For information: notes (including some extracts from the draft minutes) from the meeting of 30 June 2011:

1. **Appeals**: Discussion on **standards, i.e. the time taken for the Province to deal with cases**:
   - Time-frame for a well-run EIA process, if all role-players played their part: Basic Assessment ± 7 months; Full Scoping EIA ± 13 months; Appeal ± 7 months
   - but planning legislation does not stipulate time-frames in which departments need to act.

2. **Points raised by the Minister**
   - The PP&DF should assist the department in identifying unnecessary & cumbersome development processes (procedural blockages).
   - Members should apply their minds to create solutions to these procedural blockages that have been identified.
   - Blockages are often caused by the various transversal departmental commenting authorities that have to provide input, but who either fail to submit the comments on time, or fail to submit their comments at all.
   - Public participation processes have to be refined to facilitate a streamlined process.
   
   **Resolved:**

   Members to provide tabled issues and solutions dealing with the above listed points, from their representative organisations but this could be further deliberated on in a workshop which the chairperson will arrange.

   — Any suggestions from SAICE members?

3. **More on the appeals process:**
   - An Appeals Management Unit has been created. This has been in existence for 2 months. It is hoped this will help improve throughput.
   - Noted that the person dealing with an appeal ≠ the original case officer.
   - The Minister does not conduct interviews with parties involved in appeals – he must remain an independent party and must not create an impression of undue influence (reference to the Arabella case).
   - On tribunals: From a provincial government viewpoint, the tribunal does not take any responsibility for any decision taken and furthermore, the tribunal cannot be ‘kicked out’ for poor decision making. The department supports the ‘democracy principle’ where an elected official responsible for a decision must take responsibility for their decision and can be held accountable.

4. **Conflict between the PSDF, SDF (of a municipality) and policies:**
   - The BESP programme was launched to get the Municipalities to create credible SDF’s, since from a departmental point of view, certain SDF’s endorsed by the Municipality are inconsistent with the PSDF principles. Some have also been amended by a stroke of a pen without going back to the original interested parties / those involved in the original drafting process.
   - The PSDF is undergoing a review. Only two comments were received by the original cut-off date. Time for comment was then extended to 15th July 2011.
Other queries raised by members:

5. **Removal of restrictions:**

The time taken is due to the existing legislated requirements. The Department sees this being resolved through the law-reform process.

6. **Unlimited extension of time-frames by asking more questions:**

Best resolved by early consultation to determine what will be required.

7. **Subjective consideration of Need And Desirability**

- The desirability of having abbreviated environmental reports where there are no major environmental issues involved was undisputed, but practitioners are wary of this (for fear the adjudicators will send them back to the drawing board, extending the process rather than saving everybody time and money).
- An environmental guideline dealing with need and desirability which was drafted by the Department of Environmental Affairs (National) and eventually released by the Department of Environmental Affairs and Development Planning. This document could form the basis of a future discussion. (Note: this guideline is 215KB).