

Richards Bay Port Expansion & IDZ Environmental Management Framework

Background Information Document

1. Background & Introduction

In August 2008 **uMhlathuze News**, the official newsletter of the uMhlathuze Municipality, announced the launch of an Environmental Management Framework (EMF). The municipality, in partnership with the KwaZulu-Natal Department of Agriculture and Environmental Affairs prioritised the Richards Bay Port and the Industrial Development Zone (IDZ) for the development of the EMF. The Project is supported by the Department of Environmental Affairs and Tourism and the Danish Government through the Urban Environmental Management Programme. In February 2009 consultants were appointed to undertake the study.

The Richards Bay Port is of strategic importance for South Africa. Being one of the main thrusts for development, together with the industrial sector of the town, the expansion of these services needs careful planning and consideration of the environment.

The uMhlathuze municipality enjoys some of the richest biodiversity areas where fresh water, salt water and dryland ecosystems meet in a relatively small geographical area. These areas are under increasing pressure as development occurs at a rapid pace. The EMF serves as a planning tool to assist in decision-making and to highlight the consequences of development projects in terms of the environment.

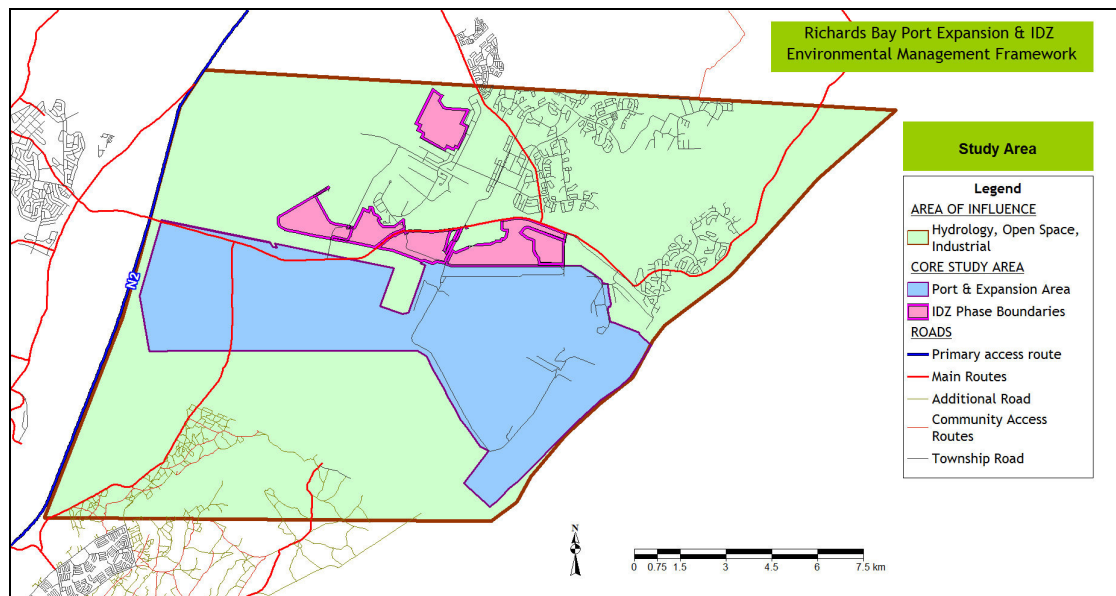


Figure 1: Study area for the Richards Bay Port Expansion and IDZ EMF

Whereas the Port and the IDZ area is the core focus of this study, the area around it is also important because of the linkages between these areas. The study area has therefore been demarcated as indicated on the map in Figure 1.

2. Legal Framework and Purpose of an EMF

An Environmental Management Framework is developed in terms of legislated requirements. The legislative framework that governs the development of an EMF consists of the following acts, regulations and guidelines:

- The National Environmental Management Act (Act 107 of 1998, 'NEMA'), in particular Sections 2, 23 and 24, as well as its Implementation Acts and amendments.
- The NEMA Environmental Impact Assessment (EIA) Regulations (Government Notices 385, 386 and 387) promulgated in terms of chapter 5 NEMA, 1998. Of particular importance are the guidelines and regulations relating to Environmental Management Frameworks.
- The Guideline Document developed by the National Department of Environmental Affairs and Tourism on Strategic Environmental Assessment in South Africa, February 2000.
- The draft Guideline Document Nr. 6 developed by the National Department of Environmental Affairs and Tourism on Environmental Management Frameworks, May 2006.

In accordance with this legislation an EMF must be applied to geographical areas as identified during the course of the study and it must incorporate describe the environmental features of these areas. This includes the status quo description, a sensitivity analysis, interrelationships and the conservation status of each feature.

The purpose of an EMF is to facilitate the decision making process around development applications where environmental authorisation is required. The EMF as an instrument also provides potential applicants with an early indication of the areas in which it would be appropriate to undertake a planned activity. The EMF should therefore be incorporated into other planning tools such as the Integrated Development Plan (IDP) and the Spatial Development Framework (SDF) of a municipality.

The EMF is also an instrument to achieve the objectives of Integrated Environmental Management (IEM)¹. These objectives are:

- To promote the integration of NEMA principles into decisions that may have a significant effect on the environment.
- To identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences, and alternatives and options for mitigation of activities, with a view to minimizing negative impacts, maximising benefits, and promoting compliance with the principles of environmental management
- To ensure that the effects of activities on the environment receives adequate consideration before actions are taken in connection with them.
- To ensure opportunity for public participation in decisions that may effect the environment.
- To ensure the consideration of environmental attributes in management and decision-making which may have a significant effect on the environment.

¹ Chapter 5: National Environmental Management Act, Amended Act (2004)

3. The EMF Development Process.

The development of an EMF is an iterative process of data collection, processing and interpretation to determine the following:

- What is happening now? (Status Quo)
- What should be happening? (Desired State of the Environment)
- How best can one arrive at that? (Implementation of the EMF)

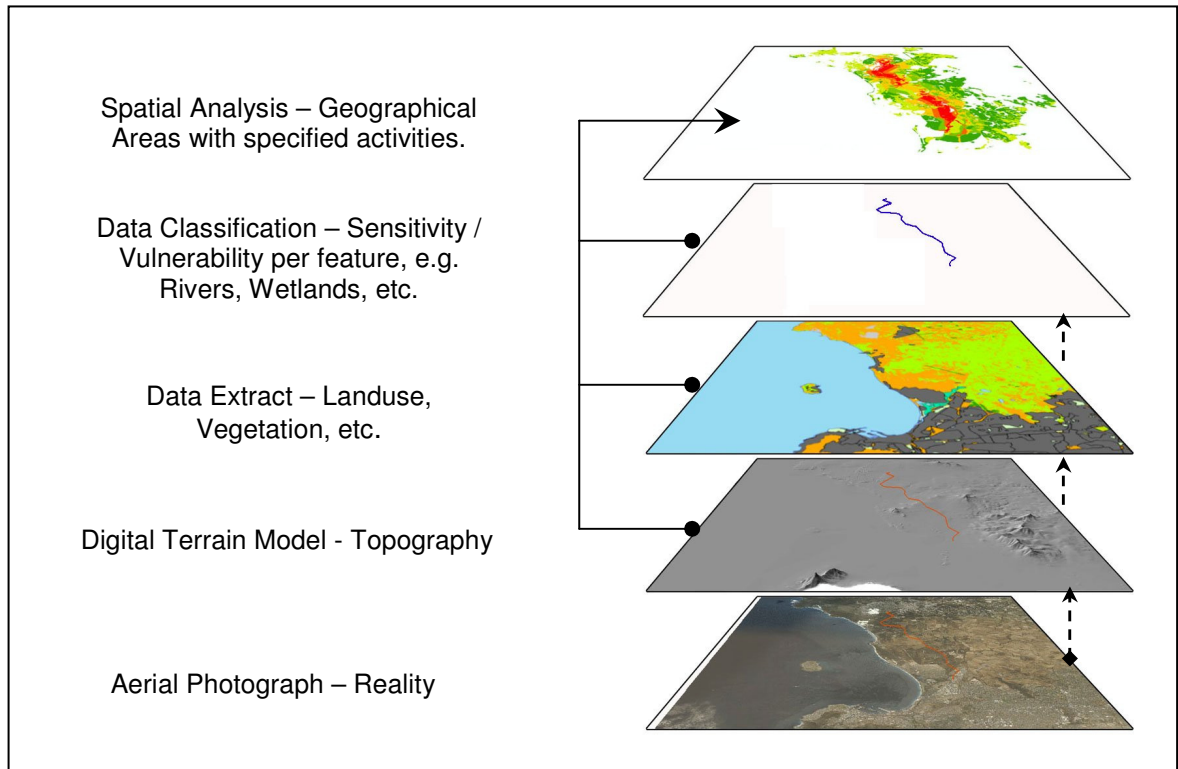


Figure 2: Illustration of data features represented as layers and integrated into a final product.

This process is to be followed in distinct phases, at the end of which specific deliverables will be produced. These phases are briefly outlined as follows:

Status Quo

The purpose of this phase is to provide context and strategic vision for the study, to create baseline information for environmental scoping and assessment, and to spatially represent the baseline (Figure 2).

Desired State of the Environment

The main purpose of this phase is to determine the desired state of environment for the area as well as opportunities and constraints, and to determine conflicts.

Environmental Management Framework

The main purpose of this phase is to construct the draft EMF by integrating all data into a set of environmental control zones and geographical areas (Figure 2), defining activities that are either included or excluded from environmental authorisation. In this phase management proposals and guidelines to facilitate future decision-making are developed.

An EMF must be undertaken with the full support and participation of the general public and key stakeholders if it is to be meaningful. This document is intended to provide background information for all participants.

The public participation process will be facilitated by a specialist who is responsible for engaging and encouraging involvement by all participants. The following tasks are envisaged:

- Stakeholder Analysis: An analysis of the characteristics of the social environment and all stakeholders who may be involved in the EMF study. A database of Interested and Affected Parties (I&APs) will be compiled and updated during the course of the project
- Involvement Strategy: A strategy for public involvement will be developed. This will be flexible and adapted to meet changing circumstances as the project goes on.
- Reference Group: This group will be established from among the I&APs to assist the public participation process. Specific tasks will be: the triangulation of information gathered during the consultation process and help with the planning and execution of public participation activities such as meetings, formatting of communications, etc.
- Review of Reports: All reports submitted during the course of the project will be made available for public review. This includes the Status Quo Report, the Desired State of the Environment Report and the Final EMF Report.

5. The Project Team

The development of the EMF must be seen as the combined effort of the team of consultants working together with the DAEA and the uMhlatuze Municipality. The team of consultants is a group of highly skilled and experienced specialists who have been appointed through a tendering process.

The team is outlined in the table below. The core project team will manage, coordinate and assess information relating to key aspects of the projects. They will also be responsible for integration and overseeing the drafting of key products for this project. The core team's skills will be strengthened through collaboration with the specialist team who will provide input and review at various stages throughout the duration of the project.

TEAM MEMBER	PROJECT ROLE
Marita Thornhill (core team)	Lead Consultant (Strategic Environmental Management Specialist)
Dawie van Vuuren (core team)	Project co-management and GIS coordination (Professional GIS Scientist Practitioner)
Rod Bulman (core team)	Project support and public participation (Public Participation and Policy Specialist)
Claudia Mckenzie	Project support (Public Participation Office)
Lourens du Plessis	Data management and technical assistance (GIS Practitioner)
Prof Bruce Kelbe	Specialist Hydrologist
Steven Weerts	Specialist Ecologist (Marine and Estuarine)
Dr Tim O'Connor	Specialist Ecologist (Biodiversity)
Dr Mark Zunckel	Specialist Air Quality
Harold Thornhill	Environmental Assessment Practitioner: Impact Management
Cathy Ferguson	Professional Planner(Land use planning)

6. Project Schedule

The project has officially commenced on 19 February 2009 and is scheduled for completion at the end of March 2010. The following milestones are presented:

First Project Steering Committee Meeting	25 April 2009
Interim Status Quo Report	20 July 2009
Public Open Day	16 September 2009
Status Quo Report	30 September 2009
Desired State of the Environment Report	30 October 2009
Draft EMF Report	January 2009
Public Review of Draft EMF Report	February 2009
Submit EMF to DAEA for approval and adoption by the MEC	March 2009

7. Contact Details

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