



Western Cape
Government

Department of Environmental Affairs and
Development Planning

Greater Saldanha Area Environmental Management Framework Review

2022

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APPROVED

REVIEWED
By Karen Shippey at 5:17 pm, Mar 29, 2022

1. Introduction and Background

The Greater Saldanha Area Environmental Management Framework (GSA EMF) was adopted in March 2021 and gazetted on 4 May 2021 in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the Environmental Management Framework Regulations, 2010 (EMF Regulations). As part of an ongoing process of monitoring and evaluation, the Western Cape Department of Environmental Affairs and Development Planning (the Department) is reviewing the GSA EMF in the year following its adoption. The Review Report is an Annual Performance Plan (APP) deliverable of the Department.

Environmental Management Frameworks (EMFs) are recognized as a key component of the environmental impact management system in South Africa. It is also recognized that environmental planning is an essential environmental sector mandate, and that EMFs are essential environmental planning instruments.

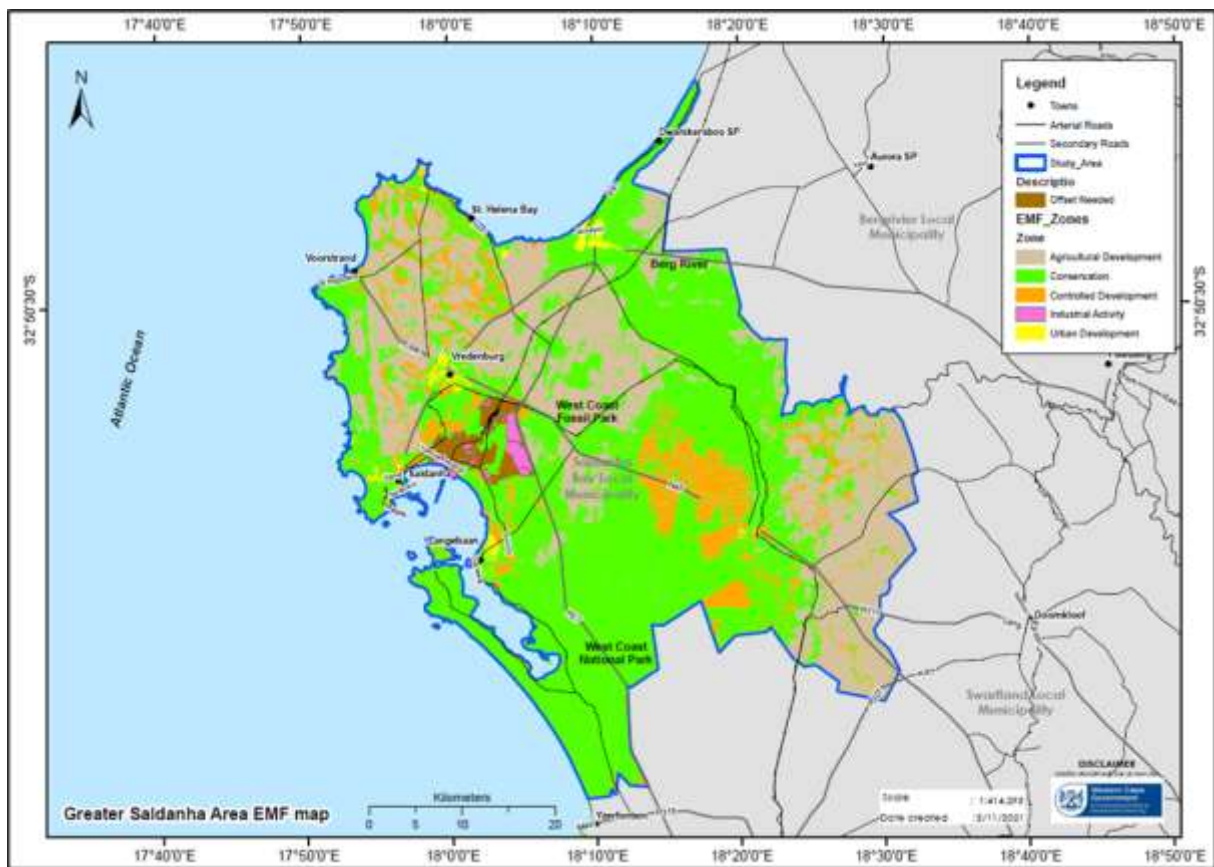
The Review Report aims to identify areas that can be improved in the development, drafting and implementation of EMFs; identify gaps in information; make recommendations to improve processes and EMFs in future; identify challenges experienced during the drafting and implementation phases. The objectives of the review are to:

- To evaluate the participation of role-players in the development of the EMF;
- To reflect on the implementation of the EMF in its first year following adoption;
- To reflect on the shortcomings of the EMF development process and its implementation; and
- To make recommendations on how to improve the EMF.

2. The GSA EMF Geographical Area

The Greater Saldanha Area is located on the west coast of South Africa, some 140 kilometres north of Cape Town. The two major routes that link the area to Cape Town are the R27 and the N7. There are several settlements along the coastline, with the largest towns being Saldanha and Vredenburg. The region is well known for its natural beauty, in particular the Langebaan lagoon, the Berg River estuary, the coastline and the spring flower season. There are also important cultural resources in the area, which include paleontological and archaeological features (e.g. Eve's Footprint). The West

Coast National Park (WCNP) is located in the southern part of the Environmental Management Framework (EMF) study area and is within Saldanha Bay Municipality (SBM).



MAP 1: Study Area for the Greater Saldanha Study Area

The EMF for the Greater Saldanha Area covers the Saldanha Bay municipal area (SBMA) and a portion of the Bergrivier Municipality (BRM). Environmental factors were applied in determining the extent of the area that should be encompassed in the EMF. It was originally envisaged that the EMF would cover the SBM. Since the SBM's northern boundary is partially located on the southern bank of the Berg River, the study area was expanded to include this river and estuarine system as it should logically fall under one environmental planning domain.

Both the SBM and the BRM fall within the WCDM. The Swartland Local Municipality is located to the south of the study area. Towns, settlements and rural nodes that are located within the EMF study area include Vredenburg, Saldanha, Paternoster, Hopefield, St Helena Bay, Langebaan, Jacobsbaai, Green Village, Koperfontein and Velddrif.

Saldanha-Vredenburg-Langebaan is the most populated and developed part of the region. The Port of Saldanha, which is equipped to deal with the import and export of bulk materials such as oil and iron ore, is an important economic driver in the region. As a result, an Industrial Development Zone (IDZ) focused on the port area has been declared [Saldanha Bay Industrial Development Zone (SBIDZ) Gazette Document, November 2012]. Traditionally, the fishing industry has been a key sector in the area, particularly in St Helena Bay and Saldanha Bay. Tourism has become an increasingly important economic sector in recent years and is largely based on the natural and cultural resources of the area.

3. Research Design and Methodology

The selected methodology of a study has a direct impact on obtaining the most accurate data to inform the findings and results. Research methods used in this study include:

- the completion of semi-structured interviews,
- the completion of questionnaires; and
- the review of environmental authorisations issued since the adoption of the EMF.

The Information was obtained directly from the source. I.e., interview / questionnaire participants and environmental authorisations from the Department. The questions used in the questionnaire and interviews were meticulously developed ahead of time. The researcher thus played a non-participative role and facilitated the collection of reliable information from relevant stakeholders, with limited bias or personal feelings.

According to Anderson and Arsenault (2005), the desired end products have a huge influence on the research design. These desired end products are the study outcomes, which are presented as the research objectives, and they determine what information and data will be beneficial in achieving the goals. The objectives of this Review Report are to evaluate the participation of role-players in the development of the EMF; to reflect on the implementation of the EMF in its first year following adoption; to reflect on the shortcomings of the EMF development process and its implementation; and to make recommendations on how to improve the EMF. The aims and objectives of this review were thus used to guide data gathering through the questions posed in the interviews and questionnaire.

3.1. Qualitative Design:

During this study, a qualitative design was utilized, resulting in the formation of new knowledge contribute new knowledge to the current body of knowledge in an area of environmental planning. Primary data was collected for this evaluative research which includes the original data collected through the interviews and self-administered survey. The research team selected the qualitative approach as to obtain first-hand information from the selected key stakeholder. In this way, the findings could be obtained from small but quality numbers of subjects (Will, 2008). The purpose of qualitative research is to gain a deeper understanding of a phenomenon ¹. In this case, the focus is on the GSA EMF, to try and gain a deeper understanding of the effectiveness of the EMF, based on the perceptions of stakeholders who have either been part of the development of the EMF or are key role-players in the implementation thereof.

3.2. The Sample:

Method of Recruitment:

Participants were contacted telephonically and via email to ascertain whether it would be feasible to interview them. As a result, many were aware of the nature of the research. Participants were informed of the purpose of the study up front prior to undertaking any activities.

Selection of sample group:

The selection of a sample group is vital for the study as it determines the answers to the research questions as well as fulfilling the objectives. ² This study included 'purposive' and 'snowball' sampling. Purposive sampling was used to identify the stakeholders relevant to the study. Purposive sampling is deliberate in the manner that the participants (stakeholders) are selected based on their knowledge and expertise and thus potential contribution to the fulfilment of the study's objectives (Tongco, 2007). Snowball sampling was also applied since the research team encountered that samples with the target characteristics were not easily accessible, the researcher had to

¹ (Naderifar et al., 2017)

² Bertram and Christiansen (2014) argue that sampling involves making decisions about which people, settings, events or behaviours to include in the study. Furthermore, a sample is a subset of a population that is representative of the population (Plooy-Cillers et al., 2014).

rely on referrals in other instances due to identified officials being unavailable because of other commitments.³

A sample of 24 officials from the environmental and planning sector were considered for participation in this study. There were 15 out of 24 participants who participated and contributed meaningfully to the study. The respondents were identified according to their occupation and expertise in the area. The purposive sampling method allows the research team to “*decide what needs to be known and sets out to find people who can and are willing to provide the information by virtue of knowledge or experience*” (Tongco, 2007). The purposive sampling method was convenient for the study, as some environmental officers and planners opted to not participate in the interviews. In these cases, the survey link was provided to individuals who were not available for interviews. The success of the data collection was in large part dependent on the willingness of selected persons to participate.

3.3. Qualitative Interviews

The main aim for including the empirical section was to identify areas that can be improved in the development, drafting and implementation of EMFs; identify gaps in information; make recommendations to improve processes and EMFs in future; identify challenges experienced during the drafting and implementation phases.

The potential respondents were first contacted by email that shortly presented the research team and the study. Upon expressing the willingness to participate in the study they were sent the short introduction, aim and the objective of the study. The selection of potential respondents within the institutions was based on the following: firstly, relevant officials within departments were inquired (the results demonstrate that this technique has worked due the fact that in case of non-willingness to participate the seniors of the departments tend to assign the task to their employees). Additionally, the selection of respondent within the institutions was also based on the recommendations of emailed or interviewed officials. Therefore, snowball sampling technique was also used in the study because the initial contacts guided or even helped to establish contacts with others.

³ Snowball sampling is a gradual process, and time influences the selection of samples (Naderifar et al., 2017).

Approximately 24 officials were contacted, and ten online interviews were undertaken via MS Teams. Furthermore, five full responses to the questionnaires were received and administered. In addition, respondents that were not directly involved in the development and implementation of EMFs but could add value were considered to partake in this study. Where participants did not want to do the interview, they were given the option to complete a questionnaire. Semi-structured interviews were conducted and lasted between 30 to 50 minutes. The selected participants had a wide range of interests and responsibilities, resulting in a large and diversified set of data. While conducting the interview, interviewees were encouraged to express their opinions and elaborate on issues related to their personal experience within the context of the interview questions. The interview schedule guideline is attached as Appendix B and it comprises a total of 13 questions.

3.4. Questionnaire Survey

The questionnaire was made available to officials in the Department, CapeNature, DFFE, the Saldanha Bay and Bergriver Municipalities, the Department of Water and Sanitation and the Western Cape Department of Agriculture, that may have inputs on this review of the GSA EMF. A questionnaire which consisted of open-ended questions was used to collect primary data. Using the questionnaire for data collection was essential for ensuring that the study does not diverge to other directions apart from those highlighted in the objectives.⁴

The study questionnaire was made up of open-ended questions to allow the environmental planner and spatial planners to voice their role and experiences in ensuring the implementation of the GSA EMF and to allow the dialogue to extend and potentially create the opportunity for the emergence of additional themes and data not covered by the questionnaire (Mack et al., 2005).

⁴ Questionnaires can incorporate close or open-ended questions.

Open-ended and close-ended questions differ in several characteristics, especially as regards the role of respondents when answering such questions. Close-ended questions limit the respondent to the set of alternatives being offered, while open-ended questions allow the respondent to express an opinion without being influenced by the researcher (Foddy and Foddy, 1993). This has several consequences for the quality of survey data. The advantages of the open-ended questions include the possibility of discovering the responses that individuals give spontaneously, and thus avoiding the bias that may result from suggesting responses to individuals, a bias which may occur in the case of close-ended questions. However, open-ended questions also have disadvantages in comparison to close-ended, such as the need for extensive coding and larger item non-response (Reja et al., 2003)

The primary instrument for stakeholder engagement/data collection is the utilisation of semi structured questionnaires. Semi-structured questionnaires are effective for structuring the interview process, in addition to creating an opportunity for the raising themes and topics initially not identified by the research team. Semi-structured questionnaires also allow greater spontaneity and adaptation of the interaction between the research team and the study participant (Brugha and Varvasovszky, 2000 and Mack *et al*, 2005). Semi-structured interviews are relevant in the study, as they will allow the research team and respondents to critically engage in dialogue pertaining to the Greater Saldanha Area EMF.

The complete questionnaire is listed in Appendix A and comprises a total of 13 questions.

3.5. Review of Environmental Authorisations:

This study includes the review of environmental authorisations to determine whether the GSA EMF was considered in the decision-making process. A list of all environmental authorisations issued since the adoption of the GSA EMF was provided the Departments Directorate: Development Management. The list also included cases currently underway. The environmental authorisations were then sourced directly from the case officers who dealt with those cases. Even though some applications may not mention the EMF, the competent authority may consider it as part of final decision making.

To date, since the adoption of the GSA EMF, there has been a total of twenty active EIA applications in the EMF geographical area. Seventeen of those applications are the Basic Assessment Applications and the other three applications are Scoping and Environmental Impact Reporting Applications. Environmental Authorisations have been issued for six of the applications. The remainder are either still pending or have lapsed. Five of the Environmental Authorisation were received, and one is outstanding.

4. Limitations of the Study

The data collection phase of the project was encompassed by a variety of limitations. The challenges encountered during this study were from various dimensions as evident below:

- The study was limited to government officials and did not include private individuals, such as Environmental Assessment Practitioners.
- The study did not include an investigation of the planning decisions taken at municipal level.
- The investigation of environmental authorisations was limited to those issued by the Department. The study did not include an investigation of environmental decisions taken by the National Department of Forestry, Fisheries and the Environment and the National Department of Mineral Resources and Energy.
- It was challenging to get the maximum amount of time and high numbers of respondents needed to collect the required data for this study.
- Collecting data from the potential participants was challenging in the sense that questionnaires were disseminated via email with the intention of gathering instant feedbacks from the respondents so that their information would be cooperated in the study but ended up giving either the partly answered nor the unanswered questions back to the research team.
- The research team had to skip some respondents due to their unwillingness to participate.
- Initially, the depth of interviews was limited due to time restrictions. This was also influenced by the fact that questionnaires were qualitative and required adequate time to complete.
- In addition, the personal online interview technique was used for ten interviews. Although this kind of interviewing does not provide a significant level of flexibility, the interviewer can return to the interviewees for clarifications or further information.

5. Data Analysis

5.1. Thematic Analysis

The study adopts a thematic method of analysis. Thematic analysis is the process of identifying patterns or themes that emerge from qualitative data (Maguire and Delahunt, 2017). A thematic analysis is appropriate for the study as the perceptions and

varying roles and involvement of participants are coded into different themes (Table 1). Thematic analysis involves identifying, analysing, and reporting patterns within data - a flexible technique that is suitable for building or supporting an argument in qualitative data analysis (Wilson. and Hutchinson,1991). The goal of a thematic analysis is to identify themes, i.e., patterns in the data that are important or interesting, and use these themes to address the research or to reflect an issue. The identification of common threads that extend across an interview or interviews is the essence of the thematic analysis method. From the recorded and transcribed participants interviews, themes and common threads emerged and were categorized in Table 1. Similarities and differences in different sets of data were scrutinized as well as for what different groups were saying. Finally, a summary of the results was developed.

5.2. Coding

Coding is context-specific and therefore allows each study to have a unique coding system dependant on various factors such as sample size, data size as well as frequency. For this study, data obtained from stakeholder interviews was categorised into alphabetical themes.

Transcriptions of stakeholder interviews were printed and highlighted according to the themes of categories. Coding can be a way of tagging data that is relevant to a particular point- for example identifying all the places in an interview where a stakeholder states something relevant to a particular question. Table 1 below illustrates the categories used to code the data obtained from the stakeholder interviews. It must be considered that certain responses overlapped and could be applicable to various themes. The themes however allowed for the systematic analysis of data.

Table 1: Coding of participants responses.

| Category | Themes |
|----------|---|
| A | Participation and Access |
| B | Communication and Capacity Building |
| C | Integration of instruments (Integrated SDF/EMF) |
| D | Effective Implementation |
| E | Review and updating of EMF |
| F | Decision support tool |

5.3. Feedback Themes:

A - Participation and Access:

Findings and discussion:

- Participation during the development of the EMF: The roles of different stakeholders on the project team / steering committee will differ. For example, as a member of the steering committee, you may be more involved in the development of the EMF (producing the information that goes into an EMF), whereas others are more involved in the implementation of the EMF to make decisions.
- To facilitate the effective implementation of the EMF, there is a need to inform the relevant role-players of the adoption of the EMF and where it can be accessed. Although most participants had access to an electronic version of the document, they were not aware that they were also able to access the document on the Department's website.
- Not all role players are integrally involved in the various phases of the EMF process (i.e., the planning, development, and implementation phase). For example, the role of the Departments Coastal Management Unit would be more linked to supplying the information that shapes the development of the EMF and ultimately influences how the EMF informs sustainable decision-making.
- Other role-players have a more direct role during regulatory decision-making processes (e.g., Environmental Impact Assessments) during the implementation of the EMF, i.e., using the EMF information to contextualise development applications.
- Other role players such as Waste management will have dual roles. These includes, shaping the EMF in terms of Waste Management needs but then also in terms of applying the EMF to regulatory decision making.

Currently, reviewing the environmental authorisations are the best place to determine the extent to which the EMF was considered in decision-making. This EMF follow-up will assist in keeping track on whether the EMF achieves its role and purpose.

Recommendations:

- To improve participation of stakeholders, it is important that there is clarity in where and when they must become active during the planning, development and implementation phases of the EMF. This should ideally be clarified during the planning phase prior to the commencement of the EMF process.

- The project steering committee should continue to have an active role during implementation to support the competent authority. For example, by using their relevant platforms to create awareness amongst relevant stakeholders.
- The EMF must also be clear on how and where information can be accessed during the EMF process as well as during the implementation phase.

B - Communication and Capacity Building

Findings and discussion:

- Participants indicated that the EMF was not communicated on all the relevant platforms. For example, the EMF should be presented on different forums / structures in the Municipality or in provincial and national departments. The result is that the implementation of the EMF is compromised.
- The EMF must be clear in terms of who should be using the EMF and how the information should be used. This will also help to focus capacity building and communication regarding the EMF's implementation (i.e. all stakeholders must understand what the value of the EMF is for them and how they can use it).
- Limited capacity building has been done on the GSA EMF. Although various officials responsible for the implementation of the EMF were involved in the development of the EMF, there are many more that have not had sight of the EMF yet. These include officials but also other role-players such as councillors in the municipalities.
- Furthermore, there are different structures / forums / committees that are responsible for different aspects in the municipality (particularly linked to development planning). It is important that the EMF and its implementation is effectively communicated, and capacity building done on all these relevant structures.

Recommendations:

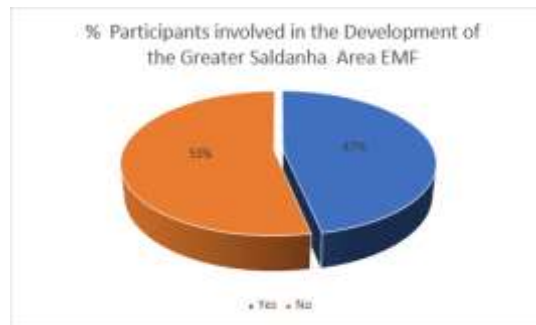
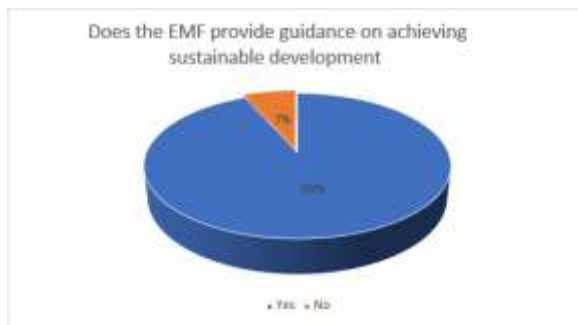
- It is important that the development and the implementation of the EMF is presented and communicated on various intergovernmental and other governance forums that affect and are affected by activities in the Greater Saldanha Area. For example, the SALGA environmental and planning forums.
- An ongoing effort is required to create awareness of the EMF within various governance forums.

- To facilitate the effective implementation of the EMF (i.e., the follow-up phase), consideration could be given to extend the role of the Steering Committee beyond the gazetting of the EMF (i.e., extend the steering committee's role into the implementation phase). Alternatively, the implementation of the EMF must be discussed at existing governance forums.
- The use of the EMF must be formalised during the EIA process and decision making through ensuring that the EMF is considered during the EIA process and decision - i.e., consistency of a development proposal with the EMF is specifically considered in and EIA as well as the decision-making process.
- The implementation of the EMF should include a capacity building plan. Such a plan should include all the relevant role-players and reflect when such capacity building will be done. Such a capacity building plan must be developed for the Saldanha EMF.

C - Integration of the EMF and SDF

Findings and discussion D:

- The Department has a specific drive to ensure that EMFs and SDFs are integrated or at least aligned in terms of its outputs. This is essential in reducing regulatory conflicts.
- Most of the participants agreed that an integrated SDF / EMF will be beneficial in both Saldanha Bay and Bergriver Municipalities. There is general feedback that the SDF and the EMF should reflect a common vision of sustainability.
- Feedback from the Saldanha Bay Municipality is that there is already a high level of alignment between the EMF and the SDF. The development of the EMF included the identifying, considering and trying to resolve areas of "land use conflict" between the EMF and SDF. These are areas where the SDF and EMF don't align in terms of the land use recommended for a particular area. However, these sentiments are not shared with Bergriver Municipality, who stated concern that more work was not done to integrate the EMF with the Bergriver Municipality SDF. These detailed discussions were not held with Bergriver Municipality, due to time and capacity constraints, and will need to be considered in a revision of the EMF.
- Differences in legislation and timing of the development of these planning tools were cited as potential challenges for integration. The different legislation also has different process and content requirements that need to be met.



- Achieving a common understanding of sustainability is a challenge. There are also instances where environmental attributes provides different reflections on sustainability. For example, the direction in which the town grows may be directed by the sensitive biodiversity. However, from an air quality perspective, such direction may be detrimental to the health of people that need to live there. Sustainability is context specific and requires a balanced consideration of various attributes. This complexity partly explains why there is often geographical areas in the EMF and SDF that have different reflections on land uses. This is an ongoing challenge that must be addressed through cooperation of stakeholders from different functional areas, during the EMF/SDF development process.
- The timing of the processes has not been effectively synced in the past.
- The planning and environmental officials in Municipality do not occupy the same levels of authority to influence the process. I.e., currently the planning officials occupy senior roles whereas the environmental officials occupy junior roles in comparison. There is thus a power dynamic at work that may compromise and complicate efforts to design and implement an integrated EMF/SDF process.
- An important consideration for an integrated SDF / EMF would be to ensure that balance the development pressure and the levels of acceptable change on the receiving environment. I.e., To ensure that the need for development does not compromise the ability to maintain the ecological integrity and socio-ecological connections at acceptable levels.
- Most of the stakeholder were of the view that innovation and effective proactive planning should however be able to overcome the challenge on non-alignment between an EMF and SDF.
- An integrated product would have to ensure that the process and content requirements of both an EMF and SDF are met. The process requirements are mostly dictated by legislation, whereas the content requirements are strongly insolence by information available and how this information is used



- In practice, the SDF and EMF have not always reflected a common vision of sustainability. In the past, SDFs presented multiple layers of development, with one environmental layer. Similarly, EMFs would present multiple layers of the environment with one layer of development. The complexity of the environment or the development has been oversimplified in both the SDF and EMF respectively, resulting in a lack of understanding. It is in this detail or lack of detail, where the SDF and EMF have resulted in reflecting different, often conflicting visions of sustainability. This was also the case in the GSA EMF, although many on the geographical spaces with conflicting land uses were resolved in consultation with stakeholders.

Recommendation D (integration of EMF and SDF):

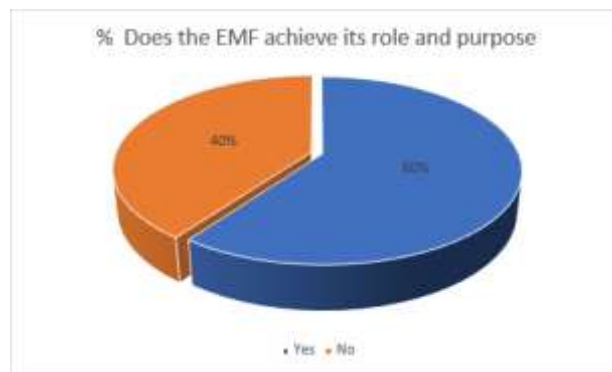
- Timing SDF and EMF process to be aligned or coordinated as needed (whichever works better). This will require a stronger focus on the planning process for EMFs/SDFs - i.e. ensuring that there are institutional agreements that will influence the officials responsible for planning the various processes.
- It is recommended that EMF should always integrate the SDF information into EMF. For example, using the SDF *status quo* as the baseline information for EMF *status quo* and building on that information.
- The implementation of an integrated planning approach (i.e. integrating EMFs and SDFs) must be clearly adopted as a policy decision by the Department. This was already expressed by the Head of Department but has not been captured as a formal policy decision (beyond it being communicated and implied in the “Coherence Memorandum” that was signed off by the Head of Department in July 2020).
- There must be an increased effort to promote integrated planning at a senior management level at intergovernmental forums.
- Consistent use of Environmental Management Zones of the EMF and Spatial Planning Categories of the SDF has proven to be very helpful in facilitating integrated

planning. This approach should be adopted as a common best practice towards implementing integrated planning.

- To incentivise integration/alignment of EMFs and SDFs, it is recommended that regulatory relief (e.g. determination of urban areas) must be based on an EMF or an integrated EMF/SDF.

D - Effective Implementation:

Findings and discussion:



- About 60% of the participants were of the view that the EMF is achieving its role and purpose.
- In terms of the legislation, an EMF must be considered during the EIA process and by the authority during decision-making processes.
- As a key decision-making authority, the Department has not been consistently used the EMF during the decision-making process (i.e., when evaluating EIA applications). The lack of implementation is evident in the environmental authorisations issued since the adoption of the EMF. One measure of effective implementation is whether the EMF is being used by the relevant competent authorities in the reasoning towards sustainability. However, none of the environmental authorisations refer to the EMF in its reasons for the decision. Unfortunately, as a key competent authority, the Department has not been consistently using the EMF during the evaluation of EIA applications. The reasons cited is a breakdown in communication and a lack of capacity building. I.e., After the adoption of the GSA EMF, capacity building sessions or meetings were not held with the Directorate: Development Management regarding the requirements of implementation – it was assumed that the awareness raising sessions as part of EMCOM and other management forums, were adequate in ensuring that officials will exercise their regulatory duties.

- This raises further concern in terms of how to keep track of national decision-making (both DFFE and DMRE) and municipal planning / AEL decision-making. Although the province is usually a commenting authority on national applications, the outcomes of such applications are not specifically tracked. It is thus unclear as to whether the EMF is being considered these processes and decisions. If the Department's officials did not consider the EMF in their own decision-making processes, they are unlikely to do so as a commenting authority.
- Another important question raised is, at what point in the Environmental Impact Assessment process must the EMF be considered? The EMF is an environmental planning tool that set the strategic context within which development can be planned. From this understanding, the EMF should be considered before the EIA process commences during the EIA process (e.g., when scoping issues and in considering need and desirability) and during the decision-making phase.
- Based on the information provided by stakeholders and the environmental authorisations, the EMF is being implemented to a limited extent by both the EAPs (in the EIA process) and by the relevant competent authorities.
- Although the province is usually a commenting authority on national applications, the outcomes of such applications are not specifically tracked. It is thus unclear as to whether the EMF is being considered these processes and decisions.
- The EMF is an environmental planning tool that set the strategic context in which development can be planned. From this understanding, the EMF should be considered in project planning before the formal EIA process commences.

Recommendations:

- It is recommended that the Department also include space in the EIA application form to indicate whether and how the EMF was considered. This will ensure that the EMF is considered upfront and identify and eliminate major red flags early in the process. For example, include a tick box on the EIA application form that includes questions such as, "is there an EMF in place that must be considered?" or "Does this development proposal fall within the geographical area of an EMF?"
- In the acknowledgement of the application, the Department should confirm such consideration and its implications. I.e., The acknowledgement of all applications for development in the geographical EMF should advise of such an EMF and whether the development proposal is consistent with the EMF.

- The Department should also highlight the need to consider the EMF in any pre-application meetings with Environmental Assessment Practitioners and applicants.
- It is recommended that officials must indicate that they have considered the EMF in their review of an application - it should be included in the reasons for a decision. By implication, the reasoning for deviating from the guidance that an EMF provides should be provided
- It is recommended that EMF follow-up should be formalised to monitor the consistency (or not) of decisions taken with the strategic context provided by the EMF.

E - Review and updating of EMF

Findings and discussion:

- The current review period of the EMF is five years. The EMF geographical area is however being affected with each new development or activity. This results in aging information in a rapidly changing landscape.
- The EMF geographical area is however being affected with each new development or activity. The EMF is thus essentially outdated almost as soon (or even before) it is adopted. There is also no format system in place to document and keep track of decisions that influences the validity and credibility of the EMF
- There is a need to keep the document as live/relevant as possible – i.e., to formalise EMF follow-up.

Recommendations:

- The EMF must be kept as live as possible. It is recommended that maps be updated as new information becomes available. However, this may require law reform in terms of the EMF Regulations. This issue must also be discussed with DFFE and other provinces as a key issue to be addressed to improve the effectiveness of EMFs.

F – Decision support tool

Findings and discussion:

- The EMF information is currently not spatially represented on all spatial / GIS platforms accessed by various role-players during the environmental impact assessment and decision-making processes. The EMF map can be accessed on the DEA&DP GIS site but is not reflected on the National Screening Tool and the Cape Farm Mapper, which is used by many officials.

- It is important that the EMF can be accessed on the various information platforms being used by officials and environmental consultants, including the National Screening Tool. EIA processes are required to use the National Screening Tool as baseline information into a process. If the EMF is included on this platform, it will always have to be considered by both applicants and decision-makers.
- Furthermore, the format in which the EMF information is made available (e.g., GIS viewer) is important and will influence the capacity (or lack thereof) of stakeholders to access it.

Recommendations C (information management):

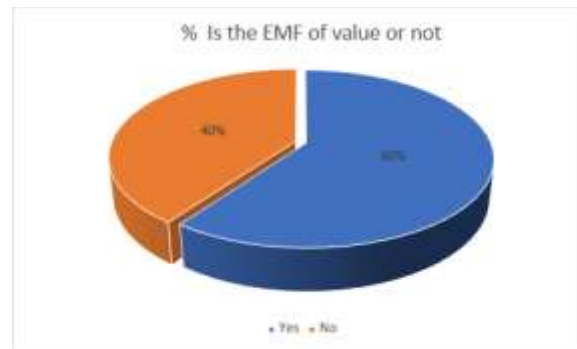
- The EMF must be uploaded on all the relevant platforms where it can be accessed by all the different role-players, that need to implement the EMF. These include but are not limited to the National Screening Tool, the Western Cape Department of Environmental Affairs and Development Planning GIS site and the Western Cape Department of Agriculture's Cape Farm Mapper.
- The public should be provided with a link that gives them access to all EMFs in the province. The EMF should be presented in such a way that different layers of the EMF can be turn on and off as required by the user.
- There is also the suggestion that all the environmental authorisations issued should be reflected spatially on the GIS site of the Department. This will aid in any future updates on the EMF, showing where land use had changed. It will also assist with monitoring and evaluating whether of decisions made and taken are consistent with the EMF.

G – Value adds of EMFs

Findings and discussion:

- Stakeholders maintained that the EMF adds value by setting a strategic context for decision-making.
- An important value add of the EMF is the identification of sensitive areas and to provide a strategic guidance in terms of environmental factors to be considered in decision-making.
- The EMF also aids and supports other authorities in the consideration of environmental factors in their decision-making processes.

- The above views expressed by stakeholders are however, in contrast with the finding that officials in the Department did not use the EMF in decision-making processes (i.e., not referred to in EAs)
- The potential alignment of the 'Urban Area' in terms of the EIA Regulations and the Urban Edge of the SDF will potentially reduce the regulatory requirements in terms of the EIA Regulations.



Recommendations:

- EMFs in general should have a dual approach. It should provide relevant information to provide strategic guidance to project level planning/assessment and regulatory processes. In addition, as an added value, EMFs can provide the strategic context to support the development of other project-level regulatory instruments such as standards.
- However, regulatory relief (e.g. determination of urban areas) must be based on an EMF or an integrated EMF/SDF. An SDF should not be used for this purpose.
- The EMF should be used to evaluate the sustainability of a project proposal through the application of the "need and desirability" requirement.

5.1. Environmental Authorisations

There are various persons that have a role to play in giving effect to the EMF. These included but are not limited to the environmental decision-making authorities (competent authority in respect of environmental authorisations under section 24 of NEMA), commenting authorities, authorities responsible for natural resources management, environmental assessment practitioners, applicants and interested and affected parties.

The need for and the desirability of a proposed development forms a key component (and a legal requirement) of any EIA application (DEA, 2017). The strategic context provided by the EMF (and other planning tools such as the SDF) is an important source of information to determining the need and desirability, that must be included in as part of an EIA process.

The EMF is a decision-support tool for environmental authorities when considering environmental applications in terms of section 24 of NEMA and the associated EIA Regulations and provides support to other authorities in the consideration of environmental factors in their decision-making processes, especially where these are concerned with the use of land and resources. In terms of Regulation 2(1)(c) of the 2010 EMF Regulations, when considering an application for an environmental authorisation, the environmental authority is required to (i.e., must) take an EMF into consideration unless it is irrelevant to the decision being made.

The environmental (competent) authority responsible for environmental decision-making, must therefore consider the EMF, as adopted in terms of regulation 5(1) of the 2010 EMF Regulations. Although there is no specific obligation placed on other organs of state to apply or use EMFs in their planning and decision-making processes, section 2(1) of NEMA does state that: "*the principles set out in this section apply throughout the Republic to the actions of all organs of state that may significantly affect the environment.*" In instances where an EMF is in place, this should assist an organ of state in taking account of the NEMA principles in relation to actions that could have a significant environmental impact.

Five environmental authorisations were reviewed in this study. For the purposes of this study, the intention was only to check whether the EMF was considered in the decision-making process of the EIAs. The study does not delve into the detail of whether the environmental authorisation is in direct conflict with the recommendations of the EMF. The environmental authorisation considered are as follows:

- "Proposed storage of ore and clearance of indigenous vegetation on portions 3 & 4 of Farm Langeberg 188, Vredenburg"
- "Proposed construction of a 6,5 million litres reservoir and connecting pipelines on Erven 609, 20/443, 8/43 1/44, Laingville"

- "Proposed Calypso beach dune stabilisation, Langebaan"
- "Proposed filling station and mixed-use development on Erf 4420, Piketberg"
- "Proposed expansion of the existing Bergrivier Municipal Cemetery on Restant of Erf 1002, Porterville"
- "Proposed clearance of indigenous vegetation on a portion of farm Wittewater 148, Piketberg"

None of the five environmental authorisations make mention of the consideration of the EMF. The assumption here is that the EMF was therefore not considered in these processes and has not included as part of the reasons for the decision.

6. Conclusion and Way Forward

The above study and review aimed to evaluate the participation of role-players in the development of the EMF; to reflect on the implementation of the EMF in its first year following adoption; to reflect on the shortcomings of the EMF development process and its implementation; and to make recommendations on how to improve the EMF.

Overall stakeholders reflected that they are aware of the GSA EMF and regarded it to be of value. However, this view is not reflected in the decision-making process in the Departmental decisions. To ensure a higher level of ownership of the EMF and its implementation, there is a need to expand on stakeholder involvement during all phases of the EMF process, especially the planning and development phases.

Although the focus of the review is on the GSA EMF, many of the discussions and recommendations can also be applied to improve the development and implementation of the EMFs in general.

This review provided an opportunity to interact with key role-players that were either involved in the development of the EMF or the implementation of the EMF. Valuable points were raised, and inputs provided by these role-players, which will ensure improved development and implementation in future. Based on this review, the value of reviews as a key component of EMF follow-up can be seen. Continued review will improve environmental planning in future.

7. References

- Anderson, C., 2010. Presenting and evaluating qualitative research. *American journal of pharmaceutical education*, 74(8).
- Anderson, G. and Arsenault, N., 2005. *Fundamentals of educational research*. Routledge.
- Berry, J., 2006. Quantitative methods in education research. Retrieved July, 24, p.2010.
- Bertram, C. and Christiansen, I., 2014. *Understanding research. An introduction to reading research*. Pretoria: Van Schaik Publishers.
- Braun, V. and Clarke, V., 2006. Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), pp.77-101.
- Creswell, J.W., 2005. *Educational research: Planning, Conducting and evaluating quantitative and qualitative research*. 2nd edition. Upper Saddle River, New Jersey: Pearson Merrill Prentice-Hall.
- DEA., 2017. *Guideline on Need and Desirability*, Department of Environmental Affairs (DEA), Pretoria, South Africa.
- Elliott, V., 2018. Thinking about the coding process in qualitative data analysis. *The Qualitative Report*, 23(11): 2850-2861.
- Environmental Impact Assessment and Management Strategy for South Africa, 2014
- Environmental Management Framework Regulations, 2010
- Greater Saldanha Area Environmental Management Framework, 2021
- Guetterman, T., Creswell, J.W. and Kuckartz, U., 2015. Using joint displays and MAXQDA software to represent the results of mixed methods research. *Use of visual displays in research and testing: Coding, interpreting, and reporting data*, pp.145-175.
- Hox, J.J. and Boeije, H.R., 2005. Data collection, primary vs. secondary. *Encyclopedia of social measurement*, 1(1), pp.593-599.
- Mokhtar, I., 2005. Quantitative Research methodology. [Online] Available: www.scribd.com/doc/98295/htp. [19 March 2022].
- Naderifar, M., Goli, H. and Ghaljaie, F., 2017. Snowball sampling: A purposeful method of sampling in qualitative research. *Strides in Development of Medical Education*, 14(3).
- National Environmental Management Act, 1998 (Act No. 107 of 1998)
- Plooy-Cillers, F., Davis, C. and Buzeidenhout, R., 2014. *Research Matters*. Juta & Company Publishers Ltd.

Reja, U., Manfreda, K.L., Hlebec, V. and Vehovar, V., 2003. Open-ended vs. close-ended questions in web questionnaires. *Developments in applied statistics*, 19(1), pp.159-177.

Saldanha Bay Spatial Development Framework, 2019

Tongco, M.D.C., 2007. Purposive sampling as a tool for informant selection.

Vaismoradi, M., Turunen, H. and Bondas, T., 2013. Content analysis and thematic analysis: Implications for conducting a qualitative descriptive study. *Nursing & health sciences*, 15(3), pp.398-405.

Yin, R.K., 2009. *Case study research: Design and methods* (Vol. 5). sage.

Maguire, M. and Delahunt, B., 2017. Doing a thematic analysis: A practical, step-by-step guide for learning and teaching scholars. *All Ireland Journal of Higher Education*, 9(3).

8. Review Participants:

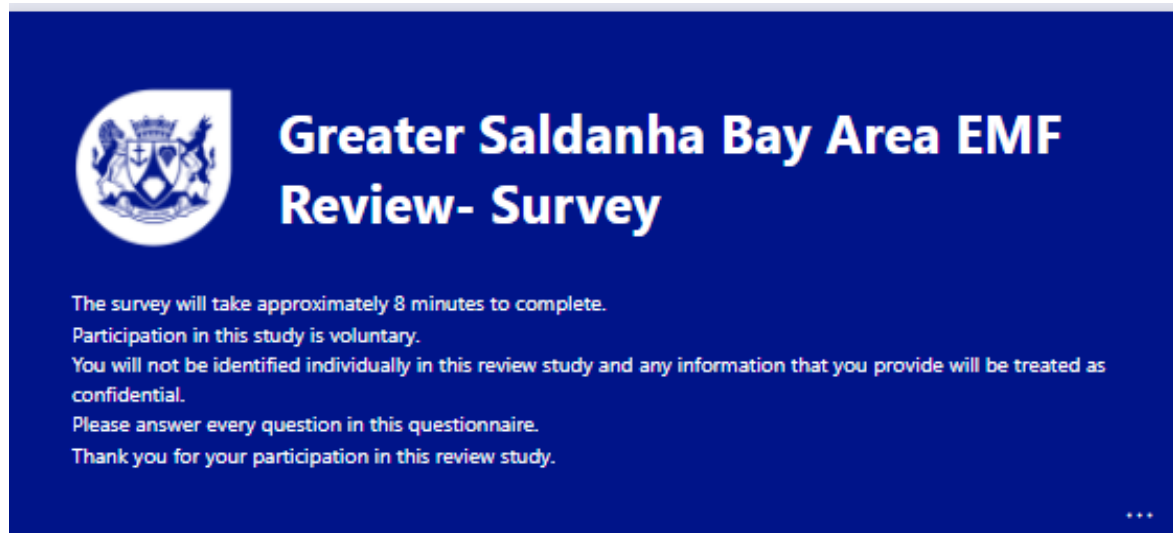
Interviews:

| | |
|---------------------|---|
| ● Nazeema Duarte | Saldanha Bay Municipality (Environmental Officer) |
| ● Lindsey Gaffley | Saldanha Bay Municipality (Planner) |
| ● Angila Joubert | Bergriver Municipality (Environmental Officer) |
| ● Jeanine Africa | DEA&DP (Spatial Planning) |
| ● Hadjira Peink | DEA&DP (Waste Management) |
| ● Ieptieshaam Bekko | DEA&DP (Coastal Management) |
| ● Ismat Adams | CapeNature |
| ● Eldon van Boom | DEA&DP (Development Management) |
| ● John Wilson | DEA&DP (Biodiversity Management) |
| ● Jan Smit | Western Cape Department of Agriculture |

Questionnaire Feedback:

- Department of Forestry, Fisheries, and the Environment
- Department of Water and Sanitation
- West Coast District Municipality

APPENDIX A: QUESTIONNAIRES SURVEY



The banner features the Western Cape coat of arms on the left. To its right, the title "Greater Saldanha Bay Area EMF Review- Survey" is displayed in large white font. Below the title, several lines of white text provide survey details: "The survey will take approximately 8 minutes to complete.", "Participation in this study is voluntary.", "You will not be identified individually in this review study and any information that you provide will be treated as confidential.", "Please answer every question in this questionnaire.", and "Thank you for your participation in this review study." A small "..." icon is located in the bottom right corner of the banner.

* Required

1. POPIA - Permission to distribute contact information to survey attendees for official record keeping purposes only. *

Yes, you may distribute my contact information.

No, do not distribute my contact information.

2. How/when did you come to know about the Greater Saldanha Area EMF ("the EMF")? Do you have access to the document? *

Enter your answer

3. Did you participate in the process of developing the EMF? Please describe your role in the purpose. *

Enter your answer

4. In your opinion, what would you consider to be the main role and purpose of the EMF?

Enter your answer

5. Do you think that the EMF achieved this role and purpose?

Enter your answer

6. To what extent are you familiar with the content of the Greater Saldanha Area EMF? Are there certain parts that are of more importance or relevance to you?

Enter your answer

7. Is the EMF of value to you? Please elaborate (consider this as an alternative to questions 8 and 9 below).

Enter your answer

8. In your opinion, is the EMF and the Municipal Spatial Development Framework reflecting a common vision of sustainability?

Enter your answer

9. If there are differences between the EMF and SDF, what are these differences? If possible, can you be specific.

Enter your answer

9. If there are differences between the EMF and SDF, what are these differences? If possible, can you be specific.

Enter your answer

10. Do you believe that the SDF and EMF can be an integrated document in future? Please substantiate.

Enter your answer

11. Does the EMF provide guidance on achieving sustainable development outcomes? Are the decisions taken by authorities, consistent with the EMF?

Enter your answer

12. What do you think does / can prevent the effective implementation of the Greater Saldanha Area EMF?

Enter your answer

13. The EMF has a minimum revision period of five years. What do you think can be done to improve the development and implementation of the EMF at in future? [any suggestions / recommendations?]

Enter your answer

14. How can better use of the EMF be facilitated and promoted as an important environmental planning tool?

Enter your answer

Submit

Never give out your password. [Report abuse](#)

APPENDIX B: INTERVIEW SCHEDULE GUIDELINE



Western Cape
Government

Department of Environmental Affairs and Development Planning
Vuyani Zuma/Lisa Petersen
Planning and Policy Coordination
Vuyani.Zuma@westerncape.gov.za | Tel: 021 483 2780

Interviewee: 000000000000
Organisation: 000000000000
Position: 000000000000
Length of service: 000000000000
Date: 000000000000
Re: Greater Saldanha Bay Area EMF Review Study- Interview

Interview Schedule Guideline

Instructions

- Participation in this study is voluntary.
- You will not be identified individually in this review study and any information that you provide will be treated as confidential.
- It should take approximately 30 minutes to complete the interview schedule.
- Please answer every question in the schedule.

Background

The Greater Saldanha Area EMF was adopted in March 2021 and gazetted on 4 May 2021 in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Management Framework Regulations, 2010.

As part of an ongoing process of monitoring and evaluation, the Department is reviewing the Greater Saldanha Area EMF in the year following its adoption. The Review Report is an Annual Performance Plan deliverable of the Department.

Aim

To identify areas that can be improved in the development, drafting and implementation of EMFs; identify gaps in information; make recommendations to improve processes and EMFs in future; identify challenges experienced during the drafting and implementation phases.

Objectives

- To evaluate the participation of role-players in the development of the EMF;
- To reflect on the implementation of the EMF in its first year following adoption;
- To reflect on the shortcomings of the EMF development process and its implementation;
- To make recommendations on how to improve the EMF.

Questions

1. How/when did you come to know about the Greater Saldanha Area EMF ("the EMF")?
Do you have access to the document?
2. Did you participate in the process of developing the EMF? Please describe your role in the process.
3. In your opinion, what would you consider to be the main role and purpose of the EMF?
4. Do you think that the EMF achieved this role and purpose?
5. To what extent are you familiar with the content of the Greater Saldanha Area EMF?
Are there certain parts that are of more importance or relevance to you?
6. Is the EMF of value to you? Please elaborate (consider this as an alternative to questions 8 and 9 below).
7. In your opinion, is the EMF and the Municipal Spatial Development Framework reflecting a common vision of sustainability?
8. If there are differences between the EMF and SDF, what are these differences? If possible, can you be specific.
9. Do you believe that the SDF and EMF can be an integrated document in future? Please substantiate.
10. Does the EMF provide guidance on achieving sustainable development outcomes? Are the decisions taken by authorities, consistent with the EMF?
11. What do you think does / can prevent the effective implementation of the Greater Saldanha Area EMF?
12. The EMF has a minimum revision period of five years. What do you think can be done to improve the development and implementation of the EMF at in future? (any suggestions / recommendations?)
13. How can better use of the EMF be facilitated and promoted as an important environmental planning tool?

*****Protection of Personal Information Act (POPIA) Disclaimer: All personal information will be handled as required by the Protection of Personal Information Act (Act 4 of 2013).]



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