



edtea

Department :

Economic Development, Tourism and
Environmental Affairs

PROVINCE OF KWAZULU-NATAL

EIA PROCESS AND PERCIEVED DELAYS MSUNDUZI MUNICIPALITY

**MSUNDUZI IDP REPRESENTATIVE FORUM
30 SEPTEMBER 2016**



PURPOSE OF EIA

- To give effect to **everyone's** right to an environment that is not harmful to their health or wellbeing
- To consider and minimise our environmental impacts so that we cater for present and future generations
- Environment is not just about butterflies and frogs.. Its about placing people at the centre of environmental management
- The environment is not only impacted on by people.. But a degraded and polluted environment also impacts on people and their rights
- Specific activities have been identified that must undergo an environmental assessment before they may be developed

BASIC ASSESSMENT PROCESS

Applicant & Environmental Assessment Practitioner (EAP)	Competent Authority (CA)
Submission of Application	Acknowledge receipt of application within 10 days
Submit Basic Assessment Report (BAR) within 90 days (or 50 additional days if addition info identified by EAP)	Issue Decision within a maximum of 107 days of receipt of BAR
Maximum of = 197 to 247 days	

SCOPING AND ENVIRONMENTAL IMPACT REPORTING PROCESS (S&EIR)

Applicant & Environmental Assessment Practitioner (EAP)	Competent Authority (CA)
Submission of Application	Acknowledge receipt of application within 10 days
Submit Scoping Report (SR) within 44 days of receipt of application	Accept or refuse SR within maximum of 43 days
Develop and Submit EIR within 106 days of CA accepting the SR (or 50 additional days if addition info identified by EAP)	Issue Decision within a maximum of 107 days of receipt of EIR
Maximum of = 300 to 350 days	

Notes on Time Frames

- Minimum 30 days required for Public Participation for each stage by EAP.
- State organs have 30 days to comment
- If legislated timeframe lapses (Applicant) **the application lapses and is withdrawn**
- No payment of fees for LM or DM as applicant.
- Applications lodged in terms of 2010 EIA Regulations to be processed and finalised in terms of 2010 EIA Regulations (different timeframes)

Issues of note/ implications.

- Municipalities must take note of timeframes and the lapsing of applications
- Continuous consultation between Municipality, EAP and the Department is crucial to prevent miscommunication
- Contract and project management by the Municipality of the EAP
- Budget and PLAN for the EIA process at the very beginning of the development process

EIA Applications in Msunduzi

EIA	STATUS	RESPONSIBILITY
DC22/0017/2016: Hollingwood housing application	Application was withdrawn on 07 Dec 2015 as EIA report was not submitted in time. New application received on 24 March 2016 with SR received on 06 May 2016 and approved Final EIA report needs to be submitted by 04 Oct 2016	Municipality
DC22/0036/2016: Pietermaritzburg Airport expansion	Application received on 22 Aug 2016. Received Final SR on 26 Sep 2016. Being reviewed by Department	Department

EIA Applications in Msunduzi

EIA	STATUS	RESPONSIBILITY
<p>Dc22/0009/2016: Otto's bluff to Chase Valley Link road</p>	<p>Application received on 12 Feb 2016 EAP requested additional 50 days to submit BAR Municipality informed on 25 July 2016 that BAR deficient and required impacts to be assessed Despite attempts by Department to facilitate a BAR that meets legal requirements the only option available was to withdraw the application on 28 Sept 2016</p>	<p>Municipality</p>
<p>DC22/0014/2014: Integrated Rapid Public Transport Network</p>	<p>Received Final SR on 21 Nov 2014 Accepted Final SR on 28 Nov 2014 Submission of Final EIA report continuously delayed by Municipality and EAP Still awaiting Final EIA report!! Now a Compliance Enforcement issue</p>	<p>Municipality</p>



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