



DISTRICT ENVIRONMENTAL MANAGEMENT POLICY

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Notwithstanding the review date as shown, this policy shall remain effective until approved otherwise by Council and may be reviewed on an earlier date as deemed necessary.

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1. PREAMBLE

- 1.1. CDM covers an area of 185 222.27 hectares, 12% of the surface area of the Limpopo Province, and has five local municipalities under its jurisdiction, namely, Aganang, Blouberg, Lepelle-Nkumpi, Molemole and Polokwane.
- 1.2. CDM has 547 settlements with a total population of 1 120 222 according to the 2001 census. Notwithstanding that the district is situated at the core of economic development in the province, it is located within one of the poorest provinces in the country and is mainly rural with unacceptable high unemployment figures.
- 1.3. The world and indeed the district are becoming more and more crowded, polluted and consumptive with regard to its utilisation of natural resources. Many of our residents are totally reliant on nature for their daily survival. As a consequence, natural systems, which are essential to support life, are becoming ecologically less stable, thereby also threatening the quality of human life.
- 1.4. The above scenario has prompted the development of an Environmental Management Policy, which will address the current inequities relating to sustainable development and environmental care in the district.

2. PURPOSE

- 2.1. The explicit purpose of a District Municipality can be described as follows:
 - a) In order to meet the basic needs of the community, it must ensure that services are provided equitably
 - b) It must ensure that services provided are sustainable.

3. OBJECTIVES

- 3.1. The objectives of the environmental management policy are primarily:
 - a) To ensure that Strategic Environmental Assessments, Environmental Impact Assessments and Social Impact Assessments, which take into account the cumulative impacts on and the capacity of the receiving environment including humans, are included in overall planning.
 - b) To articulate an approach to sustainable environmental management

- c) To provide for at least an acceptable minimum level of service while striving towards improved levels of service in the short to medium term notwithstanding the long-term goal
- 3.2. The general objectives are presented as follows:
- a) To establish an equitable system of governance with an emphasis on eliminating illegal practices;
 - b) To ensure access to information;
 - c) To educate citizens about environmental management;
 - d) To develop appropriate enforcement strategies; and
 - e) To enforce and monitor the application of relevant laws.

4. PRINCIPLES

- 4.1. The following principles underpin this policy and the system to be put in place for district environmental management;
- a) A commitment to adopting and implementing the principles and underlying approaches to sustainable development in the district and ensuring the integration of environmental issues into local government decision-making at all levels. A commitment to ensuring that current generations use natural resources in such a way as to maximise the benefit to all, while ensuring that those resources are protected for the use of future generations.
 - b) A commitment to the protection of the Constitutional rights to a healthy environment and the recognition of the responsibilities and obligations of sustainable service delivery and ecologically sustainable development for the benefit of all.
 - c) A commitment by CDM to developing and implementing detailed sectoral strategies, in order to implement and enforce the general policy principles, for all environmental issues so as to meet the commitments described in the sectoral approaches.
 - d) A commitment to a holistic approach to the environment and to protecting the district's biodiversity.

- e) A commitment to, as a minimum, meeting or where practical exceeding the requirements of relevant international, national and provincial environmental legislation.
- f) The recognition by CDM of the inherent rights of all living creatures and a commitment to the humane treatment of all animals, both domestic and wild.
- g) A commitment to the responsible stewardship of the resources within local governments charge, through open, consultative, integrated and transparent governance of the district. This will be achieved by ensuring that best practice environmental solutions and activities are implemented at all times and that sustained partnerships with communities are established.
- h) A commitment to applying the precautionary principle, which states that if the environmental consequences of a proposed activity are of significant impact and or concern and are uncertain, that activity should not be undertaken.
- i) A commitment to continual improvement. Environmental quality and human health and well-being should be continually improved through effective environmental management.
- j) A commitment to consider full environmental costs. The price of goods, services and processes must include full environmental costs throughout their life cycle.
- k) A commitment by CDM to the integration of environmental considerations in all its functions and activities, including strategic planning initiatives such as the Integrated Development Plan (IDP).
- l) A commitment to the involvement of, and partnerships with, civil society in decision-making processes regarding environmental management of the district.
- m) A commitment to a positive approach towards problem solving. A positive approach is required in order to avoid conflicts of interest and conflicts over the use of scarce resources.
- n) A commitment by CDM to recognising and minimising the impact of its activities on the physical environment, through understanding and monitoring its ecological and carbon footprint.

- o) A commitment to promoting an ethic of collective environmental responsibility in the district by means of environmental education and awareness programmes.
- p) A commitment by CDM to recognising the role of disadvantaged communities (particularly the youth, woman and persons with disabilities) in the development and enhancement of the district.
- q) A commitment towards accountability for actions. Those responsible for negative environmental impacts must pay the repair costs both to the environment and human health and the costs of preventative measures to reduce or prevent further environmental damage. This includes the principle of "the polluter pays" and requires efficient and effective law enforcement.

5. APPLICABLE LEGISLATIVE FRAMEWORK

- 5.1. South Africa's legislative environment regarding environmental management is generally fragmented and diverse.
- 5.2. The responsibilities for the execution of environmental management functions including the enforcement of current legislation is a national and provincial competence.
- 5.3. Despite this limitation, the following pieces of legislation form the backbone of the policy:

- a) **The Constitution of Republic of South Africa Act, 1996 (Act 108, 1996)** and related pieces of legislation as follows:
 - i) Section 24: The right to a clean and healthy environment
 - ii) Section 32: Access to information
 - iii) Section 33: Just administrative action
 - iv) Chapter 6: Provincial Government competency (Schedule 4 & 5)
 - v) Chapter 7: Local Government competency (Schedule 4 & 5)
- b) **The National Environmental Management Act (NEMA)(Act 107 of 1998)** and related legislation as follows:
 - i) The Biodiversity Act

- ii) The Air Quality Act
- iii) The Minerals and Petroleum Development Act
- iv) The National Health Act
- v) The Conservation of Agricultural Resources Act
- vi) The Occupational Health and Safety Act (OHSA)
- vii) The National Heritage Act
- viii) The Development Facilities Act
- ix) The Limpopo Environmental Management Act (a Provincial Ordinance)
- x) Environmental Impact Assessment Regulations
- xi) Relevant sections of the Municipal Systems Act to Capacity Building

c) **The National Water Act.**

- i) Section 20: Control of emergency incidents
- ii) Section 21 (g) and (h): water use includes disposal of waste in a manner, which may detrimentally impact on a water resource
- iii) Section 138: Establishment of a National Information System

6. DEFINITIONS

6.1. *Sustainable development* looks for a balance between economic, social, and natural environmental needs; it also seek to facilitate and enhance development which is sustainable, in order to meet the needs of present generations without compromising the ability of future generations to meet their own needs.

6.2. *Environment* is understood as the surroundings within which humans exist and that are made up of :-

- a) The land, water and atmosphere of the earth
- b) Micro-organisms, plant and animal life
- c) Any part or combination of the above and the interrelationships among and between them
- d) The physical, chemical aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being, and
- e) Ecosystems, habitats and spatial surroundings modified or constructed by people, including urbanised areas, agricultural and rural landscapes,

places of cultural significance and the qualities that contribute to their value.

- 6.3. *Policy* is understood to be a purposeful course of action based on current societal values, to influence human behaviour. The district environmental management policy aims to influence human behaviour in relation to the environment and utilisation of resources, concentrating in particular on the activities and areas of influence of local government. It is thus a set of guidelines and principles of action for managing and protecting the environment.

7. POLICY PROVISIONS

7.1. Our Responsibilities

7.1.1. Local Government Responsibilities

- a) The South African Constitution (Act 108 of 1996) guarantees everyone the right to an environment that is not harmful to their health or well being. Furthermore, the Constitution commits all levels of government to sustainable development so as to ensure that the environment is protected for present and future generations. Local government's constitutional roles and responsibilities reinforce the commitment of local governing bodies to these principles.
- b) Local government will implement this policy as part of an integrated district environmental management strategy. This strategy will give direction to local government's activities and programmes and thereby promote sustainable development.
- c) Management of the environment of CDM is also guided by emerging national as well as international law and legislation. Both this policy and its implementation must conform to these higher order statutes and directives, such as the International Convention on Biodiversity and the National Environmental Management Act 107 of 1998 (NEMA).

7.1.2. Civil Responsibilities

- a) The unique environment of the district, its protection and enhancement, is the responsibility of all that inhabit, or visit our district. This responsibility will be enhanced and promoted by local government while

civil society will play an active role in supporting, ensuring and monitoring the implementation of the policy.

7.2. Our Vision for the Environment of Capricorn District Municipality

7.2.1. Local government will be guided in its activities by the following vision for the environment in the years ahead.

a) In ten years time...

- i) There will be a high expectation from the people, of the authorities in respect of environmental management, monitoring, auditing, as well as accountability. Environmental issues will be dealt with in a structured and efficient way, and impact studies will have ensured a better aesthetic and ecologically balanced environment in the district;
- ii) There will be a positive relationship between local government and civil society, collective responsibility for the environment, and an ethic of partnership building;
- iii) The district population will be environmentally educated, aware and conscious. Equitable environmental education will have ensured that people care for and respect their environment;
- iv) The environmental quality will have improved in terms of air, water and land;
- v) The cultural heritage and the built environment will be enhanced, restored and protected, while diverse religions and cultures will enrich the social fabric of the district;
- vi) Environmental poverty will no longer exist and all communities will enjoy a good quality of life, including adequate nourishment, housing and education, and who enjoy safe, clean and healthy places to live and work and play;
- vii) Waste management will be efficient and recycling efforts will be supported and sustained by inhabitants of the district;
- viii) Wastewater treatment facilities will be efficient and comply with legislative requirements;

- ix) Public transport will be safe, clean, efficient and non-polluting. Commuters will be less reliant on private transport and there would be significant reductions in traffic congestion and air pollution. Public transport will provide all inhabitants of the district with a safe, affordable and convenient access to urban opportunities;
- x) There will be adequate and well-distributed open spaces for recreation and for sustaining biodiversity;
- xi) Water and energy resources and utilisation thereof will be optimally and efficiently managed;
- xii) CDM will be acting proudly as a leader in local government environmental management.

7.3. Implementation of the District Environmental Management Policy

7.3.1. The Policy will be implemented at the highest level of local government in the district. The General Policy Principles will give guidance and act as a framework for environmental governance. Detailed sectoral strategies will be developed in such a way that plans, actions, targets, indicators and programmes will be implemented to address particular environmental issues.

7.3.2. Implementation of the Policy and the sectoral strategies will occur through, with and by the sectors and line functions of the district municipality in an integrated approach. This will be given effect by:

- a) The adoption of the Environmental Management Policy as a corporate policy.
- b) The alignment and integration of the Policy with other corporate policies and strategies.
- c) The development and implementation of detailed sectoral strategies, as described in the sectoral approaches, within five years of the adoption of this policy.
- d) The development and implementation of six priority sectoral strategies within two years of the adoption of the Policy.

- e) A commitment to ensuring continued improvement in environmental performance.
- f) A commitment to establishing a policy implementation team, which includes representatives from senior management of all relevant service delivery units.
- g) A commitment to taking a strong position on all environmental issues in the district.
- h) A commitment to implementing strategies, systems and programmes to ensure that the policy statements committed to in this policy are realised in the district.
- i) A commitment to adopting, using and applying appropriate environmental management tools as part of the overall environmental management strategy of local government.

7.4. Tools for implementation of the Policy

7.4.1. A commitment by CDM to the principles of both integrated planning and decision-making, and continuous improvement in all its activities and operations that affect the environment. These principles will be given effect by:

- a) Local Agenda 21
- b) Regular environmental monitoring, public state of environment reporting, state of the river reporting and other reporting and environmental monitoring tools
- c) The use of effective and recognised Environmental Management Systems (EMS)
- d) The development and monitoring of sustainability indicators of performance
- e) The application of Cost Benefit Analysis (OBA) and full life-cycle cost analysis in the assessment of alternatives and selection of the optimum long-term sustainable solutions
- f) Adoption and implementation of the principles of Integrated Environmental Management (IEM) for all projects and activities
- g) The application of environmental risk assessment

- h) Developing environmental guidelines, where appropriate, for activities, which impact on the environment in the district
- i) The use of appropriate tools in meeting the Best Practical Environmental Option (BPEO) principle
- j) Continuing the research and development of tools for the integrated environmental management of the district
- k) Annual public reporting on sectoral approaches and implementation of the Policy
- l) Enforcement of laws, by-laws, international treaties and strategies
- m) Development of new laws and by-laws
- n) Environmental education programmes at all levels of local government.
- o) Spatial Development Framework (SDF) and Land Use Management Schemes (LUMS)

7.5. Sectoral Approaches to the Environmental Management Policy

7.5.1. The following section details sectoral approaches for the Policy. Sectors, departments, delivery units and line functions of CDM shall develop detailed implementation strategies to address these sectoral approaches. The sectoral approaches, which take the form of commitments, are based on the issues identified in the State of Environment Report (SoER), together with other issues identified through the IDP process.

7.5.2. Air

- a) A commitment to reducing the incidence of all forms of air pollution, both indoor and outdoor, and the potential environmental health risks associated with air pollution This commitment includes:
 - i. Developing a district policy on indoor and outdoor air quality involving communities and relevant authorities
 - ii. Local government shall determine air emissions requiring reduction and the levels of such reduction in the district and surrounding areas in consultation with all stakeholders

- iii. Local government shall clarify the respective roles within local government with respect to air pollution management and monitoring

7.5.3. Climate Change

- a) A commitment to develop and implement mitigation and adaptation strategies for climate change.

7.5.4. Water Resources

- a) A commitment to ensuring that the quality of available waters within the district is suitable for the maintenance of biodiversity, the protection of human health and a commitment to the principle that all inhabitants in the district have the right to clean, potable and adequate water sources.

This commitment includes:

- i. Recognising that water is a scarce and valuable resource, which sustains communities, ecosystems and economic development
- ii. Recognising the importance of groundwater as a water resource
- iii. The provision of adequate sanitation services to inhabitants to improve health and quality of life, as well as water quality
- iv. Local government shall co-operate with industries, relevant provincial and national stakeholders and other interested and affected parties to attempt to minimise effluent by treating at source and to improve effluent quality where necessary
- v. Management of water demand to ensure the long term sustainability and affordability of water resources and the environment
- vi. Ensuring water quality, at a minimum, meets national standards
- vii. The effective management of all wastewater systems

7.5.5. Landforms and Soils

- a) A commitment that recognises the conservation and enhancement of landforms and soils in the district is essential for;
 - i. The conservation of fauna, flora and biodiversity

- ii. Human activities such as farming and gardening
- iii. Minimising soil erosion
- iv. Ensuring sustainable and equitable land use practises within the district

7.5.6. Fauna and Flora

- a) A commitment to the conservation of biodiversity in the district through;
 - i. Recognising that the district's most valuable resource is its natural environment which provides a range of essential goods and services
 - ii. Recognising the negative impacts of invasive alien species on the environment
 - iii. Prioritising fire management within the district
 - iv. Ensuring sustainable and equitable land use practises within the district

7.5.7. Cultural Heritage

- a) A commitment to ensuring that the diverse cultural heritage of the district is preserved, protected and enhanced. This includes:
 - i. Recognising the rich cultural history of the district
 - ii. Recognising the importance of cultural practises
 - iii. Recognising all cultures and religions represented within the district
 - iv. Including cultural values, sites and landscapes of historic significance, areas of scenic beauty and places of spiritual importance in planning and decision-making

7.5.8. Urbanisation and Housing

- a) A commitment to recognising that shelter and services are needed for a growing population, whilst at the same time recognising that environmental features and systems need protection. This commitment includes:
 - i. The promotion of clean, healthy, safe and efficient living environments, which take communities, their needs and the surrounding environment into account

- ii. Emphasis being placed on upgrading the living environments of the urban poor
- iii. Recognising the need to manage uncontrolled urban expansion, which threatens the resources of the district and leads to unwanted social, environmental and economic costs, by working towards creating more compact urban areas
- iv. Spatial planning shall avoid the location of housing, services, industry and infrastructure in areas of high environmental health risk
- v. Recognising that open spaces is essential to the protection of biodiversity in the district and ensuring access to recreational opportunities for all, including physical access by disabled people.

7.5.9. Infrastructure

- a) The recognition that the supply and delivery of infrastructure can both improve our living environments and cause environmental impacts. This commitment includes:
 - i. Ensuring that the principles and approaches of sustainable development are applied in the planning and delivery of infrastructure
 - ii. A commitment to locally appropriate infrastructure which enhances the living environment
 - iii. A commitment to prioritising under-resourced areas for the development of infrastructure.

7.5.10. Energy

- a) Recognising the importance of energy and its role in development and the negative effects that energy production may have on the environment, a commitment to sources of energy with the least impact on the environment and health of communities. This commitment includes:
 - i. The consideration of energy efficiency in all functions and activities

- ii. A commitment to discourage the use of inefficient energy fuels and those that are characterised by high pollution levels
- iii. Reducing energy wastage
- iv. Investigation, support and promotion of alternative, renewable, cleaner and safer energy sources

7.5.11. Waste

a) A commitment to the need for an integrated waste management strategy that addresses both the production and disposal of solid and liquid wastes, as well as the safe collection, transport and disposal of waste, including the reduction of illegal dumping. This commitment includes:

- i. A commitment by local government to work towards avoiding, minimising, re-using, recycling, collecting and disposing responsibly of all domestic, commercial and industrial solid waste produced in the district, through focussing on waste producers
- ii. Recognising that combating illegal dumping and littering in the district through education and enforcement is a priority
- iii. Local government shall, in collaboration with national and provincial government, encourage industry and other producers to work towards the elimination of production and transport of hazardous waste and substances
- iv. Local government shall in collaboration with national and provincial government, provide sufficient facilities to ensure that hazardous wastes and substances are treated on site and disposed of safely and effectively as close to source as possible.

7.5.12. Economy

a) A commitment to the recognition that the environment of the district is its greatest asset and that sustainable development requires economic growth, the creation of jobs and the reduction of currently high levels of poverty in the district. This includes a commitment to:

- i. Recognising the interdependence of economic development, poverty and environment

- ii. Supporting economic development strategies and initiatives that promote global competitiveness, provide jobs, reduce poverty and improve living and business environments.

7.5.13. Emergency Services

- a) The ability of emergency services in the district to respond effectively to environmental health hazards and environmental emergencies is crucial. To safeguard against emergency situations;
 - i. Local government shall identify potential environmental health hazards
 - ii. Local government shall continue to improve its ability to avoid and control environmental hazards and respond to environmental emergencies in all parts of the district.

7.5.14. Environmental Education

- a) A commitment to supporting and promoting appropriate environmental education and awareness throughout the district and within local government structures to enable the effective participation of all in managing the environment. This commitment includes:
 - i. Building partnerships in environmental education between all spheres of government, the media, formal and informal educators, non-governmental organisations, community organisations, business and industry
 - ii. To empower all political decision-makers and officials of local government with the understanding, knowledge and skills to implement an environmental management system on an ongoing basis
 - iii. Supporting environmental education which enhances the understanding and appreciation of the environment and the opportunities that it creates while promoting an ethic of collective responsibility of the environment amongst all citizens

- iv. Local government shall commit financial and human resources to environmental education and the dissemination of information on the environment within the district
- v. Local government shall use its influence to support the development of environmental education programmes in all schools within the district
- vi. Local government shall provide support to initiatives to build the capacity of organisations of civil society to participate in environmental decision-making

7.5.15. Safety and Security

- a) In recognising that many communities in the district experience an unacceptable incidence of crime, a commitment to supporting crime prevention and the reduction of crime is needed. This includes a commitment to:
 - i. Supporting development, which enables sustainable livelihoods for all and contributes to reducing incidence of crime by addressing vulnerability
 - ii. Promoting safe living environments for all communities within CDM
 - iii. Considering safety and security in all planning aspects

7.5.16. Environmental Governance

- a) Recognising that effective environmental governance in the district is in the process of being established. As such, a commitment to:
 - i. The continued growth in the skills and resources available for environmental governance in the district
 - ii. Supporting community driven environmental projects
 - iii. Promoting environmental structures in the communities
 - iv. Open communication between local government, communities and all stakeholders
 - v. Enforcement of and compliance with environmental legislation, regulations and controls
 - vi. Environmental governance on behalf of people and the living environment

- vii. Promoting partnerships to ensure effective environmental governance
- viii. Including communities in the decision-making process

7.5.17 Information Management

a) Access

- i. To develop and maintain mechanisms to increase access to information and ensure effective management of environmental information and its dissemination.

b) Monitoring

- ii. To establish a database and ensure that such a database is updated regularly, is publicly accessible and incorporated within the existing Municipal GIS System;
- iii. To use the information from such a database to provide incentives that promotes environmental management.

c) Education

- i. To ensure that relevant information and education is available in all appropriate official languages.

8. IMPLEMENTATION AND MONITORING

8.1. Leadership Pledge to District Environmental Management Policy

- a) This pledge is to be signed by Councillors and senior management, committing local government to strive to uphold the principles of sustainable development in the district
- b) The Environmental Management Division is responsible for the implementation of this policy

APPROVAL

This policy was approved by council on the 24th day of January 2012
Signed by Manshata HM in his/hr capacity as Asst. Municipal Manager On
behalf of council, on the 27th of February 2012

This policy will be reviewed as and when authorities feel necessity.