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## **From Fragmentation To Collaboration: Strategies To Improve Inter-Sector Coherence In Environmental Authorisations In South Africa**

Environmental authorizations are one of the most widely used command and control tools adopted by South African authorities to regulate behaviour. The entire authorization effort is however fundamentally disjointed and fragmented in terms of a number of parameters. The most important of these include fragmentation:

- between environmental media (Air, land, water, biota, conservation etc.);
- between the three spheres of government (National, provincial and local spheres);
- along sectoral divisions of line functions within similar spheres of government;
- along geographical divides at the provincial and local spheres that are exacerbated by a regional division of national competencies that do not correlate with provincial and even local authority areas of jurisdiction;
- where geographical divisions underline disparities in access to skills and availability of resources to environmental governance at especially the provincial and local spheres of governance;
- of the policy and policy implementation interface;
- fragmentation of the governance loop, i.e. from policy, through legislation, investigation, decision making and post decision follow-up;
- of the typical phases of the typical project execution model.

This paper focuses on the discontinuities caused by fragmentation of a particular environmental policy instrument, environmental authorizations. In South Africa, environmental authorizations are the most frequently used command and control instrument at the operational level. Different mandates cause vertical discontinuities between different spheres of government, while discontinuities are caused horizontally by autonomous line functions of the national, provincial and local sphere executives that protect allocated mandates.

Various efforts are made at the policy and planning levels to make governance in general and environmental governance in particular more coherent. These strategies

include inter alia: provisions for co-operative governance, use of integrative framework legislation, including integration tools such as Integrated Environmental Management (IEM), Integrated Development Plans (IDPs), Integrated Environmental Management Plans (IEMPs) and Integrated Environmental Implementation Plans (EIPs). Provision is also made for policy alignment by means of inter alia the Committee for Environmental Co-Operation (CEC) and the inter-ministerial committee at national and provincial spheres. However policy implementation in general and environmental authorizations in particular remain fundamentally fragmented and disjointed.

The spectrum of strategies available to improve coherence of authorization processes may oscillate between maintenance of the fragmented and disjointed status quo on the one hand, to the so-called one stop environmental authorization shop on the other.

Two very critical policy issues that require more debate in South Africa before any final solutions to improved coherence in authorizations processes are designed, adopted and used may inter alia include the following questions:

- What is the most appropriate solution to address the inefficiencies caused by operational and behavioural fragmentation? The one extreme may entail maintenance of some fragmentation in jurisdiction and mandate that may be supported by some improvements to increase coherence in service delivery. The other extreme may be a strategy that will culminate in a single environmental organ of state that is charged with all environmental authorizations;
- How should increased coherence of the fragmented and disjointed authorization be facilitated?

This paper explores the various parameters that may impact on finding realistic and sustainable solutions to the questions posed above. The paper concludes with a proposed model that describes a scenario based process to continually increase the level of coherence in one of South Africa's most widely used environmental policy instruments, the plethora of environmental authorizations. The proposed model is based on the findings of empirical research that was conducted to find innovative solutions to the inefficiencies caused by incoherent decision-making and authorization processes in South Africa.