


DEPARTMENT OF TRANSPORT
NOTICE 56 OF 2019

CORRECTION NOTICE

General Notice 728 of 2018, published in *Government Gazette* **42053** on 23 November 2018, was erroneously published with missing pages and information, and is hereby replaced with the following notice:

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


.....
MR C HLABISA

ACTING DIRECTOR-GENERAL

DATE:

15/10/2018



transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

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.**

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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.
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1. INTRODUCTION

Transport system, comprising of roads and rail networks, harbours and airports, forms the backbone of South Africa's socio-economic development as it enables personal and freight mobility. Essential products and services like energy, food, manufacturing, and trade all depend in interrelated ways on efficient and reliable functioning of transport components. The Department of Transport (DOT) is primarily responsible for policy formulation but is not directly involved in the implementation thereof as it was prior to the passing of the 1996 White Paper on National Transport Policy. Instead, implementation of these policies is now carried out by various public entities that report to the Minister of Transport.

While transport is the driver of South Africa's socio-economic development, its environmental footprint cannot be ignored as it continues to grow unabated. It needs to be pointed out, *ab initio*, that the DOT's primary legislative mandate is skewed towards socio-economic development, and not environmental protection *per se*, given that the latter remains the primary mandate of the Department of Environmental Affairs (DEA). Nonetheless, the DOT and its entities remain committed to ensuring that the negative environmental impacts resulting from the implementation of its policies, plans and programmes are avoided, or where they cannot altogether be avoided, minimised.

It is generally acknowledged that governmental functions are likely to have some level of impact on the environment, and these are governed by the National Environmental Management Act, No. 107 of 1998, hereinafter referred to as NEMA. Chapter 3, Section 11(1) of the said Act requires national Departments listed in Schedule 1 and organs of state exercising functions which may affect the environment to prepare Environmental Implementation Plans (EIPs) within one year of the promulgation of the Act, and at least every five years thereafter (NEMA amendment).

This document serves as the 3rd Edition Environmental Implementation Plan (EIP) compiled by the DOT in compliance with the provisions of NEMA, and applies to the Department itself as well as its relevant public entities (organs of State) whose activities may impact on the environment. The "2015/19 Guidelines for Environmental Implementation Plans and Environmental Management Plans" were followed in the preparation of this 3rd Edition EIP. The 1st edition Departmental EIP was compiled in 2002, followed by the 2nd edition in 2009. The content of this EIP was informed by, among others:

- 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 authorities,

a co-ordinating structure, known as the MINMEC (Minister and Members of the Executive Council) is in place. The roles of various transport tiers are summarised below:

National

As indicated before, South African transport policy-making is carried out at various levels of government. The national DOT has exclusive and overall responsibility for national transport policy formulation. This cascading nature of this policy leads to national transport policy generally being broad in nature and providing the reference framework within which more detailed policy is made at provincial and local government levels. Because of this, transport institutional policy addresses arrangements for the relationship between various levels of government, as well as the structures of transport public entities.

National-Provincial

In addition to the exclusive responsibilities of the national government in regard to certain functional areas of transport, it has certain joint responsibilities with various other government tiers. Schedule 4 of the Constitution lists functional areas of concurrent national and provincial legislative competence. These include, inter alia:

- Airports other than international and national,
- Environment,
- Public transport,
- Road traffic regulation,
- Tourism,
- Trade,
- Urban and rural development,
- Vehicle licensing,
- Certain local government matters,
- Municipal airports,
- Municipal public transport, and
- Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto.

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.

Transport and the NDP

In response to the NDP, the Department will strive to:

- Demonstrate accelerated speed in delivery of services and operations
- Put greater reflection on stakeholder engagements and buy-in
- Place more focus on shared growth initiatives
- Reprioritise optimum resource allocation, distribution and usage
- Support diversification of trade patterns
- Support industrialisation beneficiation
- Prioritise capacitating of designated groups with socio-economic skills

Medium Term Strategic Framework

This Medium Term Strategic Framework (MTSF) is the Government's strategic plan for the 2014-2019 electoral term. It serves as a comprehensive five-year NDP implementation plan, and reflects the commitments made in the election manifesto of the governing party and further sets out the actions Government will take and targets to be achieved. The current MTSF is structured around 14 priority outcomes which cover the focus areas identified in the NDP and Government's electoral mandate. These are made up of the 12 outcomes which were the focus of the 2009-2014 administration, as well as two new outcomes, namely: (i) social protection and (ii) nation-building and social cohesion.

The aim of the MTSF is to ensure policy coherence, alignment and coordination across government plans as well as alignment with budgeting processes. Performance agreements between the President and each Minister reflect the relevant actions, indicators and targets set out in this MTSF. Within the NDP vision, key policy instruments developed in the previous term will continue to drive government's policy agenda. These include the New Growth Path (NGP), which sets the trajectory of economic development, the National Infrastructure Plan (NIP), which guides the rollout of infrastructure to improve people's lives and enable economic growth, and the Industrial Policy Action Plan (IPAP), which focuses on promoting investment and competitiveness in leading sectors and industries.

Transport MTSF Priority Areas

Over the current MTSF period, which also serves as the first five-year implementation plan of the NDP, the following transport sector priority areas of service delivery have been identified by the DOT to respond to the sustained and changed agenda of Government:

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

Outcome 10 – Protect and enhance our environmental assets and natural resources

Under the Service Delivery Agreement, the Minister of Transport has been assigned the responsibility for implementing sub-outcome 2 interventions to advance the realisation of Outcome 10. In the context of NEMA Chapter 3, and the EIP in particular, Outcome 10, Sub-Outcome 2: “An effective climate change mitigation and adaptation response”, is significant. To give effect to this MTSF Outcome, the DOT has committed to:

- Develop strategic policy and regulatory frameworks and programmes to promote a low-carbon economy, and
- Develop and implement the GTS.

2. NATIONAL LEGISLATION, POLICIES, STRATEGIES AND OTHER INTERVENTIONS APPLICABLE TO THE DOT AND ITS PUBLIC ENTITIES IN THE CONTEXT OF THE EIP

This section highlights, without being exhaustive, relevant legislation related to the EIP in the context of the DOT and its public entities. It has to be borne in mind that legislation, policies, plans and strategies evolve over time, and some of these are underway in the current MTSF cycle.

Constitution of the Republic of South Africa Act, No 108 of 1996

The Constitution, in its Section 24 of the Bill of Rights, has particular relevance in as far as the environment is concerned, and states that everyone has the right:

- To an environment that is not harmful to their health or well-being, and
- To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
 - ✓ Prevent pollution and ecological degradation,
 - ✓ Promote conservation, and
 - ✓ Secure ecologically sustainable development and use of natural resources, while promoting justifiable economic and social development.

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:

- The emission of substances that may present a threat to health, well-being or the environment will have to comply with national, provincial and local standards. This applies to ambient air quality and emissions from point, non-point and mobile sources,
- Transport-related activities that are likely to have a detrimental effect on the environment may be listed by the DEA Minister or MEC, and may require a license issued in terms of the Act,
- Requires that transport-related activities involving an appliance or combustion process that results in atmospheric emissions representing a threat to the environment comply with certain standards before that appliance or fuel is manufactured, sold or used,
- Persons involved in activities that contribute to air pollution may be required to prepare and implement a Pollution Prevention Plan (PPP),
- Persons not complying with the provisions of the Act, or with conditions of the license may be required to conduct an Atmospheric Impact Assessment (AIA), and,
- Specific emissions from point, non-point and mobile sources, including vehicles, may be prohibited by regulation.

National Environmental Management: Integrated Coastal Management Act, No. 24 of 2008

The Act establishes a system of integrated coastal and estuarine management in the country. A transport department or entity that is empowered to authorise an activity that may have an adverse effect on the coastal zone must do a full investigation, including an assessment of effects and compliance with Coastal Management Plans (CMPs). Transport-related activities likely to have an adverse effect on the coastal environment may be subject to certain regulatory measures, such as coastal protection notices, or remove and repair notices.

In addition, certain specified transport-related activities may require a permit in terms of the Act. For instance, the construction or alteration of rail or road infrastructure is prohibited in the coastal buffer zone, unless the Minister (DEA) permits it after consideration of an EIA report. There is also a prohibition on the incineration, dumping, import, export or loading of any waste at sea without a permit issued in terms of the Act.

National Environmental Management: Protected Areas Act, No. 57 of 2003

The Act provides for the establishment and management of national, provincial and local protected areas. Transport-related activities that occur in protected areas may be subject to regulations, municipal by-laws or the rules of the management authority. For instance, the flying of an aircraft over the airspace of certain protected areas is prohibited unless certain conditions are met.

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.

South African Roads Agency Limited and National Roads Act, No. 07 of 1998

Section 28 of this Act deals with the requirements regarding the rehabilitation of the vegetation affected by road projects and road reserves affected by construction activities. It sets out in detail the details for compensating the environment, including the planting of trees alongside national roads or to perform any other work considered desirable for the convenience of users of a national road or appearance of a national road in order to manage soil erosion on a national road to prevent it from rising as a result of construction of a national road.

National Climate Change Response Policy (NCCRP) 2011

The policy calls for economic sectors (transport included) to contribute to climate change mitigation, and adaptation where applicable, in order for the country to contribute its fair share towards the global effort to stabilise greenhouse gas concentrations in the atmosphere to a level that avoids dangerous anthropogenic interference with the climate system within a timeframe that enables economic, social and environmental development to proceed in a sustainable manner.

The transport sector's near-term priority Flagship Programme calls for the DOT to facilitate the development of an enhanced public transport programme to promote lower carbon mobility in five (5) metropolitan areas and in ten (10) smaller cities and create an efficient vehicles programme with interventions that result in measurable improvements in the average efficiency of the South African vehicle fleet by 2020.

Moreover, the DOT's rail recapitalisation programme is considered an important component of this Flagship Programme in so far as it will facilitate both passenger modal shifts and the shift of freight from road to rail. Initially led by the DOT, the programme is envisaged to also include a Government Vehicle Efficiency Programme that will measurably improve the efficiency of the government fleet by 2020 and encourage new efficient-vehicle technologies, including electric vehicles by setting procurement objectives for acquiring such vehicles.

Energy Efficiency Strategy of the Republic of South Africa, 2005

The Strategy was approved by Cabinet in March 2005 and reviewed in 2008, and sets a target for improved energy efficiency in South Africa at 12 percent by 2015. The Strategy aims to promote and develop energy-efficient practices, norms and standards in different energy sectors, including industry, commercial sectors, households, transport and agriculture. In addition, the Strategy also aims to develop energy efficiency policies and guidelines, facilitate information awareness, capacity-building, campaigns on energy efficiency, and environmental issues,

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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 pollutants, and (h) access and manage financial resources for climate change. Climate change mitigation remains the

biggest priority of the DOT, without downplaying the role of adaptation, given that while transportation contributes much to the problem of climate change, it is also equally vulnerable to the impacts thereof.

Joint Implementation Strategy for the Control of Exhaust Emissions from Road-going Vehicles in the Republic of South Africa, (2004)

Emissions from vehicles have been identified as a problem in South Africa due to the steady increase in the number of vehicles on the roads and an increase in the annual distance driven. Owing to the absence of vehicle emissions legislation, most vehicles are not equipped with emissions-control devices and can thus emit more than ten times the emissions of equivalent vehicles in emissions-regulated markets. In a nutshell, the Strategy aims to effectively control vehicular emissions in the country, particularly in urban areas.

It further intends to ensure that the integrity of ambient air and other environmental media are not compromised, while at the same time promoting economic growth. In pursuance of this quest, all interventions recommended in the Strategy are informed and guided by the Bill of Rights and the principles contained in NEMA and the 1998 White Paper on Energy Policy, particularly the “no regrets” precautionary principle. The Strategy further sets out a roadmap for government, the oil industry and the vehicle-manufacturing industry aimed at achieving improved air quality through the control of vehicle emissions.

National Strategy for Sustainable Development (NSSD 1) and Action Plan: 2011-2014

In 2008, Cabinet approved the National Framework for Sustainable Development (NFSD) which signaled a new wave of thinking aimed at promoting effective stewardship of our natural, social and environmental resources.

The National Strategy for Sustainable Development (NSSD) builds on the NFSD and a number of existing initiatives by business, government, NGO's, academia, and other key role-players to address sustainability issues in South Africa. Transportation cannot be discussed in isolation, as the sector remains the biggest source of ecologically-degrading GHG emissions, hence the NSSD calls for sustainability in the sector.

NEMA-Related Regulations

NEMA regulations in this context relate mainly to the obligatory undertaking of EIAs for transport projects, especially in as far as road, maritime and aviation projects are concerned.

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.

Policy Mandate

The overarching policy mandate of the DOT is derived from the 1996 White Paper on National Transport Policy, whose vision is to provide safe, reliable, effective, efficient, and fully integrated transport operations and infrastructure which will best meet the needs of freight and passenger customers at improving levels of service and cost in a fashion which supports Government strategies for economic and social development, whilst being economically and environmentally sustainable.

Departmental Programmes

The DOT is structured into seven (7) Programmes commonly referred to as Branches. The structure puts extensive emphasis on the different modes of transport and, complementing this modal emphasis, are two programmes that seek to provide strategic support to the key programmes of the Department, namely: (1) Administration and (2) Integrated Transport Planning (ITP).

The programmes not only set the agenda for the DOT but for a collective, integrated and harmonised approach to addressing sector and sub-sector challenges. Key transport stakeholders in this collective include the DOT, transport public entities, provincial transport departments, municipalities and strategic private sector players. A convergence of all these stakeholders assists in fast-tracking the responsiveness of the sector to its realities and emerging challenges. While the Administration programme is included in the table below, it is not part of this EIP as it does not formulate any policies or plans that may have an impact on the environment.

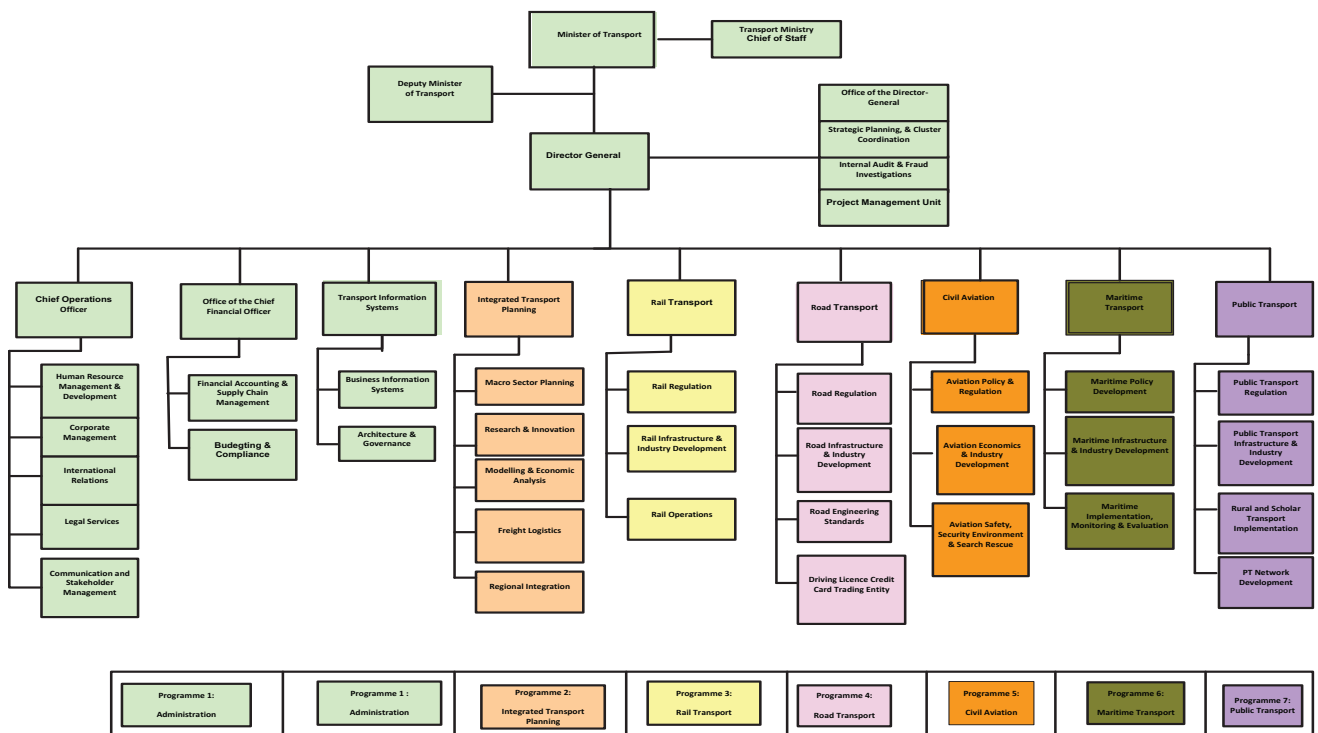
Figure 1: Departmental Organogram**Organisational Structure for the Department of Transport**

Table 1: Departmental Programmes

Programme No. and Name	Function
1. Administration	Provide leadership, strategic management and administrative support to the Department. This is achieved through continuous refinement of organisational strategy and structure in line with appropriate legislation and best practice.
2. Integrated Transport Planning	Integrate and harmonise key transport sector strategic interventions through continuous development and refining of macro-transport sector policies, strategies and legislation, coordination of development of sector-related policies, coordination of sector research activities, coordination of regional and inter-sphere relations, facilitation of sector transformation, and provision of sector economic modelling and analysis.
3. Rail Transport	Facilitate and coordinate the development of sustainable rail transport policies, rail economic and safety regulation, infrastructure development strategies, and systems that reduce system costs and improve customer service, and to monitor and oversee the Railway Safety Regulator and the Passenger Rail Agency of South Africa and the implementation of integrated rail services planned through the lowest competent sphere of Government.
4. Road Transport	Develop and manage an integrated road infrastructure network, regulate road transport, ensure safer roads, and oversee road agencies.
5. Civil Aviation	Facilitate the development of an economically viable air transport industry that is safe,

	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)

The Cross-Border Road Transport Agency's (C-BRTA) exists to improve the flow of passengers and freight by road transport in the region, introduce regulated competition in cross-border road

transport, reduce operational constraints for the cross-border road transport industry as a whole in order to enhance transport trade facilitation, provide oversight and monitoring functions, and build industry partnerships to strategically reposition the C-BRTA. The entity does not have an environmental function as its core mandate is the issuance of cross-border operating licences, and is therefore, not included as part of this EIP.

Ports Regulator of South Africa

The Ports Regulator was established in terms of the National Ports Act, No. 12 of 2005. The Regulator is a key component of the ports regulatory architecture envisaged in the National Commercial Ports Policy, and its key function is economic regulation of the ports system in South Africa, in line with the strategic development context of the state. In accordance with this mandate, the Regulator performs certain functions and activities in the industry that relate mainly to regulation of pricing and other aspects of economic regulation, promotion of equity of access to ports facilities and services, monitoring the industry's compliance with the regulatory framework and also hearing any complaints and appeals lodged with it.

The environmental aspects of ports are the responsibility of Transnet National Ports Authority (TNPA), which is a division of Transnet Limited. It is important to note that while Transnet's primary mandate revolves around the area of transportation, it remains a state-owned company reporting to the Department of Public Enterprises (DPE), as opposed to the DOT.

Road Accident Fund (RAF)

The Road Accident Fund (RAF) is a juristic person established by the Road Accident Fund Act, No. 56 of 1996, as amended. It commenced operations in May 1997, assuming at the time, all the rights, obligations, assets and liabilities of the Multilateral Motor Vehicle Accidents Fund. The RAF is responsible for providing cover to all road users within the borders of South Africa, rehabilitating and compensating persons injured as a result of motor vehicles in a timely manner, and actively promoting the safe use of all South African roads.

The client base of the RAF, therefore, comprises not only the South African public, but all foreigners within the borders of the Republic. Section 3 of the RAF Act stipulates that "the object of the Fund shall be the payment of compensation in accordance with this Act for loss or 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.

Airports Company South Africa (ACSA)

ACSA is a state-owned company and a schedule 2 public entity as per the Public Finance Management Act, No. 1 of 1999. Although majority-owned by government and accountable to the Minister of Transport, ACSA is legally and financially autonomous and operates under commercial law.

The entity is mandated with undertaking the acquisition, establishment, development, provision, maintenance, management, and control or operation of any airport, any part of any airport, or any facility or service at any airport normally related to the functioning of an airport in terms of the Airport Company Act, No. 44 of 1993. The company currently manages a network of nine airports in South Africa, including the three main international gateways of O.R. Tambo International, Cape Town International and King Shaka International Airports.

ACSA's environmental policy and strategy define its commitment to environmental sustainability across the group's activities, and provides a framework to direct and improve environmental performance. The entity manages its environmental initiatives through an Environmental Management System (EMS), which ensures compliance with relevant environmental legislation. ACSA's environmental activities focus on energy conservation, climate change, water, waste, air quality, noise management and biodiversity. In addition, five ACSA airports are ISO 14001 certified, with the rest planned for certification within the current MTSF period.

Air Traffic and Navigation Services (ATNS)

ATNS is a state-owned company (SOC), established in terms of the ATNS Company Act, No. 45 of 1993 to provide air traffic management (ATM) solutions and associated services on behalf of the State. These services accord with International Civil Aviation Organization (ICAO) standards and recommended practices, and the South African Civil Aviation Regulations and Technical Standards. ATNS provides air traffic, navigation, training and associated services within South Africa and a large part of the Southern Indian and Atlantic Oceans, comprising approximately 10% of the world's airspace. The entity operates from nine ACSA and 12 other aerodromes.

In terms of environmental performance, ATNS finalised its Climate Change and Sustainability Strategy in 2014. The strategy considers both operational sustainability of the entity itself as well as the implications of environmental sustainability and climate change legislation and regulation for the customers it serves and the wider aviation industry. A notable outcome of this 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,

With regard to the environmental protection, there are no specific RSR environmental regulations to date, given that the entity's primary mandate is safety. Nonetheless, the RSR is in the process of developing specific environmental regulations, since unregulated transportation of dangerous goods by rail has the potential to have some impact on the environment.

Moreover, it should be noted that the entity pays particular attention to decommissioning of railway infrastructure including level crossings where rehabilitation of the environment is prescribed in the level crossing standard. In addition, the RSR concluded a five-year Memorandum of Understanding (MoU) with DEA on the 20th of March 2014, which looks at the formalisation of the relationship between the former and the latter for collaboration on issues relating to environmental degradation and protection of the environment.

South African Civil Aviation Authority (CAA)

An agency of the DOT and a Schedule 3A public entity in terms of the PFMA, the CAA was established on the 1st of October 1998, following the enactment of the now repealed South African Civil Aviation Authority Act, No.40 of 1998. The abovementioned Act however, was repealed as a whole and replaced by the Civil Aviation Act, 2009, No.13 of 2009, which provides for the establishment of a stand-alone authority mandated with controlling, promoting, regulating, supporting, developing, enforcing and continuously improving levels of safety and security throughout the civil aviation industry.

The CAA is responsible for administering the following legislation: (i) Aviation Act, No. 74 of 1962, (ii) Civil Aviation Offences Act, No. 10 of 1972, and (iii) Convention on the International Recognition of Rights in Aircraft Act, No. 59 of 1993. The roles and responsibilities of the CAA revolve around the following four areas of oversight, namely: (a) aviation security, (b) air safety infrastructure, (c) air safety operations and (d) accident and incident investigation.

In order to ensure environmental sustainability in the country's aviation space, the CAA has a number of Aviation Environmental Protection (AEP) regulations and guidelines, which are for the aviation industry and not for the CAA to implement. In some of these regulations, reference is made to NEMA and its specific provisions applicable to aviation. It should be pointed out that most environmental laws are applicable to the aviation industry but are not for the CAA to comply with, given the entity's regulatory role.

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.

4. ENVIRONMENTAL IMPLEMENTATION PLAN

BACKGROUND

Legislative requirements for Environmental Implementation Plans

Preparation of Environmental Implementation Plans (EIPs) is required in terms of Chapter 3 of the National Environmental Management Act, No. 107 of 1998, hereinafter referred to as NEMA. Section 11(1) of Chapter 3 of NEMA provides that every national department listed in Schedule 1 of NEMA as exercising functions which may affect the environment and every province must prepare an **Environmental Implementation Plan** (EIP) within one year of the promulgation of the Act and at least every five years thereafter.

As stated in the Introductory section, the DOT is listed in Schedule 1 of NEMA as a department that exercises functions that may significantly affect the environment and is consequently required to prepare an EIP every five years. In terms of section 16(1)(b) of NEMA, every organ of state must report annually within four months of the end of the financial year on the implementation of its adopted EIP to the Director-General and the Committee on Environmental Coordination (CEC) Sub-committee on Environmental Implementation and Management Plans (EIMPs). Annual reports relating to EIPs are a statutory obligation emanating from section 16(1)(b) of chapter 3 of NEMA.

In terms of section 16(2) of NEMA, the Director-General of the Department of Environmental Affairs is empowered to monitor compliance with EIPs, and may:

- (a) 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
- (b) 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 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.

NEMA Principles

Chapter 1 of the NEMA outlines South Africa's environmental management principles. These principles apply specifically to the actions of organs of state that may significantly affect the environment. The two principles set out in chapter 1 of NEMA are that:

- a) Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably, and
- b) Development must be socially, environmentally and economically sustainable.

These principles apply throughout the Republic to the actions of all organs of state that may significantly affect the environment and:

- (i) Shall apply alongside all other appropriate and relevant considerations, including the State's responsibility to respect, protect, promote and fulfill the social and economic rights in chapter 2 of the Constitution and in particular the basic needs of categories of persons disadvantaged by unfair discrimination,
- (ii) Serve as the general framework within which environmental management and implementation plans must be formulated,
- (iii) Serve as guidelines by reference to which any organ of state must exercise any function when taking any decision in terms of this Act or any statutory provision concerning the protection of the environment, and
- (iv) Guide the interpretation, administration and implementation of NEMA, and any other law concerned with the protection or management of the environment.

Content of the EIP

Section 13 (1) of NEMA prescribes the following as minimum content of an EIP:

- (a) A description of policies, plans and programmes that may significantly affect the 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 55 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

the Bill of Rights has particular relevance in as far as protection of the environment is concerned, and states that everyone has the right:

- (a) To an environment that is not harmful to their health or well-being, and
- (b) To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:
 - (i) Prevent pollution and ecological degradation,
 - (ii) Promote conservation, and
 - (iii) Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

National Environmental Management Act (NEMA)

The Act provides for co-operative environmental governance by establishing principles for decision making on matters affecting the environment, institutions that will promote cooperative governance and procedures for co-ordinating environmental functions exercised by organs of state, to provide for certain aspects of the administration and enforcement of other environmental management laws, and to provide for matters connected therewith. NEMA contains instruments and mechanisms to promote and give effect to the principle of co-operative governance and sets a framework for integrated environmental management in all development activities in the Republic.

Institutional Arrangements for Cooperative Governance

Chapter 2, Part 2 of the National Environmental Management Laws Amendment Act 25 of 2014 establishes institutions for cooperative environmental governance, is the Committee for Environmental Co-ordination (CEC), whose stated objective is to promote the integration and co-ordination of environmental functions by the relevant organs of state, and in particular to promote the achievement of the purpose and objectives of environmental implementation plans and environmental management plans as set out in section 12. The functions of the CEC include the following:

- Scrutinising, reporting and making recommendations on environmental implementation plans submitted to it in accordance with section 15,

- 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,

including transport public entities. It should be noted that cooperative governance is not only limited to NEMA, but is also legislated through Chapter 3 of the Constitution and the Intergovernmental Relations Framework Act, No. 13 of 2005.

5. DESCRIPTION OF DOT POLICIES, PLANS AND PROGRAMMES THAT MAY SIGNIFICANTLY AFFECT THE ENVIRONMENT

As pointed out elsewhere, the primary mandate of the DOT is to contribute towards the country's economic growth and social development (two of the 3 pillars of sustainable development), as opposed to environmental protection *per se*. Nonetheless, the DOT remains fully committed to ensuring that the negative environmental impacts of transport activity are avoided, and where they cannot altogether be avoided, are minimised, while the overall mandate to provide leadership in environmental management, conservation and sustainability remains the responsibility of the DEA.

This section outlines Departmental policies, plans, programmes and functions that may significantly affect the environment. It is important to note that as provided for in DEA's "*Draft 2015/2019 Guidelines for the Preparation of EIMPs*", the section depicts both existing and proposed policies, plans and programmes of the DOT which, when implemented, may significantly affect the environment both positively and/or negatively. For the purpose of this EIP, these are prioritised in terms of:

- The extent and/or severity of their impacts, and
- The degree of control that the DOT exercises on the impacts.

In order to address potential environmental impacts that may inadvertently occur, all Departmental policies, plans, projects and programmes (including those of public entities covered by this EIP) that may significantly affect the environment are to be subjected to approval of relevant Environmental Authorisations by the relevant authority (DEA) in the form of Basic Assessments (BAs), full Environmental Impact Assessments (EIAs) or Strategic Environmental Assessments (SEAs), or whichever is applicable, based on the scale of the developments planned or in progress, and their severity on the environment. Furthermore, the Department and its implementing entities will strive to compensate the environment for the inflicted damage through rehabilitative measures.

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

				To this end, it recommends that investments in transport infrastructure which promotes energy efficiency and the least consumption of resources be favoured.		
2. White Paper on National Policy on Airports and Airspace Management: 1997	Implementation	The policy requires that the planning and integration of airports into the broader transport network be coordinated at the appropriate tier of government, for example international planning and integration at national government level, regional planning and integration at provincial/regional government level, and localised planning and integration at a local government level.	National	<p>The policy requires that airport and airspace investment decisions consider environmental implications, and that environmental implications are identified and assessed at an early stage. Such assessments should influence the design of individual projects.</p> <p>The policy makes it a requirement for any development of a new airport to be environmentally sustainable and conform to the standards of provincial environmental legislation.</p>	Low	<ul style="list-style-type: none"> • ATNS • ACSA • CAA
3. National Commercial Ports Policy: 2002	Implementation	The policy broadly calls for investments in port infrastructure, equipment and system in ways that meet social, financial, economic or strategic investment criteria in order to enable port users to access the port system in the most efficient way possible.	National	This policy is premised on economic, social and environmental considerations in line with the concept of sustainable development. It	Low	<ul style="list-style-type: none"> • Ports Regulator • SAMSA • TNPA

				<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>		
4. 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

				of natural resources and improved air quality. Manufacturers of new taxi vehicles (NTVs) are legally required to conform to the specifications contained in Government Gazette No 891 of 2006. The programme also forms part of the Transport Flagship Programme included in the White Paper on National Climate Change Response, and will contribute towards transport sector's suite of climate change mitigation measures.		
5. Moving South Africa Action Agenda (MSA): 1999	Implementation	The MSA outlines a 20-year strategic framework for the South African transport sector through 2020. Strategic principles of the MSA include the integration of services and value chains and the creation of integrated services in corridors through multi-intermodal solutions. One of the key targets for urban passenger transport specifically, is the encouragement of modal integration.	National	The MSA calls for the implementation of government planning policy and legislation to improve spatial development and road planning, which in turn would reduce commuter distances and traffic congestions, resulting in reduced emissions and improved air quality.	Low	<ul style="list-style-type: none"> Provincial Transport Departments
6. Rural Transport Strategy for South Africa (RTSSA): 2007	Implementation	The RTSSA has two main strategic thrusts, namely: promotion of coordinated rural nodal and linkage	Provincial	The need for sustainability also requires that attention be	Low	<ul style="list-style-type: none"> Provincial Transport Departments

		<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>		
7. 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

8. White Paper on National Civil Aviation Policy	Development	<p>The policy recognises the strategic role entrusted upon South Africa's aviation infrastructure and operations to support economic development and to serve as a catalyst for increased trade, tourism and job creation.</p> <p>The policy recognises both the direct contribution of aviation and the wider economic potential of airport precincts, including through the development of aerotropolises.</p>	National	<p>The White Paper provides, for the first time in the history of civil aviation in South Africa, comprehensive policy which covers aircraft noise and engine emissions mitigation, in line with the constitutional obligations, environmental legislation and international standards relating to aviation environmental protection.</p>	High	<ul style="list-style-type: none"> • CAA • ACSA • ATNS
9. White Paper on National Rail Policy	Development	<p>The policy proposes evidence-based interventions designed to revitalise South Africa's railways and requisite infrastructure through the implementation of strategically focused investment-led policy interventions.</p> <p>It is envisaged that such interventions will reposition both passenger and freight rail for inherent competitiveness by exploiting rail's genetically efficient technologies.</p> <p>Furthermore, such interventions will ensure improved rural access, increased mobility, increased job creation within the rail sector through infrastructure construction, given the country's obsolete rail infrastructure and rolling stock, under-utilisation of the rail network, and the resultant loss of market</p>	National	<p>The policy acknowledges that there are large volumes of rail-friendly goods transported on the road, which has an adverse effect on the road infrastructure.</p> <p>The increased number of trucks on South African roads not only damages roads but also contributes to the increased road accidents, noise and air pollution, as well as GHG emissions.</p> <p>This Policy position</p>	Low	<ul style="list-style-type: none"> • Provincial Transport Departments • RSR • Prasa • Transnet

		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

				the use of energy efficient and sustainable transport infrastructure construction materials.		
11. Comprehensive Maritime Transport Policy	Development	The maritime policy represents the country's long-term maritime transport development vision and outlines the policy direction the country will be taking to develop the sector to its full potential and unlocking the oceans economy in line with the NGP and the NDP.	National	The White Paper affirms government's duty to protect the marine environment by putting in place effective strategies and plans. The policy proposes a number of interventions specifically aimed at marine environmental protection and sustainability, including that:: (a) all maritime entities reporting to the DOT prepare Environmental Management Plans, (b) the DOT puts in place all the necessary measures to ensure that SAMSA can prevent pollution of the marine environment and respond promptly to marine pollution incidents that occur from shipping, offshore production or any other source, and (c) the DOT, assisted by SAMSA and DEA, finalises and implements	High	<ul style="list-style-type: none"> • SAMSA • Ports Regulator • TNPA

				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 (ii) 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

		they both have the responsibility to assist vessels that are in distress for purposes of prevention of marine pollution. The strategy addresses operational issues during a casualty or an incident.		incidents in the marine environment in order to minimise the impacts of marine pollution from vessels as well as other environmental impacts arising from maritime environmental emergencies.		
15. National Transport Master Plan (NATMAP) - 2050	Development	The goal of the NATMAP 2050 is to develop a multi-modal transport planning framework which is dynamic, long-term and in line with future transport infrastructure supply facilities. In the short term, the plan will synchronise spatial planning and align transport infrastructure investment activities across all spheres of government.	National	NATMAP is a physical development plan that will focus on transport infrastructure of national significance, in order to meet transport needs of future economic and land use development. This will inevitably have some adverse impacts on the environment. Nonetheless, NATMAP advocates for sustainable long-term planning by taking into account environmental and energy effects of transport. More specifically, NATMAP proposes a number of short, medium and long-term interventions to minimise transport impacts on the	Moderate	<ul style="list-style-type: none"> • DOT • Provincial Transport Departments • ACSA • ATNS • CAA • Prasa • SANRAL

				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 contexts. The	Moderate	<ul style="list-style-type: none"> • DOT • Provincial Transport Departments • ACSA • ATNS • CAA

				<p>plan also requires that (a) airport development, expansion and operation be in line with government policy on environmental management,</p> <p>(b) the environmental sustainability of airports should be assessed as a prerequisite, whether at strategic planning level or for individual projects, using the appropriate tools and (c) new airport developments must comply with environmental approval processes, including consideration of alternative locations.</p>		
18. Shova Kalula National Bicycle programme	Implementation	<p>The primary policy focus of the programme is to ensure that NMT programmes are promoted and integrated into the mainstream system. It serves as an intervention to improve mobility and access to basic needs as well as social, educational and economic opportunities for people especially in rural, remote and poorly resourced areas, including learners. The (DOT is working with provinces to develop transport NMT master plans, which would guide the implementation of the Shova Kalula bicycle project in the short, medium and long term.</p>	National	<p>The programme impacts positively on the environment as it leads to reductions in the following: emissions, air pollution and noise pollution, congestion, animal road kill, reliance on fossil fuels, and biodiversity and vegetation loss due to the need for the construction of new roads.</p>	High	<ul style="list-style-type: none"> • DOT • DBE • Provincial Departments of Transport • Provincial Departments of Education • Municipalities

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 consultations in accordance with EIA regulations.	Low	<ul style="list-style-type: none"> • DOT • Provincial Transport Departments • SANRAL • Transnet

21. Transport Infrastructure Funding Framework	Development	The framework is aimed at facilitating integrated macro-transport systems planning to guide investments in the sector, and will complement related transport infrastructure instruments, including the Harrismith Hub Framework	National	The framework <i>per se</i> will not have any direct impact on the environment. However, environmental impacts might occur as a result of transport infrastructure construction.	Low	<ul style="list-style-type: none"> • DOT • Provincial Transport Departments Relevant Entities
STRATEGIC INFRASTRUCTURE PROJECTS LINKED TO THE DOT						
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
Moloto Rail Development Corridor Project	Ongoing	The objectives of this project include the reduction of travel times, road accidents and traffic congestion in the Tshwane urban area.	Provincial	The project will result in improved air quality as a result of the reduction in traffic congestion.	Low	<ul style="list-style-type: none"> • Nkangala District Municipality • Sekhukhune District Municipality • City of Tshwane Metropolitan Municipality • Thembisile Hani Local Municipality • Dr J S Moroka Local Municipality • DOT
Durban Dig-Out Port Project (DDOP)	Ongoing	This project aims to improve rail and port connections through the expansion of the container-handling capacity of the Durban Port.	Provincial	There are environmental risks inherent in the DDOP, including: potential increase in air and noise, visual impacts and light pollution, , soil contamination, groundwater flow and quality, impacts on the natural marine environment, as well as impacts	Low	<ul style="list-style-type: none"> • TNPA • eThekweni Metropolitan Municipality

				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.		
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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.

Name of 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)
Programme 2: Integrated Transport Planning	<ul style="list-style-type: none"> ECA Regulations NLTA Regulations, NEMA Regulations Spatial Planning Regulations 	<p>Through extensive multistakeholder consultative processes, DOT policies (across all Programmes) are consciously developed and implemented with sustainable development principles in mind.</p> <p>The Environmental Coordination (EC) unit is located within this programme, which also serves as the overall environmental focal point, and is responsible for the preparation, monitoring, implementation of the EIP and reporting. The DOT has an oversight role over those entities whose functions may adversely impact the environment.</p>	<ul style="list-style-type: none"> COTO DEA structures DRDLR NTEC (proposed) NTF
Programme 3: Rail	<ul style="list-style-type: none"> SANS 10405: Transportation of Dangerous Goods by Rail SANS 3000-2-2-1: Technical Requirements for Engineering and Operational Standards: Level crossings Regulations for the Prohibition of the Use, Manufacturing, Import and Export of Asbestos and Asbestos Containing Materials Alien and Invasive Species Regulations 	Implementation of policies and compliance with the norms and standards is overseen by the DOT, DEA, DOL and the RSR.	<ul style="list-style-type: none"> COTO DEA structures NTEC
Programme 4: Road	<ul style="list-style-type: none"> Regulations Regarding the Mandatory Blending of Biofuels with Petrol and Diesel Regulations Regarding Petroleum Products Specifications and Standards Regulations for the Prohibition of the Use, Manufacturing, Import and Export of Asbestos and Asbestos Containing Materials Regulations on Transportation of Dangerous Goods 	Implementation of policies and compliance with the norms and standards is overseen by the DOT and administered by SANRAL.	<ul style="list-style-type: none"> DoE structures COTO DEA structures NTEC

	<p>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 long-term behaviour 		
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	<ul style="list-style-type: none"> • CR-98/008: Code of Practice for Pavement Rehabilitation 		
Programme 5: Civil Aviation	<ul style="list-style-type: none"> • Noise Control Regulations under the Environment Conservation Act • Norms and Standards for the Management of Protected Areas in South Africa, • Environmental Impact Assessment Regulations • National Ambient Air Quality Standards • Protected Areas Regulations • Alien and Invasive Species Regulations • 34.02.1: Fuel venting standards • 34.02.2: Aircraft engine emission standards • 4.02.3: Aircraft engine emission evaluation methods • 34.03.1: Intentional fuel venting and environmental management • 34.03.2: Local air quality • 34.03.3: Ecosystems and species • 34.03.4: Aerodromes and heliports environmental committees 	Implementation of policies and compliance with environmental norms and standards is overseen by the DOT's Aviation Safety, Security, Environment and Search & Rescue Chief Directorate, DEA and the CAA.	<ul style="list-style-type: none"> • COTO • DEA structures • Airports • NTEC • Environmental Committees • Aerodrome and Heliports Environmental Committees
Programme 6: Maritime	<ul style="list-style-type: none"> • Government Notice 255 (Chapter 4: Port Rules) • 1981 Marine Traffic Regulations • Dumping at Sea Regulations • Alien and Invasive Species Regulations • Environmental Impact Assessment Regulations • Marine Protected Areas Regulations 	Implementation of policies and compliance with environmental norms and standards is overseen by the DOT's Maritime Safety, Security, Environment and Search & Rescue Chief Directorate, SAMSA, as well as DEA.	<ul style="list-style-type: none"> • COTO • DEA structures • NTEC

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
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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.

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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 supported by technical	DOT staff component	DOT annual budget allocation

		sub-structures. It serves as a high-level coordinating mechanism between national and provincial transport departments. For the transport sector, co-ordination among the spheres is important in order to integrate transport development planning and policy implementation. Therefore, the MINMEC also serves as a co-operative governance and integrated planning mechanism across national and provincial transport spheres. At policy level, strategic environmental matters pertinent to transport are discussed through the MINMEC.		
2. Committee of Transport Officials (COTO)	Permanent	COTO is a multimodal committee comprising of the Transport Director-General and HODs of Provincial Transport Departments.	DOT staff component	DOT annual budget allocation.
3. COTO Technical Committees	Permanent. Ad-hoc sub-committees established as needed.	Comprise of Officials representing Road Authorities from Provinces & Metros, SANRAL and representatives from SALGA, DPW, NT)	DOT staff component	DOT annual budget allocation.
4. National Transport Forum (NTF)	Permanent	The NTF is a strategic structure whose purpose is to assist and guide all levels of government in planning and implementing integrated sustainable transport infrastructure, projects and programmes.	DOT staff component	DOT annual budget allocation.
5. Slot Coordination Committee	Permanent	The Slot Coordination Committee consists of the DOT, ACSA, CAA, ATNS and representative bodies of aircraft operators and airlines. The functions of this committee include	DOT staff component	DOT annual budget allocation

		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 the development of	DOT staff component	DOT annual budget allocation

		thereat assessment and AQMPs in line with the provisions of NEM: Air Quality Act. The MSRSG comprises of government, industry, NGOs, CBOs, Community Based Organisations, academia and interested parties.		
9. Asbestos Intergovernmental Task Team (ITT)	Lifespan subject to review by Cabinet.	The objective of the asbestos ITT is the finalisation of the Secondary Asbestos Remediation Plan (SARP) and implementation thereof.	DOT staff component	DOT annual budget allocation
10. Aviation Biofuels Supply Chain Working Committee	Ad-hoc	The work of the committee is focused on: (a) viable biofuels that can be planted, regions where these can be planted and the cost involved, (b) incentives and subsidies (if any) to make industry viable until the economies of scale is achieved and (c) identification of pilot projects.	DOT staff component	DOT annual budget allocation
11. Biofuels Implementation Committee (BIC)	Ongoing	Interdepartmental in composition and chaired by the DoE, the BIC was established to ensure that all the practical and operational aspects pertaining to the blending of biofuels with petroleum and diesel are before the Mandatory Blending Regulations come into effect in October 2015. The committee is further mandated with creating an enabling environment for the implementation of the National Biofuels Strategy and other matters incidental thereto.	DOT staff component	DOT annual budget allocation
12. Climate Change Flagship Programmes Steering Committee	Permanent	The committee identifies potential climate change mitigation and adaptation programme, oversees the scaling up of existing programmes initiatives and supports new climate	DOT staff component	DOT annual budget allocation

		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 the implementation of the	DOT staff component	DOT annual budget allocation

		National Strategy for Sustainable Development, among others.		
19. National Disaster Management Advisory Forum	Permanent	The NDMAF is a technical platform through which national, provincial and local government and other disaster management role-players consult one another and coordinate their actions on matters relating to disaster management.	DOT staff component	DOT annual budget allocation
20. FOSAD Oceans Subcommittee	Permanent	Chaired by the DG: DEA, the Sub-committee coordinates and facilitates oceans governance legislative processes, promote ocean sector departments cooperation, establishes Technical Reference Groups (TRGs) to focus on key sectors that will unlock the ocean economy, and decides on policy and regulation to promote, facilitate and strengthen ocean and coastal governance implementation.	DOT staff component	DOT annual budget allocation
21. Presidential Infrastructure Coordinating Commission: Strategic Infrastructure Projects (SIPs) Steering Committee.	Permanent	The SIPs steering committee develops mechanisms to identify and determine different projects which constitute SIPs, develops and adopts SIP project plans and monitors implementation thereof. National and international airports, seaports and harbours, public transport, public roads and railways, are considered may be designated as strategic integrated projects under the Infrastructure Development Act, No. 23 of 2014. The Infrastructure Development Act, No. 23 of 2014 stipulates that whenever an environmental assessment is required in respect of a SIP, such assessment must be done in terms of	DOT staff component	DOT annual budget allocation

		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 outcomes of collective climate change response	DOT staff component	DOT annual budget allocation

		in terms of reducing GHG emissions from the said sectors, as well as adapting to the impacts of climate change.		
26. Transport Refrigeration Sector Emissions Mitigation Project Steering Committee	Limited lifespan	The committee steers project work on greenhouse gas emission mitigation in the South African transport refrigeration sector through the introduction of innovative logistics and supply structures.	DOT staff component	DOT annual budget allocation
27. Interdepartmental Task Team (IDTT) on the Review of Fuel Specifications and Standards for South Africa	The IDTT will be in existence pending the complete implementation of recommended EURO V (5) specifications and standards.	Chaired by the DoE, the IDTT is tasked with engaging on matters relating to South Africa's future fuel specifications requirements and to report on progress made in the implementation thereof. This will ensure that the security of energy supply is not compromised during the process of upgrading refineries to produce improved quality fuels by 2017.	DOT staff component	DOT annual budget allocation
28. Africa Sustainable Transport Forum	Permanent	The goals of the African Sustainable Transport Forum are to integrate sustainable transport into the region's development and planning processes, and to increase the amount of funding going to sustainable transport in Africa.	DOT staff component	DOT Annual Budget Allocation
29. Electric Vehicles Infrastructure Alliance (EVIA)	Permanent	Administered by SANEDI, EVIA is a public-private-partnership (PPP) whose primary objective is to shape and stimulate the South African electric vehicle (EV) charging environment and facilitate the uptake of EV technologies. The alliance supports the development of public, private and commercial charging networks in the country,	DOT staff component	DOT annual budget allocation

		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 the transport sector to take nationally appropriate	DOT staff component	German Federal Government/DOT annual budget allocation

		climate change mitigation actions ranging from modal shift to advanced, cleaner transport fuels and technologies.		
33. SA DOT – US DOT: Memorandum of Cooperation in the field of Transportation	Ongoing	This is a bilateral cooperation arrangement between national Transport Department of South Africa and the United States. The MOC promotes bilateral cooperation and collaboration in specified transport areas and projects. These include: civil aviation, maritime, land transport infrastructure and safety, public passenger transport, as well as climate change and sustainable development.	DOT staff component	DOT annual budget allocation
34. IBSA Trilateral Agreement Concerning Merchant Shipping and Other Maritime Transport Related Matters	Ongoing	Article V of this Trilateral Agreement requires that: (i) vessels from the countries of the Parties to the Agreement be subject to the domestic environmental law in force in the countries of the Parties, (ii) such vessels take preventive measures against causing pollution or environmental damage to territorial waters of the other Party, and (iii) the defaulting vessel be liable under the domestic law concerned and international Conventions acceded to in the event of marine pollution or environmental damage.	DOT staff component	DOT annual budget allocation
35. Indian Ocean Rim Association (IORA)	Permanent	The IORA, formerly known as the Indian Ocean Rim Initiative (IORI), is an international organisation consisting of South Africa and other coastal states bordering the Indian Ocean. IORA is regional and tripartite in nature, bringing together representatives of government, business and academia, for promoting	DOT staff component	DOT annual budget allocation

		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. 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.		
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 environmental issues pertinent to the transport	DOT staff component	DOT annual budget allocation

		sector. The committee is to be made up of the DOT, provincial transport departments, relevant public entities, as well as municipalities (represented by SALGA).		
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8. RECOMMENDATIONS FOR THE PROMOTION OF THE OBJECTIVES AND PLANS FOR THE IMPLEMENTATION OF THE PROCEDURES AND REGULATIONS REFERRED TO IN CHAPTER 5 OF NEMA.

Chapter 5 of NEMA provides the DOT with an opportunity to make recommendations about the most effective ways in which to implement integrated environmental management (IEM) in the transport sector, and the table below contains such recommendations.

RECOMMENDED ACTION	EXPECTED OUTPUT
1. Establish a cross-modal environmental coordination mechanism.	National Transport Environmental Committee established within the current MTSF period.
2. Integrate environmental considerations in all future DOT policies, programs and plans that may have an impact on the environment.	Policies, plans and programmes that promote environmental sustainability across the modes.
3. Ensure implementation of DOT's existing and planned environmental/sustainability strategies.	Effective execution of environmental strategies by relevant public entities and relevant stakeholders.
4. Promote integrated and environmentally conscious transport planning across government spheres and relevant Departments.	Transport plans that complement spatial planning and land use management.
5. Encourage all relevant DOT public entities to prepare Environmental Management Plans, and integrate these in their Strategic Plans.	Annual environmental performance and compliance reports.

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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 Environmental Plan 	Calculate and report on ATNS carbon footprint: 2015/16	<ul style="list-style-type: none"> ATNS 	<ul style="list-style-type: none"> Annual Environmental Assessment Reports 	<ul style="list-style-type: none"> Carbon footprint inventory report Number of employees trained on sustainability and climate change Environmental performance assessments
	Deliver environmental awareness training to 50% of ATNS employees: 2015/16			
	Environmental Assessment Report: 2015/16			
<ul style="list-style-type: none"> A marine environment with minimal pollution from vessels. 	<ul style="list-style-type: none"> Develop and implement the SAMSA Maritime Environmental Protection and Climate Change Strategy (MEPCCS) Develop and implement a Greenhouse Gas Inventory and Monitoring Plan Conduct research and scientific analysis of ships energy efficiency demands and related climate change impacts Support MARPOL Annex IV AND VI implementation programme 	<ul style="list-style-type: none"> SAMSA 	Zero serious or very serious marine pollution incidents: 2015 - 2020	<ul style="list-style-type: none"> MEPCCS developed Percentage decrease in marine pollution incidents Number of climate change mitigation measures implemented Annual MARPOL Implementation Reports Ship energy efficiency and climate change research findings
<ul style="list-style-type: none"> Ensure sound environmental management and sustainability practices on the national road network 	<ul style="list-style-type: none"> Undertake 10 environmental authorisation (EA) applications in-house over the 5 year period, and submitting them for external review and/or final decisions 	<ul style="list-style-type: none"> SANRAL 	Annually undertake 2 environmental authorisation applications in-house, and submit for external review and/or final decisions: 2015 - 2020	<ul style="list-style-type: none"> Number of EA applications externally reviewed and approved

*No information from PRASA was received at the time of finalising this EIP

10. CHALLENGES

In the context of cooperative environmental governance, the DOT is facing a number of challenges that impact negatively on the ability of the Department (and its entities) to comply with NEMA requirements in as far as the EIP is concerned. For the DOT, capacity remains the biggest challenge, given that the Environmental Coordination Unit (charged with preparation and implementation of the EIP) does not have sufficient capacity to carry out its mandate. The unit is staffed by four (4) officials, and only one (1) is charged with all matters related to the preparation and overseeing the implementation of the EIP, in addition to other competing environmental projects.

In addition, some Departmental public entities are also not having an environmental unit, and compliance with the EIP tends to prove difficult, given that their founding mandates did not encompass environmental sustainability. Where such environmental units exist, they tend to be underfunded, resulting in inability to enforce or comply with NEMA requirements. Some of the

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 challenge

of poverty, unemployment and inequality, it needs to be balanced with the need to sustain the very natural environment and resources on which we depend.

To this end, the DOT is undertaking a number of unilateral initiatives, including, for instance, the development of regulations to phase out Chapter 2 aircraft, a move that will assist in reducing aviation air and noise pollution, while in the maritime sub-sector, the Department seeks to facilitate ratification and implementation of relevant multilateral conventions to minimise pollution at sea, improve ship energy efficiency and simultaneously reduce GHG emissions.

Likewise, the Roads branch is working on the promotion of NMT, which is carbon-free, while the Public Transport branch is accelerating the promotion and uptake of public transport through the rollout of BRT systems. It is further worth noting that the **DOT** has taken a number of environmentally-conscious initiatives, including the following:

Greenhouse Gas Inventory

The project entailed the development of a GHG inventory, database and emissions reduction strategy for the transport sector. The project will assist the DOT with climate change mitigation planning and enable it to make targeted interventions, as well as feed into DEA's work towards the preparation of South Africa's National Communications to the UNFCCC.

Transport Energy Consumption Study

This project was driven by the need to promote energy efficiency in the rail and road sub-sectors. The project aimed to give a detailed indication of the extent to which transport energy is being consumed along South Africa's major rail and road corridors, and come up with a consumption reduction strategy and implementation plan.

It is envisaged that the recommendations of the study, once fully implemented, will affect the environment affirmatively by enabling the DOT to make targeted energy consumption reduction interventions, while maximising environmental co-benefits to be derived from efficient use of transport energy.

ICAO State Action Plan

The Action Plans allow International Civil Aviation Organization (ICAO) member States like South Africa to showcase their specific voluntary measures they intend to take in order to improve efficiency and thereby contribute to the global environmental aspirational goals 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:

SANRAL, like other relevant DOT entities, undertakes Environmental Impact Assessments (EIAs) for each project that requires compliance with environmental legislation. The entity and the DEA have signed an MoU to provide an administrative framework that ensures a coherent and consistent approach to road development and the EIA process.

In addition to SANRAL's own environmental initiatives, three private concessionaires who operate toll routes on key national roads maintain environmental programmes. Numerous environmental initiatives are being undertaken by SANRAL, including:

- The Fynbos project, which involves conservation of the Cape Flats Sand Fynbos and Swartland Shale Renosterveld,
- Greenroads Standard: SANRAL is adapting Greenroads rating tool, which is a measure to reflect national sustainability priorities and values in roadway design and construction. A new pedestrian bridge in Ladysmith has become the first Greenroads South Africa Pilot Project, and
- Road noise reduction: SANRAL is undertaking an investigation of seal types that can reduce urban road noise, meet national specifications and new international guidelines.

SAMSA is also demonstrating commendable leadership in the area of marine environmental protection by establishing a Maritime Operations Programme, which is aimed at developing and enforcing regulations to avert the introduction of invasive species into the marine environment, stop unauthorised ocean dumping of hazardous substances and prevent oil and chemical spills from vessels.

The programme primarily focuses on enhancing regulatory activities in and on South African waters in order to prevent pollutants and wastes from being deposited by vessels during their leisure and commercial operations, and to combat such pollution in the event of a discharge, in line with MARPOL Conventions and national legislation.

While the nature of the **CAA**'s mandate is regulatory, the entity has also established the Aviation Environmental Protection (AEP) department, which is responsible for environmental management aspects incidental to aviation operations, including the following:

- Aircraft noise, which entails monitoring, reporting, measurement, and formulation of noise abatement procedures, including the orderly phase-out of Type II aircraft,

- 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.

ANNEXURE A**List of Acronyms**

ACSA	Airports Company South Africa
AECs	Airport Environmental Committees
AQMP	Air Quality Management Plan
ARDP	Access Road Development Plan
ATM	Air Traffic Management
BRT	Bus Rapid Transit
CBO	Community-Based Organisation
C-BRTA	Cross-Border Road Transport Agency
CDM	Clean Development Mechanism
CEC	Committee for Environmental Co-ordination
CMP	Coastal Management Plan
COGTA	Co-operative Governance and Traditional Affairs
COTO	Committee of Transport Officials
CO ₂	Carbon dioxide
DBE	Department of Basic Education
DEA	Department of Environmental Affairs
DIRCO	Department of International Relations and Cooperation
DoE	Department of Energy
DHS	Department of Human Settlements
DOL	Department of Labour
DPE	Department of Public Enterprises
DPW	Department of Public Works
DRDLR	Department of Rural Development and land Reform
DST	Department of Science and Technology
DTI	Department of Trade and Industry
DOT	Department of Transport
DWS	Department of Water and Sanitation
EAs	Environmental Authorisations
ECA	Environment Conservation Act
ECS	Energy Consumption Study
EIAs	Environmental Impact Assessments
EIP	Environmental Implementation Plans
EMS	Environmental Management System
EZZ	Exclusive Economic Zone
FOSAD	Forum of South African Directors-General
GDP	Gross Domestic Product
GHG	Greenhouse Gas
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GDP	Gross Domestic Product
GRI	Global Reporting Initiative

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

SANS	South African National Standard
SAPIA	South African Petroleum Industry Association
SARPs	Standards and Recommended Practices (ICAO)
SDGs	Sustainable Development Goals
SDIs	Sustainable Development Indicators
SEAs	Strategic Environmental Assessments
SIPs	Strategic Integrated/Infrastructure Projects
SOEs	State Owned Enterprises
TDM	Travel Demand Management
TFR	Transnet Freight Rail
TNPA	Transnet National Ports Authority
TRP	Taxi Recapitalisation Policy
UNECE	United Nations Economic Commission for Europe
UNFCCC	United Nations Framework Convention on Climate Change

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.

ANNEXURE C: MULTILATERAL INSTRUMENTS RELEVANT TO THE DOT's EIP**Regional**

7. Benguela Current Convention

- Revised Protocol on Shared Watercourses in the Southern African Development Community (SADC), and
- SADC Protocol on Transport, Communications and Meteorology

Continental

8. Convention for Cooperation in the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic Coast of the West, Central and Southern Africa Region (Abidjan Convention)
9. African Maritime Transport Charter
10. NEPAD Action Plan for the Environment Initiative
11. African Commission Agenda 2063: The Africa We Want, and
12. Africa Civil Aviation Commission

Global

- The Chicago Convention on International Civil Aviation,
- The International Maritime Organization Convention
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention),
- Convention on International Trade in Endangered Species of Wild Fauna and Flora,
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,
- International Convention for the Prevention of Pollution from Ships (MARPOL),
- International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC),
- International Convention for the Control and Management of Ships' Ballast Water,
- International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties,
- Montreal Protocol on Substances that Deplete the Ozone Layer,
- 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).

ANNEXURE D

**environmental affairs**

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

**DRAFT 2015/2019 GUIDELINES
FOR
ENVIRONMENTAL IMPLEMENTATION
PLANS AND ENVIRONMENTAL
MANAGEMENT PLANS**

**SUB-COMMITTEE ON ENVIRONMENTAL IMPLEMENTATION
PLAN &
ENVIRONMENTAL MANAGEMENT PLAN**

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Abbreviations

CEC:	Committee on Environmental Coordination
DEA:	Department of Environmental Affairs
EIPs:	Environmental Implementation Plans
EMPs:	Environmental Management Plans
NEMA:	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NSSD:	National Strategy for Sustainable Development

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;
- (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 to monitor the achievement, promotion, and protection of a sustainable environment.

4. LEGISLATIVE REQUIREMENTS

4.1 Enabling legislative provision for the guidelines

These guidelines are developed in terms of and to serve the purpose of section 11(8) of NEMA that provides that *“the Minister responsible for environmental affairs may issue guidelines to assist provinces and national departments in the preparation of environmental implementation and management plans”*.

4.2 Legislative requirements for EIPs and EMPs

Environmental implementation and management plans are required by chapter 3 of NEMA. Section 11(1) of chapter 3 of NEMA provides that every national department listed in Schedule 1 of NEMA as exercising functions which may affect the environment and every province must prepare an **environmental implementation plan** within one year of the promulgation of this Act and at least every five years thereafter. It is important to note that there is a process underway to amend the afore-mentioned four year cycle to five years and thus hereafter in this document the cycle will be referred to as a five year period.

Section 11(2) of NEMA provides that every national department listed in Schedule 2 as exercising functions involving the management of the environment must prepare an environmental management plan within one year of the promulgation of this Act and at least every five years thereafter.

Section 11(3) of NEMA provides that every national department that is listed in both Schedule 1 and Schedule 2 is required to prepare a consolidated environmental implementation and management plan within one year of the promulgation of this Act and at least every five years thereafter.

4.3 Compliance with and deviation from adopted EIPs and EMPs

In terms of section 16(1)(a) of NEMA, every organ of state must 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 chapter 3 of the Act, provided that any **substantial deviation** from an environmental management plan or environmental implementation plan must be reported forthwith to the Director-General and the Committee.

4.4 Annual reporting on implementation of adopted EIPs and EMPs

In terms of section 16(1)(b) of NEMA, every organ of state must report annually within four months of the end of the financial year on the implementation of its adopted EIP or EMP to the Director-General and the Committee. The Committee referred to, is understood to be the Committee on Environmental Coordination (CEC) Sub-committee on environmental implementation and management plans.

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.

5.1.2 Other sector departments' priorities

The sector Departments' priorities are driven by the long-term development strategies in Chapter 5 of the National Development Plan Vision 2030 as well as other key documents of the sector departments that are listed in schedules 1 and/or 2. These documents must also be considered when EIPs and EMPs are

developed in compliance with chapter 3 of NEMA. This will ensure alignment of the EIPs and EMPs submitted by these departments with their priorities.

5.1.3 NEMA principles

The two principles set out in chapter 1 of NEMA are that:

- c) Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably; and
- d) Development must be socially, environmentally and economically sustainable.

These principles apply throughout the Republic of South Africa to the actions of all organs of state that may significantly affect the environment and—

- (v) shall apply alongside all other appropriate and relevant considerations, including the State's responsibility to respect, protect, promote and fulfil the social and economic rights in chapter 2 of the Constitution and in particular the basic needs of categories of persons disadvantaged by unfair discrimination;
- (vi) serve as the general framework within which environmental management and implementation plans must be formulated;
- (vii) serve as guidelines by reference to which any organ of state must exercise any function when taking any decision in terms of this Act or any statutory provision concerning the protection of the environment; and
- (viii) guide the interpretation, administration and implementation of NEMA, and any other law concerned with the protection or management of the environment

5.1.4 Linkages with other environmental implementation and management plans

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 environmental implementation plan or environmental management plan, and before submitting such plan, take into consideration every other environmental implementation plan and environmental management plan already adopted with a view to achieving consistency among such plans.

5.2 Assembly of information or plans as content of EIP and EMP

In terms of section 11(7) of NEMA, the preparation of environmental implementation plans and environmental management plans may consist of the assembly of information or plans compiled for other purposes and may form part of any other process or procedure. When an organ of state decides to use an assembly of information or plans as content of the EIP and EMP, careful consideration should be taken so that there is no departure from the purpose of chapter 3 of NEMA.

5.3 Content of the EIP

In terms of section 13(1) of NEMA, every environmental implementation plan must contain:

- (a) a description of policies, plans and programmes that may significantly affect the 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 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

EIPs [Section 13] For national departments and provinces listed in Schedule 1	EMPs [Section 14] For national departments listed in Schedule 2	EIMP (Section 11(3)) For national departments listed in both schedules 1 and 2
Section 13(1): (a) Description of policies, plans & programs that may significantly affect the environment;	(a) Description of functions in respect of the environment; (b) Description of environmental norms & standards;	The EIMP is a combination of the EIP and the EMP

(b) Description of manner in which this will comply with section 2 NEMA principles & national norms and standards; (c) Description of manner to ensure functions are exercised as in (b); (d) Recommendations for promotion (objectives & Plans) for the implementation of Chapter 5 NEMA procedures and regulations.	(c) Description of policies, plans & programs designed to ensure compliance with its policies by other organs of state/persons; (d) Description of priorities regarding compliance by other organs and persons; (e) Description of extent of compliance with department policies by other organs of state/persons; (f) Description of (environ management) arrangements for cooperation with other national departments and spheres of government; (g) Proposals for promotion of objectives and plans for Chapter 5 implementation	
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7. IMPLEMENTATION

7.1 Institutional arrangements for co-operative governance

In the context of chapter 3 of NEMA, at a national level, there is an intergovernmental CEC Subcommittee on EIPs and EMPs that has been established and that is coordinated by the national DEA to serve as a cooperative governance forum on environmental implementation and management plans and to receive and analyse annual reports as contemplated in section 16(1)(b) of NEMA. This forum is constituted by all organs of state listed in schedules 1 and/or 2 of NEMA as well as relevant national public entities.

In light of the fact that an EIP should describe how local government is involved in the EIP processes, there need to be mechanisms or forums that would be used to bring them on board at a provincial level. Therefore, the issue of **cooperative governance** must continue to be stressed not only in relation to the three spheres of government but also with respect to other stakeholders such as parastatals and broader civil society.

7.2 Identification of issues requiring alignment

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.

8. MONITORING AND REPORTING

8.1 Monitoring

Monitoring aims to identify progress towards intended results, enhance accountability and learning. Monitoring efforts should, at a minimum, address the following:

- a) progress towards outcomes
- b) factors contributing to or impeding achievement of the outcomes

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: This component of an EIP is at the heart of cooperative governance around environmental management. It should indicate the way in which the relevant department or province (and organs of state) gives effect to the priority policies, plans and programmes (described above), through exercising the priority functions (identified above). However, any other relevant legislative requirements governing the priority functions in terms of environmental management also need to be identified, together with an indication of the manner of compliance. For the priority functions, the manner of compliance with relevant legislative provisions should be described in terms of the:

- institutional mechanisms (such as committees, procedures and MOUs) 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

<ul style="list-style-type: none"> 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. 				
(a) Identification of institutional mechanism for coordination in place (i.e. is it a committee, procedures, MoU, etc)	Does the institutional mechanism have a limited lifespan? If so, what is its lifespan?	Description of the purpose of the mechanism	(b) What is the capacity (in terms of people and budget) of the department to coordinate	
			Human resources	Budget
1.			1.	
2.			2.	
3.			3.	
SECTION 5: recommendations for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5				
<p>EXPLANATORY NOTE: Chapter 5 of NEMA concerns the tools and instruments required to ensure the integrated environmental management of activities which affect the environment. The Schedule 1 departments and provinces, that are required to prepare EIPs, are mandated with promoting, managing or conducting many of these activities. This requirement therefore provides them with an opportunity to make recommendations about the most effective ways in which to implement integrated environmental management (IEM) in their sector. This also highlights the difference between the focus of EIPs (or EMPs) on cooperative governance (under Chapter 3), and the tools (plans, procedures and regulations) that give effect to environmental management (under Chapter 5).</p>				
1.				
2.				
3.				
SECTION 6: OUTCOMES AND KEY PRIORITY INDICATORS FOR EIP OVER A FIVE YEAR PERIOD (including NSSD headline indicators)				
Outcomes to be achieved	How (mean/activities)	Who (Responsibilities)	Proposed Targets (What and by when)	Indicators
1.				
2.				
3.				
SECTION 7: GLOSSARY				

ANNEXURE B: TEMPLATE FOR PREPARATION OF ENVIRONMENTAL MANAGEMENT PLANS

SECTION 1: INTRODUCTION	
SECTION 2: a description of the functions exercised by the relevant department in respect of the environment	
<p>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.</p>	
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.						
SECTION 6: a description of the extent of compliance with the relevant departments policies by other organs of state and persons EXPLANATORY NOTE: This section is intended to provide an indication of the seriousness or success of compliance to department's policies by other organs of state. The description may be provided in general or specific terms.						
SECTION 7: 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						

<p>EXPLANATORY NOTE: This section should be used to indicate the mechanisms and procedures that the department (and its organs of state) uses to give effect to its environmental policies. As with the EIP, it is necessary to describe the institutional arrangements around environmental management, from the perspective of the department. This should identify <i>external</i> relationships with other national, provincial and local government departments (or their organs of state). The <i>internal</i> relationships between the department, and its organs of state (such as agencies or parastatals) should also be identified.</p>																									
Name of co-operation mechanism (including identification of whether it is a committee, MoU, etc)	Description of the purpose of the co-operation mechanism	Does the co-operation mechanism have a limited lifespan? If so what is that lifespan?	Who are the parties, role-players, etc. to the co-operation mechanism?	Are the parties, role-players committed to the mechanism?																					
<p>SECTION 8: proposals for the promotion of the objectives and plans for the implementation of the procedures and regulations referred to in Chapter 5 of NEMA</p> <p>EXPLANATORY NOTE: The departments that are required to prepare an EMP have a key role in implementing Chapter 5 of NEMA. This part of the EMP provides them with the opportunity to make recommendations about the way in which integrated environmental management (IEM) tools should be implemented in general, and propose the way in which IEM will be implemented to achieve their own environmental mandate.</p> <p>These proposals should outline any plans, procedures and regulations for IEM, ensuring that they are consistent with the NEMA requirements. It should also outline the activities and geographical areas in which these tools would be applicable.</p> <p>1.</p> <p>2.</p> <p>3.</p>																									
<p>SECTION 9: OUTCOMES AND KEY PRIORITY INDICATORS FOR EMP OVER A FIVE YEAR PERIOD (including NSSD headline indicators)</p> <table border="1"> <tr> <th>Outcomes to be achieved</th> <th>How (mean/activities)</th> <th>Who (Responsibilities)</th> <th>Proposed Targets (What and by when)</th> <th>Indicators</th> </tr> <tr> <td>1.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3.</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						Outcomes to be achieved	How (mean/activities)	Who (Responsibilities)	Proposed Targets (What and by when)	Indicators	1.					2.					3.				
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1.																									
2.																									
3.																									
<p>SECTION 10: GLOSSARY</p>																									

ANNEXURE C: TEMPLATE FOR TYPICAL SUSTAINABLE DEVELOPMENT INDICATORS

INDICATOR NAME	REPORTING REQUIREMENT						REPORTING APPLICABLE					REPORTING FREQUENCY		
	NDP/MTSF	NSSD	Outcome 10	Outlook	NEMA	Other	National	Province	Local	Private	International	Quarter	Annual	Other