

# Relationship between Environment and Planning in Kwazulu-Natal

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## Background

- Research undertaken for the KZN Provincial Planning and Development Commission 2004/5
- Concern about disjuncture and divide between environmental management and planning, and its consequences for (sustainable) development
- Main focus was on analysis - on unpacking the 'problem' - rather than recommendations. Establish whether there is a need to take steps to integrate planning and environmental management in KZN

# Project Team

- **Project Leader**
- Prof Alison Todes, Architecture, Planning and Housing, UKZN
- **Core Team**
- Pravin Amar Singh, Pravin Amar Development Planners cc
- Mlungisi Hlubi, Architecture, Planning and Housing, UKZN
- Cathy Oelofse, Centre for Environmental Management, UKZN
- Vicky Sim, Centre for Environmental Management, UKZN
- **Reference Group and Special Consultants**
- Stephen Berrisford, planning law and policy consultant, Johannesburg
- Pat Luckin, planning consultant, Port Shepstone
- Dr. Merle Sowman, Environmental Evaluation Unit, UCT

# Methodology

- Reference group meeting:
- Literature review
- Focus groups
- Legal review
- Provincial analysis
- 4 local municipal case studies
- Synthesis and analysis

## Analysis and Synthesis: Framework

- Draws on 'institutional' accounts, so
- examines the 'hard infrastructure' or formal elements of planning and environmental systems (rules, tools, laws, procedures, institutional responsibilities, competencies)
- and the 'softer elements': practices, relationships, actors, networks, conceptual understandings and discourses that shape policy on the ground.

## Analysis and Synthesis: Framework

- Purposes of planning and environmental management
- Tools and mechanisms of planning and environmental management
- Distribution of responsibilities
- Resources and capacity
- Networks, practices and discourses

# Purposes of Planning and Environmental Management

- Both have evolved in terms of their purposes, nature and identity, so current practice reflects influence of both past and present
- There are areas of overlap, but also conflict and divergence
- Planning has shifted from physical planning and land use regulation, to a facilitative and developmental approach.
- Strategic planning is emphasised, while land use regulation has been relatively marginalised, remaining largely unreformed.

# Purposes of Planning and Environmental Management

- Scope, nature and purpose of planning has been debated, but two main strands in SA legislation:
  - planning as ‘managing change in the built and natural environment... towards human development and environmental sustainability’ ie. land development
  - planning as integrated development planning - addressing the development legacy, through collaborative planning processes



# Purposes of Planning and Environmental Management

- Environmental management emerged later than planning in the 70s, and in parallel to it
- Initially focused on 'green' issues and on project level environmental assessments
- Ecological modernisation as the dominant conceptual framework
- NEMA is integrated and holistic, and emphasises sustainability as not only 'green' issues, but an integration of social, economic and ecological dimensions
- However practice is more technically based

# Purposes of Planning and Environmental Management

- The purpose of environmental management is to give effect to NEMA principles
- Introduces new proactive approaches (EIPs), although the emphasis on reactive site-level decision-making remains

# Purposes of Planning and Environmental Management: Overlaps and Conflicts

- Policy principles in legislation use similar definitions of sustainability
- But environmental management has stronger focus on ecological issues, while planning has to balance and integrate diverse concerns.
- Planning in IDP processes is collaborative, with political decisions - can't ensure sustainable outcomes.
- Dominance of 'forward' planning vs environmental management as site level assessment (with weak strategic environmental base) leads to conflicts on the ground

# Purposes of Planning and Environmental Management: Overlaps and Conflicts

- Brown versus green agenda is evident, but both planners and environmentalists are increasingly broadening their scope
- differences in the purposes of planning and environmental management, but core areas of overlap in the 'management of change in the built and natural environment' .
- Ironically, integrated understandings and more holistic approaches also extends the possibility of overlap and duplication
- complex relationship

# Tools of Planning and Environmental Management

- Regulatory system for planning and environmental management in relation to land development
  - EIAs and HIAs
  - Planning Applications in terms of the Ordinance
  - Township establishment in terms of LFTE
  - Development applications in terms of DFA
  - PTOs and development applications in Ingonyama
- Strategic plans at a provincial and municipal level
  - PGDS
  - IDPs, SDFs and LUMs
  - some strategic environmental plans

## Tools: Regulatory Machinery

- Parallel systems (mainly EIAs/planning) causing duplication and inefficiency
- Policy is aligned, but overlaps in assessment processes
- Dual assessments in some areas combined with almost no assessment in others (history of fragmentation)
- Little attention to enforcement

## Tools: Regulatory Machinery

- Different purposes? Planning applications as proposals vs EIAs as assessments?
- Overlaps may be less common than generally assumed
- But where there is overlap, processing times increase significantly, and there is pressure on DFA processes
- Initiatives to streamline processes face problems
- Better decisions? Different perspectives? Or partial assessment and leveraging of approval?

## Tools: Regulatory Machinery

- Quality of assessment falling short of policy principles
- Dual process is confusing and costly for developers and IAPs
- Potential for contradictory outcomes: different decision-making authorities and appeal processes
- Need for better environmental assessment outside of EIAs



## Tools: Strategic Plans

- Legally defined system of plans
- Intention to embed environment/sustainability in planning and initiatives to assist
- But generally environmental dimensions of strategic plans are poorly developed and sustainability is weakly represented
- Will reflect political processes and interests, and planners' focus
- But IDPs are relatively new, and cross-cutting issues are generally poorly represented

## Distribution of Responsibilities

- Institutional divides between planning and environment are a problem
- Poor intergovernmental relationships
- Environment as national and provincial, planning as provincial and local.
- Initiatives to integrate require sustained action, attention and high level support

## Capacities and Resources

- Insufficient people with the necessary skills, knowledge and experience
- Lack of capacity worse in smaller municipalities and in environmental sector
- Raises serious questions about sustainability of systems - what really can be supported?

# Networks, Practices and Discourses

- Role of individuals
- Different policy communities and nodes of identity
  - professional bodies
  - registration requirements
  - links to national and international discourses
  - languages and discourses
  - education and training
  - methodologies
  - culture of work and effect of past practices

# Networks, Practices and Discourses

- Discourse analysis of focus groups showed:
  - Suspicion and hostility by some planners and environmentalists who see each other in stereotyped ways
  - But others see convergence around sustainability
  - Significant areas of agreement around need for integration and problem areas to be addressed:
- Different interpretations of sustainability
- Ecological, economic, social and governance dimensions receive different emphasis
- Can be real conflicts between different dimensions
- And different interests and sources of power
- Contradictory imperatives in government policy
- Will play out however the relationship is structured

## Consequences for (Sustainable) Development

- Weak incorporation of environmental concerns in development
- Environmental issues seen narrowly: social and economic dimensions neglected
- Limited real impact of sustainability ideas
- Duplicated participatory processes alienate public
- Lengthy and uncertain processes engender costs and frustration - undermines business confidence
- De facto illegal development
- Paradox of fragmented systems remains
- Limited capacity ineffectively used

## Integrating Planning and Environmental Management?

- Any solution must take account of severe limits in terms of administrative capacity
- Need to decide what the really critical tasks are, and what can be supported
- A more streamlined process won't be without conflicts
- But need greater clarity on the values that guide development

## Meanings of Integration

- Merging of environmental management and planning: single discipline, professional practice, processes
- Mainstreaming of environment into planning: incorporation of environmental concerns in planning
- Institutional integration: single department
- Co-ordination: improving vertical and horizontal links between agencies and processes