



DUST MANAGEMENT LOCAL AUTHORITY PERSPECTIVE AIR QUALITY LEKGOTLA 2017



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& traditional affairs
MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA



PRESENTATION OUTLINE

- INTRODUCTION
- LEGISLATIVE FRAMEWORK
- OBJECTIVES
- LOCAL GOVERNMENT TOOLS
- INSTITUTIONAL ARRANGEMENTS
- ADMINISTRATIVE
- WAYFORWARD
- CLOSURE



INTRODUNCTION:

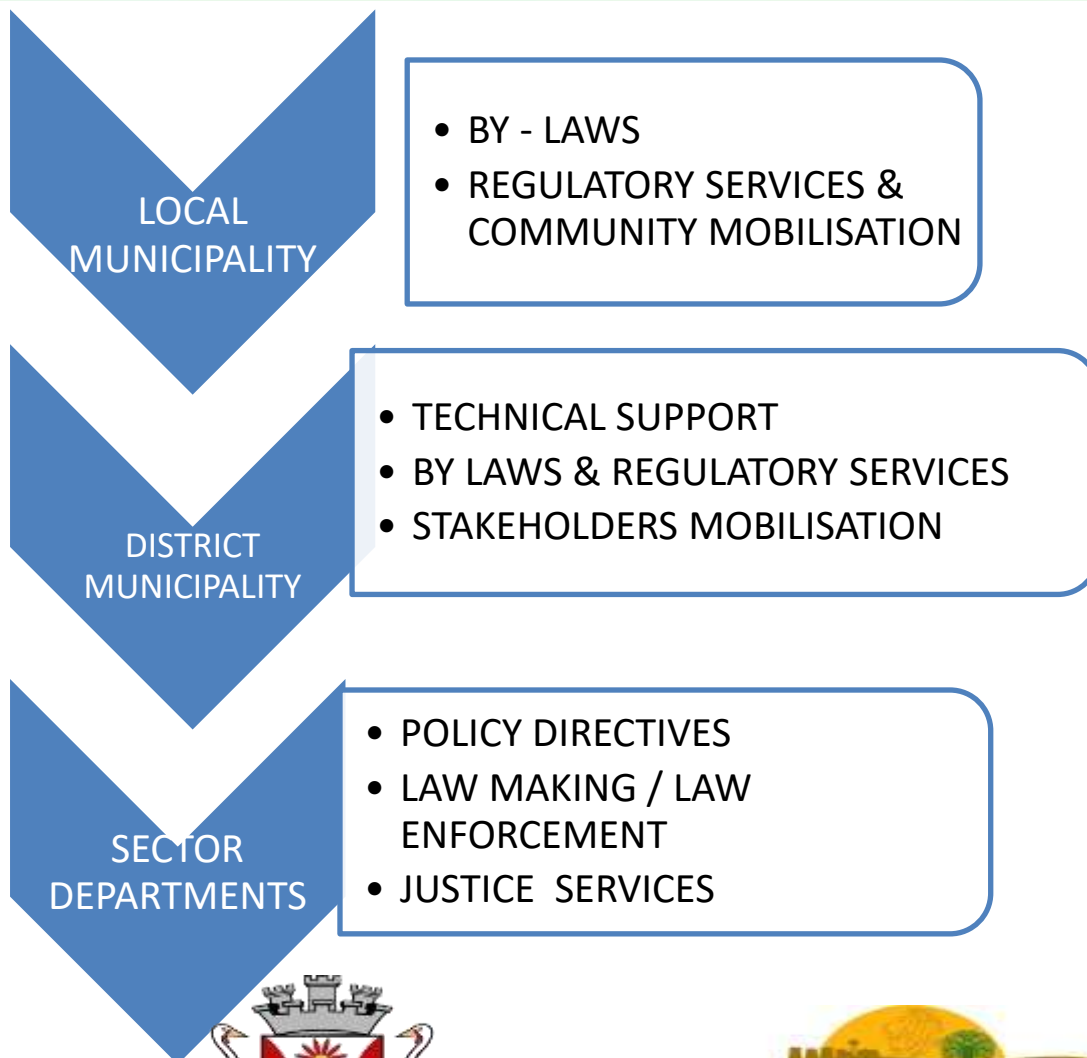
✓The role of government in embedded in the constitution in particular in the bill of rights.

✓The responsibility of all spheres of government is also outlined and protection / conservation / mitigation and rehabilitation of the environment is crucial if one sphere fails the other must intervene

✓Local Municipalities must ensure that there is no opportunity created that result in destruction or degradation of the environment

✓Spheres of government must promote conservation / prevention & rehabilitation

✓Law enforcement must be done in a corporative manner with urgency



LEGISLATIVE FRAMEWORK

- The Constitution Of The Republic Of South Africa
- The National Environmental Management Act
- NEMAQA / NEMWA / NEMBA
- The National Health Act
- National Road Traffic Act
- Local Government By –Laws
- Criminal Procedures Act
- Administrative Justice Act
- National Prosecutions Act



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OBJECTIVES

- 1. To coordinate partnership in managing dust***
- 2. To raise awareness to all arms of government within local municipalities***
- 3. To forge partnership and ensuring support & cooperation***
- 4. To ensure consistency and efficient service delivery***
- 5. To restore law and order***
- 6. To prevent lawlessness***
- 7. To educate and provide capacity building***



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LOCAL GOVERNMENT TOOLS

The following are available tools to deal with Environmental Crimes:

- Administrative Action
- Interdicts
- Mediation
- Community & Stakeholder Mobilisation
- Licensing & Permitting
- Criminal Actions



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INSTITUTIONAL ARRANGEMENTS

LOCAL GOVERNMENT

- Creation Of Law Enforcement Unit
- Amendment & Alignment Of By – Laws
- Creation Of Municipal Courts
- Community Mobilisation
- Awareness & Capacity Building
- Legal Support To Prepare Litigation
- Consultation And Partnership
- Dispute Resolution Mechanisms
(Community Structures)



SECTOR DEPARTMENTS

- Awareness On Complaints Management
- Alignment Of Complaints Or Incidents Management
- Alignment Of Defining Cases Or Incidents
- Referral Protocols
- Cooperation & Support On Law Enforcement
- Support On Prosecution
- Joint Prevention & Enforcement Programs



ADMINISTRATIVE OR CRIMINAL ACTION

- All spheres of government need to urgently take action to protect the environment using available tools and cooperation
- Community mobilisation and capacity building is urgent including consequence management
- Prosecution of repeated offenders and serious cases Is **A Must**
- No crime is little or insignificant to warrant an action from authorities
- Prevention of lawlessness is crucial



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WAYFORWARD



LOCAL GOVERNMENT

- establishment of local task teams to deal with incidents or reported cases.
- Community mobilisation.
- Reaction teams for incidents Requiring immediate action.
- Institutional alignment programs.
- Resources and staff provision

SECTOR DEPARTMENTS

- Awareness of internal staff
- Alignment of complaints or incidents management
- Referral protocols
- Cooperation & support on law enforcement
- Support on prosecution
- Joint prevention & enforcement programs

CLOSURE

“ PROTECTING THE ENVIRONMENT FOR CURRENT AND FUTURE GENERATIONS”

1. Are we not over regulating ?
2. Are we using the available tools efficiently and effectively?
3. Who is in charge?



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