FRAMEWORK FOR ENVIRONMENTAL GUIDELINES FOR SUSTAINABLE TOURISM

Prepared by the Institute of Natural Resources

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1 POLICY AND LEGISLATIVE FRAMEWORK

A review of policy, legislation and relevant conventions was undertaken in order to identify the legislative framework within which environmental management activities would need to be undertaken. The guidelines are then structured around providing guidance on actions order activities that would need to be undertaken in order to comply with legal requirements in the interest of sustainable forestry.

1.1 RELEVANT POLICY

The following environmental policies guide environmental management in South Africa:

- **South African Constitutions: Environmental Rights**
  
  Everyone has the right (i) to an environment that is not harmful to their health and well being (ii) to have the environment protected for the benefit of present and future generations

- **White Paper Sustainable Tourism**
  
  This White Paper has 2 guiding principles pertaining to the natural environment:

  (i) Tourism development will be underpinned by sustainable environmental practices
  
  (ii) Tourism development will support economic, social and environment goals and policies of the government

  The specific objectives of these two principles are:

  a) to make the tourism industry in South Africa a leader in responsible environmental practices
  
  b) to require integrated environmental management principles for all tourism projects and all major economic development projects
  
  c) to encourage the conservation and sustainable usage of tourism resources
  
  d) to contribute to the development of a co-ordinated countrywide environmental strategy

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• **White Paper on Biodiversity**
  This White Paper identifies 6 broad principles:
  
  (i) Conserve the diversity of landscapes, ecosystems, habitats, communities, populations, species, and genes in SA
  
  (ii) Use biological resources sustainability and minimise adverse impact on biological diversity
  
  (iii) Ensure that benefits derives from the use and development of South Africa’s genetic resources serve national interests
  
  (iv) Expand the human capacity to conserve biodiversity, to manage its use, and to address factors threatening it
  
  (v) Create conditions and incentives that support the conservation and sustainable use of biodiversity
  
  (vi) Promote the conservation and sustainable use of biodiversity at the international level

• **White Paper on Sustainable Coastal Development**
  The key messages highlighted by this White Paper are:
  
  (i) The value of the coast must be recognised
  
  (ii) Sustainable coastal management must be facilitated
  
  (iii) Coastal management must be co-ordinated and integrated
  
  (iv) The government must adopt a co-operative style of management

• **White Paper on Environmental Management Policy in South Africa**
  The principles of this White Paper were incorporated in the National Environmental Act and have been listed in detail in the Section 1.2.

1.2. **RELEVANT LEGISLATION**
  The following Acts govern environmental management in South Africa:

  • **National Environmental Management Act (NEMA)**
    NEMA provides the overarching framework for environmental management in South Africa. In particular, the Act provides the objectives for integrated environmental management:
    
    (i) Development must be environmentally sustainable
    - disturbance in ecosystems and loss of biodiversity are avoided, minimised or remedied
    - pollution and degradation are avoided, minimised or remedied
- disturbances to landscapes and sites of cultural heritage are avoided, minimised or remedied
- Waste is avoided minimised, reused or recycled, otherwise disposed of in a responsible manner
- Development use and exploitation of renewable resources and their ecosystems do not exceed the level beyond which their integrity is jeopardised.
- A precautionary approach is applied
- Negative impacts on people and their environmental rights be anticipated and prevented, where possible minimised and remedied.

(ii) Environmental management must be integrated, acknowledging that all elements of the environment are interlinked and interrelated, and take into account the effects of decisions on all aspects of the environment and all people in the environment by the selection of a best practicable environmental option.

(iii) Community well being and empowerment should be promoted through environmental education the raising of environmental awareness and sharing of knowledge and experience.

(iv) The environmental impacts including disadvantages and benefits must be considered assessed and evaluated.

(v) Global and international responsibilities relating to the environment must be discharged in the national interest.

(vi) Environment is held in public trust for people. The beneficial use of natural resources must serve the public interest and the environment must be protected as the people’s common heritage.

(vii) The costs of remediing pollution environmental degradation and consequent adverse environmental effects and of preventing controlling or minimising further pollution, environmental damage or adverse environmental effects must be paid for by those responsible for harming the environment.

(viii) Sensitive, vulnerable, highly dynamic or stressed ecosystems such as coastal shores estuaries, wetlands and similar systems require specific attention in management and planning procedures especially where they are subject to significant human resource usage and development pressure.

• **Environmental Conservation Act**

The Environmental Conservation Act has been superseded by NEMA except for the sections pertaining to the EIA regulations, which are still enforced (these regulations are discussed in detail under the Section 1.3, dealing with regulations).
• **Additional Acts**
  A number of other Acts protect scarce or sensitive natural resources:
  - Sea shore Act (no 21 of 1935)
  - Marine living resources act (18 of 1998)
  - National water Act (436 of 1998)
  - National forests act (84 of 1998)

1.3. **REGULATIONS AND INSTRUMENTS**

The following regulations and policy instruments guide the implementation and enforcement of environmental legislation:

• **Environmental Impact Assessment (EIA)**
  EIA is a study of the environmental consequences of the proposed course of action. EIA includes an evaluation of the environmental effects of a decision, project or activity, and is most often used within the EIM planning process as a decision support tool to compare different options. Section 21 of the Environment Conservation Act (number 23 of 1989) makes provision for the Minister to identify activities that may be harmful to the environment. The Minister has promulgated regulations (GN R1182 GG 18261 of 5 September 1997), which identify listed activities. To implement any listed activity authorization is required from the relevant environmental department. A number of these listed activities could affect tourism development, including the construction and upgrading of public and private resorts and associated infrastructure. Other activities that are included are roads, railways, airfields and horse racing tracks.

  Regulations GNR 1183 GG 18261 of 5 September 1997 outline the process that needs to be followed in applying for authorization to undertake a listed activity.

• **Strategic Environmental Assessment (SEA)**
  SEA is a process to assess the environmental implications of a proposed strategic decision, policy, plan, programme, piece of legislation or major plan. SEA provides a process for evaluating the opportunities, which the environment offers to development and the constraints it imposes. SEA is not yet mandatory but is widely applied in development planning and assessment. SEA is a process of integrating sustainability into strategic decision making.
• **Integrated Environmental Management (IEM)**
  It prescribes a code of practice for ensuring that environmental considerations are fully integrated into all stages of the development process, in order to achieve a desirable balance between conservation and development. While IEM is not yet mandatory, the code of practice is recommended in the Environmental Management Guidelines Series published by DEA (1992).

• **Monitoring and Auditing**
  Monitoring is frequently a condition of authorization. Monitoring provides for the verification of impact predictions, the appraisal of mitigation and control measures, for the adherence to approved plans and compliance with conditions of approval. Monitoring therefore ensures that the requirements of the condition of approval and management plan are met.

  Audits include periodic assessments of the positive and negative impacts of proposals and should be undertaken these provide instructive feedback on the adequacy and effectiveness of the conditions of approval, and monitoring. Auditing is thus a re-assessment of the project or policy proposal in the light of developments during implementation.

• **Environmental Management Plan**
  The development of an environmental management plan is often a condition of approval and should contain a description of the process and methodology to be followed for the management and monitoring of the impacts of the activity, including the cumulative effects identified in the accepted environmental assessment report.

• **Environmental Management Systems (EMS)**
  An example of EMS is ISO 14000, which is a voluntary process of enhancing the environmental management system to achieve overall improvement in overall environmental performance in line with environmental policy. The ISO 14000 management system includes planning of activities, responsibilities, practices, procedures, processes, and resources for developing, implementing, achieving, reviewing and maintaining environmental policy, and the overall environmental goals arising from the policy.
1.4. INTERNATIONAL CONVENTIONS AND POLICIES

Principles and Guidelines for sustainable environmental management and tourism have been addressed in the following policies and conventions:

(i) United Nations Environmental Programme
(ii) World Tourism Organization Code of Ethics
(iii) Berlin Declaration
(iv) Biodiversity Convention
(v) Convention of Wetlands (Ramsar Convention)

2. BROAD ENVIRONMENTAL GUIDELINES FOR CONFORMING WITH POLICY, LEGISLATION AND REGULATORY REQUIREMENTS IN SOUTH AFRICA

Interpretation of policy and legislation has led to the identification of four overarching focus areas for environmental guidelines to assist the development and implementation of sustainable tourism enterprises and activities:

a) Planning
b) Impact assessment
c) Integrated management
d) Adaptive management
e) Training and capacity building

2.1 Planning

i. An SEA should be undertaken to assess the viability and feasibility of a proposed development or expansion of a development, in terms of environmental suitability, prior to initiation of the development.

ii. Tourism activities should be planned at the appropriate level, and to ensure that tourism is balanced with broader environmental objectives at national and local levels.

i. Planning should include identification of potential conflicts between tourism and the environment, or other activities, at an early stage.

ii. Plan, zone and site tourism development to confine development or activities to specific areas where the environmental impact will be avoided or minimised.

iii. All tourism enterprises and activities should be planned to ensure that they meet or exceed local and national environmental standards and legislation.
2.2 Impact assessments

i. Impact assessments must be undertaken to determine what constitutes sustainable levels of tourism activities given the capacity of associated natural environment, prior to establishment of the enterprise.

ii. Impact assessment should be informed through ongoing monitoring undertaken according to appropriate sets of criteria and indicators.

iii. An impact assessment must be undertaken for all new developments or expansions to developments, taking into consideration the current state of the resource base and the potential impact of the activity/enterprise on the resource base, in order to ensure that sustainable levels are not exceeded.

2.3 Integrated Management

i. The potential, constraints and suitability of the natural asset base must form the foundation for iterative planning of all tourism enterprises and activities.

ii. All tourism development activities should conform to the overarching development plans for their area of operation, including SDI, LDO etc. to ensure that tourism is in balance with broader local, regional and national development objectives.

iii. All resources utilised by tourism developments and enterprises should be planned and integrated considering surrounding sphere of influence.

iv. Cumulative impacts arising from tourism enterprises and associated activities should not exceed the carrying capacity of resource base.

v. All tourism activities and enterprises should be planned and managed taking into consideration potential secondary impacts and the needs of secondary users (eg. down stream water users).

vi. Utilization of the natural environment and resource base should not infringe on the constitutional environmental rights of other people.

vii. Integrated management should focus on maximising environmental benefits while minimising adverse effects associated with tourism.

viii. Incentives should be implemented including the awarding of prizes or accreditation, to encourage enterprises and activities to meet responsibilities and targets for sustainable management

ix. All support services and infrastructure should be environmentally friendly, including modes of transport (paying specific attention for example to environmental impacts of road and air traffic)

x. Management must include protection of important habitats and conservation of biodiversity in accordance with national legislation and international conventions.
xi. Special attention should be paid to the management of sensitive or vulnerable resources or zones (e.g. Coastal zone management), or sites of special significance.

xii. Management should strive towards contributing to the conservation of the natural environment, for example through highlighting the value of the natural resource base in terms of it being a tourism asset.

xiii. Tourism in protected areas must be managed in a way that ensures that the objectives of the protected area are not compromised.

iv. Activities should be managed in a way that conserves the environment and maintains the quality of the environment.

v. Clear environmental standards should be set according to the range of tourism sectors and activities in order to set targets for management.

2.4 Adaptive management

i. Resource utilization should be precautionary and risk averse, to avoid and minimise damage caused by tourism to the environment.

ii. A monitoring and surveillance system should be implemented in order to monitor environmental conditions and compliance and assist in assessment of sustainability.

iii. Outcomes of monitoring should be used to inform and adapt utilization levels and activity, and management practices.

iv. There must be recognition that tourism may generate increased demand for certain natural resources, and thus endanger certain species or habitats. Management should therefore be flexible and responsive in order to react to these situations.

v. Consumptive utilization activities, e.g. sport hunting or fishing, must be sensitive to environmental conditions and changing systems, and should adapt accordingly to ensure that carrying capacities are not exceeded.

vi. A monitoring and surveillance system should be implemented in order to evaluate the impact on environmental sustainability.

vii. Outcomes of monitoring should be used to inform and adapt utilization levels and activity, and management practices.

viii. A management plan should be drawn up and should include a resource inventory.

ix. A monitoring and assessment system should be implemented to detect problems or negative impacts at an early stage – and a strategy should be in place to facilitate a reaction that will prevent further damage.
2.5 Training and capacity building

i. Training should be provided to create awareness regarding the linkages between the enterprise/activity success and the sustainability of the natural resource base.

ii. Training should be provided to employees at all levels of operation within tourism enterprises and activities, from high level managers to ground level workers. Training should also be provided to those indirectly involved in tourism, eg through provision of support services such as transport.

iii. Tourism enterprises should engage in awareness raising, information sharing, education and training of staff, tourists and local people to sensitisie them to the value of the natural environment and the potential negative impacts that may arise from the tourism activity and affect the sustainability of the operation and environment.

iv. Capacity building should include raising awareness among communities regarding choices, sharing of benefits and costs, associated with tourism enterprises dependent on the local natural environment.

v. Training should include capacity building regarding the interpretation of legislation and the implementation of EMS, IEM, EIA, environmental auditing, and SEA.