

South Africa

SEA profile

Updated to: 09 October 2013

Establishing context

Screening process

Screening approaches vary depending on the nature and the objective of PPPs. The SEA guidelines of 2007 mention the use of 'triggers', checklists, and seeking advice from a competent authority or other expertise. (To be confirmed with DEA)

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

Timeline Screening

Not specified

Identification of stakeholders

It is advised that stakeholder engagement should be undertaken by a group of representatives of key authorities, NGO's or Community Based Organisations (CBO's) who form a steering committee, and then coordinate the participation of a wider group of stakeholders. Stakeholders are divided into two groups: key stakeholders who attend all meetings to provide input and general stakeholders who do not have to attend all meetings but have to be involved.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa (appendix 5)

Setting SEA objectives

It also proposes that a clear vision of the SEA purpose and what is to be achieved is formulated with the involvement of community groups. Depending on the context, the vision can be defined through extensive stakeholder engagement, or the SEA team can draft a vision for discussion with stakeholders. This vision is then used to steer participants towards an agreed goal and set of objectives. Alternatives can be formulated through a combination of expert judgement, authority requirements and key stakeholder input, preferably drawing on the situation assessment and the analysis of opportunities and constraints.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

Implementing SEA

Scoping process

Not clearly specified in legislation. The guideline does recommend scoping and suggests that scoping is done by determining the limits of acceptable change, which are based on the SEA objectives and sustainability goals. It is advised that key stakeholders in the SEA process should agree upon the sustainability objectives and LAC. These limits are meant to provide valuable information to assist in the evaluation of potential significance of environmental effects and in choosing indicators for monitoring and evaluation.

Outcome of scoping:

The guideline suggests that the scoping outcome should include:

- a) scale and boundary of SEA;
- b) a vision for the plan;
- c) sustainability objectives and criteria;
- d) limits of acceptable change and thresholds;
- e) indicators to describe current levels and trends of environmental quality, evaluate progress towards sustainability and to enable corrective and adaptive management during PPP implementation.

Participation in scoping

The guidelines suggests the involvement of specialists, authorities and other key stakeholders (including CBOs, NGOs, business, academics and educational institutions, any interested and affected member of the public).

Baseline data

Baseline data is required and is collected during 'situation analysis'. The specific methods for the data collection are not specified. However, the DEAT guidelines 2007 give a list of questions as suggestions for use by SEA practitioners during baseline data collection.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa (Section 4.5)

Alternatives

It is advised that alternatives should be assessed against the SEA sustainability objectives. According to DEAT 2007, consideration should be given hierarchically to; a) need or demand; b) mode or process; c) location; d) timing and detailed implementation. Additionally, qualitative and quantitative assessment

including matrices may be used

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

Assessment/mitigation of effects

The SEA guidelines state that the following should be considered in assessing impacts:

- the degree of change in environmental quality likely;
- the extent to which the proposal meets sustainability requirements;
- the levels of scientific uncertainty, gaps in information and or unprecedented nature of the proposal; and
- the levels of risk of unacceptable, irreversible or irreplaceable loss of natural capital. Specifically, it is advised to use both quantitative and qualitative approaches including matrices, GIS, modelling, multi-criteria analysis, causal effect diagrams or causal chain analysis, cost benefit analysis, risk assessment and scenario building.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa (Section 4.8)

Content of SEA report

Not specified

Review process

At present, there are no legislated responsibilities for government authorities to review a SEA. Reviewers could include relevant authorities, specialists and interested and affected parties. Review is guided by the terms of reference as determined at the beginning of the SEA process.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

Participation in review

Not specified

Timeline review

Not specified

Informing decision making

SEA and planning decision-making

According to DEAT 2007 guidelines, SEA outcomes should include an explicit plan with specific actions to be taken in order of priority, clear and practical responsibilities, as well as timeframes and budgets (where possible), which ensure that the PPP can be implemented in the most sustainable manner possible. This plan should be presented to decision makers as a short, concise, summary of actions with supporting material in appendices as necessary. The plan should also provide clear instructions on checking the implementation of the PPP and its effectiveness, and give guidance on possible adaptive or corrective actions where implementation is not effective.

SEA approval is not necessary for all planning decisions. However, municipalities are obliged to undertake SEA of the spatial development framework contained in the Municipality's plan.

Justification of decision

Being a non-mandatory process, decisions do not necessarily have to be justified based on SEA. However, SEAs prepared within the framework of Municipal Systems Act Regulations are used as justifications for decisions.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department.

Follow-up

Monitoring and evaluation

An implementation strategy for monitoring of decisions is required. NEMA states that every environmental authorisation must ensure that adequate provision is made for on-going management and monitoring of the impacts of the activity on the environment through the life cycle of the project.

Further more, PPPs are supposed to be evaluated. Assessment is done for linkages, potential support for and/or conflict with other policies in different sectors or geographic regions, evaluating the effectiveness of policy implementation and assessing whether or not the outcomes are meeting the objectives of that policy.

source

NEMA (sec 24d) and DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa

SEA practice

Annual no. of SEAs

Approximately 5

source

Retief, F., Rossouw, N., Jones, C. And Jay, S. 2004 Status of SEA Practice in South Africa. Impact Assessment for Industrial Development: whose business is it?, International Association for Impact Assessment conference, Vancouver Canada.

Central SEA database

There are no specified provisions for a central database. The relevant authority registers applications by the applicant/consultant.

Professional bodies

- *Centre for Public Participation*: The Centre for Public Participation is an independent non-partisan organisation contributing towards the building of an empowered civil society engaging actively with accessible and accountable structures and processes of government. Through its monitoring, lobbying, research and capacity building programmes, it strives to ensure that the government policy and legislative processes are transparent, accessible and accountable.
- *International Association for Impact Assessment South African Affiliate (IAIASa)* The website of IAIAsa contains useful information, resources and links for EIA practitioners, as well as information on forthcoming conferences.
- The *Southern Africa Institute for Environmental Assessment (SAIEA)* is an independent organisation, with access to a large number of professionals from within the southern African region, who provide expertise in a wide range of fields and disciplines. Their website contains links to case studies, EIA guidelines, Manuals and training on EIA.
- The *Environmental Assessment Practitioners Association of South Africa (EAPASA)* performs a quality assurance role in EA practice. 802 individuals are the founding members and form the organisation. It has not yet been consulted.

Background information

History of SEA

The requirements for SEA in South African law are limited. SEA is not an explicit legislative requirement, but it is implied in provisions which require environmental assessment for policies, plans and programmes. In practice, this means that SEA application is voluntary. However, SEA and SEA-related tools are promoted in the framework legislation and in the policy. Non-binding guidelines have been drafted for application of SEA at the planning and programme level. The first guidelines were published by DEAT in 2000. These guidelines were produced under the National Environmental Management Act (NEMA) No 107 of 1998, which anticipated the development of procedures for SEA of policies, plans and programmes, but such procedures do not yet exist. Following the experiences with SEA in subsequent years, DEAT published in 2007 an integrated environmental guideline on SEA to update the 2000 guidelines.

SEA is being practiced on a voluntary basis in two different ways: as integrated studies forming part of the planning and programme design process and as large-scale EIA studies.

source

Clayton and Sadler, 2005. Strategic Environmental Assessment: A Sourcebook and Reference Guide to International Experience. International Institute for Environment and Development, London, OECD and UNEP in association with Earthscan Publications.

Legal framework

Enabling law

There are currently no legislative requirements that make SEA mandatory in South Africa. However, the National Environmental Management Act (NEMA) (No.107 of 1998) makes provision for the development of assessment procedures that aim to ensure that the environmental consequences of policies, plans and programmes are considered.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

- [Links to legislation on DEA website](#)
- Cape Gateway overview of impact assessment regulation and guidance

National detailed regulation

There are national regulations that outline the procedural requirement for SEA. Some regulations though, for example the Municipal Planning and Performance Regulations, only state that a strategic assessment of the spatial development framework contained in the Municipality's plan is required. The procedure/ quality control mechanism are not given.

Guidelines

In 2007 DEAT issued Strategic Environmental Assessment Guidelines as part of the Integrated Environmental Guideline Series.

Scope of application

SEA is promoted for policies, plans and programs alike.

Exemptions from application

There are no obvious indications of exceptions.

SEA approach

The DEAT 2007 SEA guidelines state that SEA can be EIA based, integrated and/or a sustainability-led process. The guidelines provide the advantages and disadvantages of each of these methods.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

SEA tiering with ESIA

Information on SEA/EIA tiering is limited. The guideline promotes the concept of a tiered approach.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

Institutional setting

Central SEA authority

The Department of Environmental Affairs is the main SEA authority.

(De)centralisation of SEA mandates

Responsibility for SEA may be devolved to provincial and local authorities. This depends on the nature and location-specificity of the policy, plan or program. (To be confirmed with DEA).

Initiator of the SEA

The Plan owner commissions the SEA study. The study is often managed by consultants with active involvement of the organisation that commissioned the SEA.

source

DEAT (2007), Strategic Environmental Assessment Guideline, Integrated Environmental Guideline Series 4, Department of Environmental Affairs and Tourism (DEAT), Pretoria, South Africa.

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