

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

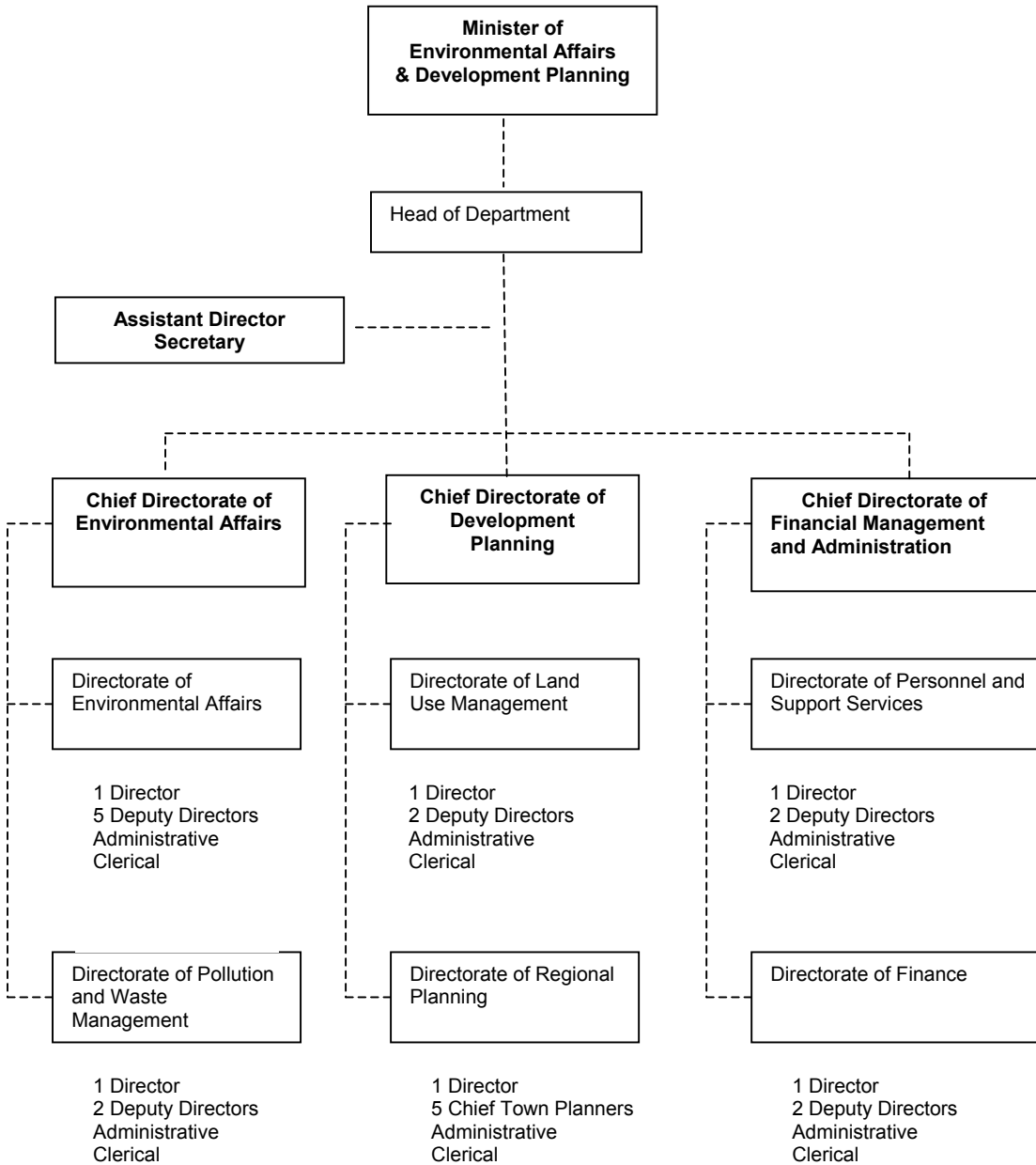
WESTERN CAPE PROVINCIAL ADMINISTRATION

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1. STRUCTURE OF THE DEPARTMENT

SECTION 14(1)(a)



2. FUNCTIONS OF THE DEPARTMENT

- Managing environmental affairs
- Managing development planning
- Rendering administrative support services to the line functions and provincial Minister

CHIEF DIRECTORATE OF ENVIRONMENTAL AFFAIRS

- Promoting sustainable development and integrated environmental impact management
- Promoting integrated pollution and waste management
- Promoting nature conservation and the sustainable utilisation of natural resources

DIRECTORATE OF ENVIRONMENTAL MANAGEMENT

- Rendering an environmental impact management service and the facilitating of sustainable development
- Developing an integrated environmental policy, as well as a legislative and planning framework and rendering an integrated environmental information service

DIRECTORATE OF POLLUTION AND WASTE MANAGEMENT

- Developing, facilitating and effectively integrating pollution management
- Developing, facilitating and effectively integrating the hierarchical approach to waste management

CHIEF DIRECTORATE OF DEVELOPMENT PLANNING

- Executing regional planning
- Executing land development
- Managing relevant information as support for development planning

DIRECTORATE OF REGIONAL PLANNING

- Initiating and promoting the methodology of bioregional planning
- Providing guidelines and support to municipalities to assist them in compiling spatial development frameworks (as part of their Integrated Development Planning processes)
- Evaluating town planning and providing input in terms of development proposals and land use changes
- Providing financial assistance to municipalities for their spatial planning projects
- Formulating policy and guidelines for orderly spatial planning and development

DIRECTORATE OF LAND DEVELOPMENT MANAGEMENT

- Compiling policies and legislation with regard to land use management
- Providing support to local authorities by means of standard by-laws, circulars, advice, etc.
- Processing land use applications and appeals
- Processing applications for access to information in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000)

CHIEF DIRECTORATE OF FINANCIAL MANAGEMENT AND ADMINISTRATION

- Ensuring an effective financial management system within the Department
- Ensuring effective human resource management and general services within the Department

DIRECTORATE OF FINANCE

- Applying budget management
- Rendering departmental accounting services

DIRECTORATE OF PERSONNEL AND SUPPORT SERVICES

- Furthering human resource management matters
- Rendering administrative and support services

3. CONTACT DETAILS OF THE DEPUTY INFORMATION OFFICER SECTION 14(1)(b)

Mr T. Tolmay
1 Dorp Street/Private Bag X9086
CAPE TOWN
Tel.: (021) 483-4091
Fax: (021) 483-3016
E-mail: ttolmay@pawc.wcape.gov.za

4. GUIDE BY THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT SECTION 14(1)(c)

The guide on how to use the Promotion of Access to Information Act, 2000, will be available from the South African Human Rights Commission by no later than August 2003. Queries can be made at:

South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal address: Private Bag 2700
HOUGHTON
2041

Tel. : (011) 484-8300

Fax: (011) 484-1360

Website: www.sahra.org.za

E-mail: PAIA@sahra.org.za

5. RECORDS
SECTION 14(1)(d)

5.1 DESCRIPTION OF SUBJECTS ON WHICH THE DEPARTMENT HOLDS RECORDS

- Legislation and Law Administration
- Organisation and Control
- Finance
- Personnel
- Accommodation
- Supplies and Services
- Transport and Journeys
- Publications, Publicity and Special Events
- Reports, Returns and Information
- Congresses, Conferences, Symposia, Seminars, Workshops and Lectures
- Committees and Meetings

5.2 RECORDS AUTOMATICALLY AVAILABLE

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS
DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING OR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii)	
<u>Chief Directorate of Environmental Affairs</u> (a) Departmental Integrated	Copies of these records may be

<p>Management Plan including the strategic plan, human resource planning, service delivery improvement plan, organisational structure and vision and mission</p> <p>(b) Departmental annual report</p> <p>(c) Departmental Medium-Term Expenditure Framework Budget and Adjustments Budget</p> <p>(d) Departmental Employment Equity Plan</p> <p>(e) Departmental Skills Development Plan for the Workplace</p> <p>(f) Departmental website</p>	<p>obtained on payment of the prescribed fee from the Head of the Department, Utilitas Building, 1 Dorp Street, Cape Town.</p>
<p><u>Chief Directorate of Development Planning</u></p> <p><u>Directorate of Land Development Management</u></p> <p>(a) Information referred to in an advertisement of an application in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and in possession of the Department</p> <p>(b) Regulations for schemes</p> <p>(c) Policy documents and circulars</p>	<p>Copies of these records may be obtained on payment of the prescribed fee from the Directorate of Land Development Management, 27 Wale Street, Private Bag X9083, Cape Town.</p>

<p><u>Directorate of Regional Planning</u> (a) Guidelines, directories, manuals and policy documents</p>	Copies of these records may be obtained on payment of the prescribed fee from the Directorate of Regional Planning, 27 Wale Street, Private Bag X9083, Cape Town
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5.3 REQUEST PROCEDURE

- A requester must use Form A as prescribed in the regulations published in terms of the Promotion of Access to Information Act (Government Notice R223 of 9 March 2001).
- A request fee in the amount of R35,00 is payable before the request will be processed.
- Provision is made on the afore-mentioned form for the requester to indicate whether he/she wants a copy of the record or merely wants to look at it.
- The form also provides for a requester to indicate in which language the record is required, although there is no obligation on the department to translate it.
- A requester may also indicate in what form (i.e. paper copy, electronic copy, etc.) access to the record must be provided. This will be adhered to unless doing so will unreasonably interfere with the running of the Department or for practical reasons access cannot be given in the required form or medium.
- A request fee is payable should the requester for instance need copies of the requested record. In certain instances, a requester may also be requested to pay a deposit. A requester may lodge an internal appeal against the payment of these fees. The fee payable with regard to an

internal appeal is R50,00. Should a requester want to lodge an internal appeal, Form C (as prescribed in Government Notice R223 of 9 March 2001) must be completed.

- In the event that the internal appeal procedure be exhausted and the requester is still not satisfied with the outcome, a court may be approached for an appropriate order.
- Access to a record will be withheld until all applicable fees have been paid.
- Information may be requested on behalf of another person, but the capacity in which the request is made must be indicated.
- If a requester is unable to read or write, or cannot complete the form because of a disability, the request can be made orally. The information officer, or a person so delegated, must then fill in the form on behalf of such requester and give him/her a copy of the completed form.

6. SERVICES AVAILABLE TO THE PUBLIC
SECTION 14(1)(f)

CHIEF DIRECTORATE OF ENVIRONMENTAL AFFAIRS

- Handling development applications, such as rezonings, subdivisions, change of land use in terms of the regulations issued under section 21, 26 and 28 of the Environment Conservation Act, 1989 (Act 73 of 1989).
- Handling appeals against Records of Decision issued in terms of aforementioned legislation/regulations.
- Supplying checklists, booklets, pamphlets to consultants, members of public and applicants
- Supplying copies of legislation, guidelines, policies to consultants, members of the public and applicants

- Investigating reported incidents of alleged non-compliance with relevant environmental legislation
- Giving capacity-building presentations to particular sectors e.g. environmental consultants, municipalities, NGOs, CBOs and students (tertiary education institutions)
- Providing impact assessment guidelines to the above sectors

CHIEF DIRECTORATE OF DEVELOPMENT PLANNING

- Handling applications for the removal of restrictions made in terms of the Removal of Restrictions Act, 1967 (Act 84 of 1967)
- Handling land development applications, such as rezonings, departures and subdivisions made in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
- Handling appeals against land development applications, such as subdivisions, rezonings, consent uses and relaxations of title conditions, lodged in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
- Handling the establishment of informal townships in terms of the Less Formal Township Establishment Act, 1991 (Act 113 of 1991)
- Handling applications for access to information made in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000)
- Providing geographical information (Western Cape) in electronic (shape files) and hardcopy (maps) format: cadastral, topographic, demarcation and other boundaries, including environmental features, infrastructure, rivers, dams, towns, nature reserves, schools, hospitals, clinics, police stations and other planning information
- Providing demographic information in electronic and hardcopy (printout) format: Census 96 community profile databases (14), October household surveys and other statistical releases and reports from Statistics SA and other research institutions
- Drafting and distributing brochures or information pamphlets (in certain instances)

(Tariffs for these services are available on request)

CHIEF DIRECTORATE OF FINANCIAL MANAGEMENT AND ADMINISTRATION

- Annually publishing statistical information on human resource and related issues by way of an oversight report
- Annually publishing transformation and related issues by way of an oversight report
- Annually submitting statistical reports to the Department of Labour as well as the Public Service Commission on various issues, including the state of representivity of the workforce
- Providing reports on organisational development regarding the structure of the Department and components on request through the normal procedure
- Submitting statistical information regarding disciplinary action, grievances, disputes and industrial action to the Public Service Commission and the Department of Public Service and Administration when requested
- Paying all creditors
- Issuing duplicate IRP5 certificates
- Issuing IT3 (A) certificates to the Receiver of Revenue
- Issuing manual IRP5's to the Receiver of Revenue

7. ARRANGEMENT ALLOWING INVOLVEMENT IN THE FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS SECTION 14(1)(g)

CHIEF DIRECTORATE OF ENVIRONMENTAL AFFAIRS

In most instances legislation prescribes the procedures for making matters known and for public participation.

- Notification in the media, such as local/community newspapers
- Workshops with concerned and affected groups
- Steering committee meetings
- Meetings with developers/consultants to discuss development applications
- Meeting with developers/consultants to advise on development applications
- Utilising the radio in certain instances, especially local or community radio stations
- Notification on the Department's website
- Drafting and distributing manuals and guideline documents
- Meetings with sectors interested and affected in the drafting/outcome of departmental policies and guidelines
- Policy development workshops
- Notifications via e-mail, particularly to Environmental and Planning consultants
- Provincial Environmental Implementation Plan (EIP)
- Human Rights Commission reports
- Provincial State of the Environment Report (first edition in preparation)
- Delegations

CHIEF DIRECTORATE OF DEVELOPMENT PLANNING

In most instances legislation prescribes the procedures for making matters known and for public participation.

- Notification in the media, such as the Provincial Gazette, provincial newspapers and local/community newspapers
- Utilising the radio in certain instances, especially local or community radio stations
- Workshops with concerned and affected groups
- Steering committee meetings

- Notification on the Department's website
- Drafting and distributing manuals and guideline documents (sometimes)

CHIEF DIRECTORATE OF FINANCIAL MANAGEMENT AND ADMINISTRATION

In most instances legislation prescribes the procedures for making matters known and for public participation.

- Consultation with labour organisations as well as employees in the Department
- Notification in the media, such as the Provincial Gazette
- Notification on the Department's website
- Drafting and distributing manuals and guideline documents (sometimes)

8. REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURE TO ACT

SECTION 14(1)(h)

Legislation applicable to the Department may provide for an internal review or appeal procedure. Should this procedure be exhausted, or no provision be made for such procedure, a court may be approached for an appropriate order.