



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

Ref: 11/4/1/2/11

MINUTES OF PROCEEDINGS

**STANDING COMMITTEE ON AGRICULTURE, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT
PLANNING**

Friday, 19 November 2021 (at 09:00), Virtual Meeting via Microsoft Teams

PRESENT

Members

Democratic Alliance

America, D (Alternate member)
Maseko, LM
Van Der Westhuizen, AP (Chairperson)

African National Congress

Marran, P
Smith, D (Additional member)

Apologies

Adv DM Baartman, Member – Democratic Alliance
Mr BN Herron, Member - GOOD

The following persons were in attendance:

Department of Environmental Affairs and Development Planning

Ms M Laros, Director - Biodiversity and Coastal Management

CapeNature

Ms C Birss, Executive Director - Biodiversity Conservation
Mr D Hignett, Capability Manager

Department of the Premier: Legal Services

Mr L van der Schyff, State Law Adviser

WCPP Officials

Adv R Maasdorp, Legal Adviser
Mr J Vermeulen, Senior Procedural Officer
Ms S Niekerk, Procedural Officer
Ms N Mshumpela, Committee Assistant
Mr S Hassan, Information Technology Assistant

1. Opening and welcome

The Chairperson opened the meeting and welcomed the members of the Committee and the officials.

The Chairperson informed the Committee that, at a meeting of 10 November 2021, it had informally agreed to amendments to be effected to the Western Cape Biodiversity Bill [B 2–2021] and that the WCPP Legal Adviser was requested to draft these amendments in proper legal and technical style. The Chairperson further informed the Committee that the WCPP Legal Adviser, in consultation with the Department, completed this exercise and submitted the amendments (in the form of an A-list) to the Committee on 17 November 2021. The Committee has therefore concluded the Informal Stage of considering the Bill and will now proceed to the Formal Stage.

Agreed to.

2. Consideration of the Western Cape Biodiversity Bill [B 2–2021]

The Chairperson moved: “That in the opinion of the Committee, legislation is desirable to provide for the framework and institutions for nature conservation and the protection, management and sustainable use of biodiversity and ecosystems in the Province; and for matters incidental thereto, and that the legislation referred to the Committee be taken as a basis.”

Agreed to.

The Chairperson put the amendments to clause 1 which were agreed to. The Chairperson put clause 1 as amended which was agreed to.

The Chairperson put clauses 2 - 4 which were agreed to.

The Chairperson put the amendments to clause 5 which were agreed to. The Chairperson put clause 5 as amended which was agreed to.

The Chairperson put clauses 6 - 15 which were agreed to.

The Chairperson put the additional subclause to clause 16 which was agreed to. The Chairperson put clause 16 as amended which was agreed to.

The Chairperson put clauses 17 - 36 which were agreed to.

The Chairperson put the amendment to clause 37 which was agreed to. The Chairperson put clause 37 as amended which was agreed to.

The Chairperson put clauses 38 and 39 which were agreed to.

The Chairperson put the amendment to clause 40 which was agreed to. The Chairperson put clause 40 as amended which was agreed to.

The Chairperson put clauses 41- 46 which were agreed to.

The Chairperson put the amendment to clause 47 which was agreed to. The Chairperson put clause 47 as amended which was agreed to.

The Chairperson put clauses 48- 50 which were agreed to.

The Chairperson put the amendments to clause 51 which were agreed to. The Chairperson put clause 51 as amended which was agreed to.

The Chairperson put the amendment to clause 52 which was agreed to. The Chairperson put clause 52 as amended which was agreed to.

The Chairperson put clauses 53- 62 which were agreed to.

The Chairperson put the amendment to clause 63 which was agreed to. The Chairperson put clause 63 as amended which was agreed to.

The Chairperson put clauses 64- 70 which were agreed to.

The Chairperson put the additional subclause to clause 71 which was agreed to. The Chairperson put clause 71 as amended which was agreed to.

The Chairperson put clause 72 which was agreed to.

The Chairperson put the new clause 73 to substitute the existing clause 73 which was agreed to. Chairperson put clause 73 as amended which was agreed to.

The Chairperson put clauses 74 - 83 which were agreed to.

The Chairperson put the amendment to clause 84 which was agreed to. The Chairperson put clause 84 as amended which was agreed to.

The Chairperson put clauses 85 - 88 which were agreed to.

The Chairperson put the short title, schedule, long title and the entire Bill as amended to the Committee which was agreed to.


The Chairperson submitted the Draft Committee Report which was considered and adopted.

3. General

The Chairperson requested the Procedural Officer to inform the Committee of the update from the NCOP Select Committee in terms of Final Mandates in respect of the National Environmental Management Laws Amendment Bill [B 14F–2017] (s76). The Procedural Officer informed the Committee that the NCOP Select Committee had indicated that it would not be able to submit the F-version of the Amendment Bill by 24 November 2021 when the Committee was scheduled to compile its Final Mandate. As a result, the committee meeting that was scheduled for 24 November was postponed to 30 November 2021.

The Chairperson expressed his appreciation to the members and officials for their contribution to the success of the meeting.

The meeting adjourned at 09:42.



MR AP VAN DER WESTHUIZEN, MPP
CHAIRPERSON: STANDING COMMITTEE ON AGRICULTURE, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Date:30 November 2021.....