particular relevance to the DOT and its specific public entities, especially considering the fact that it addresses EIA-related issues related to road and pipeline construction. While pipelines involve transportation activity, the constitutional mandate incidental to gas and petroleum products remains the primary responsibility of the DoE.

Spatial Planning and Land Use Management Act (No. 16 of 2013)

The SPLUMA provides a framework for spatial planning and land use management in the country. Urban planning is a technical and political process concerned with the control of the use of land and the design of the urban environment, including transportation networks, in order to, among others, preserves the environment and reduces adverse health impacts resulting from uncoordinated planning.

information awareness, capacity-building, campaigns on energy efficiency, and environmental issues, promote energy efficiency for sustainable development, mitigate negative impacts of energy utilisation on the environment, and promote energy efficiency technologies and clean energy sources.

National Waste Management Strategy (2011)

The National Waste Management Strategy (NWMS) is a legislative requirement of the National Environmental Management: Waste Act, No. 59 of 2008, and touches on (albeit inadequately) waste transportation.

Integrated Energy Plan

The Integrated Energy Plan (IEP) is an overarching energy plan for liquid fuels on which transportation sector relies. The plan calls considered energy choices that will result in the reduction of additional pressure on the environment in the future. In the context of transport, it calls for vehicle fuel efficiency improvements (which ultimately yield climate change mitigation benefits), the need to diversify the energy mix so as to make greater use of renewable transport energy such as biofuels, as well as the promotion of alternatively-powered vehicles, including electric-powered and hybrid vehicles. It is envisaged that the IEP will be completed around 2016/17.

Biofuels Industrial Strategy of the Republic of South Africa, 2007

The Strategy outlines the Government's approach to addressing policy, regulations and incentives. Internationally, biofuels production is growing due mainly to higher oil prices, environmental concerns, and incentives geared towards supporting these indigenous and renewable fuel sources over fossil fuels. The Strategy aims to achieve a biofuels market penetration of 4,5% of liquid road transport fuels (petrol and diesel), which is achievable without excessive support by utilising surplus agricultural capacity.

National Climate Change Response Strategy for South Africa, 2004

The strategy aims to (a) support national sustainable development priorities, (b) assist climate change adaptation and mitigation efforts, (c) develop a sustainable energy programme (d) meet domestic and international obligations stipulated under the UNFCCC (United Nations Framework Convention on Climate Change (UNFCCC)), (e) integrate climate change response in government, (f) promote climate-related education and training, promote research development, and demonstration, (g) encourage development of GHG inventories and air

3. OVERVIEW OF THE DEPARTMENT

VISION

"Transport, the Heartbeat of Economic Growth and Social Development"

MISSION

The DOT aims to lead the development of efficient integrated transport systems by creating a framework of sustainable policies and regulations, and implementable models to support government strategies for socio-economic development.

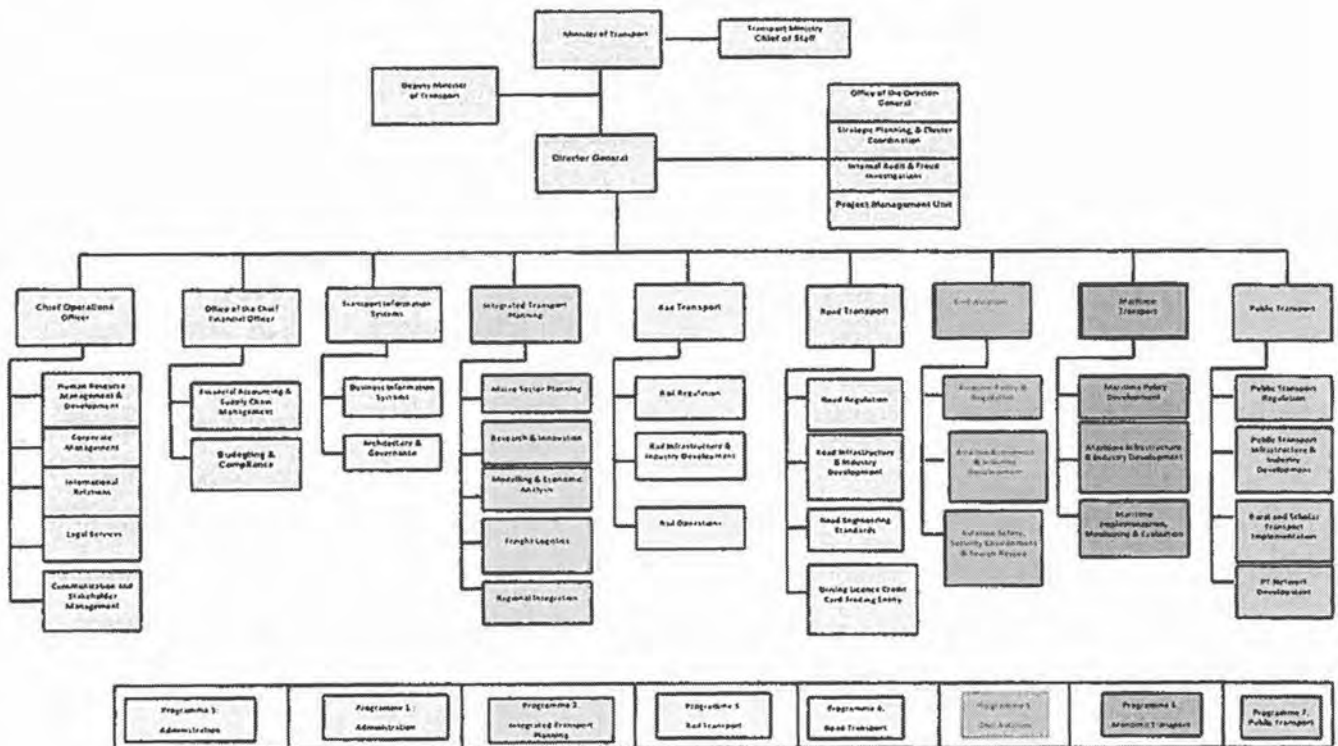
VALUES

As the central custodian of the nation's transport resources, services and products, the DOT acknowledges the obligation it has to the citizens of the Republic, and has adopted the following core values to advance its commitment to achieve policy and legislative mandates as set out for the sector:

- Maintain *fairness* and *equity* in all operations.
- Strive for *quality* and *affordable* transport for all.
- Stimulate *innovation* in the Transport Sector.
- Ensure *transparency*, *accountability* and *monitoring* of all operations.
- Ensure *sustainability*, *financial affordability*, *accessibility* as well as upholding of the *Batho Pele* principles.

Constitutional Mandate

The Constitution identifies the legislative responsibilities of different levels of government with regard to airports, roads, traffic management and public transport. Transport is a function that is legislated and executed at all levels of government. The implementation of transport functions at the national level takes place through public entities, which are overseen by the DOT. Each public entity has a specific delivery mandate. The DOT is therefore, responsible for conducting sector research, formulating legislation and policies to set the strategic direction of sub-sectors, assigning responsibilities to public entities and other levels of government, regulating through setting norms and standards, and monitoring implementation.

Figure 1: Departmental Organogram**Organisational Structure for the Department of Transport**

| | |
|-----------------------|---|
| | secure, efficient, environmentally friendly and compliant with international standards through regulations and investigations, and to oversee aviation public entities. |
| 6. Maritime Transport | Coordinate the development of a safe, reliable and economically viable Maritime Transport Sector through the development of policies, strategies, monitoring of the implementation plan and oversight of maritime related public entities, namely The Ports Regulator (PR) and South African Maritime Safety Authority (SAMSA). |
| 7. Public Transport | Ensure the provision and regulation of safe, secure, reliable, cost-effective and sustainable public transport services in South Africa through legislation, policies and strategies. |

3.1 OVERVIEW OF PUBLIC ENTITIES

In addition to the above programmes and as pointed out earlier, there are 12 public entities whose primary mandate is the implementation of transport policies. The Department plays an oversight role over the entities, and the latter are required to align their plans with government's strategic priorities, including those contained in the National Development Plan (NDP) and the Mid-Term Strategic Framework (MTSF).

It ought to be noted that some of these entities were deliberately excluded from this EIP document in light of the fact that their mandates, programmes, plans and activities have a very negligible or no impact on the environment, and are listed below with their abridged legislative mandates:

PUBLIC ENTITIES EXCLUDED FROM THE EIP

Cross-Border Road Transport Agency (C-BRTA)

damage wrongfully caused by the driving of a motor vehicle". The RAF provides two types of cover, namely personal insurance cover to accident victims or their families, and indemnity cover to wrongdoers. The RAF does not have share capital, and is owned by the South African public. It is listed as a national public entity in accordance with schedule 3A of the PFMA.

Road Traffic Infringement Agency (RTIA)

The Road Traffic Infringement Agency (RTIA) derives its mandate and functions from the Administrative Adjudication of Road Traffic Offences Act, No. 46 of 1998 (AARTO Act), and its objectives are to, despite the Criminal Procedure Act, No. 51 of 1977), among others: (i) encourage compliance with the national and provincial laws and municipal by-laws relating to road traffic and to promote road traffic safety, (ii) encourage the payment of penalties imposed for infringements and to allow alleged minor infringers to make representations, (iii) establish a procedure for the effective and expeditious adjudication of infringements, (iv) alleviate the burden on the courts of trying offenders for infringements, (v) penalise drivers and operators who are guilty of infringements or offences through the imposition of demerit points leading to the suspension and cancellation of driving licences, professional driving permits or operator cards, and (vi) strengthen co-operation between the prosecuting and law enforcement authorities by establishing a board to govern the agency.

Road Traffic Management Corporation (RTMC)

The Road Traffic Management Corporation (RTMC) was established in terms of Section 3 of the Road Traffic Management Corporation (RTMC) Act, No. 20 of 1999, and commenced its operations in April 2005 with the objective of pooling powers and resources to eliminate the fragmentation of responsibilities for all aspects of road traffic management across the various levels of government in South Africa. The RTMC is responsible for co-operative and coordinated strategic planning, regulation, facilitation and law enforcement in respect of road traffic matters by the national, provincial and local spheres of government.

ENTITIES COVERED BY THE EIP

Below is a list of those entities that are material to this EIP in the context of potential environmental impacts that may arise as a result of exercising their legislatively-mandated functions.

sustainability focus has been collaboration on a pilot project to improve fuel efficiency through improved flight routing.

Greater awareness and regulation of the environmental impacts of air transport provides ATNS with a long-term opportunity to include sustainability strategies in the delivery of its portfolio of products and services to the continent. A further demonstration of ATNS' commitment to long-term economic, social and environmental sustainability has been the compilation of its first stand-alone Sustainability Report in line with Global Reporting Initiative – (GRI-G4) reporting guidelines.

Passenger Rail Agency of South Africa (PRASA)

Prasa is a public entity and an implementing arm of the sole shareholder, namely: the DOT. The entity is primarily focused on the mandate contained in the Legal Succession to the South African Transport Services Act, No. 9 of 1989, as amended by the Legal Succession to the South African Transport Services Amendment Act, No. 38 of 2008. Prasa is responsible for ensuring the provision of rail commuter services and long haul passenger rail and bus services within, to and from the Republic in the public interest in line with the principles set out in section 4 of the National Land Transport Transition Act, No. 22 of 2000.

Prasa's SHEQ Committee supports the Board in discharging its responsibilities for environmental protection. In discharging its responsibilities, the Committee, ensures that PRASA has effective safety and environmental policies, systems and programmes to meet all legislative responsibilities and to develop and sustain a safe and environmentally-friendly culture.

Railway Safety Regulator (RSR)

The RSR, which serves as the custodian of railway safety in South Africa, was established in terms of the National Railway Safety Regulator Act, No 16 of 2002, as amended, to establish a national rail regulatory framework for South Africa and to monitor and enforce compliance. The primary legislative mandate of the RSR is to exercise oversight and enforce safety performance by all railway operators in South Africa, including those of the neighbouring states whose rail operations enter South Africa. Notwithstanding, in terms of the Act, operators are primarily responsible and accountable for ensuring the safety of their railway operations. The RSR develops regulations, safety standards and related documents which form the basis of the regulatory regime,

South African Maritime Safety Authority (SAMSA)

The South African Maritime Safety Authority (SAMSA) was established in April 1998 under the SAMSA Act, No. 5 of 1998, with its mandate being to: (i) ensure safety of life and property at sea, (ii) prevent and combat pollution of the marine environment by ships, and (iii) promote the country's maritime interests. SAMSA is also responsible for administering numerous maritime laws, including the following:

- Merchant Shipping Act, No. 57 of 1951,
- Carriage of Goods by Sea Act, No. 1 of 1986,
- Marine Pollution (Prevention of Pollution from Ships) Act, No. 2 of 1986,
- Marine Pollution (Intervention) Act, No. 64 of 1987, and
- Wreck and Salvage Act, No. 94 of 1996.

SAMSA's Maritime Environmental Protection Programme (MEPP) is mandated with developing and enforcing regulations to avert the introduction of invasive species into the marine environment, halting unauthorised ocean dumping of hazardous substances and prevention of oil and chemical spills.

South African National Roads Agency Limited (SANRAL)

Sanral is an independent, statutory company registered in terms of the South African National Roads Agency Limited and National Roads Act, No. 7 of 1998 (SANRAL Act) with a distinct mandate to, *inter alia*, design, finance, improve, manage, maintain, operate and rehabilitate the national road network, and carries out this mandate in a manner that protects and preserves the environment through context-sensitive solutions. The government, represented by the Minister of Transport, is SANRAL's sole shareholder and owner.

SANRAL's approach to environmental management is based on its commitment to enhancing eco-efficiency and identifying and managing or eliminating environmental risks. The entity strives to adopt the best practicable environmental management options in its operations, or to identify feasible alternatives. SANRAL is regularly rehabilitates its areas of operation to their sustainable pre-operational state, so that they may still be viable for the use of future generations. SANRAL's EMS forms the framework for the implementation of its environmental policies, and is based on the entity's commitment to complying with relevant environmental legislation and the reduction of or (where possible) prevention of negative environmental impacts.

In the event the aforementioned intervention by the Director-General does not resolve the failure to comply with environmental implementation and management plans, the Act also allows for referral of the matter to conciliation in accordance with Chapter 4 of NEMA.

Purpose and Scope of the EIP

For the purpose of this EIP document, Chapter 3 of NEMA (as amended), is particularly pertinent as it makes provision for procedures for co-operative environmental governance and outlines other matters that should be considered in the preparation of an EIP. The EIP describes policies, plans and programs of a department that exercises functions which may affect the environment, and how this department's plans will comply with the NEMA principles and national environmental norms and standards. The stated purpose of an EIP as provided in Section 12 of NEMA is to:

- (a) Co-ordinate and harmonise the environmental policies, plans, programmes and decisions of the various national departments that exercise functions that may affect the environment or are entrusted with powers and duties aimed at the achievement, promotion, and protection of a sustainable environment, and of provincial and local spheres of government, in order to:
 - (i) Minimise the duplication of procedures and functions, and
 - (ii) Promote consistency in the exercise of functions that may affect the environment,
- (b) Give effect to the principle of co-operative government in chapter 3 of the Constitution,
- (c) Secure the protection of the environment across the country as a whole,
- (d) Prevent unreasonable actions by provinces in respect of the environment that are prejudicial to the economic or health interests of other provinces or the country as a whole, and
- (e) Enable the Minister (DEA) to monitor the achievement, promotion, and protection of a sustainable environment.

- (b) A description of the manner in which the relevant national department or province will ensure that the policies, plans and programmes referred to in paragraph (a) will comply with the principles set out in section 2 as well as any national norms and standards as envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment,
- (c) A description of the manner in which the relevant national department or province will ensure that its functions are exercised so as to ensure compliance with relevant legislative provisions, including the principles set out in section 2, and any national norms and standards envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment, and
- (d) Recommendations for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5.

Section 13 (2) further states that the Minister may, after consultation with the Committee (for Environmental Co-ordination), make regulations for the purpose of giving effect to subsections (1)(b) and (c).

This document serves as the DOT's third edition EIP since the coming into effect of NEMA, and is for the period 2015 to 2020. It is to be noted that as with previous editions (which were duly considered when preparing this edition), this EIP applies to both the DOT and its relevant public entities. In terms of section 11(4) of NEMA, every organ of state listed in schedule 1 and/or 2 of the Act must, in its preparation of an EIP, and before submitting such a plan, take into consideration every other EIP already adopted with a view to achieving consistency among such plans.

MANDATE

Constitution

The Constitution is the supreme law of South Africa and, as such, no other law can supersede its provisions. The Bill of Rights contained in Chapter 2 of the Constitution is a key enabler of democracy in South Africa as it preserves the rights of all people in the Republic. Section 24 of

- Investigating and making recommendations regarding the assignment and delegation of functions between organs of state under this Act or any other law affecting the environment and regarding the practical working arrangements, including memoranda of understanding, between the organs of state represented by members and other organs of state,
- Investigating and recommending the establishment of mechanisms in each province with the concurrence of the MEC for providing a single point in the province for the receipt of applications for authorisations, licences and similar permissions required for activities under legal provisions concerned with the protection of the environment where such authorisations, licences or permissions are required from more than one organ of state, and procedures for the co-ordinated consideration of such applications by the organs of state concerned,
- Making recommendations to co-ordinate the application of integrated environmental management as contemplated in Chapter 5, including cooperation in environmental assessment procedures and requirements and making determinations regarding the prevention of duplication of efforts as contemplated in section 24(4),
- Making recommendations aimed at securing compliance with the principles set out in section 2 and national norms and standards contemplated in section 146(2)(b)(i) of the Constitution,
- Making recommendations regarding the harmonisation of the environmental functions of all relevant national departments and spheres of government, advising the Minister on providing guidelines for the preparation of environmental management plans and environmental implementation plans, and
- Endeavouring to ensure compliance with the principle set out in section 2(2) by making appropriate recommendations requiring reports from its members and advising government on law reform.

In preparation of this EIP, cooperative governance considerations cooperative governance was taken into consideration in order to ensure that the requisite mechanisms are not limited to national and provincial transport spheres, but are also inclusive of other critical stakeholders,

| DOT POLICIES, PLANS AND PROGRAMMES | | | | | | |
|---|---|--|--|--|--|---|
| Name of policy or plan | Status (i.e. is it in process of development or adopted or being implemented) | What is the policy, plan or programme about? | Scope of policy, plan or programme (i.e. provincially or nationally implemented) | How will the policy, plan or programme affect the environment? | What degree of control does the department have on the impact (High, Medium or Low)? | Name of implementing organ of state |
| 1. White Paper on National Transport Policy: 1996 | Review | This White Paper is an overarching, cross-modal DOT policy aimed at the provision of safe, reliable, effective, efficient, and fully integrated transport operations and infrastructure for passengers and freight in a socially, economically and environmentally sustainable manner. | National | <p>The White Paper acknowledges from the onset that provision of transport infrastructure, and operation of the transport system, have the potential to cause damage to the physical and social environment.</p> <p>To mitigate this, it commits the DOT to take an integrated environmental management approach in the provision of transport. The White paper further requires that environmental sustainability be a key measure in transport investment decisions, and that potential environmental issues be identified and addressed, taking into consideration the costs and benefits associated with alternatives.</p> | Low | <ul style="list-style-type: none"> • Provincial Transport Departments • ACSA • ATNS • CAA • CBRTA • Prasa • PORTS REGULATOR • RAF • RSR • RTIA • RTMC • SANRAL • SAMSA • Industry |

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| | | | | <p>requires that port infrastructure development investment decisions consider the environmental implications early on and not only once the project is fully planned.</p> <p>The policy is well aligned to NEMA in that it calls for the utilisation of SEA, EIA and EMS tools in order to integrate environmental issues at all levels of port development, including port planning, design, construction and operation.</p> | | |
| 1. Taxi Recapitalisation Policy (TRP): 2009 | Implementation | <p>The TRP is an intervention by Government to bring about safe, effective, reliable and accessible taxi operations. One of the key components of the TRP is the scrapping of old taxi vehicles (OTVs), which are to be replaced with new taxi vehicles (NTVs) designed to undertake public transport functions in the minibus taxi industry in order to promote the safety, effectiveness and reliability of minibus taxi vehicles.</p> | National | <p>TRP policy addresses, among others, the need for a public transport system that is safe, accessible, reliable, modally integrated and environmentally sustainable. The latter would be achieved through the manufacturing and use of more environmentally-friendly equipment in the provision of transport services which would result in less noise, better utilisation</p> | Medium | <ul style="list-style-type: none"> Provincial Transport Departments |

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| | | <p>development, as well as the development of demand-responsive, balanced and sustainable rural transport systems. The development of a balanced rural transport system requires investment in access roads, improvement of other forms of rural transport infrastructure such as local connector or district roads, suspension bridges, pontoons, paths, tracks, trails and public transport interchanges</p> <p>The strategy also calls for concerted actions to redress the relative neglect of all non-motorised and intermediate motorised transport (NMT), and address a variety of rural freight and passenger transport needs.</p> <p>The strategy is expected to contribute to the formulation of the National Planning Guidelines for rural district municipalities' public transport network plans.</p> | | <p>given to the impacts of the rural transport system on the wider social, economic and biophysical environment.</p> <p>Promotion of NMT, coupled with the provision of requisite NMT infrastructure, forms a critical part of this strategy.</p> | | |
| Towards 2020: Public Transport Strategy (PTS) and Action Plan: 2007 | Implementation | <p>The PTS has two key thrusts: accelerated modal upgrading (AMU) and integrated rapid public transport Networks (IRPTNs).</p> <p>The strategy aims to achieve the phased but accelerated implementation of IRPTNs in metropolitan cities, smaller cities and rural districts. The longer-term vision until 2020 is to develop a system that places over 85 percent of a metropolitan city's population within 1km of an IRPTN trunk (road and rail) or feeder (road) corridor. A further goal for the metropolitan cities by 2020 is to achieve a mode shift of 20% of car work trips to public transport networks.</p> | National | Implementation of the PTS will contribute positively towards reducing energy consumption, traffic congestion, need for new road developments and other land use, GHG emissions and other pollutants, and will result in improved air quality. | High | <ul style="list-style-type: none"> Provincial Transport Departments Municipalities |

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|---------------------------------|-------------|---|----------|--|----------|--|
| | | share to road, with rail only carrying 11% of the market share while road carries 89%. | | advocates for the facilitation of a movement of cargo from road back to rail in the medium to long-term period. | | |
| 10. White Paper on Roads Policy | Development | Provides an over-arching policy that covers all aspects of the roads sector, including national principles, guidelines, frameworks, norms and standards, and is to be adopted and applied to all three spheres of government. | National | <p>The policy acknowledges that, generally, road transport and infrastructure is environmentally deleterious. The policy calls for a number of interventions to mitigate the adverse environmental impacts of road.</p> <p>These include promotion of NMT, integration of environmentally sustainable practices into NMT facility and infrastructure design, promotion of eco-mobility modal options, continuous implementation of programmes aimed at reducing emissions by promoting the use of public transport, undertaking research into environmentally sound road planning, design and construction looking at more stringent environmental clearance requirements in particular, and</p> | Moderate | <ul style="list-style-type: none"> • Provincial Transport Departments • SANRAL • RTMC |

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| | | | | a National Contingency Plan for pollution from ships, including hazardous and noxious substances. | | |
| 12. Green Transport Strategy (GTS) and Implementation Plan. | Development | The objectives of the GTS are to: (i) enable the transport sector to contribute its fair share to the national effort to combat climate change in a balanced fashion, taking into account the DOT and the sector's primary mandate of promoting socio-economic development, (ii) promote sustainable development and (iii) facilitate the sector's just transition to a climate-resilient and low-carbon economy and society. To this end, it is expected that the GTS will serve as a blueprint that will guide and steer the sector in that direction. | National | Reducing transport emissions will positively affect the environment and significantly add to the national climate change mitigation efforts contained in the country's Nationally Determined Contributions (NDCs) submitted to the UNFCCC secretariat. | Moderate | <ul style="list-style-type: none"> • Provincial Transport Departments • Municipalities • Prasa • SANRAL |
| 13. Road Freight Strategy (RFS) | Development | <p>The RFS is primarily aimed at addressing the need for an optimum split between road and rail cargo in order to lessen the burden on roads and increase the rail market share of 2% per annum (which is approximately 26 mtpa) over a period to 2019.</p> <p>In support of these objectives, the DOT will also amend the National Traffic Act Regulations to give effect to the shift of rail-friendly cargo from road, particularly bulk non-time sensitive and dangerous goods.</p> | National | The optimum split between road and rail cargo will contribute towards climate change mitigation by reducing emissions emanating from road freight. | High | <ul style="list-style-type: none"> • DOT |
| 14. Salvage Strategy for the South African Coastline | Development | The DOT, through its agency SAMSA, is primarily responsible for ensuring that South Africa's coastline is free of pollution and navigational hazards such as shipwrecks. Furthermore, | National | The strategy will enable South Africa to timeously and effectively respond to pollution | Moderate | <ul style="list-style-type: none"> • SAMSA |

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|---|----------------|---|----------|--|----------|--|
| | | | | environment, including: energy awareness programmes, promotion of fuel efficiency, alternative and renewable transport fuels, travel demand management, modal shifts and efficient land use. | | |
| 16. National Airspace Master Plan (NAMP): 2011 - 2025 | Implementation | Developed in line with the National Civil Aviation Policy, the NAMP aims to provide South Africa with a long-term (15 years plus) national airspace planning and management programme that meets the standards and recommended practices of ICAO and the reasonable expectations of all users by establishing a strategic course for, airspace organisation and management in the country. The plan further describes the organisation and where appropriate, the physical construction of the airspace, associated services, responsibilities, technologies and infrastructure up until 2025, in order to accommodate the expected traffic growth. | National | It is envisaged that the plan, through the ATM system, will contribute positively towards environmental sustainability as it requires consideration of noise and emissions in the implementation and operation of the National ATM system. The plan further provides for the designation of airspace with due consideration of environmental concerns. | Low | <ul style="list-style-type: none"> • CAA • ATNS |
| 17. National Airports Development Plan (NADP) | Development | The NADP aims to address the gaps between the current airport network and the future desired state. It will guide and support both overall network planning and the development of individual airports integrated within their broader spatial and transport contexts. | National | The NADP explicitly calls for the minimisation of adverse environmental impacts of overall network planning and the development of individual airports integrated within their broader spatial and transport | Moderate | <ul style="list-style-type: none"> • DOT • Provincial Transport Departments • ACSA • ATNS • CAA |

| | | | | | | |
|---|----------------------------------|--|------------------------|---|------|---|
| | | term. | | | | |
| 19. Chapter 2 Aircraft Phaseout Regulations | Due for implementation from 2016 | The regulations are aimed at reducing aviation noise pollution. The phases of implementation mean that the registration of additional Chapter 2 aircraft (noisy, old aircraft) in South Africa will be prohibited, and foreign airlines will not be allowed to operate additional Chapter 2 aircraft to South Africa as of the date to be determined, followed by the complete phase-out of the said aircraft. | National | The most immediate impact of aircraft is noise. Noise pollution, both from aircraft and from airport ground operations, remains an ever growing problem for those who live, work and study around airports. The plan will result in lower noise levels and reduced noise pollution. | High | <ul style="list-style-type: none"> • DOT • CAA • ACSA |
| 20. Harrismith Hub Framework | Development | The Harrismith Hub forms part of the Strategic Infrastructure Projects (SIP 2) programme which is aimed at optimising logistics on the Durban-Free State-Gauteng corridor in order to promote socio-economic development along the corridor. It is further aimed at ensuring that total logistics costs are reduced and logistics capacity is provided. | National Provincial | The upgrading and further development of the N3 corridor will certainly have some degree of impact on the environment associated with construction activities. Nonetheless, projects of this magnitude are required to undergo rigorous environmental assessment processes. To date, SANRAL has completed an environmental impact assessment exercise for this major transport project and the report was availed for stakeholder | Low | <ul style="list-style-type: none"> • DOT • Provincial Transport Departments • SANRAL • Transnet |

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| | | | | flow and quality, impacts on the natural marine environment, as well as impacts on vegetation communities and protected species. In order to mitigate these impacts, it is envisaged that a "Sustainable Port" concept will be adopted and integrated into the design, execution and operation of the DDOP. | | |
|--|--|--|--|---|--|--|

6. DESCRIPTION OF THE MANNER IN WHICH THE DOT WILL ENSURE THAT ITS POLICIES, PLANS AND PROGRAMMES COMPLY WITH THE PRINCIPLES SET OUT IN CHAPTER 1 OF NEMA, AS WELL AS ANY NORMS AND STANDARDS SET OUT BY THE MINISTER, OR BY ANY OTHER MINISTER, WHICH HAVE AS THEIR OBJECTIVE, THE ACHIEVEMENT, PROMOTION AND PROTECTION OF THE ENVIRONMENT.

This section of the EIP provides a description of norms and standards applicable to relevant DOT programmes as contemplated under section 146(2)(b)(i) of the Constitution, and requires the DOT to demonstrate how it will ensure that the identified priority policies, plans and programmes outlined in section 2 above comply with the environmental management principles for sustainable development outlined in Section 2 of NEMA, and with any national norms and standards set by departments with a mandate for environmental management. The relevant DOT programmes in this regard are: Integrated Transport Planning, Rail, Road, Civil Aviation, Maritime and Public Transport.

| | | | |
|--|---|--|--|
| | <p>Dangerous Goods and Substances by Road</p> <ul style="list-style-type: none"> • Waste Tyre Regulations • Waste Classification and Management Regulations • Regulations on the Control of Vehicles in the Coastal Zone • National Ambient Air Quality Standards, • Noise Control Regulations under the Environment Conservation Act • Environmental Impact Assessment Regulations • Alien and Invasive Species Regulations <p>NLTA Regulations, including the following:</p> <ul style="list-style-type: none"> • TMH7: Code of practice for the design of highway bridges and culverts in SA, Parts 1, 2 & 3 • TMH9: Pavement management systems - standard visual assessment manual for flexible pavements • UTG: Guidelines for the geometric design of urban arterial roads • UTG4: Guidelines for urban stormwater management • UTG8: Guidelines for the preparation of an urban transport plan • UTG11: Guidelines for public participation in land use/transport planning • CR96/034: Review of SA Bitumen Specification to take cognisance of compositional balance relative to | | |
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|-------------------------------|---|---|--|
| | Areas Regulations | | |
| Programme 7: Public Transport | <ul style="list-style-type: none"> NLTA Regulations relating to (i) Integrated Transport Plans and (ii) New Taxi Vehicles. | Compliance overseen by the Public Transport branch, Provinces SANRAL and the RTMC | <ul style="list-style-type: none"> COTO NTEC |

7. DESCRIPTION OF THE MANNER IN WHICH THE DOT WILL ENSURE THAT ITS FUNCTIONS ARE EXERCISED SO AS TO ENSURE COMPLIANCE WITH RELEVANT LEGISLATIVE PROVISIONS, INCLUDING THE PRINCIPLES SET OUT IN SECTION 2 OF NEMA, AND ANY NATIONAL NORMS AND STANDARDS ENVISAGED UNDER SECTION 146(2)(b)(i) OF THE CONSTITUTION AND SET OUT BY THE MINISTER, OR BY ANY OTHER MINISTER, WHICH HAVE, AS THEIR OBJECTIVE, THE ACHIEVEMENT, PROMOTION AND PROTECTION OF THE ENVIRONMENT.

•

This section of the EIP is at the heart of cooperative environmental governance. It indicates the way in which the DOT gives effect to its priority policies, plans and programmes and priority functions identified in section 2 above. Other relevant legislative requirements governing the priority functions in terms of environmental management are also identified, together with an indication of the manner of compliance. For the priority functions, the manner of compliance with relevant legislative provisions is described in terms of the:

- Institutional mechanisms (such as committees, procedures and MOU instruments) which ensure coordination between the relevant department and other departments that are mandated with environmental management,
- Institutional mechanisms to ensure coordination with and compliance by organs of state that have been assigned, delegated or contracted with priority functions, and
- Capacity (in terms of people and budget) to perform the priority functions, and particularly to ensure effective implementation and functioning of the mechanisms, systems and procedures for coordination.

| Institutional Mechanism | Lifespan of the mechanism | Description of the purpose of the mechanism | Departmental Capacity for Co-ordination | |
|-------------------------|---------------------------|--|---|------------------------------|
| | | | Human resources | Budget |
| 1. MINMEC | Permanent | The MINMEC is made up of the Minister of Transport and Provincial Transport MECs, and is | DOT staff component | DOT annual budget allocation |

| | | | | |
|--|------------------|--|---------------------|------------------------------|
| | | this committee include advising the slot coordinator, Transport DG and Minister on matters relating to airport slot coordination parameters and capacities, compliance of slot usage by operators and improvements to prevailing aircraft traffic conditions at airports, including related environmental issues. | | |
| 6. National Task Force on Removing Capacity Barriers to Implementing Energy Efficiency Measures in International Shipping. | Limited lifespan | The NTF comprises of all major stakeholders at national level, primarily from the maritime, energy and environmental sectors, and acts a steering group for all GloMEEP project activities and is strategically geared towards reducing greenhouse gas emissions from shipping. | DOT staff component | IMO budget allocation |
| 7. African Civil Aviation Commission (AFCAC) | Permanent | The purpose of AFCAC is to foster a safe, secure, efficient, cost-effective, sustainable and environmentally-friendly civil aviation industry in Africa. As a specialised agency of the African Union responsible for civil aviation matters in Africa, it facilitates cooperation and coordination among African States towards the development of integrated and sustainable air transport systems, implementation of ICAO SARPs and the development of harmonised rules and regulations consistent with best international practices in civil aviation. | DOT staff component | DOT annual budget allocation |
| 8. Air Quality Multi-Stakeholder Reference Group (MSRG) | Permanent | Led by the DEA, the MSRG is a consultative forum primarily responsible for matters incidental to the declaration of highly polluted priority areas and | DOT staff component | DOT annual budget allocation |

| | | | | |
|---|--|--|---------------------|------------------------------|
| | | and supports new climate initiatives that are ready for implementation. | | |
| 13. Designated National Authority (DNA) Steering Committee | Permanent | The steering committee was established to oversee DNA activities, including promotion and facilitation of CDM project development, project evaluation and approval, and securing an adequate share of CDM investments in South Africa. | DOT staff component | DOT annual budget allocation |
| 14. Intergovernmental Committee on Climate Change (IGCCC) | Permanent | The IGCCC was established to foster information exchange, consultation, agreement and support among the three spheres of government on climate change matters and government's response to the phenomenon. | DOT staff component | DOT annual budget allocation |
| 15. Integrated Energy Plan (IEP) Steering Committee | Lifespan subject to the completion of the IEP. | This intergovernmental steering committee is mandated with guiding the IEP work, taking the IEP process forward, deliberating on issues such as appropriate decision-making criteria, a matrix for policy analysis, plausible futures and key assumptions. | DOT staff component | DOT annual budget allocation |
| 16. Multistakeholder Committee on Chemicals Management (MCCM) | Permanent | The MCCM is a multi-stakeholder forum comprising of members of the NCCM, industry, labour, NGOs, academia, research institutions and statutory bodies involved in chemicals management. | DOT staff component | DOT annual budget allocation |
| 17. National Committee on Climate Change (NCCC) | Permanent | The NCCC is the official national platform for continuous multistakeholder engagement on climate change. | DOT staff component | DOT annual budget allocation |
| 18. National Committee for Sustainable Development (NCSD) | Permanent | Established and overseen by DEA, the NCSD operates in multifold among government spheres multiple stakeholders and is charged with overseeing | DOT staff component | DOT annual budget allocation |

| | | | | |
|---|-----------|--|---------------------|------------------------------|
| | | assessment must be done in terms of NEMA, with specific reference to its Chapter 5. | | |
| 22. SPLUMA National Coordinating Forum (NCF) | Ongoing | This forum is tasked with (a) making recommendations on improving and expediting land development processes, (b) interrogating land use and land development principles and policies, (c) making recommendations regarding amendments and additions to the Act and Regulations, (d) promoting public-private cooperation with respect to spatial development and promoting intergovernmental relationships between all three spheres of government concerned with spatial development. | DOT staff component | DOT annual budget allocation |
| 23. Subcommittee on Environmental Implementation and Management Plans (EIMPs) | Permanent | The subcommittee is tasked with giving effect to procedures for cooperative governance contemplated in Chapter 3 of NEMA. | DOT staff component | DOT annual budget allocation |
| 24. Technical Working Group on Mitigation (TWG-M) | Ongoing | The TWG-M comprises of a range of climate change stakeholders that include government departments, business sector, civil society and academics. The TWG-M was established to guide and oversee all the work pertaining to climate change mitigation, and provides economy-wide technical advice, coordination and alignment of the mitigation work at a sectoral level. | DOT staff component | DOT annual budget allocation |
| 25. Technical Working Group on Monitoring and Evaluation (TWG-M&E) | Ongoing | The TWG-M&E cuts across the environment, energy, industry, agriculture and transport sectors. The group is tasked with monitoring and evaluating the | DOT staff component | DOT annual budget allocation |

| | | | | |
|---|---|---|---------------------|--|
| | | commercial charging networks in the country, and deliberates on technical, economic and policy related implications on the creation of such networks. | | |
| 30. National Bio-gas Platform | Permanent | The National Biogas Platform was established as a key resolution of the 2013 National Biogas Conference. The platform is a collaboration between the South African public and private sectors, and is supported by the German government. It aims to share the lessons learned from the existing biogas projects, assess current and future regulatory requirements in order to make the regulations proactive and conducive for the development of the industry, and reveal and bundle the financing options for biogas projects in order to lift up the industry. | DOT staff component | DOT annual budget allocation |
| 31. USAID-South Africa Low Emissions Development Program Advisory Committee | Permanent, subject to the continuation of the SA-LED program. | The committee will provide strategic advice to the USAID South Africa-Low Emissions Development Program (SA-LED) and guidance on the development of low emissions projects, identification of suitable projects and sources of project finance, technical assistance, and strengthening municipal support to implement LED projects. | DOT staff component | DOT annual budget allocation |
| 32. GIZ/Transfer Partnership on Nationally Appropriate Mitigation Actions | Ongoing | Transfer is a multi-stakeholder partnership working actively towards integrating transport into international climate negotiations. The partnership offers technologically feasible and cost effective solutions to curb transport sector greenhouse gas emissions. In South Africa, this cooperation enables | DOT staff component | German Federal Government/DOT annual budget allocation |

| | | | | |
|--|--|---|---------------------|------------------------------|
| | | <p>government, business and academia, for promoting co-operation and closer interaction among them, and is based on the principle of open regionalism for strengthening cooperation and promoting development of the region.</p> <p>Members undertake projects for co-operation relating to trade facilitation and liberalisation, scientific and technological exchanges, promotion of maritime transport and related matters, energy, protection of the marine environment and disaster management.</p> | | |
| 36. UNECE Sub-committee of Experts on the Transport of Dangerous Goods | Permanent | The subcommittee develops mechanisms for the regulation and safe transportation of dangerous goods, hazardous materials and substances by air, road, rail and sea in order to prevent negative environmental impacts arising. | DOT staff component | DOT annual budget allocation |
| 37. Committee on Aviation Environmental Protection (CAEP) | Permanent | CAEP is a technical committee that assists the ICAO Council in formulating new policies and adopting new standards and recommended practices related to aircraft noise and emissions, and more generally, to aviation environmental impact and protection. | DOT staff component | DOT annual budget allocation |
| 38. Marine Environment Protection Committee (MEPC) | Permanent | The MEPC consists of IMO Member States and has the responsibility to consider matters connected to the prevention and control of marine pollution from ships. | DOT staff component | DOT annual budget allocation |
| 39. National Transport Committee on the Environment | To be established in 2018 as a permanent structure | NTCE will serve as a coordination and consultative platform on | DOT staff component | DOT annual budget allocation |

9. OUTCOMES AND KEY PRIORITY INDICATORS FOR THE EIP OVER A FIVE- YEAR PERIOD (INCLUDING NSSD HEADLINE INDICATORS)

| DEPARTMENT OF TRANSPORT | | | | |
|---|--|--|---|--|
| Outcomes to be achieved | How (mean/activities) | Who (Responsibilities) | Proposed Targets (What and by when) | Indicators |
| 1. Reduction of GHG emissions in the road transport sub-sector | Submit the draft GTS to Cabinet for approval: 2016/17 Monitor implementation: 2017/18 onwards | <ul style="list-style-type: none"> • DOT • Provinces • Municipalities • Relevant public entities | <ul style="list-style-type: none"> • GTS developed for implementation: 2017/18 | <ul style="list-style-type: none"> • Number of GHG emissions reduction measures implemented |
| 2. Minimisation of aviation noise | Draft/prepare Regulations on the phasing out of Chapter 2 Aircraft: 2015 Submit draft Regulations to the Minister for approval: 2015/16 Monitor implementation of the Regulations: 2016/17 | <ul style="list-style-type: none"> • DOT • CAA | <ul style="list-style-type: none"> • Regulations on the phasing out of Chapter 2 aircraft: 2016/17 onwards | <ul style="list-style-type: none"> • Number of Chapter 3 aircraft barred from South African airspace |
| 1. Reduction in levels of pollution at sea | Full enforcement of MARPOL regulations | <ul style="list-style-type: none"> • DOT • SAMSA | <ul style="list-style-type: none"> • Ongoing process | <ul style="list-style-type: none"> • Number of marine pollution incidents avoided |
| 2. Improve public transport access and reliability | <ul style="list-style-type: none"> • Fund and monitor the planning and implementation of Integrated Rapid Public Transport Networks (IRPTNs) • A Re Yeng – Tshwane, Go George – George, Rea Vaya – Joburg, My CiTi – Cape Town, Yarona – Rustenburg, Go Durban – eThekweni, Libhongo Lethu – NMB, Mbombela, Ekurhuleni, Polokwane, Mangaung. | <ul style="list-style-type: none"> • DOT • Municipalities | <ul style="list-style-type: none"> • IRPTNs | <ul style="list-style-type: none"> • Percentage increase in the uptake of public transport • Number of IRPTNs developed and implemented in identified municipalities |
| PUBLIC ENTITIES | | | | |
| Outcomes to be achieved | How (mean/activities) | Who (Responsibilities) | Proposed Targets (What and by when) | Indicators |
| <ul style="list-style-type: none"> • Acceleration of sustainability programmes | Prepare a Gap Analysis and Implementation Plan for ISO certification: 2016 Kimberley and Bram Fischer airports ISO certification: 2017 King Shaka and O.R Tambo airports ISO certification: 2018 | <ul style="list-style-type: none"> • ACSA | <ul style="list-style-type: none"> • Achieve ISO 14001 Certification for the last four airports: Bram Fischer, Kimberley, King Shaka and O.R Tambo: 2018/19. | <ul style="list-style-type: none"> • Number of airports certified |
| <ul style="list-style-type: none"> • Implementation of | Calculate and report on | <ul style="list-style-type: none"> • ATNS | <ul style="list-style-type: none"> • Annual | <ul style="list-style-type: none"> • Carbon footprint inventory |

entities, such as PRASA, did not even mention or include any information on environment in their Strategic Plans, resulting in the DOT not being able to capture their 5-year environmental plans, and, in the process, affecting the Department's ability to track their environmental performance over the EIP cycle. This will, inevitably, adversely affect the DOT's Annual EIP Compliance Reports.

11. POTENTIAL AREAS FOR COLLABORATION

While the DOT has the sole mandate of matters related to transport, there is room for potential collaboration with other Departments, especially on those DOT policies, plans, programmes and projects that may inadvertently have an impact on their work, in line with NEMA principles for cooperation. The Table below gives an indication of such areas of potential collaboration with other Departments, without being exhaustive:

| AREAS | POTENTIAL COLLABORATION DEPTS |
|--|-------------------------------|
| Climate change | All |
| Alternative Transport Fuels | DoE, DST, DEA, DAFF |
| Aviation Biofuels | DoE, DPE, DST, DAFF |
| Electric Vehicles | Dti, DST, DoE, DEA |
| Energy Efficiency | DoE, DEA |
| Sustainable Mobility/Public Transport | DHS, DoE |
| Integrated Transport Planning | DRDLR, COGTA, DoE |
| Air Quality | DEA, DOH, DoE |
| EIAs for infrastructure development projects | DEA |
| Marine pollution, ballast water management etc | DEA, DWAS |

*The above Table serves only as an example of potential areas for collaboration.

While the mandate of the Department of Transport is primarily socio-economic development, and whereas environmental sustainability may not be reflected in some of the Department's public entities' Strategic Plans, there is growing awareness within the transport family of the need to have the environment protected for the benefit of present and future generations. There is also consensus within the sector that while development is necessary to address the triple

established by the ICAO Assembly. These plans assist states identify the most appropriate measures to limit or reduce their emissions from international aviation. It is envisaged that South Africa will submit its Action Plan to ICAO around September 2016.

GloMEEP

The aim of the Global Maritime Energy Efficiency Partnership (GloMEEP) project is to contribute to a significant reduction of GHG emissions from international shipping by enabling 10 Lead Pilot Countries (LPCs) to take a lead in the respective developing regions to pursue relevant legal, policy and institutional reforms (LPIR), capacity building and enhance public-private partnerships for environmentally-conscious innovation and technology deployment. Through the DOT, South Africa is one of the 10 countries participating in the GloMEEP project. The overall long-term goal of the project is the reduction of shipping GHG emissions through energy efficiency and mitigation of emissions impacts on the oceans.

TRANSfer/DOT NAMAs Programme

The TRANSfer programme is funded by the German government and supports South Africa's GHG mitigation actions in the land transport segment by assisting the DOT with the development and implementation of sustainable transport options that yield climate mitigation benefits. All NAMA projects will impact positively on the environment in terms of reducing the carbon footprint of the sector.

In addition to the above, some Departmental entities are also taking numerous environmental initiatives. For instance, **ACSA** has formulated and put in place an EMS-based environmental policy which defines the entity's commitment to caring for the environment across all its group activities. In terms of the group's environmental sustainability strategy derived from the policy, environmental activities focus on energy conservation, climate change, water, waste, air quality, noise management and biodiversity. Moreover, ACSA aims to complete solar plants at all six of its regional airports as part of its environmental sustainability strategy, while also achieving carbon neutrality.

The approach adopted by **ATNS**, on the other hand, considers the following areas to be material environmental issues: (i) reducing CO₂ emissions, (ii) managing natural resources, specifically electricity and fuel, (iii) reducing aircraft noise and improving of airspace air quality and, (iv) embedding a culture of sustainability. The entity's stand-alone Sustainability Reports are in line with the Global Reporting Initiative – (GRI-G4) reporting guidelines. Some of the practical initiatives to combat climate change include:

- Aircraft emissions, which involves local air quality management, including the implementation of South Africa's State Action Plan for the reduction of aviation GHG emissions, and
- Aerodromes and heliports, which requires preparation of environmental management plans, establishment and management of consultative committees, and monitoring of aircraft noise and emissions.

It is acknowledged that some of the DOT's planned policies and infrastructure development projects are likely to have an impact not only on the environment, but on programmes of other Departments as well. In this regard, the DOT is in the process of establishing a transport-specific committee which will address a myriad of environmental challenges in a proactive manner. In as far as affected Departments and stakeholders are concerned, ongoing direct bilateral consultations will be had in order to solicit inputs and address the concerns of those that might be affected. In addition, existing cooperative governance mechanisms, such as the EIMP Sub-committee and the IGCCC will also be utilised as a platform for engagement.

To sum up, the Department and its entities remain committed to promoting environmentally sound development, and will tirelessly strive to comply with its EIP (and commitments contained therein) and regularly prepare Annual Compliance Reports for submission to the EIP/EMPs Sub-committee.

| | |
|--------|--|
| GTS | Green Transport Strategy |
| ICAO | International Civil Aviation Organization |
| IDP | Integrated Development Plan |
| IEM | Integrated Environmental Management |
| IPAP | Industrial Policy Action Plan |
| ITP | Integrated Transport Planning |
| IMO | International Maritime Organization |
| IRPTNs | Integrated Rapid Public Transport Networks |
| LTCC | Land Transport Co-ordinating Committee |
| MARPOL | Marine Pollution Convention |
| MEAs | Multilateral Environmental Agreements |
| MINMEC | Minister and Members of the Executive Council |
| MOC | Memorandum of Cooperation |
| MOU | Memorandum of Understanding |
| MSA | Moving South Africa: Action Agenda |
| MTSF | Mid-Term Strategic Framework |
| NAAMSA | National Association of Automobile Manufacturers of South Africa |
| NADP | National Airports Development Plan |
| NAMAs | Nationally Appropriate Mitigation Actions |
| NAMP | National Airspace Manager Plan |
| NATMAP | National Transport Master Plan |
| NCCRP | National Climate Change Response Policy |
| NDP | National Development Plan |
| NEMA | National Environmental Management Act |
| NGO | Non-Governmental Organisation |
| NGP | New Growth Path |
| NIP | National Infrastructure Plan |
| NMB | Nelson Mandela Bay |
| NMT | Non-Motorised Transport |
| NSSD | National Strategy for Sustainable Development |
| NT | National Treasury |
| NTF | National Transport Forum |
| PICC | Presidential Infrastructure Coordinating Commission |
| PPP | Pollution Prevention Plan |
| Prasa | Passenger Rail Agency of South Africa |
| PSPs | Private Sector Partnerships |
| PTS | Public Transport Strategy |
| RTMC | Road Traffic Management Corporation |
| RTSSA | Rural Transport Strategy for South Africa |
| SABS | South African Bureau of Standards |
| SACAA | South African Civil Aviation Authority |
| SADC | Southern African Development Community |
| SALGA | South African Local Government Association |
| SAMSA | South African Maritime Safety Authority |
| Sanral | South African National Roads Agency Limited |

ANNEXURE B**Specific DOT legislation relevant to the EIP***Maritime*

- Merchant Shipping Act, No.57 of 1951, as amended,
- Dumping at Sea Control Act, No. 73 of 1980,
- Marine Traffic Act, No.2 of 1981 as amended,
- Marine Pollution (Control and Civil Liability) Act, No. 6 of 1981,
- Carriage of Goods by Sea Act, No.1 of 1986,
- Marine Pollution (Prevention of Pollution from Ships), No. 2 of 1986,
- Marine Pollution (Intervention), No. 64 of 1987,
- Wreck and Salvage Act, No.95 of 1996, and
- South African Maritime Safety Authority Act, No. 5 of 1998.

Civil Aviation

- Carriage by Air Act, No. 47 of 1946,
- Civil Aviation Act, No. 13 of 2009.

Roads

- Advertising on Roads and Ribbon Development Act, No. 21 of 1940,
- National Roads Act, No. 54 of 1971,
- South African National Roads Agency Limited and National Roads Act, No. 07 of 1998, and
- National Land Transport Act, No. 05 of 2009

Rail and Harbours

- National Railway Safety Regulator Act, No.16 of 2002, and
- National Ports Act, No. 12 of 2005.

- United Nations Convention on the Law of the Sea (UNCLOS), and
- United Nations Framework Convention on Climate Change (UNFCCC)

Furthermore, the Department is also bound by the following, among others:

- Durban Resolution on Maritime Safety, Maritime Security and Protection of the Marine Environment in Africa,
- Sustainable Development Goals, and
- The Paris Agreement,

Moreover, the DOT represents South Africa at the following UN bodies, among others:

- ICAO: Committee on Aviation Environmental Protection (CAEP),
- IMO: Marine Environment Protection Committee (MEPC), and
- UNECE: Committee of Experts on the Transportation of Dangerous Goods (TDG).

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1. INTRODUCTION

These guidelines represent a 3rd generation of development since the promulgation of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and are intended to provide guidance to national and provincial departments on the preparation and implementation of environmental implementation and management plans required in terms of the procedures for co-operative governance stipulated in chapter 3 of NEMA as amended. They provide minimum requirements as required by the NEMA, including other matters that should be considered in preparation of the environmental implementation and management plans.

Therefore, it is expected that all relevant provincial and national departments will comply with these guidelines when implementing chapter 3 of NEMA. It should also be noted that these guidelines are not exhaustive, but are intended to be definitive and mandatory with regard to the minimum content required for the environmental implementation and management plans as well as on the content of the related annual reports.

2. THE PURPOSE OF THE GUIDELINES

The primary purpose of these guidelines is to provide technical guidance to provincial and national departments on how to develop and/or report on the implementation of environmental implementation and management plans as well as on the combined environmental implementation and management plans required in terms of chapter 3 of NEMA. Furthermore, these guidelines are developed to encourage and promote consistency in preparation of and reporting on the environmental implementation and management plans by the provincial and national departments listed in schedules 1 or 2 or both schedules of NEMA.

3. PURPOSE AND SCOPE OF EIPs AND EMPs

The **Environmental Implementation Plan (EIP)** describes policies, plans and programmes of a department that performs functions that may impact on the environment and how this department's plans will comply with the NEMA principles and national environmental norms and standards. The **Environmental Management Plan (EMP)** on the other hand, describes functions of a department involving the management of the environment and policies and laws, as well as efforts taken by the department to ensure compliance by other departments, with such environmental policies and laws.

The purpose of environmental implementation and management plans as provided in section 12 of NEMA, is to–

- (a) co-ordinate and harmonise the environmental policies, plans, programmes and decisions of the various national departments that exercise functions that may affect the environment or are entrusted with powers and duties aimed at the achievement, promotion, and protection of a sustainable environment, and of provincial and local spheres of government, in order to:
 - (iii) minimise the duplication of procedures and functions; and
 - (iv) promote consistency in the exercise of functions that may affect the environment;
- (b) give effect to the principle of co-operative government in chapter 3 of the Constitution;
- (c) secure the protection of the environment across the country as a whole;

4.5 Monitoring of compliance with EIPs and EMPs

In terms of section 16(2) of NEMA, the Director-General of the Department of Environmental Affairs is empowered to monitor compliance with environmental implementation plans and environmental management plans and may—

- (c) take any steps or make any inquiries he or she deems fit in order to determine if environmental implementation plans and environmental management plans are being complied with by organs of state; and
- (d) if, as a result of any steps taken or inquiry made under paragraph (a), he or she is of the opinion that an environmental implementation plan and an environmental management plan is not substantially being complied with, serve a written notice on the organ of state concerned, calling on it to take such specified steps as the Director-General considers necessary to remedy the failure of compliance.

In the event the afore-mentioned intervention by the Director-General did not solve the failure to comply with environmental implementation and management plans, the Act also allows for referral of the matter to conciliation in accordance with Chapter 4 of NEMA.

5. PREPARATION OF ENVIRONMENTAL IMPLEMENTATION AND MANAGEMENT PLANS

The minimum content of environmental implementation and management plans is outlined in section 13(1) and section 11(7) as well as section 14 of NEMA. The content of these sections of the Act are provided in detail later in this document.

5.1 Relevant considerations when preparing environmental implementation and management plans

5.1.1 Environment sector priorities

The environment sector priorities are driven by the long-term development strategies in Chapter 5 of National Development Plan Vision 2030, which should be considered by the Department of Environmental Affairs and provinces when preparing EIPs, namely:

- (a) sustaining South Africa's ecosystems and using natural resources efficiently;
- (b) building sustainable communities;
- (c) responding effectively to climate change mitigation;
- (d) responding effectively to climate change adaptation; and
- (e) managing a just transition; and
- (f) enhancing governance systems and capacity.

These priorities are addressed through the following seven core focus areas:

- (i) air quality;
- (ii) waste and Chemicals Management;
- (iii) pollution Incident Management;
- (iv) environmental Impact Management;
- (v) conservation and Sustainable Use of biodiversity;
- (vi) marine and Coastal Management; and
- (vii) green economy and sustainable development.

- (b) a description of the manner in which the relevant national department or province will ensure that the policies, plans and programmes referred to in paragraph (a) will comply with the principles set out in section 2 of the Act as well as any national norms and standards as envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment;
- (c) a description of the manner in which the relevant national department or province will ensure that its functions are exercised so as to ensure compliance with relevant legislative provisions, including the principles set out in section 2 of the Act, and any national norms and standards envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment; and
- (d) recommendations for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5 of the Act.

NB. When preparing an EIP, guidance is provided in Annexure A of these guidelines.

5.4 Content of the EMP

Every national department listed in **Schedule 2** of NEMA, has a mandate for management of the environment, and is required to prepare an EMP. The required content of an EMP is specified in **Section 14** of NEMA. In terms of Section 14 of NEMA, every environmental management plan must contain—

- (a) a description of the functions exercised by the relevant department in respect of the environment;
- (b) a description of environmental norms and standards, including norms and standards contemplated in section 146(2)(b)(i) of the Constitution, set or applied by the relevant department;
- (c) a description of the policies, plans and programmes of the relevant department that are designed to ensure compliance with its policies by other organs of state and persons;
- (d) a description of priorities regarding compliance with the relevant departments' policies by other organs of state and persons;
- (e) a description of the extent of compliance with the relevant departments policies by other organs of state and persons;
- (f) a description of arrangements for co-operation with other national departments and spheres of government, including any existing or proposed memoranda of understanding entered into, or delegation or assignment of powers to other organs of state, with a bearing on environmental management; and
- (g) proposals for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5 of NEMA.

NB. When preparing an EMP, guidance is provided in Annexure B of these guidelines.

5.5 Content of consolidated EIP/EMP (i.e. EIMP)

Section 11(3) of NEMA provides for the preparation of a consolidated environmental implementation and management plan (EIMP) by departments that are listed in both schedule 1 and 2. Therefore, the content of the EIMP should be made up of the requirements of an EIP and EMP.

6. DIFFERENCE BETWEEN EIP, EMP AND EIMP

Experience gained in the past years of implementation of chapter 3 of NEMA, highlighted some issues as essential to alignment of EIPs and EMPs. The issues that came out as requiring alignment are, amongst others:

- a) setting of indicators that all provinces should report on; and
- b) alignment of NEMA Chapter 3 cycle to other priorities, planning, reporting and implementation, especially with the electoral mandate.

7.3 Roles and responsibilities in terms of chapter 3 of NEMA

7.3.1 The responsibilities of every organ of state, are to:

- a) exercise every function it may have, or that has been assigned or delegated to it, by or under any law, and that may significantly affect the protection of the environment, substantially in accordance with the environmental implementation plan or the environmental management plan prepared, submitted and adopted by that organ of state in accordance with this chapter 3 of NEMA – Provided that any substantial deviation from an environmental management plan or environmental implementation plan is reported to the Director-General and the CEC Subcommittee on EIPs and EMPs; and
- b) report annually within four months of the end of the financial year on the implementation of its adopted environmental implementation plan or environmental management plan to the Director-General of the Department of Environmental Affairs and the CEC Subcommittee on EIPs and EMPs.

7.3.2 The responsibilities of every provincial government are, amongst others, to ensure that:

- (i) the relevant provincial environmental implementation plan is complied with by each municipality within its province; and
- (ii) municipalities adhere to the relevant environmental implementation and management plans, and the principles contained in section 2 of NEMA in the preparation of any policy, programme or plan, including the establishment of integrated development plans and land development objectives.

7.3.3 The responsibilities of the Director-General of Environmental Affairs are, amongst others, to:

- a) keep a record of all environmental implementation plans and environmental management plans, relevant agreements between organs of state and any annual reports related to environmental implementation and management plans, as well as make such plans, reports and agreements available for inspection by the public;
- b) monitor compliance with environmental implementation and management plans; and
- c) receive annual reports from organs of state on the implementation of their adopted environmental implementation and management plans.

7.3.4 The responsibilities of the CEC Subcommittee on EIPs and EMPs, are amongst others to:

- (i) consider any substantial deviation from environmental management plans or environmental implementation plans that is reported to it by any organ of state;
- (ii) consider environmental implementation and management plans and annual reports submitted by organs of state in compliance with chapter 3 of NEMA; and
- (iii) Consider and provide advice on any matter incidental to the implementation of environmental implementation and management plans.

ANNEXURE A: TEMPLATE FOR PREPARATION OF ENVIRONMENTAL IMPLEMENTATION PLANS**SECTION 1: INTRODUCTION****SECTION 2: a description of policies, plans and programmes that may significantly affect the environment**

EXPLANATORY NOTE: This section of the EIP should be focused on giving an idea of or depicting those existing and new policies, plans and programmes of the department that when implemented may significantly affect the environment both positively and negatively. Although all governmental functions are likely to have some effect on the environment, for the purposes of the EIP, these should be prioritized in terms of:

- the extent and/or severity of the impacts (nationally or provincially), and
- the degree of control that the relevant department exercises on the impact, through that function.

| Name of policy, plan or programme | Status (i.e. is it in process of development or adopted or being implemented) | What is the policy, plan or programme about? | Scope of policy, plan or programme (i.e. provincially or nationally implemented) | How will the policy, plan or programme affect the environment? | What degree of control does the department has on the impact? | Name of implementing organ of state |
|-----------------------------------|---|--|--|--|---|-------------------------------------|
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |

SECTION 3: a description of the manner in which the relevant national department or province will ensure that the policies, plans and programmes referred to in section 2 above will comply with the principles set out in chapter 1 of NEMA as well as any national norms and standards as envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment

EXPLANATORY NOTE: This section requires the department or province to demonstrate how it will ensure that the identified priority policies, plans and programmes (i.e. in section 2 above) comply with the environmental management principles for sustainable development outlined in Section 2 of NEMA, and with any national norms and standards set by departments with a mandate for environmental management. Compliance may be indicated by whether and how the principles and norms & standards were considered during the formulation of existing policies, plans or programmes, and/or whether those departments mandated with environmental management were consulted. In terms of cooperative governance, a brief indication of the way in which the formulation of proposed (future) policies, plans and programmes will consider these principles or norms and standards, and will be aligned (harmonized) with the relevant policies, plans and programmes of other departments.

| Name of policy, plan or programme | List of relevant norms and standards | Description of how the department will ensure that development and/or implementation of policies, plans and programmes comply with environmental management principles for sustainable development outlined in Section 2 of NEMA, and with any national norms and standards set by departments with a mandate for environmental management | Is there any consultative forum established? (If so give name of the structure) |
|-----------------------------------|--------------------------------------|--|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |

SECTION 4: a description of the manner in which the relevant national department or province will ensure that its functions are exercised so as to ensure compliance with relevant legislative provisions, including the principles set out in section 2 of NEMA, and any national norms and standards envisaged under section 146(2)(b)(i) of the Constitution and set out by the Minister, or by any other Minister, which have as their objective the achievement, promotion, and protection of the environment

| | | | | | | |
|---|---|--|---|---|---|--|
| EXPLANATORY NOTE: The focus of this section of the EMP is on environmental management functions exercised by the department. The department is required to provide an outline of its mandate in terms of environmental management and a brief description of <i>all</i> the associated functions exercised by the department. | | | | | | |
| List of environmental functions of the department | | Objective of the function | | | | |
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |
| SECTION 3: a description of environmental norms and standards, including norms and standards contemplated in section 146(2)(b)(i) of the Constitution, set or applied by the relevant department | | | | | | |
| EXPLANATORY NOTE: A list of the relevant norms and standards prescribed by the department for environmental management purposes should be provided, together with a brief description of their nature and applicability (and references to the relevant gazette and/or documentation) | | | | | | |
| List of environmental norms and standards set or applied by the department | | Objective of the environmental norms and standards | | Date of commencement of implementation (including gazette date) | | |
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |
| SECTION 4: a description of the policies, plans and programmes of the relevant department that are designed to ensure compliance with its policies by other organs of state and persons | | | | | | |
| EXPLANATORY NOTE: This requires the department's environmental management policies to be identified and briefly described, together with a description of the plans and programmes for their implementation, including an indication of the department's allocation of resources, responsibilities and timeframe. Emphasis should be on the mechanisms and procedures to ensure compliance with the environmental policies, which include the above mentioned norms and standards. | | | | | | |
| Name of policy, plan and programme designed to ensure compliance with the departments policies | What is the policy about? | How will the policy the department ensure compliance to the policy, plan or programme by other organs of state | List of affected organs of state | What are the responsibilities of the affected organs of state | What resources does the department have to ensure compliance? | What is the lifespan of the policy, plan or programme? |
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |
| SECTION 5: a description of priorities regarding compliance with the relevant departments policies by other organs of state and persons | | | | | | |
| EXPLANATORY NOTE: This may be derived from the list of policies, plans and programmes that are core to the mandate of the department and if not adhered to by other organs of state will compromise the ability of the department to execute its environmental functions. Prioritisation should also be informed by the numeracy of departments that are not complying with the policy, plan and programme requirement and the significance of the provision not complied with. | | | | | | |
| Name of policy, plan and programme not complied with | Date of commencement of policy, plan or programme (including duration where applicable) | Description of risk of non-compliance by other organs state | Description of expected state of compliance | Names of affected organs of state | Target timeframe of compliance | Description of measures to be introducing by the department to ensure compliance |
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |

I, Christopher Hlabisa, Acting Director-General of the Department of Transport, hereby approve for adoption, this 3rd Edition Environmental Implementation Plan: 2015-2020.



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MR C HLABISA

ACTING DIRECTOR-GENERAL

DATE:

15/10/2018