

PROVINCIAL NOTICE 64 OF 2016



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL IMPLEMENTATION PLAN

As required in terms of Section 11 of the National Environmental Management Act
(Act 107 of 1998) as amended

**SECOND EDITION
2015 - 2020**

Compiled by:
Limpopo Department of Economic Development, environment and Tourism
Chief Directorate: Biodiversity and Natural Resources Management
Directorate: Environmental Research and Planning

Private Bag X9484, Polokwane, 0700

Telephone Number: 015 293 8300, Facsimile: 015 293 8319

Enquiries and Comments
Malungani TP – malunganitp@ledet.gov.za, Tel: 015 290 7093
Maluleke MT – malulekemt@ledet.gov.za, Tel: 015 290 7061

TABLE OF CONTENTS

TABLE OF CONTENTS	1
LIST OF FIGURES	3
LIST OF TABLES.....	3
LIST OF ACRONYMS	5
CHAPTER 1: INTRODUCTION AND BACKGROUND.....	6
1.1 Introduction	6
1.2 Purpose of the Environmental Implementation Plan	6
1.3 Structure of this Document.....	7
1.4 Short Overview of the Development of Environmental Legislation in South Africa.	7
1.5 Process followed to prepare the EIP for the Limpopo Province.....	9
CHAPTER 2: MANDATES AND LEGISLATIVE FUNCTIONS	9
2.1 Introduction	9
2.2 Distribution of Powers: National, Provincial and Local Government.....	10
2.3 International Perspectives	12
2.3.1 Conventions applicable to the Limpopo Province and short description thereof.....	12
2.4 National Perspectives.....	13
2.5 Provincial Perspectives.....	16
2.5.1 Office of the Premier.....	16
2.5.2 Department of Agriculture (DOA)	17
2.5.3 Department of Sports Arts and Culture.....	18
2.5.4 Department of Education.....	18
2.5.5 Limpopo Provincial Treasury.....	18
2.5.6 Department of Economic Development, Environment and Tourism	18
2.5.7 Department of Health and Social Development.....	21
2.5.8 Department of Co-operative Governance, Human Settlements and Traditional Affairs	21

2.5.9	Department of Public Works, Roads and Infrastructure.....	22
2.5.10	Department of Transport, Safety and Security	23
2.5.11	Department of Mineral Resources (Limpopo Regional Office)	23
CHAPTER 3: POLICIES PLANS AND PROGRAMMES.....		24
3.1	Vision of the Limpopo Provincial Government	24
3.1.1	New Mandate: Key Considerations	24
3.1.2	Alignment and/or Compliance with the NEMA Principles and the Constitution.....	25
3.2	KEY OBJECTIVES.....	27
3.2.1	Planning – Integrated Environmental Management (IEM)	27
3.2.2	Agriculture	30
3.2.3	Mining	32
3.2.4	Tourism.....	33
3.2.5	Infrastructure.....	35
3.2.6	Poverty Eradication and Community Empowerment.....	36
3.2.7	Integrated Pollution and Waste Management.....	39
3.2.8	Water Supply and Infrastructure.....	41
CHAPTER 4: INSTITUTIONAL ARRANGEMENTS AND RECOMMENDATIONS FOR ENVIRONMENTAL MANAGEMENT AND CO-OPERATIVE GOVERNANCE		43
4.1	Outcomes and Key Priority Indicators for EIP.....	44
CHAPTER 5: CONCLUSION AND KEY RECOMMENDATIONS		48
5.1	Conclusion	48
5.2	Key Recommendations	49
REFERENCES		50

LIST OF FIGURES

Figure 1: Distribution of powers, mandates and competencies	11
---	----

LIST OF TABLES

Table 1: Conventions applicable in the Limpopo Province	12
Table 2: Environmental Legislative Framework applicable to the Limpopo Province	13
Table 3: Mandates of the Limpopo Office of the Premier	16
Table 4: Mandates of the Department of Agriculture	17
Table 5: Mandates of the LEDET's Tourism Component	19
Table 6: Mandates of the LEDET's Environment Component	19
Table 7: Mandates of the Department of Health and Social Development	21
Table 8: Mandates of the COGHSTA	22
Table 9: Mandates of the Department of Public Works, Roads and Infrastructure	22
Table 10: Mandates of the Department of Transport, Safety and Security	23
Table 11: Mandates of the Department of Mineral Resources	24
Table 12: Description of policies, plans and programmes that may significantly affect the environment	26
Table 13: Description of Planning for Integrated Environmental Management in Limpopo	27
Table 14-1: Legislative Framework and Responsible Authorities for Planning for Integrated Environmental Management	28
Table 14-2: NEMA Principles and Compliance thereof in respect of planning	28
Table 14-3: Arrangement for Co-operative Governance in respect of planning	29
Table 15: Description of the Agricultural Mandate within the Limpopo Province	30
Table 15-1: Legislative Framework and Responsible Authorities for Agriculture	30
Table 15-2: NEMA Principles and Compliance thereof in respect of Agriculture	30
Table 15-3: Arrangement for Co-operative Governance in respect of Agriculture	31
Table 16: Description of the Mining Mandate within the Limpopo Province	32
Table 16-1: Legislative Framework and Responsible Authorities for Mining	32
Table 16-2: NEMA Principles and Compliance thereof in respect of Mining	32
Table 16-3: Arrangement for Co-operative Governance in respect of Mining	33
Table 17: Description of the Tourism Mandate within the Limpopo Province	33
Table 17-1: Legislative Framework and Responsible Authorities for Tourism	33
Table 17-2: NEMA Principles and Compliance thereof in respect of Tourism	34
Table 17-3: Arrangement for Co-operative Governance in respect of Tourism	34
Table 18: Description of the Infrastructural Mandate within the Limpopo Province	35
Table 18-1: Legislative Framework and Responsible Authorities for Infrastructure	35
Table 18-2: NEMA Principles and Compliance thereof in respect of Infrastructure	35
Table 18-3: Arrangement for Co-operative Governance in respect of Infrastructure	36
Table 19: Description of the Poverty Eradication and Community Empowerment Mandate within the Limpopo Province	36

Table 19-1: Legislative Framework and Responsible Authorities for Poverty Eradication and Community Empowerment.....	37
Table 19-2: NEMA Principles and Compliance thereof in respect of Poverty Eradication and Community Empowerment.....	37
Table 19-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment.....	38
Table 20: Description of the Integrated Pollution and Waste Management Mandate within the Limpopo Province.....	39
Table 20-1: Legislative Framework and Responsible Authorities for Integrated Pollution and Waste Management.....	39
Table 20-2: NEMA Principles and Compliance thereof in respect of Integrated Pollution and Waste Management.....	40
Table 20-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment.....	41
Table 21: Description of the Water Supply and Infrastructure Mandate within the Limpopo Province ...	41
Table 21-1: Legislative Framework and Responsible Authorities for Integrated Pollution and Waste Management.....	42
Table 21-2: NEMA Principles and Compliance thereof in respect of Integrated Pollution and Waste Management.....	42
Table 21-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment.....	43
Table 22: Specific recommendations for Co-operative Governance and Environmental Management to be applied throughout the Province.....	43
Table 23: Implementation Plan and targets of each Policy, Plan and Programme.....	45
Table 24: General recommendations are cross cutting and not necessarily linked to a specific institutional arrangement.....	48

LIST OF ACRONYMS

CBNRM	Community Based Natural Resource Management
CEC	Committee on Environmental Co-ordination
CONNEPP	The Consultative National Environmental Policy Process
CTA	Community Tourism Association
CMA	Catchment Management Agency
DEA	National Department of Environment Affairs
DMR	Department of Minerals Resources
DWS	Department of Water and Sanitation
EIP	Environmental Implementation Plan
EMP	Environmental Management Plan
EMPR	Environmental Management Programme Report
LEDET	Limpopo Department Economic Development, Environment and Tourism
LEGDP	Limpopo Employment, Growth and Development Plan
GEAR	Growth, Employment and Redistribution Programme
IDP	Integrated Development Plan
IDS	Integrated Development Strategy
IEM	Integrated Environmental Management
ISRDS	Integrated Sustainable Rural Development Strategy
LDO	Land Development Objective
LRAD	Land Redistribution for Agricultural Development
NEMA	National Environmental Management Act
NWMS	National Waste Management Strategy
PDPF	Provincial Development Planning Forum
RDP	Reconstruction and Development Programme
SDI	Sustainable Development Indicator
UNESCO	United Nations Educational Scientific and Cultural Organisation
WP	White Paper
WAU's	Water User Associations

CHAPTER 1: INTRODUCTION AND BACKGROUND

1.1 Introduction

Limpopo Province is situated in the Northern side of South Africa covering an areas measuring 123 910 km² in extent, with an estimated population of 5.7 million, which translates into a population density of 44 people per square kilometre. According to STATS SA mid-year population estimates (2014), the population of Limpopo contributes to 10.4% of South Africa's population of 54 million and the Province is 89% rural in nature with high illiteracy rate and high unemployment rate.

Section 24 of the Constitution of the Republic of South Africa (1996) is indicative of the changing philosophy and approach towards environment in South Africa. It therefore follows that the concept of environmental rights as fundamental, justifiable human rights, by necessary implication requires that environmental consideration be accorded appropriate recognition and respect during administration process in our country.

In the Limpopo Province, the office of Auditor General is specifically interested in the state of the environment and indications are that functions with an impact on the environment will be audited on a regular basis for compliance to the legal framework.

A holistic approach towards the environment is advisable, taking cognisance of international agreements; and the multidisciplinary nature and long term consequences of the management of the environment. As different government departments, institutions and individuals are involved in the environmental decision making process, it is expected that moral, social, political, legal, scientific, technological and economic factors are taken into consideration during decision making processes.

The crux of proper environmental decision making can thus best be described as an effort to find an independent balance between the economy, the environment and the quality of life of citizens in order to satisfy the needs and aspirations of all South Africans.

1.2 Purpose of the Environmental Implementation Plan

The Environmental Implementation Plan (EIP) describes policies, plans and programs 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 for in section 12 of NEMA, is to:

- a) Co-ordinate and harmonize the environmental policies, plans, programs 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. minimize 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 to monitor the achievement, promotion, and protection of a sustainable environment.

With the promulgation of the National Environmental Management Act (Act 107 of 1998) as amended (NEMA), certain national departments and provinces (as listed in the mentioned Act), are required to prepare either the EIP or EMP.

These plans are addressed in the chapter of NEMA that specifically relates to procedures for co-operative governance. It can therefore be interpreted that these plans are primarily statutory with the purpose to align the legislative framework and related decisions in respect of the environment.

1.3 Structure of this Document

Although the importance of an all-inclusive approach towards environment is acknowledged, this Second Edition EIP will focus mainly on the biophysical environment.

Chapter 1 deals with the introduction and purpose of the EIP. A short overview of the development of environmental legislation is provided, putting the EIP into perspective in relation to the NEMA. The process to compile the EIP and the gathering of information from different provincial government departments are also addressed.

Chapter 2 provides the environmental legislation framework for the Limpopo Province and the legal mandates of the sector departments. The purpose is to provide a framework by means of which the different spheres of legislation (National, Provincial and Local) can be linked to programmes of provincial importance.

Chapter 3 prioritises the policies, plans and programmes that have an impact on the environment are prioritised and link them with the eight (8) key focus areas that have been identified as having provincial significance in chapter three. A description of each focus area is provided and a specific legal framework is provided. Responsible authorities within the Limpopo Province involved in the focus are also identified. Compliance to the NEMA in the format of the "clustered" NEMA principles is presented prior making any recommendations regarding compliance with the EIP. Furthermore, the EIP discusses the existing arrangements for co-operative governance and environmental management.

Chapter 4 evaluates the information contained in the previous chapters in an attempt to make recommendations for integrated environmental management in terms of Chapter 5 of the NEMA. Institutional arrangements are identified as tools for specific recommendations regarding co-operative governance and environmental management to be applied throughout the province. General recommendations not linked to specific institutional arrangements are also discussed. Chapter 5 then provides for the overall impressions and conclusion.

1.4 Short Overview of the Development of Environmental Legislation in South Africa.

Pre-1994, the South African environmental legislation with either a direct or indirect bearing on environmental concerns was highly fragmented and consisted of approximately sixty (60) environmentally related Acts. Amongst the environmental concerns dealt with, is the conservation of natural resources such

as wildlife, the prevention of pollution (air, water and noise pollution), proper planning and land use management, environmental health and waste management.

At the time, no legislation relating to the management of the environment, referring to both the conservation of natural resources and issues such as the control of environmental pollution, as well as simultaneously reflecting a necessary compromise with development however existed. Legislation dealing with environmental protection was only adopted by means of the Environment Conservation Act (Act 73 of 1989) (ECA). Critics then hailed the adoption of the Environment Conservation Act as a major breakthrough for environmental protection as it allowed the Minister of Environmental Affairs to draw up a management policy to clearly define the aims and objectives of environmental conservation. History proved that the Act's full potential has not been realised as no comprehensive policy was developed.

This shortfall was addressed by means of the White Paper on Environmental Management Policy (1998), when a comprehensive environmental management policy, which was developed during Consultative Management Process (CONNEPP), was developed. The most important feature of the White Paper on Environmental Policy is its emphasis on the promotion of co-operative governance to ensure that the environmental rights as in the Constitution are protected and fulfilled.

Following the mentioned White Paper, environmental management was placed within the framework of the Constitution of the Republic of South Africa (1996) followed by the promulgation of the NEMA on 19 November 1998. The NEMA employs a number of instruments, which will be addressed in the course of this document to promote, give effect to and monitor co-operative governance as envisaged in section 41(2) of the Constitution. It repealed the previous Act on environment conservation almost as a whole, except for the sections dealing with certain development projects, waste and pollution.

The inclusion of the right to the environment in the Constitution is significant of a paradigm shift that will have a major impact on the improvement of the quality of life of all South African citizens and the increasing respect for each individual's human rights. On the other hand, it also emphasises the strong public sector component. Adding to this, the new dispensation also implies the division of legislative powers between the national, provincial and local levels of government. One can accept that in practice, nine different pieces of provincial legislation may succeed above national legislation, which may lead to the implementation of different norms and standards according to the priorities of each authority.

Acknowledging the challenges of the constitutional allocation of powers, NEMA places a strong emphasis on co-operative governance. It tries to address the defragmentation of performance of environmental functions by various government departments at all levels, in order to promote and ensure integration and co-ordination regarding the implementation of environmental policies.

The statutory instruments for the promotion of such co-ordination are to be found in the procedures for co-operative governance as referred to in Chapter 3 of NEMA.

Section 11(1) of the NEMA provides that "Every national department listed in Schedule 1 as exercising functions which may affect the environment and every province must prepare an environmental implementation plan..."

Section 12 outlines the purpose of the environmental implementation plans and management plans as detailed in item 1.2 above.

1.5 Process followed to prepare the EIP for the Limpopo Province

The previous Limpopo Province Department of Agriculture and Environment was mandated by the Office of the Premier to act as the lead agent for the preparation of the 1st edition EIP. This 2nd edition is prepared by the Limpopo Department of Economic Development, Environment and Tourism (LEDET).

Information regarding the preparation of the 2nd Edition of the EIP was obtained from the Limpopo Employment, Growth and Development Plan, the Limpopo Development Plan and from the Strategic planning documents, business plans, medium-term expenditure frameworks and annual performance plans from the following Government Departments:

- Office of the Premier,
- Department of Agriculture,
- Department of Arts, Sport and Culture,
- Department of Education,
- Department of Provincial Treasury,
- Department of Health Social Development,
- Department of Co-operative Government, Human Settlements and Traditional Affairs,
- Department of Transport, Safety, Security and Liaison,
- Department of Public Works, Roads and Infrastructure,
- Department of Economic Development, Environment and Tourism,
- Regional Office – Department of Minerals Resources, and
- Regional Office – Department of Water and Sanitation.

Bilateral meetings and/or discussions were held with representatives from all the above provincial and National Departments in Limpopo where the EIP project was explained and relevant information was requested. During follow-up bilateral discussions, the requested information was presented and discussed.

CHAPTER 2: MANDATES AND LEGISLATIVE FUNCTIONS

2.1 Introduction

The Limpopo Provincial Government derives its powers from the Constitution of the Republic of South Africa (Act 108 of 1996) hereafter referred to as the “Constitution”.

The functional areas of concurrent National and Provincial legislation are listed in Section 4 of the Constitution. Areas of specific relevance to the Environmental Implementation Plan are:-

- Agriculture,
- Environment,
- Health Services,
- Housing,
- Nature Conservation,
- Pollution Control,
- Regional Planning and Development,
- Soil Conservation,
- Tourism,

- Disaster Management,
- Air Pollution Management,
- Storm water Management Systems in Urban Areas,
- Municipal Planning, and
- Water and Sanitation Services.

As defined in part B of Schedule 4 these are also local authority matters, the functional areas of exclusive provincial competence are listed in Section 5 of the Constitution. Aspect relevant to environmental issues include:

- Provincial Planning
- Cleansing
- Municipal Park and Recreation
- Noise Pollution
- Refuse removal, Refuse dumps and solid waste disposal

As defined in part B of Schedule 5 these are also local authority matters, In respect of environment performance the following sections of the Bill of Rights (Chapter 2 of the Constitution) are considered particularly important:

- Section 4: Environment
- Section 26: Housing
- Section 27: Healthcare, food, water and Social Security
- Section 32: Access to Information
- Section 33: Just Administrative Action

In consideration of the above, the Provincial Government's role in environmental matters is wide and diverse. The responsibility for the management of activities that may have impact on the environment rests on both the National, Provincial and Local Government. Therefore, the role of Provincial Government is to facilitate, co-ordinate and supervise the development of the EIP, rather than implementation thereof.

One of the goals outlined in the White Paper on Environmental Policy in South Africa of 1998 is the creation of effective, adequately resourced and harmonized (environmental) institutional framework and the integrated legislative system in order to build institutional capacity in all spheres of government to ensure the effective implementation of the policy.

The EIP can be used a useful instrument to support this goal and the aim of this chapter is to provide summary of the legislation related to environmental management to ensure clarity regarding environmental jurisdiction within the Limpopo Province in a framework that applies to the whole Province. The international, national and provincial perspectives are also put policy.

2.2 Distribution of Powers: National, Provincial and Local Government

It is vital to reemphasise the mandate, function and the related legislative framework of the Provinces as derived from the Constitution. This is an important fact to consider though its emphasis in this chapter is on the relevant mandate within an environmental perspective. The Constitution identified a Bill of Rights, including the right to the environment as one of the fundamental rights in terms of Section 24.

In the effort to link the Provincial mandate in terms of the Constitution to the relevant Environmental Legislation within Provincial perspectives, the information is presented in the following graphic.

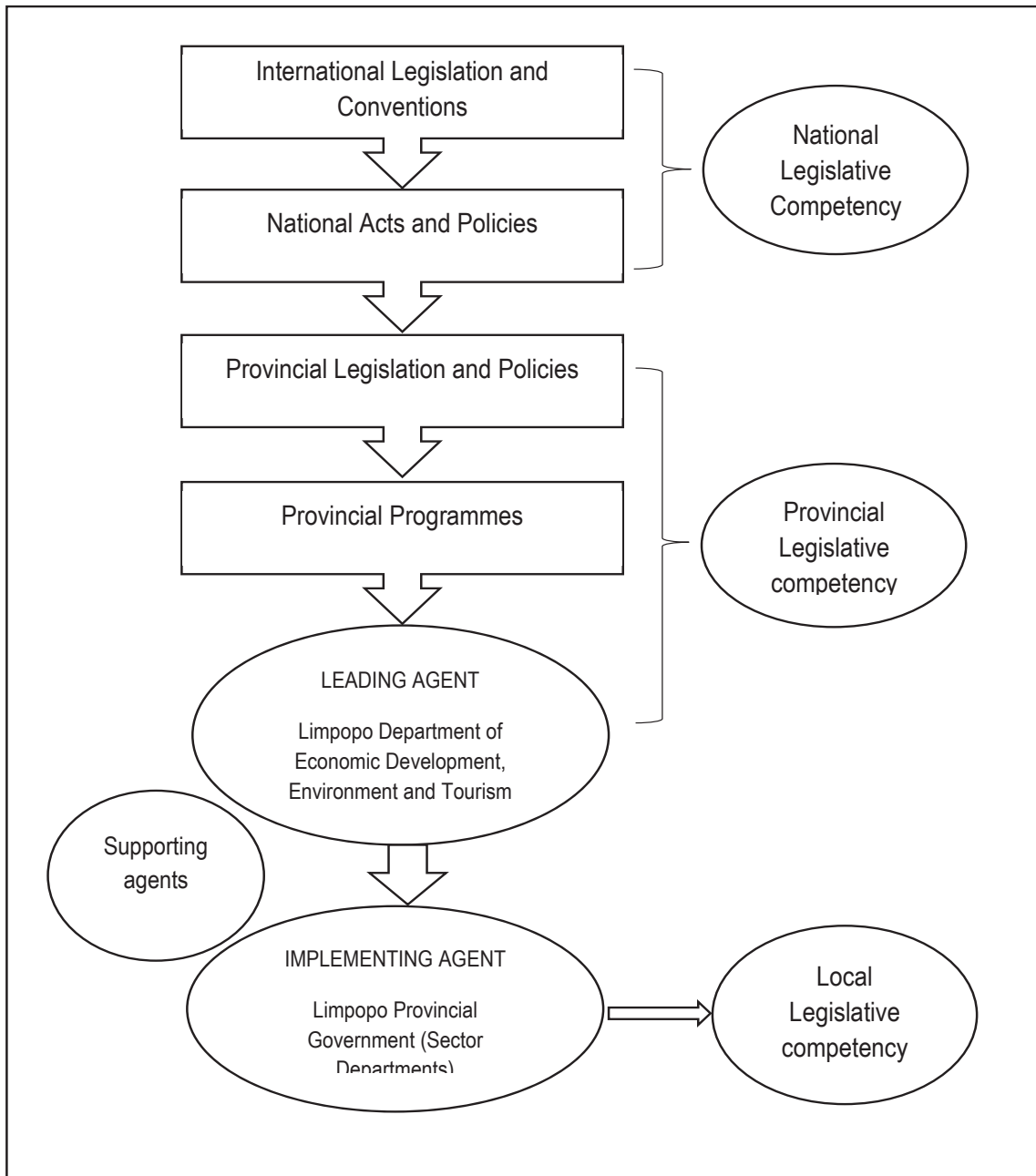


Figure 1: Distribution of powers, mandates and competencies
Source: The Constitution of the Republic of South Africa, 1996

2.3 International Perspectives

South Africa as a responsible member of international community is a signatory to a variety of international agreements and conventions. Conventions are an important source of legislation as a result of an increasing need of co-operation across international borders

An agreement must first be effective before it can be binding, therefore; no country is bound by the terms of such agreements before it gave consent to become a party of such agreements (normally by signing or by ratification). Normally there is a condition that an agreement must be signed by a certain number of parties before it is effective.

2.3.1 Conventions applicable to the Limpopo Province and short description thereof

Table 1: Conventions applicable in the Limpopo Province

CONVENTION TYPE	PURPOSE
Convention of Biological Diversity	To effect international co-operation in the convention of biological diversity and to promote sustainable use of the living resources.
Convention on Wetlands of International Importance especially as Water Flow Habitat (RAMSAR Convention)	To stem the loss, and to promote the wise use of all wetlands.
Convention of International Trade in Endangered Species of Wild Fauna flora (CITES)	To ensure protection of endangered species and the economic use of species, monitoring the status of the species and control the illegal trade.
World Heritage Convention	To ensure protection of world cultural and natural heritage.
Convention on Migratory Species of Wild Animal (Bonn Convention)	To ensure conservation of animal (terrestrial animal, reptiles, marine species and birds) that migrate across the border. Special attention is paid the endangered species.
Man and Biosphere Programmes (Biosphere Reserves)	The biosphere reserves concept form part of UNESCO's programmes that aims to provide scientific basis of regional land use and land management.
Convention on Desertification	To combat desertification in those countries experiencing serious drought and /or particularly in Africa.
Protocol for the Protection of Ozone Layer (Montreal Protocol)	Aimed at ensuring measures to protect the ozone layers and was designed to reduce the production and consumption of ozone depleting substances.

CONVENTION TYPE	PURPOSE
Convention of the Control of Transboundary Movement of Hazardous Waste and their Disposal (Basel convention)	Aimed at a reduction in the production of hazardous waste and their restriction of trans boundary movements and disposal of such waste.
Framework Convention of Climatic Change (Kyoto Protocol)	Addresses the threat of global climate change by urging government to reduce sources of greenhouse gasses.
Lusaka Agreement	Aims at the co-operative enforcement operation directed at illegal trade in wild fauna and flora.
SADEC Convention on Conservation	Nagoya Protocol - Biodiversity Convention - Protocol on Wildlife Conservation and Law Enforcement.

2.4 National Perspectives

Environmental legislation in South Africa exists at all spheres of government – National, Provincial and at local government. Some of the National Environmental Legislation containing important implications for Environmental Management include:

Table 2: Environmental Legislative Framework applicable to the Limpopo Province

LEGISLATION	PURPOSE
PRIMARY LEGISLATIVE PROVISIONS	
National Environmental Management Act (Act No. 107 of 1998 as amended)	To provide for co-operative environmental governance by establishing principles for decision making on matters affecting the environment, institutions that will promote co-operative governance and procedures for co-ordinating environmental functions exercised by organs of state and to promote for matters connected therewith.
National Environmental Management Biodiversity Act (Act 10 of 2004)	To regulate the sustainable use of biological resources.
National Environmental Management Air Quality Management Act (Act 39 of 2004)	To provide for mechanisms, systems and procedures to promote holistic and integrated air quality management through pollution prevention and minimisation at source and through impact management with respect to the receiving environment from local scale to international issues.
National Environmental Management Protected Areas Act (Act 57 of 2003)	To provide for the protection and conservation of ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes; for the establishment of a

LEGISLATION	PURPOSE
Limpopo Environmental Management Act (Act 7 of 2003)	National register of all National, Provincial, and Local protected areas for the management of those areas in accordance with national norms and standards; for intergovernmental co-operation and public consultation in matters concerning protected areas; and for matters in connection therewith.
World Heritage Convention Act (Act 49 of 1999)	To consolidate and amend the environmental management legislation of or assigned to the Province; and to provide for matters incidental thereto. To provide for the incorporation of the World Heritage Convention into South African Law; the enforcement and implementation of the World Heritage Convention in South Africa; the recognition and establishment of World Heritage Sites; the establishment of Authorities and the granting of additional powers to existing organs of State; the powers and duties of such Authorities, especially those serving the integrity of World Heritage Sites; where appropriate the establishment of Boards and Executive staff Components of the Authorities; integrated management plans over World Heritage Sites; land matters in relation to World Heritage Sites; financial, auditing and reporting controls over the Authorities; and to provide for incidental matters.
SECONDARY ENVIRONMENTAL LEGISLATIVE PROVISIONS	
Mineral and Petroleum Resources Development Act (Act 28 of 2002)	To make provision for equitable access to and sustainable development of the nation's mineral and petroleum resources; and to provide for matters connected therewith.
Conservation of Agricultural Resources Act (Act 43 of 1983)	To provide for control over the utilisation of the natural Agricultural resources of the Republic in order to promote the conservation of the soil, the water resources and the vegetation and the combating of weeds and invader plants; and for matters connected therewith.
National Forest Act (Act 84 of 1998)	To provide for reformation of the law on forest.
National Veld and Forest Fire Act (Act 101 of 1998)	To reform the law on veld and forest fires; to repeal certain provisions of the Forest Act, 1984, and to provide for related matters.
National Water Act (Act 36 of 1998)	To provide for fundamental reform of the Law relating to Water resources; to repeal certain laws; and to provide for matters connected therewith.
Municipal Systems Act (Act 32 of 2000)	To regulate the delivery of services in the local government sphere an all matters related thereto.
Subdivision of Agricultural Land Act (Act 70 of 1970) as amended	To control the subdivision, and in connection therewith, the use of Agricultural land.
Hazardous Substances Act (Act 15 of 1973)	To provide for the control of substances which may cause injury or ill health to or death of human beings by reason of their toxic, corrosive, irritant, strongly sensitizing, or flammable nature.

LEGISLATION	PURPOSE
Firearms Control Management Act (Act 43 of 2003)	To establish a comprehensive and an effective system of firearms control; and to provide for matters connected therewith.
National Heritage Resources Act (Act 25 of 1999)	To introduce an integrated and interactive system for the management of the national heritage resources at national level
Promotion of Access to Information Act (Act 2 of 2000)	To give effect to the constitutional right of access to any information held by the State and any information that is held by another person.
Promotion of Administrative Justice Act (Act 3 of 2000)	To give effect to the right to administrative action that is lawful, reasonable and to written reasons for administrative action as contemplated in section 33 of the Constitution.
Intergovernmental Relation Framework Act (Act 13 of 2005)	To establish a framework for the National government, Provincial governments and Local governments to promote and facilitate inter-governmental relation; to provide for mechanism and procedures to facilitate the settlement of inter-governmental disputes; and to provide matters connected therewith.
Disaster Management Act (Act 57 of 2002)	To provide for an integrated and co-ordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of the damage caused by disasters.
Mountain Catchment Areas Act (Act 63 of 1970)	To regulate the conservation, use, management and control of mountain catchment areas.

The Constitution creates a framework within which environmental management system must be employed. In terms of the Constitution, the legislative authority of the provincial sphere of government is vested in the Provincial Legislature in terms of section 104. The provincial legislative authority has amongst others, the power to adopt legislation for the Province in terms of the following:

- Any matter within the functional areas of Concurrent National and Provincial Legislative Competence as referred to in Schedule 4 of the Constitution including matters such as administration of indigenous forest, the environment, indigenous and customary laws (subject to section 12 that deals with traditional leaders), nature conservation (excluding national parks);
- Any matter within the functional Areas of Exclusive Provincial Legislative Competence referred in the Schedule 5 of the Constitution including matters such as provincial planning –roads and traffic and veterinary services (excluding regulation of the profession); and
- Part 5 of the schedule B also referred to functional areas of Local government that are included in the Exclusive Provincial Legislative Competence including matters such as nuisance, noise pollution, refuse removal, refuse dump and solid waste disposal

2.5 Provincial Perspectives

Based on the above-mentioned perspectives, this section lists the mandate and function of the relevant provincial departments or regional office as derived from the constitution of South Africa in relation to the environmental issues

2.5.1 Office of the Premier

The Strategic Planning Directorate has supporting functions in respect of planning and co-ordination within the Province. The functional organization and establishment report of the office of the Premier provides for the establishment of this Directorate. The Provincial Planning Forum has been established to integrate decision making processes and provincial planning and meets on quarterly basis. The Strategic Planning Division in the Office of the Premier provides for a “professional secretariat” supported and co-ordinated on the implementation of the Provincial GDS. This office does not have any regulatory function in terms of the environment, however draws its mandate from the following:

Table 3: Mandates of the Limpopo Office of the Premier

MANDATE	LEVEL OF LEGISLATIVE COMPETENCY	AUTHORIZATION / PERMITS
Public Service Act	Provincial	None
Public Service Regulation	Provincial	None
Public Finance Management Act	Provincial	None
Batho Pele Policy on Transformation of Public Service	Provincial	None

2.5.2 Department of Agriculture (DOA)

Agriculture is one of the areas that have been identified to have future growth potential concentrated in within Limpopo province. The Provincial Department of Agriculture is not a mirror- view of the National Department and their functions will therefore not necessary correspond

The National and Provincial Departments developed the Land Redistribution for Agricultural Purposes Development (LRAD) process, which aims to have 30 % of arable land in South Africa in the hands of previously disadvantaged farmers. In Limpopo Province, state owned farmers cover 229 000 hectares of land, 193 hectares are encumbered and may only be restricted by the Land Claim Commissioner.

The regulatory functions in respect of the environment of the DOA include veterinary services and the conservation of Agricultural Resources as well as the subdivision of land and the DOA draws its mandate from the following:

Table 4: Mandates of the Department of Agriculture

Mandate: Agricultural components	Level of legislative Competency	Authorization/ Permits
Abattoir hygiene Act No. 121 as it relates to the maintenance of Hygiene standard in the abattoir	Provincial	Certificates of approval
Animal Health Act No. 35 of 1984 as it relates to the to the control of animal health and the control of animal diseases	Provincial	Permits for movement of animal and products in controlled areas scheduled
Conservation of Agricultural Resources act Act No. 43 of 1983 as it relates to the conservation of soil water sources and vegetation, the optimal utilization of resources and combating of weeds and invader plants	National	Permits for new lands
Spatial Planning and Land Use Management Act (Act 16 of 2013) as it relates to the land development objectives	Provincial	None
Fertilizers, farm feeds, agricultural remedies and stock remedies Act No. 36 of 1947 as it relates to the use and disposal of chemical and biological substances	Provincial	Permits
Meat safety Act No. 40 of 2000 as it relates to the	national	permits

import and export of animal meat		
Subdivision of Agricultural Land Act No. 70 of 1970 as it relates to the subdivision of agricultural land	national	Letter of approval
Departmental policy	Provincial	n/a

2.5.3 Department of Sports Arts and Culture

The Department mainly focuses on sports, cultural, arts and historical resources of the province. Development of sports includes SCORE, a program aimed at bringing sports development to children in rural areas. Proactive programs aimed at the involvement of the community in the promotion of arts, culture and sports are currently running. This department does not have any regulatory functions in terms of the environment, but rather has a supportive role to play.

2.5.4 Department of Education

Taking the demographics of the province into consideration, it is acknowledged that the youthful population dictates a need for accelerated attention to education. Thus, future education and training at all levels of the formal schooling system should receive high priority within the province. Formal training and adult education is also a challenge in as far as curricula and vocational training is involved. In practice, educational backlogs such as the shortage of the classrooms, the adverse matric failure rate and the shortage of science and skills training teachers prove to be an immense challenge. As the above have more of a social bearing, the activities of the department of education and the related legislative framework will not be discussed in depth in this version of the EIP.

2.5.5 Limpopo Provincial Treasury

Although the Department does not perform functions explicitly aimed at environmental management, a portion of applicable legislation has specific relevance to the environment.

The key focus areas of the Department are:

- Sound Provincial Fiscal Policy development, implementation and management in line with the National Macro Economic Strategy.
- Equitable distribution of resources

2.5.6 Department of Economic Development, Environment and Tourism

In 1999, the Limpopo Province was the second last contributor to gross domestic production, which puts the vision of Limpopo Province being the main contributor to national wealth by 2020 into perspective. It strives to achieve this by creating a stimulating and enabling environment conducive to sustainable economic growth, environmental and an improved quality of life for all.

The proximity of the Limpopo Province to Zimbabwe, Mozambique and Botswana puts the province in a strategic position to enter into efforts such as trans-frontier development initiatives, strengthening regional

and international co-operative governance. The Ivory Route Development initiative and the Gaza-Kruger-Gonarezhou and Sashi-Limpopo Transfrontier Conservation Areas are examples of such initiatives. The N1 corridor or North-South SDI also provides opportunities with Zimbabwe.

The key focus areas of the Department are:

- Above average increase in economic growth rate
- Increase in investment
- Flourishing Small, Medium and Macro Enterprises in the primary and secondary sector
- Job creation
- Health and fair Trade

The Tourism component has been identified as the component that involves possible impacts on the environment. Although this component currently does not have any regulatory functions in terms of the biophysical environment, the following functions involve management of the environment:

- Encourage the development of tourism and marketing
- Game Park Management
- Ensure effective development and the promotion of foreign direct investment issues.

Table 5: Mandates of the LEDET's Tourism Component

MANDATE	LEVEL OF LEGISLATIVE COMPETENCY	AUTHORIZATIONS / PERMITS
Provincial Growth and Development Strategy	Provincial	None
Job Summit Resolution of 1998	Provincial	None
GEAR	Provincial	None
Tourism Act 72 of 1993	Concurrent	
Executive Resolution on Provincial Park	Provincial	None

The Environment Component is responsible for the management of the utilization of the biodiversity within the province, integrated pollution and waste management as well as the environmental impact management. The importance of this component must never be underestimated and the experience has shown that this has to develop into the rock foundation for four pillars of the economy in the province. The Environmental Trade and Protection (ETP) Chief Directorate performs functions relating to the sustainable development, Impact Assessment, Wildlife Trade and Regulation, and the Pollution and Waste Management. Please refer to Annexure A for the detail list of the functions under the ETP Chief Directorate.

Table 6: Mandates of the LEDET's Environment Component

MANDATE	LEVEL OF LEGISLATIVE COMPETENCY	AUTHORIZATION /PERMITS
Atmospheric Pollution Prevention Act No. 45 of 1965 as it relates to the prevention	National ,local	N/A inputs

of the pollution of the atmosphere and the regulation		
Environmental Conservation Act 73 of 1989 as it relates to the effective protection and controlled utilization of the environment	Concurrent	Environmental authorization
National Forest Act No. 84 of 1988 as it relates to the conservation of indigenous forest	National	Permit to protect and control the use of indigenous forest
National Veld and Forest Fire Act 101 1998 relating to the prevention of veld fires	National	Permits for controlled fires
Mountain Catchment Areas Act 63 of 1970 as it relates to the catchment areas in the province and demarcation of such areas	Provincial	Can declare an area as a mountain catchment area
National Environmental Management Act 107 1998 as it relates to the environmental management	Concurrent	None
Limpopo Environmental Management Act No.7 of 2003 as it relates to environmental management in the Limpopo Province	Provincial	Utilization, management and research of plants and animal including aquatic life form, conservation of protected areas and caves
Lebowa Nature Conservation Act 10 of 1973 as it relates to the protection and controlled utilization of biodiversity in the former Lebowa	Provincial	Utilization, management and research of plants and animal including aquatic life form, conservation of protected areas and caves
Gazankulu Nature Conservation Act 5 of 1975 as it relates to the protection and controlled utilization of biodiversity in the former Gazankulu	Provincial	Utilization, management and research of plants and animal including aquatic life form, conservation of protected areas and caves
Venda Nature Conservation Act 20 of 1986 as it relates to the protection and controlled utilization of biodiversity in the former Venda	Provincial	Utilization, management and research of plants and animal including aquatic life form, conservation of protected areas and caves
Transvaal Nature Conservation Ordinance 12 of 1983 as it relates to the protection and controlled	Provincial	Utilization, management and research of plants and animal including aquatic life form, conservation of protected areas and caves

utilization of biodiversity in the former Transvaal		
National Environmental Management Biodiversity Act 10 of 2004	concurrent	None
National Environmental Management Air Quality Management Act 39 of 2004	concurrent	None

2.5.7 Department of Health and Social Development

Being mainly rural in nature, the Limpopo Province faces unique challenges in relation to social services that make issues such as provision of the clinics within a walking distance a primary care significant. A clear program regarding epidemics (ei malaria prevention) and /or management strategies for the prevention of HIV/AIDS as well as taking care of AIDS orphans proves to be real challenge.

Currently, the point of view is that the core function of the Department of Health and Social Development do not have the impact on the environment. Taking the latest HIV/AIDS figures for the Limpopo Province in to consideration, this viewpoint might need re-consideration in the longer run.

The function undertaken by the Environmental Health Section deals with the issues that might have possible impact on the environment, such regulatory function in terms of the environment are indicated in the following table:

Table 7: Mandates of the Department of Health and Social Development

Mandate	Level of legislative competency	Authorization permits /
Health Act 63 of 1977 as it relates to the co-ordination ,monitoring and evaluation of environmental health service in the province	Provincial	None
Hazardous substances Act 15 of 1973 as it relates to the control ,use and disposal and dumping of listed substances	Concurrent	None
SABS codes of practice 024 8 of 1993 as it relates to the disposal of waste in health care facilities	concurrent	None

2.5.8 Department of Co-operative Governance, Human Settlements and Traditional Affairs

The Department of Co-operative Government, Human Settlements and Traditional Affairs (COGHSTA) is placed within the infrastructural development Cluster of the Growth and Development Strategy for the Limpopo Province, acknowledging that the provision of physical infrastructure should be informed by the spatial and economic logic. Spatial Development Initiatives therefore require the formulation of the diversified strategy for urban development, rural cluster and development corridors.

The provision of houses compasses the provision of housing support services to enable communities to build their own houses. Provincially this include various housing subsidy schemes and the access to secure housing tenure and basic municipal services.

Although this Department does not have any regulatory function in terms of the environment, its function shave the direct impact on the environment and are drawn from the following mandates

Table 8: Mandates of the COGHSTA

Mandate	Level of legislative competency	Authorization / permits
Town Planning and Town Regulations Act 858 of 10/06/1987	Provincial	Rezoning approval
Spatial Planning and Land Use Management Act (Act 16 of 2013) SPLUMA	Provincial	Approval of proposed development
Physical Planning Act No. 125 of 1991 as it relates to the bioregional planning and development	Concurrent	Approval of proposed development
Municipal System Act No. 32 of 2000 (and regulation) as it relates to the establishment of simple and enabling framework for the Municipal systems	Concurrent	N/A (Each Municipalities must however adopt IDP core process of planning

2.5.9 Department of Public Works, Roads and Infrastructure

The LEGDP / LDP identified the maintenance and the development of the Provincial Roads infrastructure Network as the Provincial focus area. Taking the demographic of the province into consideration, programs to maximize the importance of passing the trade can enhance the image of the Limpopo Province as the transportation routes to Sub-Saharan Africa. The rehabilitation of Roads and bridges are automatically included within this focus area. This Department does not have regulatory functions in terms of the environment.

Table 9: Mandates of the Department of Public Works, Roads and Infrastructure

Mandate	Level of legislative competency	Authorizations/Permits
Limpopo Province Roads Agency Act No 7 of 1989 as it relates to the strategic planning and design as well as routine maintenance of Limpopo Province roads network	Provincial	None
Roads and Ribbon Development Act 21 of 1940 as it relates to the control and administration of road reserves	Provincial	None
Road ordinance 22 of 1957 as it relates to control and administration of roads reserves.	Provincial	None

2.5.10 Department of Transport, Safety and Security

Although the Department does not perform functions explicitly aimed at environmental management, a portion of applicable legislation has specific relevance to the environment, as the Limpopo province is one of the main routes to Zimbabwe, a lot of chemicals are transported on public roads. Experience indicates that key areas for possible impacts (traffic accidents) are Polokwane, Modimolle and Musina.

The Department is also involved in the clean-up operation after spills this is the joint exercise with Local Government and (Local Emergency Medical Services) the South African Police and the Community). The Strategic Planning Division in the Office of the Premier provides professional secretariat support and co-ordination on the implementation of the LEGDP / LDP. This Department does not have regulatory functions in terms of the environment, however, draws its mandate from the following:

Table 10: Mandates of the Department of Transport, Safety and Security

MANDATE	LEVEL OF LEGISLATIVE COMPETENCY	AUTHORIZATION / PERMITS
Road traffic Act No 93 of 1969 in as far as it relates control to the movement of hazardous chemicals.	Concurrent	Permits for the volume for the substances to be transported.
Hazardous substances Act No 15 of 1973 as it relates to the management of accidents involving hazardous substances	Provincial	Permits to transport certain substances

The Branch of safety and security under the transport Department has no activities which have the impact on the biophysical environment. The province however strive towards the creation of a safe and secure environment, with special focus on peace in the Youthful society. Comment on the programs to ensure a safe environment for tourist and involvement in the combating of illegal trade in endangered species would be incorporated. The identified focus area in terms of crime prevention include the following

- Crime against women and children,
- Theft,
- Serious violent crime relate to fire arms,
- Mobilization of communities against crime, and
- Victim empowerment.

2.5.11 Department of Mineral Resources (Limpopo Regional Office)

The Limpopo Province endowed with the Mineral deposit of National and International importance. Mining has been identified as one of the sector in the Province with the greatest potential for employment opportunities and therefore can be regarded as the area with tremendous future growth potentials. The challenge is therefore to catalyst to exploitation of this dominant resource in the sustainable development while creating and enabling the environment for increased production.

Although the nature and co-operation of the Department of Mineral Resources involves Regional Office and National Departments it is important to put the nature of co-operation in to perspectives according to their mandate.

Regional office regulates the prospecting for the exploitation processing and utilization of minerals by means of prospecting / mining permits. It also regulates the orderly rehabilitation and utilization of the surface of the land during and after prospecting and mining operations. Permits and Exemption are issued in terms of Mineral Development and illegal mining activities are legalized.

Table 11: Mandates of the Department of Mineral Resources

Mandate
Mineral Act No 50 of 1991, as it relates to the utilization of Mineral, the prospecting the Pollution, rehabilitation of surface, water, the approval of Environmental Management Plans and the ensuring the submission of Environmental Managements Assessment Reports.
White paper on Mineral and Mining Policy for South Africa, October 1998 as it relates to the Mineral and the environment.
Mine Health and Safety Act 29 of 1996, as it relates to the Mining and the environment.
Spatial Planning and Land Use Management Act (Act 16 of 2013) as it relates to the applications for township development and subdivision of farms.

CHAPTER 3: POLICIES PLANS AND PROGRAMMES

3.1 Vision of the Limpopo Provincial Government

In line with the National Government vision statement, the proposed Provincial vision is presented below. A shared vision is paramount to the success of the Limpopo Development Plan.

“A Prosperous, United, Dynamic and Transformed Province”.

The mission statement associated with the proposed new vision is:

‘To stimulate, promote and maintain unity and an enabling environment conducive for economic growth, social justice and quality of life for all its people’

3.1.1 New Mandate: Key Considerations

The Limpopo Provincial Government has contextualised ten priority areas as contained in the Medium Term Strategic Framework into key strategic priorities which will guide service delivery over the next five years:

- a) **Ensuring more inclusive economic growth, decent work and sustainable livelihoods.** The main objective here is to respond appropriately and effectively so that growth and decent employment as well as improvement in income security are reinforced.
- b) **Economic and Social infrastructure.** In the period ahead government will continue with infrastructure investment program aimed at expanding and improving social and economic infrastructure in order to increase access, quality and reliability of public services and to support economic activities.

- c) **Rural development, food security and land reform.** The overall objective is to develop and implement a comprehensive strategy of rural development that will be aimed at improving the quality of life of rural households.
- d) **Access to quality education.** The objective is to focus on skills and the education system towards the delivery of quality outcomes.
- e) **Improved health care.** The main objective is to transform the public health system so as to reduce inequalities in the health system, improving quality of care and public facilities, boost human resources and step up the fight against AID, TB and other communicable diseases.
- f) **Fighting crime and corruption.** Government is determined to curb levels of crime and corruption. Contact crimes, crimes against woman and children and organised crime, remain a key focus, and so is the combating of corruption
- g) **Cohesive and sustainable communities.** Limpopo Provincial Government is determined to strengthen human capabilities, promote shared values and social solidarity and strive to reduce overall inequality.
- h) **Creation of better Africa and a better world.** The main goal is to ensure that our foreign relations contribute to the creation of an environment conducive to economic growth and development domestically, within Africa and in other developing countries.
- i) **Sustainable resource management and use.** Similar to the rest of the world, the provincial economy is vulnerable to impacts of climate change, biodiversity loss and diminishing water resources. Government is will support diversification of energy mix, sustainable food production, and promoting sustainable water use and preserving the quality of drinking water
- j) **A development State, including improvement of public Service.** Government will continue to build and effective and accountable State as well as foster active citizenship. Limpopo has reconfigured the provincial Executive Council Cluster committees to reflect the needs of our priorities over the next five years. The new Clusters are: Social Cluster, Economic Cluster, Peace and Security Cluster, Infrastructure Cluster and Governance and Administration Cluster.

3.1.2 Alignment and/or Compliance with the NEMA Principles and the Constitution

Limpopo Provincial Government will have to demonstrate how it will ensure that the identified priority policies, plans and programmes 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.

There are two very important and relevant principles set out in chapter 1 of NEMA as follows:

- 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.

Table 12: Description of policies, plans and programmes that may significantly affect the environment

Policy, plan or programme	Relevant norms and standards, and guidelines	How LEDET will ensure implementation of the EIP	Consultative forum established?
Limpopo Development Plan	Medium Term Strategic Framework	There is a commitment on Environmental Sustainability (according to NEMA) for all developments that should happen in the province	Provincial Development Planning Forum
Provincial Integrated Waste Management Plan	National Waste Management Strategy; National norms and standards <ul style="list-style-type: none"> • Assessment of waste for landfill disposal • Disposal of waste to landfill • Storage of waste 	The Norms and standards are based on NEMA principles, therefore alignment ensures compliance to NEMA principles.	
Limpopo State of Environment Report 2006	National Strategy for Sustainable Development	By virtue of being aligned to NSSD, the NEMA principles are already incorporated.	
Limpopo 2 nd Edition EIP 2015 – 2020	EIP/EMP guidelines	NEMA principles are core to the EIP/EMP development guidelines	
Limpopo Conservation Plan 2013	National norms and standards published under NEMBA: <ul style="list-style-type: none"> • Biodiversity management plans for ecosystems • Biodiversity management plans for species 	The Norms and standards for the development of the Limpopo Conservation Plan are founded on NEMA principles; therefore alignment ensures compliance to NEMA principles.	
Climate Change Management / Response Strategy	National Norms and Standards of Air Quality Monitoring in South Africa	The Norms and standards are founded on NEMA principles, therefore alignment ensures compliance to NEMA principles.	Limpopo Environmental Management Forum
Limpopo Air Quality Management Plan	National Air Quality Management Framework in South Africa (2012) National Norms and Standards of Air Quality Monitoring in South Africa	The Norms and standards are founded on NEMA principles, therefore alignment ensures compliance to NEMA principles.	

3.2 KEY OBJECTIVES

Based on the information gathered from the Government Departments and Regional offices in the Limpopo Province in relation to the policies, plans and programs, key focus areas were identified according to the above mentioned objectives as well as the significant environmental issues and impacts in Limpopo. If these key focus areas can be addressed adequately during the next five years, the significant environmental impacts will be drastically reduced. The functions of the National and Local Government were also taken into consideration where applicable.

The Limpopo Employment Growth and Development Plan (LEGDP), the Limpopo Development Plan (LDP), the Limpopo State of Environment Report 2006, the National Development Plan (NDP), and the Integrated Sustainable Rural Development Strategy (ISRDS) were used as sources of information. These documents provided an important link to this EIP in relation to political and environmental priorities within the Province. The five Provincial Departmental Clusters (Social Cluster, Infrastructure Cluster, Economic Cluster, Peace and Security Cluster and Government and Administration Cluster) have been well represented within the information as presented in this EIP.

The following main focus areas were identified to be EIP related projects with overall priority Provincial importance:

Box 1: Main Focus areas of the EIP

- Planning (Integrated Environment Management)
- Agriculture
- Mining
- Tourism
- Infrastructure
- Poverty Eradication and Community Empowerment
- Integrated Pollution and Waste Management
- Water Supply and Infrastructure

3.2.1 Planning – Integrated Environmental Management (IEM)

Table 13: Description of Planning for Integrated Environmental Management in Limpopo

DESCRIPTION
<ul style="list-style-type: none"> • The LDP must be used as an instrument to facilitate sustainable economic growth that produces employment, maintaining existing services and infrastructure and develop infrastructure. • Ensure that environmental effects of activities are taken into consideration before decision regarding development are taken (EIA Regulations of 04 December 2014). • Integration of all special planning proposal on local level (LDO's and IDP's). • Integration of planning proposal on a strategic level in a regional context (SDI's). • Tourism's development plan (Tourism White Paper, 1996) to facilitate the concept of responsible tourism as the key guiding principle for tourism development. • Co-ordination, integration and alignment of rural development with the National Development Plan (NDP).

- Co-ordination, integration and alignment of rural development of output (Integrated Sustainable Rural Development Strategy).

Table 14-1: Legislative Framework and Responsible Authorities for Planning for Integrated Environmental Management

Specific legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • Growth, Employment and Redistribution Program (GEAR) • National Development Plan (NDP) • Limpopo Development Plan (LDP) • EIA Regulations of 04 December 2014 • Reconstruction and Development Program (RDP) • Town Planning And Township Regulations (AN 858 Of 10/06/1987) • Spatial Planning and Land Use Management Act (Act 16 of 2013) • Physical Planning Act (Act 125 Of 1991) • National Water Act (Act 36 Of 1998) • Minerals and Petroleum Resources Development Act (Act 28 of 2002) • Municipal Systems Act (Act 2 Of 2000) 	<ul style="list-style-type: none"> • Office of the Premier, Limpopo Province leading agent • All provincial Government Departments & Regional Offices and National Departments

Table 14-2: NEMA Principles and Compliance thereof in respect of planning

NEMA Principle	Compliance to Relevant NEMA Principles
Sustainable Development	<ul style="list-style-type: none"> • EIA process requires developer to proof ecological, social and economic sustainability. SPLUMA requires developer to address sustainability to some extent eg water and sewerage. NWA requires Instream Flow Requirements (IFR) to determine sustainable water supply in the long term. • Although IEM is implemented to some extent to determine the best land use option to ensure sustainable development in the long term ,some projects are environmentally sustainable as the results of short term social and economic pressure
Integration of Environmental consideration into decision making	<ul style="list-style-type: none"> • EIA Process requires this and this therefore implies for all listed activities in terms of the EIA Regulation. SPLUMA also an Environmental impacts Study for all proposed developments. NWA requires IFR's • Environmental consideration are still regarded priority issues during decision making for strategic planning and activities not regulated by laws e.g. Municipal System act 32 of 2000 (environment not included in S26-IDP)
Participation ,employment and transparency	<ul style="list-style-type: none"> • Communities at large are not adequately involved in the strategic planning • EIA Process ensure public involvement in the undertaking of listed activities and SPLUMA process also requires public

	consultation for all proposed development and change in zoning. Water catchments agencies include public organization.
Environmental justice	<ul style="list-style-type: none"> Interested and affected parties must contribute towards EIA process before and can appeal after decision making. Development tribunal ensures that interested and affected parties can voice their concern to multidisciplinary team SEA's, SDI and LDO's are developed with input from the public Other planning instrument, especially strategic one should address this as well.
Ecological integrity	<ul style="list-style-type: none"> Concept is well addressed during SEA and EIA process and application in terms of SPLUMA. National Water Act addresses it well in terms of ecological reserves and requires the proper management of stream flow reduction activities (e.g. plantation). Water quality need also to be addressed for new and existing developments. Mineral and Petroleum Development Act addressed in terms of EMPR's. Lacking in other planning instruments
Co-operative governance	<ul style="list-style-type: none"> EIA process and SPLUMA application involves all relevant government departments in the decision making process. EMPR's for prospecting and mining requires comments from relative department. Water use licensing also requires inputs from relevant department before decision making. Provincial Development Planning Forum (PDPF) with proper mandate and clear guidance on decision-making powers will ensure that this principle is implemented at ground level for all programs and projects

Table 14-3: Arrangement for Co-operative Governance in respect of planning

Existing Arrangements for co-operative Governance and Environmental Management	Recommendation for co-operative Governance and Environmental Management
<ul style="list-style-type: none"> Four clusters on political level to ensure political alignment of functions of relevant departments. Provincial Development Planning Forum (PDPF) on administrative level to ensure projects of relevant departments are aligned. Four SDI's cover 70% of the major development areas in the Province. LDO;s are determined for local Governments, taking environment considerations into account. All development proposals in terms of the SPLUMA and Physical Planning Act are circulated to LEDET: Environment for comment prior to approval by the Development Tribunal or MEC. 	<ul style="list-style-type: none"> Representation of Environmental Component on all three clusters. PDPF should be expanded to include representation of LEDET Environment Branch Provincial EIP Working group as a sub-structure of the PDPF should be established. Establishment of an inter-departmental assessing committee to evaluate and recommend LDO's and IDP's for approval by the MEC (ensure that environmental matters are adequately covered Annual report by respective Local Council's to assist with the monitoring of the proposed implementation of LDO's.

<ul style="list-style-type: none"> • Inputs are required from relevant departments on their specific responsibilities during the EIA process before an Environmental Authorisation is issued. • EMPR's for prospecting and mining are circulated to LEDET: Environment for comments, although comments are not always taken into consideration. • Provincial Water Liaison Committee in place but LEDET: Environment not always represented. 	<ul style="list-style-type: none"> • Annual report by respective municipalities to assist with the monitoring of the proposed implementation of the IDP's • Improve representation of LEDET: Environment on PWLC.
---	---

3.2.2 Agriculture

Table 15: Description of the Agricultural Mandate within the Limpopo Province

DESCRIPTION
<ul style="list-style-type: none"> • One of the most of cornerstone of development in Limpopo Province. Most people's livelihood depend on agriculture because of the predominantly rural nature of the Limpopo Province • Development of new agricultural projects • Ensure the sustainability of Land Reform program for the agricultural purposes • Revitalization and transformation of existing agricultural projects • Improvements of agricultural production • Legislative function of sustainable use of natural resources and the control of pest and disease • Conservation of agricultural resources

Table 15-1: Legislative Framework and Responsible Authorities for Agriculture

Relevant legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • National water Act (Act 36 of 1998) • Conservation of Agricultural Resources Act (Act 43 of 1973) • Agricultural Remedies and Stock Remedies Act (Act 36 of 1947) • Animal Health Act (Act 35 of 1984) • Abattoir Hygiene Act (Act 121 of 1992) 	<ul style="list-style-type: none"> • Limpopo Province Department of Agriculture (Leading agent) • National Department of Agriculture Forestry and Fisheries • National Department of Water and Sanitation

Table 15-2: NEMA Principles and Compliance thereof in respect of Agriculture

	Compliance to relevant NEMA principles
Sustainable development	<ul style="list-style-type: none"> • Agricultural extension officers are providing formal and informal training to farmers regarding sustainable farming practices and increased food production. Permaculture and community food gardens are also promoted • Extension officers and the engineering section addresses improvement of water efficiency to a very limited extent

	<ul style="list-style-type: none"> EIA's must be compiled for all new projects however only a few applications have been received so far. De-Bushing permits are required for new lands although not enforced adequately Implementation of national land care programs will improve sustainable of agricultural land
Integration of environmental consideration on to decision making	<ul style="list-style-type: none"> Applications for subdivision of agricultural land are circulated to relevant department for comments Availability of water is taken in to consideration during planning of new irrigation schemes Soil conservation receiving priority attention in planning and rehabilitation projects Strategies for implementation of agricultural function is to be expanded to include more emphasis on environmental consideration
Participation, empowerment and transparency	<ul style="list-style-type: none"> Community participation of empowerment of farmers is central in most programs. Agricultural extension officers employed at community level throughout the Province. Land care programs are also committed to this principle. Community food gardens are developed with communities (especially women) and handed to them for operation.
Environmental Justice and Equity	<ul style="list-style-type: none"> All new projects are targeted at previously disadvantage farmers which includes the settlements of farmers in the land reformed projects
Ecological Integrity	<ul style="list-style-type: none"> Because of the limited EIA's being conducted this principles is not adequately addressed. An EIA awareness campaign will address this concern. Control and eradication of alien plant species according to the regulation of 2000 in terms of conservation of agricultural resources act are being informed. De-bushing of new land and restrictions on riparian de-bushing are not always strictly enforced Ecological aspects relating top soil and water conservation are addressed to some degrees in farm planning and agricultural development. Little to know consideration of biodiversity aspects
Co-operative governance	<ul style="list-style-type: none"> Limited co-operation with the LEDET Better co-operation with DWS Because of the importance of agriculture in this province, present institutional arrangements should be expanded to include all relevant departments to improve agriculture production and ensure food security

Table 15-3: Arrangement for Co-operative Governance in respect of Agriculture

Existing arrangements for Co-operative Governance and Environmental Management	Recommendation of Co-operative Governance on Environmental Management
<ul style="list-style-type: none"> Irrigation Action Committee to manage and develop irrigation in the Province 	<ul style="list-style-type: none"> Irrigation Action Committee to address Environmental issues adequately.

<ul style="list-style-type: none"> • Involves in all development in terms of SPLUMA, Physical Planning Act and Sub Division of Agricultural Resources • Representation on PDPF • Representation on Provincial Water Liaison Committee • Implementation of Land Care as initiated by NDA • MINMEC Agriculture 	<ul style="list-style-type: none"> • EIA's to be undertaken for all new agricultural projects to cover planning, de-bushing and irrigation.
---	--

3.2.3 Mining

Table 16: Description of the Mining Mandate within the Limpopo Province

<ul style="list-style-type: none"> • One of the three cornerstone of the Economy in the Limpopo Province • Regulates the optimal exploitation, processing and utilization of minerals • Ensure the safe and healthy working environment for mine workers • Ensure the environmental concern are dully addressed during rehabilitation and utilization

Table 16-1: Legislative Framework and Responsible Authorities for Mining

Relative legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • Mineral and Petroleum Resources Development Act (Act 28 of 2002) • Mine Health and Safety Act (Act 21 of 1996) • Spatial Planning and Land Use Management Act (Act 16 of 2013) 	<ul style="list-style-type: none"> • Regional office of Department of Mineral Resources (leading agent) • Department of Health • Department of Economic Development, Environment and Tourism • Department of Water and Sanitation

Table 16-2: NEMA Principles and Compliance thereof in respect of Mining

NEMA principles	Compliance and relevance NEMA principles
Sustainable Development	<ul style="list-style-type: none"> • Although EMPR's are required for all proposed prospecting mining operations not all mines has proposed EMPR's .Comments are rendered by LEDET Branch: Environment, Agriculture and DWS EIA's are required for all mining related activities as listed in the EIA regulation • The exploitation of non-renewable resources can only be sustainable in the long term if other sustainable developments are stimulated. The thrust of immediate financial benefits sometimes further nullifies the principle of sustainable development.
Integration of Environmental consideration in to Decision Making	<ul style="list-style-type: none"> • Although the EMPR process is supposed to address this principle. it is not always applied correctly. • EIA process for mining related listed activities addresses this principle.

	<ul style="list-style-type: none"> • Because of the pressure of the mineral development, environmental consideration are sometimes not taken in to consideration.
Participation, empowerment and transparency	<ul style="list-style-type: none"> • EMPR's provides limited opportunities for participation.
Environmental justice and Equity	<ul style="list-style-type: none"> • EIA process provides for public participation and an appeal procedure. • Mine Health and Safety Act provides the safety for the mine workers. • A closing certificates is needed before the mine declare closed by DMR. This means that rehabilitation has been performed to the satisfaction of the DMR. Not all mines where the mining activities have ceased have been fully rehabilitated.
Ecological integrity	<ul style="list-style-type: none"> • EMPR's can be sometimes so condensed that the ecology is completely left out. An EIA can also be requested in terms of the mineral Act for the prospecting and mining of ecological sensitive areas.
Co-operative governance	<ul style="list-style-type: none"> • Good co-operative governance between DMR and Environment, Agriculture and DWS on the EMPR's.

Table 16-3: Arrangement for Co-operative Governance in respect of Mining

Existing arrangements for co-operative governance and environmental management	Recommendation for Corporate Governance
<ul style="list-style-type: none"> • Existing system between DMR and relevant departments for the Evaluation of EMPR's that includes site visit • Liaison between Department responsible for township development and DMR Provincial Mineral Development Forum 	<ul style="list-style-type: none"> • Feedback regarding comments on EMPR;s and implementation thereof • Improve participation of LEDET: Environment on Provincial Mineral Development Forum

3.2.4 Tourism

Table 17: Description of the Tourism Mandate within the Limpopo Province

Description
<ul style="list-style-type: none"> • One of the three cornerstones on the economy in Limpopo Province. • Promote and market the tourism treasures on the Province • Develop an adequate Eco-Tourism destination

Table 17-1: Legislative Framework and Responsible Authorities for Tourism

Relevant legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • Proposed Tourism and Parks Bill in South Africa • EIA Regulations of 04 December 2014 	<ul style="list-style-type: none"> • Department of Economic Development, Environment and Tourism (Leading Agent) • Limpopo Tourism Agency (LTA)

	<ul style="list-style-type: none"> • Local Government • SATOUR • National Department of Tourism
--	--

Table 17-2: NEMA Principles and Compliance thereof in respect of Tourism

NEMA Principles	Compliance and relevant NEMA principles
Sustainable Development	<ul style="list-style-type: none"> • Tourism plans are integrated in the provincial economic and spatial (e.g. SDI's, LDO's and IDP's) • Comply with the EIA Regulations for the specific tourism related development.
Integration of environmental consideration into decision making	<ul style="list-style-type: none"> • Contacts with private investors includes the clause that all envisaged development must comply with the EIA Regulations.
Participation, empowerment and transparency	<ul style="list-style-type: none"> • Community, Public Private Partnership (CPPP) according to treasury regulations are currently being implemented. • Establishment of community Tourism Association and Community Forums, eg biosphere Reserves and Conservancies. • Projects are in place to ensure that Local Communities participate and have ownership of dedicated Tourism attractions ,e.g. Ivory Route.
Environmental Justice and Equity	<ul style="list-style-type: none"> • Projects encourage community involvement and equitable access to environmental resources based on Tourism as an Economic benefit.
Ecological integrity	<ul style="list-style-type: none"> • A commercialization program was initiated to encourage Private Sector involvement that will result in better Biodiversity conservation.
Co-operative governance	<ul style="list-style-type: none"> • The establishment of commercialization projects team representing relevant stakeholders exists. • The establishment of Limpopo Tourism Agency has ensured a better alignment of function. • A bilateral committee DEA and LEDET has been established to assist with Provincial programs related to Protected Areas Management and commercialization.

Table 17-3: Arrangement for Co-operative Governance in respect of Tourism

Existing arrangements for co-operative governance and environmental management	Recommendations of co-operative governance in environmental management
<ul style="list-style-type: none"> • Tourism board represents Provincial Tourism industry on Provincial level • Bilateral committee between DEA and LEDET to assist the Provincial programs related to Protected Area Management and commercialization 	<ul style="list-style-type: none"> • Clarification of roles of provincial and local authorities.

<ul style="list-style-type: none"> • Community Tourism Association (CTA) on local level • Participation of development and Tourism Committee within private structures where all relevant departments are also involved • MINMEC Tourism 	
---	--

3.2.5 Infrastructure

Table 18: Description of the Infrastructural Mandate within the Limpopo Province

Description
<ul style="list-style-type: none"> • Maintenance of existing infrastructure in Limpopo Province. • Provision of new bulk infrastructure and Municipal Services. • Housing delivery programs. • Government Capital Work Programs, ranging from schools, clinic. Roads, community centres. • Maintenance and development of the Provincial road infrastructure. • Development and maintenance of communication structures.

Table 18-1: Legislative Framework and Responsible Authorities for Infrastructure

Relevant legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • Limpopo Province Road Agency Act (Act 7 of 1998) • Roads And Ribbon Development Act (Act 21 of 1940) • Limpopo Province Road Ordinance Act (Act 22 of 1957) • National building regulation and building standards Act (Act 103 of 1977) • RDP • Spatial Planning and Land Use Management Act (Act 16 of 2013) • Municipal System Act (Act 32 of 2000) • Green Paper on Development and Planning (GG20071 of 21/05/1999) • Environmental Conservation Act (Act 73 of 1989) 	<ul style="list-style-type: none"> • Limpopo Province Department of Public Works, Roads and Infrastructure (Leading agent). • Road Agency Limpopo (RAL). • Department of Co-operative Government, Human Settlements and Traditional Affairs.

Table 18-2: NEMA Principles and Compliance thereof in respect of Infrastructure

NEMA principles	Compliance and relevant NEMA Principles
Sustainable development	<ul style="list-style-type: none"> • EIA's and development under the SPLUMA require developer to address sustainable development.

	<ul style="list-style-type: none"> • Some infrastructure development is covered in the spatial development plans. • Condition in tender documents ensure that the development for which the government is responsible, is not compromised in terms of quality and cost control, but environmental issues are not adequately covered.
Integration of Environmental consideration in to Decision making	<ul style="list-style-type: none"> • Addressed to some extent at strategic level through Spatial Development Plans • Only addressed at project level where EIA 's are conducted in terms of NEMA and SPLUMA otherwise not adequately addressed
Participation, empowerment and transparency	<ul style="list-style-type: none"> • EIA and SPLUMA requires public participation and involvement. • Enabling and facilitating suitably qualified, previously marginalized consultants to obtain work by ensuring that the system of appointment is fair and transparent and is monitored to avoid manipulation of unfair practices.
Environmental Justice and equity	<ul style="list-style-type: none"> • Only addressed in projects where EIA are conducted in terms of NEMA and SPLUMA.
Ecological integrity	<ul style="list-style-type: none"> • Strategically addresses in some extent in spatial development plans. • Only addressed on projects level where EIA are conducted in terms of NEMA and SPLUMA.
Co-operative governance	<ul style="list-style-type: none"> • EIA process requires involvement of relevant Department. Development tribunals consist of a multi-disciplinary teams.

Table 18-3: Arrangement for Co-operative Governance in respect of Infrastructure

Existing arrangements for Co-operative Governance and Environmental Management	Recommendations of co-operative governance in environmental management
<ul style="list-style-type: none"> • SPLUMA processes that include the development tribunals • Existing EIA Process • Provincial Development Planning Forum (PDPF) • Transport MINCOM 	<ul style="list-style-type: none"> • Department of Public Works Roads, and infrastructure requested an environmental awareness Program to be launched by LEDET to stimulate environmental awareness among their Managers. LEDET will capitalize on this program. • Need to expand Co-operative Governance to include all Department activities in this Province irrespective if the project is a listed activity or not. Provincial Planning Forum can be a useful tool.

3.2.6 Poverty Eradication and Community Empowerment

Table 19: Description of the Poverty Eradication and Community Empowerment Mandate within the Limpopo Province

Description

- Land reform program aims to reduce poverty, diversity sources on income and allow people more control over their lives and environment, and is expected to reduce the risk of land degradation
- Land redistribution program to ensure the sustainability of land reform program
- Provision of low coast housing
- Rural development-The impact of programs focusing on poverty alleviation (rural anti-poverty projects e.g. tomatoes source factory and straw berry hydroponics projects) through infrastructural development and the provision of social services.
- Community empowerment such as spin offs SDI's and community-based public works programs focused on poverty alleviation, job creation and infrastructural provision
- Community empowerment to allow communities to manage community reserves to their benefits e.g. the buffer zone next to the Kruger National Park

Table 19-1: Legislative Framework and Responsible Authorities for Poverty Eradication and Community Empowerment

Relevant legislative framework	Responsible Authorities
<ul style="list-style-type: none"> • Provincial Land Administration Act (Act 6 Of 1999) • Integrated Sustainable Rural Development Strategy (ISRDS) • Spatial Planning and Land Use Management Act (Act16 of 2013) • RDP • Housing Act (Act 107 of 1997) • Restitution of land Rights Act (Act 22 of 1994) • Extension of Security of Tenure Act (Act 62 of 1997) • Transformation of Certain Rural Areas Act (Act 94 of 1998) • Abolition of Racially Based Land Measures Act (Act 108 of 1999) • White Papers on SA Land Policy, 1997 	<ul style="list-style-type: none"> • Office of the Premier Limpopo Province • Department of Rural Development and Land Reform • Department of Co-operative Government Human Settlements and Traditional Affairs • Department of Agriculture (Provincial) • Department of Public Works, Roads and Infrastructure • Department of Economic Development, Environment and Tourism (LEDET)

Table 19-2: NEMA Principles and Compliance thereof in respect of Poverty Eradication and Community Empowerment

NEMA Principles	Compliance to relevant NEMA Principles
Sustainable development	<ul style="list-style-type: none"> • White Paper on Land Policy allows community facilitators to help communities to plan for sustainable land use. • EIA regulations and SPLUMA includes the assessment of environmental consequences of the proposed undertakings, e.g. the consideration of the sustainability of the natural resources for the proposed development like change in land use and residential development. • Community based natural resources management is currently extensively being developed.

Integrated environmental consideration in decision making of in to	<ul style="list-style-type: none"> • Environmental issues addressed in WP on Land Policy and acknowledge the risk of relieving land pressure without extending the environmental degradation over a wider area. • ISRDS acknowledge possible impacts on the environment in a broad scale but focuses on infrastructure economics and social issues.
Participation, empowerment and transparency and	<ul style="list-style-type: none"> • White Paper on Land Policy aims for the active participation of the applicant in the planning process. • A broad range of stakeholders have been identified by the ISRDS and the concept of rural development places emphasis on changing environments to enable poor people to earn more, invest in themselves and their communities and contribute towards maintenance of infrastructure. • EIA's and SPLUMA's provide for public participation. • Communities are learning that they can benefit from CBNRM.
Environmental Justice and equity	<ul style="list-style-type: none"> • White Paper on Land Policy takes the limited choices of applicants into consideration with the assessment of the environmental consequences of the proposed undertaking e.g 'environmental impact of a proposed environmental development' • The co-ordination and integration of land redistribution and agricultural development will promote equitable access to environmental resources to meet basic needs and ensure human wellbeing. • Communities are empowered to manage Community Reserve Areas.
Ecological integrity	<ul style="list-style-type: none"> • EIA regulations and the SPLUMA require the assessment of environmental consequences of the proposed undertakings to minimize impact of biodiversity and ecosystems.
Co-operative governance	<ul style="list-style-type: none"> • ISRDS is being implemented at Provincial level with all departments involved. • Spatial Planning documents focus their development proposals on poverty eradication.
Ecological Integrity	<ul style="list-style-type: none"> • EIA Regulations and the SPLUMA require the assessment of environmental consequences of the proposed undertakings to minimize impact on biodiversity and ecosystems
Co-operative Governance	<ul style="list-style-type: none"> • ISRDS is being implemented at provincial level with all departments involved. • Spatial Planning documents focus their development proposals on poverty eradication.

Table 19-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment

Existing Arrangements for Co-operative Governance and Environmental Management	Recommendations for Co-operative Governance and Environmental Management
---	---

CONTINUES ON PAGE 130 - PART 2



LIMPOPO PROVINCE
 LIMPOPO PROVINSIE
 XIFUNDZANKULU XA LIMPOPO
 PROFENSE YA LIMPOPO
 VUNDU LA LIMPOPO
 IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu
 Kuranta ya Profense • Gazethe ya Vundu**

*(Registered as a newspaper) • (As 'n nuusblad geregistreer) • (Yi rhijistariwile tanihi Nyuziphepha)
 (E ngwadisits'we bjalo ka Kuranta) • (Yo redzhistariwa sa Nyusiphepha)*

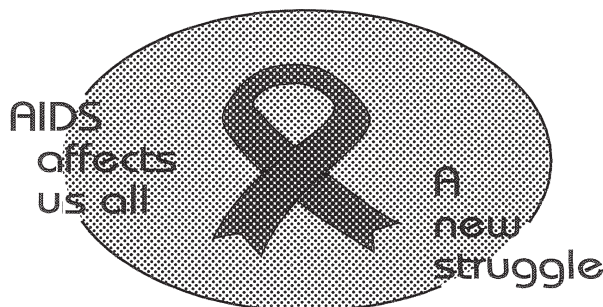
Vol. 23

POLOKWANE,
 10 JUNE 2016
 10 JUNIE 2016
 10 KHOTAVUXIKA 2016
 10 JUNE 2016
 10 FULWI 2016

No. 2715

PART 2 OF 3

We all have the power to prevent AIDS



**AIDS
 HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4563



<ul style="list-style-type: none"> • EIA Regulations and the SPLUMA involve all relevant Departments. • PDPF exists but is not well represented by all Departments • MINMEC Housing 	<ul style="list-style-type: none"> • Future redistribution systems should be rooted in the ISRDS, involving all three spheres of government along with traditional leaders. • PDPF to play a much more important role in the consideration of environmental issues relating to the various strategies and programs. • Expanding of Community Forum to other communities for the development of areas with potential.
--	---

3.2.7 Integrated Pollution and Waste Management

Table 20: Description of the Integrated Pollution and Waste Management Mandate within the Limpopo Province

Description
<ul style="list-style-type: none"> • A holistic and integrated system and process of management, aimed at pollution prevention and minimization at source, managing the impact of pollution and waste on the receiving environment and remediation of damaged environments. • This program represents a paradigm shift from dealing with waste only after it is generated towards pollution prevention, waste minimization, cross-media integration, institutional integration and involvement of all sectors of society. • Control over transport of hazardous chemicals. • Control over hazardous waste and the proper dealing thereof. This includes hazardous waste generated by industries and mines. The rehabilitation of old asbestos mines is a major issue in the LP and is done currently by DMR. • Control sources of air pollution from agriculture, hospitals and clinics, industries, mining and domestic waste, emissions (scheduled processes) and vehicle emissions. • Noise pollution from traffic, construction, mining, commercial and industrial activities. • The management, prevention and reduction of solid waste, medical waste and hazardous waste.

Table 20-1: Legislative Framework and Responsible Authorities for Integrated Pollution and Waste Management

Relevant Legislative Framework	Responsible Authorities
<ul style="list-style-type: none"> • Basel Convention on the control of the trans-boundary movements of hazardous waste and their disposal, 1989 • Bamako Convention on the trans-frontier movement of hazardous waste in Africa. 	<ul style="list-style-type: none"> • Department of Economic Development, Environment and Tourism(Leading Agent) • DEA • DWS • Department of Roads and Transport • Department of Local Government and Housing

<ul style="list-style-type: none"> • White Paper on Integrated Pollution and Waste Management for South Africa, GG 20978 of 17/03/2000. • RDP. • Growth, Employment and Redistribution Macro Economic Strategy • Energy Policy, GG19606 of 17/12/1998 • Atmospheric Pollution Prevention Act (Act No 45 of 1965) • National Water Act (Act 3 of 1998) • Road Traffic Act (Act 93 of 1996) • Hazardous Substances Act (Act 15 of 1973) • Minerals Act (Act No 50 of 1991) • EIA Regulations of 04 December 2014 • Municipal By-Laws on cleansing services, refuse removal, sewage disposal, noise control and air pollution, transportation of hazardous waste. 	<ul style="list-style-type: none"> • Local Governments • Department of Health • Department of Agriculture (National and Provincial) • Department of Mineral Resources
---	---

Table 20-2: NEMA Principles and Compliance thereof in respect of Integrated Pollution and Waste Management

NEMA Principles	Compliance to Relevant NEMA Principles
Sustainable Development	<ul style="list-style-type: none"> • Limited recycling of waste in the province • Leading agent has compiled a survey of all Provincial solid waste sites and a process was initialized to legalize all major solid waste sites. • A medical waste audit was conducted and recommendations were made to Department of Health. • The Auditor General audited Province on pollution and waste. The report highlighted several areas of concern.
Integration of Environmental Considerations into Decision Making	<ul style="list-style-type: none"> • White Paper acknowledges the need to integrate IPWM into all government policies strategies, programs and all spatial and economic development.
Participation, employment and Transparency	<ul style="list-style-type: none"> • White Paper creates the mechanism to increase awareness and concern for waste issues. The NWMS funds poverty alleviation projects relating to waste recycling. Currently six such projects have been implemented in the Limpopo Province
Environmental Justice and Equity	<ul style="list-style-type: none"> • Polluter Pays Principle is being enforced, e.g. clean-up operations where hazardous waste is spilled as well as spillages by industries and municipalities. • The affected communities are involved in decision-making regarding the rehabilitation of old asbestos mines.
Ecological Integrity	<ul style="list-style-type: none"> • EIA Regulations and permitting of waste sites and sewage works create mechanism to avoid/minimize disturbance to ecosystems.

	<ul style="list-style-type: none"> • As a result of industrial pollution, some water resources are still being contaminated. Monitoring of conditions attached to permits and authorizations have to be improved. • Asbestos pollution is threatening the ecological integrity of the area and streams (including the Olifants River) but major rehabilitation work has been done and is still ongoing.
Co-operative Governance	<ul style="list-style-type: none"> • As a result of industrial pollution, some water resources are still being contaminated. • Environmental Committees have been established at "Pollution hot-spots" in the Province. • Provincial Waste & Pollution Committee was established, which is receiving high political priority. • Asbestos rehabilitation is done by DMR but all relevant departments are involved, like Health, FEAT & E, Education, Agriculture and DWS.

Table 20-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment

Existing Arrangements for Co-operative Governance and Environmental Management	Recommendations for Co-operative Governance and Environmental Management
<ul style="list-style-type: none"> • Leading Agent, DWS and Minerals and Energy have a good working relationship. • Provincial Waste Management Committee was established. • Environmental Committees established at "pollution hot-spots" in the Province. • Asbestos rehabilitation meeting every six months. • CEC Working Group 3. • MINMEC Environment. 	<ul style="list-style-type: none"> • Department of Local Government, regional councils and municipalities need to participate more actively and approve funding for waste management and minimization projects. • Provincial Control Centre to be established to control the movement of hazardous waste and manage spills. For the next phase, " the project has to be expanded to include other Provinces • All role-players to become actively involved in Provincial Waste Management Committee. • Auditor General should develop criteria for future use.

3.2.8 Water Supply and Infrastructure

Table 21: Description of the Water Supply and Infrastructure Mandate within the Limpopo Province

Description
<ul style="list-style-type: none"> • Water supply (bulk structures) - water resource infrastructure planning, development and operation. • Development of Water Catchment Management Strategies. • Water quality management and control. • Allocation and regulation of water use licenses. • Development and implementation of water resource management strategies.

- Planning and implementation of the Work for Water Project.

Table 21-1: Legislative Framework and Responsible Authorities for Integrated Pollution and Waste Management

Relevant Legislative Framework	
<ul style="list-style-type: none"> • Mountain Catchments Areas Act (Act 63 of 1970) • National Water Act (Act 36 of 1998) • White Paper on a National Water Policy for South Africa, 1997 • White Paper on Community Water Supply and Sanitation, 1994 • White Paper on Sanitation, 1996 • The Water Services Act (Act 108 of 1997) 	<ul style="list-style-type: none"> • Department of Water and Sanitation (Leading Agent). • Department of Co-operative Government Human Settlements and Traditional Affairs • Municipalities. • Water Boards (e.g. Lepelle Water). • Catchment Management Agencies. • Water Use Associations.

Table 21-2: NEMA Principles and Compliance thereof in respect of Integrated Pollution and Waste Management

NEMA Principles	Compliance to Relevant NEMA Principles
Sustainable Development	<ul style="list-style-type: none"> • Working for Water Program will ensure sustainable yield in the long term. • For every housing development in the Province, a comprehensive geo-hydrological study is done to determine the best sewerage system. • Wastewater quality is monitored to minimize negative environmental impact.
Integration of Environmental Considerations into Decisions making	<ul style="list-style-type: none"> • CMA'S will ensure that environmental obligations are fulfilled. • EIA process and SPLUMA process addresses the selection of the best environmental option.
Participation, Empowerment and Transparency	<ul style="list-style-type: none"> • CMA's and WUA's take account of interests, needs and values of interested/affected parties. • Water supply programs in rural areas improve the quality of life of women and children.
Environmental Justice and Equity	<ul style="list-style-type: none"> • CMA's and WUA's take account of interests, needs and values of previously marginalized parties to ensure equitable access to water resources. • Water supply programs promote equitable access to environmental resources to meet basic needs and ensure human well-being.
Ecological Integrity	<ul style="list-style-type: none"> • Reserve determination and ecological classification of rivers will improve ecological integrity. • Water quality management contributes to ecological integrity of water resources of Province.
Co-operative Governance	<ul style="list-style-type: none"> • DWS is represented on majority of forums relating to environment in the Province.

Table 21-3: Arrangement for Co-operative Governance in respect of Poverty Eradication and Community Empowerment

Existing Arrangements for Co-operative Governance and Environmental Management	Recommendations for Co-operative Governance and Environmental Management
<ul style="list-style-type: none"> Provincial Water Liaison Committee. Liaison with LEDET regarding EIA's, waste dumps and water use and release permits. 	<ul style="list-style-type: none"> DWS Regional Office to be included in PPF. Water Liaison Committee be revived and include environmental representation.

CHAPTER 4: INSTITUTIONAL ARRANGEMENTS AND RECOMMENDATIONS FOR ENVIRONMENTAL MANAGEMENT AND CO-OPERATIVE GOVERNANCE

Taking the information as presented in the previous Chapter into consideration, it is acknowledged that provincially the greatest need in the short term is to clarify and agree on the co-operative Governance roles, responsibilities and relationships for different Government Departments and Organs of State, with respect to Environmental Management.

Detailed recommendations for the programs with overall Provincial importance have been provided in the previous Chapter.

The following recommendations are specific recommendations for Co-operative Governance and Environmental Management to be applied throughout the Province.

Table 22: Specific recommendations for Co-operative Governance and Environmental Management to be applied throughout the Province

INSTITUTIONAL ARRANGEMENT	RECOMMENDATION	RESPONSIBLE AUTHORITY	TIMEFRAME
1. Five clusters on political level (Interdepartmental Committees on political and HOD level to take decisions on planning and implementation of the Executive Committee's resolutions)	Ensure that environmental aspects are addressed in all clusters. Possible representation of LEDET (Environment Branch) on all clusters.	LEDET	APRIL 2016
2. Provincial Development Planning Forum (co-ordinate all planning processes in the Province)	<ul style="list-style-type: none"> Environmental issues to receive adequate attention, including ISRDS. Establishment of EIP substructure to ensure monitoring and continual improvement of EIP and drafting of EMP. Establishment of EIP substructure to assess and evaluate LDO's for approval. 	PDPF PDPF / LEDET PDPF	On going April 2016

	<ul style="list-style-type: none"> • Developments of database of all developments (including infrastructure development) in the Province. • Regional offices of national departments to be represented. 		
3. Mineral Development Forum (Co-ordinate mineral development in the Limpopo Province)	Improve participation of LEDET to ensure environmental issues are adequately addressed	LEDET	April 2016
4. Provincial Tourism & Parks Board	Clarification of roles of provincial and local authorities.	LEDET	Nov 2016
5. Provincial Control Centre for the movement of hazardous substances	Needs to be formalized	DPWRI	July 2016
6. Provincial Waste and Pollution Committee (Integrate waste & pollution functions between government Departments)	All role players to become active members to ensure that waste and pollution management is given the priority it deserves.	LEDET	Ongoing
7. Provincial Water Liaison Committee (Interdepartmental committee to take decisions on water issues)	LEDET to be represented to ensure that environmental issues are addressed adequately.	LEDET	Ongoing

4.1 Outcomes and Key Priority Indicators for EIP

This section of the EIP focuses on **Implementation Plans** and **targets of each Policy, Plan and Programme** that are carried out by various departments and identifies primary agents who will be responsible for implementation. The Options for Action are refined in this section to formulate quantifiable targets for the EIP 2015 – 2020.

Table 23: Implementation Plan and targets of each Policy, Plan and Programme

Issue	Response	Role-players	Indicators	Outcomes to be achieved	Estimated Performance Target				
					2015/16	2016/17	2017/18	2018/19	2019/20
BIODIVERSITY MANAGEMENT									
Biodiversity conservation	Biodiversity Sector Plan Developed	LEDET	Number of biodiversity sector plans approved	Ecosystems are Sustained and Natural Resources are used efficiently	1	1	1	1	1
	Waterberg Bioregional Plan finalised	LEDET	Number of bioregional sector plans approved	Ecosystems are Sustained and Natural Resources are used efficiently	Bioregional Plan developed	Bioregional Plan approved	Implement	Implement	Implement
	Mopani Bioregional Plan Developed	LEDET	Number of bioregional sector plans approved	Ecosystems are Sustained and Natural Resources are used efficiently	Bioregional Plan developed	Bioregional Plan approved	Implement	Implement	Implement
	Recommendations of the Limpopo Protected Areas Expansion Strategy implemented	LEDET	Number of biodiversity sector plans approved	Ecosystems are Sustained and Natural Resources Are Used Efficiently	1	1	1	1	1
WATER RESOURCES MANAGEMENT									
Maintaining Sustainable Water in the province	Ecological integrity of Water Resources sustained	LEDET and National Department of Water and	Number of ecological reserve survey reports (River health reports)	Water quality management contributes to ecological	1	1	1	1	1

	Sanitation (DWS)	National Department of Water and Sanitation	Conduct regional steering committee meetings	Enhanced Governance Systems and Capacity	At least two regional Steering Committee meetings for CM forums conducted	At least two regional Steering Committee meetings for CM forums conducted	At least two regional Steering Committee meetings for CM forums conducted	At least two regional Steering Committee meetings for CM forums conducted
	Catchment Management Agencies and Water Use Associations supported							
WASTE MANAGEMENT								
Waste Minimisation in the province	Provincial Integrated Waste Management Plan developed	LEDET	Approved Integrated Waste Management Plan 2015/16	Enhanced Governance Systems and Capacity	Integrated Waste Management Plan developed	Integrated Waste Management Plan approved	Implement Integrated Waste Management Plan	Implement Integrated Waste Management Plan
	Municipal Integrated Waste Management Plans submitted	LEDET	% of municipalities consulted on Integrated Waste Management Plan	Enhanced Governance Systems And Capacity	20%	20%	20%	20%
AIR QUALITY MANAGEMENT								
Particulate matter from denuded areas and mining	Licence conditions on air quality standards enforced	LEDET	Number of compliance and enforcement reports compiled	Enhanced Governance Systems and Capacity	2	3	4	4

Air quality management systems	Ambient air pollution monitored, linked to the necessary human, financial and equipment capacity being made available	LEDET District and Local Municipalities	Number of Ambient air quality monitoring stations in place and fully operational	Enhanced Governance Systems and Capacity	Monitoring stations running with management plans in place.	All 4 monitoring stations fully operational and reporting to SAAQI	All 4 monitoring stations fully operational and reporting to SAAQIS	All 4 monitoring stations fully operational and reporting to SAAQIS	All 4 monitoring stations fully operational and reporting to SAAQIS
Climate change	Climate change response planning and interventions developed	LEDET	Limpopo Climate Change Vulnerability Assessment Conducted	An Effective Climate Change Mitigation and Adaptation Response	1 Climate Change Vulnerability Assessment conducted	1	-	-	-
					1 Climate change response tool developed	1	1	1	1

The following general recommendations are cross cutting and not necessarily linked to a specific institutional arrangement:

Table 24: General recommendations are cross cutting and not necessarily linked to a specific institutional arrangement

RECOMMENDATION	RESPONSIBLE AUTHORITY	TIME FRAME
1. An Environmental Awareness Program to be launched to stimulate environmental awareness among MEC's, HOD's and senior managers in all Provincial Departments.	LEDET	To commence upon gazetting of the EIP and to continue for 1 year afterwards
2. Local Government must improve their participation and commitment in waste management and minimization projects	COGHSTA	Ongoing
3. A criteria which can be used for environmental auditing purposes needs to be formulated.	Auditor-General	May 2016
4. Monitoring of the implementation of the EIP must be done by the LEDET in collaboration with the PDPF Sub-Committee on EIP/EMP. All Provincial Departments and Regional Offices of National Departments must be represented on this Sub-Committee. The regional structures of local governments will also be included.	LEDET and Planning Directorate in Office of the Premier	Meet every Quarter
5. Complete annual report.	LEDET	Every year

CHAPTER 5: CONCLUSION AND KEY RECOMMENDATIONS

5.1 Conclusion

The drafting of the 2nd edition EIP for the Limpopo Province proved to be a tremendous learning curve for all parties involved. The importance of taking environmental issues into consideration during the decision making process was highly emphasized in the first Edition EIP for the Limpopo Province. The Second Edition shows a continuation of hard work and commitment in facilitating Environmental Co-operative governance in the Province.

It became evident in the stakeholder consultation process that there is a critical need for capacity building of Sector Departments and Local Government on Environmental issues and the Sustainable Development Concept. The LEDET will take this responsibility of filtering down capacity building to relevant role players, sector departments, Municipalities including local councillors as they are involved in the implementation of planning processes. The implementation and planning will be used together with the Limpopo Environmental Outlook as systems to collect information that will inform the provincial leadership how effective our governance of natural resources is.

Compliance with the applicable Environmental Impact Assessment Regulations and NEMA principles are critical tools used to ensure that environmental issues are considered when making decisions. The Limpopo Provincial Development Planning Forum (PDPF) will be used as platform to discuss the issues emanating from the implementation of this provincial environmental co-operative governance plan.

The LEDET will be responsible for the monitoring and updating of the EIP every five years as required in terms of Section 11 (1) of National Environmental Management Act (NEMA) as amended.

5.2 Key Recommendations

The main objective of the EIP is the improvement of Environmental Co-operative Governance in the province and key recommendations can be summarized as follows:-

- Alignment of all provincial strategic plans and municipal strategic plans with the Limpopo Development Plan.
- All sector provincial Departments must comply with the applicable Environmental Impact Regulations, the National Environmental Management Biodiversity Act (Act 10 of 2004) and compliance with NEMA principles.
- Development and implementation of bio-monitoring programs to determine quotas for resource use in the province.
- Ensure sustainable development is upheld and that environmental issues are considered in land use management.
- Participation of sector Departments and Municipalities in the Limpopo Provincial Growth and Development Forum to align and co-ordinate actions related to land use management and the implementation of the Limpopo 2nd Edition EIP.
- Implementation of the Environment Toolkit by municipalities; the development and implementation of the Environmental Management Frameworks (EMFs) together with SDFs to ensure that environmental issues are addressed in spatial planning.
- Development and implementation of the Provincial and Municipal Air Quality Management Plans as per the National guidelines.
- Implementation of provincial ambient monitoring program to monitor the impact of mines and industry on natural resources.
- Implementation and monitoring of the Limpopo Integrated Waste Management Plan.
- Promotion of Provincial Environmental Enforcement.
- Promotion of Environmental Capacity Building and Empowerment.
- Implementation of the Disaster Management Act (Act 57 of 2002) by the Limpopo Province.

REFERENCES

Department of Agriculture and Environmental Affairs. (2001). *Environmental Implementation Plan (EIP)*. Limpopo Provincial Government, Polokwane.

Department of Environmental Affairs (DEA). (2014). *A National Strategy for Sustainable Development in South Africa*. Pretoria.

Department of Environmental Affairs and Tourism. (2008). *Mainstreaming of the Environmental into Development: Issues and Opportunities Relating to the Accelerated and Shared Growth Initiative in South Africa*. Department of Environmental Affairs and Tourism, Pretoria.

Department of Environmental Affairs and Tourism (DEAT). (2006). *South Africa Environment Outlook: A report on the state of the Environment*. Department of Environmental Affairs and Tourism, Pretoria.

Department of Environmental Affairs and Tourism (DEAT). (2006). *Outcomes of the Stakeholder Consultations on Environmental Performance Indicators for local level reporting*. Department of Environmental Affairs and Tourism, Pretoria.

Department of Environmental Affairs and Tourism (DEAT). (2004). *Development of a Core Set of Environmental Performance Indicators*. Department of Environmental Affairs and Tourism, Pretoria.

Government of South Africa. (1996). *Constitution of the Republic of South Africa*. Act No. 108 of 1996.

Government of South Africa. 1998. *National Environmental Management Act*. Act No. 107 of 1998.

Government of South Africa. (2005). *Intergovernmental Relations Framework Act*. Act No. 13 of 2005.

Government of South Africa. (2005). *Municipal Systems Act*. Act No. 32 of 2000.

Limpopo Office of the Premier. (2010). *Limpopo Employment, Growth and Development Plan 2009 – 2014*. Limpopo Provincial Government, Polokwane

Limpopo Department of Economic Development, Environment and Tourism (LEDET). (2006). *State of the Environment Report*: Limpopo Provincial Government, Polokwane

Limpopo Provincial Government. (2015). *Development Plan (LDP): 2015 – 2019*.

Government of South Africa. (2010). *National Development Plan: 2010*.