



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**

*Tuesday, 30 November 2021 (at 09:00), Virtual Meeting via Microsoft Teams*

**PRESENT**

**Members**

**Democratic Alliance**

Baartman, DM  
Maseko, LM  
Van Der Westhuizen, AP (Chairperson)

**Apologies**

Mr BN Herron, Member - GOOD  
Mr PJ Marais, Member – Freedom Front Plus  
Mr P Marran, Member - African National Congress

**The following persons were in attendance:**

**Department of Environmental Affairs and Development Planning**

Mr A Mohamed, Acting Head of Department  
Mr P Hardcastle, Director - Planning and Policy Co-ordination  
Ms A Rossouw, Manager - Planning and Policy Co-ordination  
Ms K Marhota, Manager - Planning and Policy Co-ordination

**WCPP Officials**

Adv A le Roux, Legal Adviser  
Ms S Niekerk, Procedural Officer  
Ms N Mshumpela, Committee Assistant  
Mr C Esau, Senior Information Technology Strategy and Architecture Officer  
Ms C Morris, 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 it was not possible to proceed to the planned agenda item for the day in terms of the consideration and adoption of the Draft Final Mandate Stage Report on the National Environmental Management Laws Amendment [B 14F–2017] (s76) (NEMLA) as the NCOP Select Committee on Land Reform, Environment, Mineral Resources and Energy had not finalised the final version of the Amendment Bill.

The Chairperson further informed the Committee that the amendments that were agreed to by the NCOP Select Committee were circulated to Members and to the Department of Environmental Affairs and Development Planning and that the Department was requested to outline the impact of these amendments so that the Committee could make an informed decision when compiling its Final Mandate Stage Report. As the due date of 7 December 2021 for the submission of Final Mandates remained, the Chairperson suggested that the Committee meet on Friday, 3 December 2021 at 08:00 to compile its Final Mandate Stage Report on the NEMLA Bill, provided that the final version of the Amendment Bill was received by noon on Thursday, 2 December 2021.

Agreed to.

## **2. Consideration of the amendments agreed to by the NCOP Select Committee on Land Reform, Environment, Mineral Resources and Energy in respect of the National Environmental Management Laws Amendment Bill [B 14F–2017] (s76)**

The Department highlighted the impact of the amendments agreed to by the NCOP Select Committee and its relation to the amendments proposed by the Standing Committee in its Negotiating Mandate Stage Report. The Department further indicated that it would only be able to make an informed decision on the content of the Amendment Bill in its entirety once the final version of the Amendment Bill was made available.

The WCPP Legal Adviser raised concern that it appeared as if the NCOP Select Committee did not take into account the constitutional question raised by the Committee in its Negotiating Mandate Report regarding the licensing authority of municipalities in relation to air pollution licensing and that it was unclear at this stage whether there may be further matters that were not incorporated into the list of amendments that should be of concern to the Committee.

The Chairperson requested that when the F-version of the Bill is received, the WCPP Legal Adviser and Department check to see if the list of amendments were incorporated into the final version of the Amendment Bill and whether there were further matters that should be of concern to the Committee.

Agreed to.

## **4. Consideration and adoption of Draft Committee Minutes**

The Chairperson submitted the Draft Committee Minutes of 18 and 19 November 2021 which were considered and adopted.

**5. Consideration and adoption of Draft Committee Report on the Annual Report discussion of the Department of Agriculture and Casidra for the 2020/21 financial year**

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

**6. Consideration and adoption of Draft Committee Report on the Annual Report discussion of the Department of Environmental Affairs and Development Planning and CapeNature for the 2020/21 financial year**

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

**7. Consideration and adoption of Draft Committee Quarterly Report**

The Chairperson submitted the Draft Committee Quarterly Report (July – September 2021) which was considered and adopted.

**8. Consideration and adoption of Draft Committee Tracking Document**

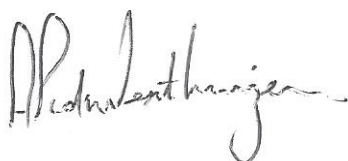
The Chairperson submitted the Draft Committee Tracking Document as at 30 November 2021 which was considered and adopted.

**9. Consideration and adoption of Draft Committee Programme**

The Chairperson submitted the Draft Committee Programme (January – March 2021) which was considered and adopted.

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

The meeting adjourned at 10:25.



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

Date: .....22 February 2022.....