



IAIASA / ELA ANNUAL CONFERENCE 2015

PRE-CONFERENCE COURSE:

AN INTRODUCTION TO 'ONE ENVIRONMENTAL SYSTEM'

Description:

This course is aimed to introduce participants to the so-called 'one environmental authorisation system' recently introduced in South Africa by the amendment of various pieces of legislation.

Course content:

This interactive course will introduce participants to the authorisations and procedures as set out in the National Environmental Management Act 108 of 1998 and the Environmental Impact Assessment Regulations of 2014, the Mineral and Petroleum Resources Development Act 28 of 2002, the National Environmental Management: Waste Act 59 of 2008 and its regulations (also pertaining to residue stockpiles and residue deposits), the National Environmental Management: Air Quality Act 39 of 2004 and the National Water Act 36 of 1998, as well as the potential influence of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) on this authorisation system. The timelines will be discussed and possible challenges from the floor will be addressed.

Anticipated learning outcomes:

After attending the course, participants should have an understanding of the most important legal measures and procedures pertaining to the integrated environmental authorisation system.

PROGRAMME

11 AUGUST 2015

- 08:30-08:40: Welcome, introductions and aim of workshop (Anél du Plessis & Willemien du Plessis)
- 08:40-09:00: Purpose of 'one environmental system' (Dee Fischer)
- 09:00-11:00: Environmental authorisations in NEMA and MPRDA (Catherine Warburton and Janice Tooley)
- 11:00-11:15 Tea
- 11:15-12:15 Alignment with air quality legislation (Janice Tooley)
- 12:15-13:00 Alignment with spatial land use management legislation (Jeannie van Wyk)
- 13:00-14:00 Lunch
- 14:00-14:30 Alignment with spatial land use management legislation and National Environmental Management: Integrated Coastal Management Act (Jeannie van Wyk)
- 14:30-15:00 Waste and water law alignment and implications (Willemien du Plessis)
- 15:00-15:15 Tea
- 15:15-16:00 EIA and 'one environmental system': procedural and other (Dee Fischer)
- 16:00-16:30 An integrated system – timelines (Dee Fischer)

PRESENTERS

Dee Fischer (Department of Environmental Affairs) joined the environmental sector in 1996 in the Gauteng provincial department of environment, now with Department of Environmental holding the position of Chief Director for the Integrated Environmental Management Support Unit. Dee is tasked with streamlining the environmental management framework which includes preparing policy, legislation and developing system for Integrated Environmental Management.

Catherine Warburton (Warburton Attorneys) (BA LLB LLM) is the Managing Director of IMBEWU Sustainability Legal Specialists (Pty) Ltd and Managing Partner of Warburton Attorneys. She was an environmental legal advisor for the Anglo American group until 2000, before establishing her own firm. She has more than nineteen years of practical experience in the relatively new field of sustainability law in South Africa. Catherine completed her dissertation for her Master of Laws at Wits University in 2014 with distinction. The title of her dissertation was, "Evaluating South African EIA processes in the context of the Gautrain Project". She currently serves as the Chairperson of the Law Society of South Africa's Committee for Environmental Law. She is also the deputy chair of the Environmental Law Association and branch representative of the Eastern Cape branch of the ELA.

Janice Tooley (Shepstone & Wylie Attorneys) specializes in environmental legal compliance, assisting clients with audits and legal registers, licence applications, directives and compliance notices and appeals. She also provides legal opinions and training on a range of environmental issues, assists with High Court litigation and has a keen interest in environmental mediation and alternate dispute resolution. In addition to her law degree, Janice holds a Masters in Environmental Science and has 13 years experience as an environmental consultant. This scientific training and practical experience in environmental management give her a unique vantage point and insight into environmental law. Janice serves as the KwaZulu-Natal branch representative of the South African Environmental Law Association and holds the policy and legislation portfolio on the NEC of IAIAA, the International Association for Impact Assessment.

Jeannie van Wyk (Unisa) is a Professor of Law at Unisa. She teaches Property law. She is the author of *Planning law of South Africa* published by Juta in 2013. She also co-authored a casebook on Planning law for students that was published in 2015. She is an expert in Planning law and has published extensively in this regard. She has also served on several committees for government in this regard and was involved in the drafting of provincial planning legislation. Jeannie is the Treasurer of the Environmental Law Association.

Anél du Plessis (NWU) is a Professor of Law at the North-West University and specialises in local government law and environmental law. She is the author of *Local Government and Environmental Law in South Africa* to be published in 2015 (Juta). She is Member of the ELA Secretariat and lectures and supervises undergraduate and post-graduate students in environmental law, environmental rights and environmental governance. She is also involved as a presenter in the NWU Centre for Environmental Management's environmental law courses.

Willemien du Plessis (NWU) is a Professor at the North-West University and specialises in environmental law and land law. She is the Secretary of the Environmental Law Association. She regularly teaches in the certificate courses in Environmental Law. presented by the Centre for Environmental Management at the University.