



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

Ref: WCPP 11/4/8

MINUTES OF PROCEEDINGS

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

Tuesday 22 August 2023 (at 13:00), Virtual Meeting via Microsoft Teams

PRESENT

Members

Democratic Alliance

America, D
Murray, CA
Van der Westhuizen, AP (Chairperson)

African National Congress

Marran, P

Freedom Front Plus

Marais, PJ

Apology

Mr P de Villiers, Member of the Standing Committee (GOOD)

The following persons were in attendance:

National Department of Agriculture, Land Reform and Rural Development

Mr B Makhafola, Director - Food and Safety
Mr M Mutengwe, Chief Food Safety and Quality Assurance Officer
Mr T Chipane, Food Business Officer
Mr R Sebifelo, Parliamentary Liaison Officer

Western Cape Department of Agriculture

Ms B Matoti, Director - Agricultural Economics Services

National Department of Forestry, Fisheries and the Environment

Mr W Smit, Deputy Director - Forestry Regulation and Oversight

Western Cape Department of Environmental Affairs and Development Planning

Mr A Gaffoor, Director - Strategic and Operational Support

Ms K Marhota, Specialised Environmental Officer

CapeNature

Mr D Rossouw, Integrated Catchment Specialist

Department of the Premier

Ms A Muller, State Law Adviser

Member of the public

Ms I Woodrow, Chief Executive Officer - South African Association for Food Science and Technology

Western Cape Provincial Parliament

Ms S Niekerk, Procedural Officer

Ms N Mshumpela, Committee Assistant

Mr S Hassam, Information Technology Assistant

Ms C Morris, Information Technology Assistant

Adv R Maasdorp, Legal Adviser

Mr L Petros, Legal Intern

Ms N Visser, Researcher

1. Opening and welcome

The Chairperson opened the meeting and welcomed the members of the Committee, the departmental officials, members of the public and the officials from the Western Cape Provincial Parliament.

The Chairperson provided the Committee with the process that was followed to date in terms of the processing of the Agricultural Product Standards Amendment Bill [B 15B—2021] and the National Veld and Forest Fire Amendment Bill [B 24B—2021]. Specific reference was made to committee resolutions that were taken at the committee meeting of 20 June 2023, and feedback was given in respect of each resolution. The public awareness campaign was highlighted, and feedback was given in respect of the public's response thereto.

The Committee was informed that members of the public who submitted written submissions on the respective amendment bills requested to attend the meeting. However, due to loadshedding some could not attend.

The Committee was further informed that the purpose of the meeting was to discuss the written submissions received on the amendment bills and the relevant national Departments' response thereto, and that this will then place the Committee in good stead to identify and agree to possible amendments to be included in its Negotiating Mandate Reports.

2. Deliberation on submissions received in respect of the Agricultural Product Standards Amendment Bill [B 15B—2021] and the national Department of Agriculture, Land Reform and Rural Development's response thereto

The Committee proceeded to the Matrix that contained all written submissions received, and the national Department's response thereto. The national Department placed into context its response to these submissions.

The Committee, officials and members of the public were afforded an opportunity to ask questions of clarity and raise concerns to which the national Department responded.

The Committee deliberated.

3. Deliberation on submissions received in respect of the National Veld and Forest Fire Amendment Bill [B 24B—2021] and the national Department of Forestry, Fisheries and the Environment’s (DFFE) response thereto

The Committee proceeded to the Matrix that contained all written submissions received, and the national Department’s response thereto. The national Department placed into context its response to these submissions.

The Committee, officials and members of the public were afforded an opportunity to ask questions of clarity and raise concerns to which the national Department responded.

As the national Department’s response to certain questions extended wider than the matter under discussion, the Chairperson raised three matters for the officials to take back to the Ministry and DFFE for consideration.

Firstly, the reluctance from DFFE to accept invitations from the Province. Granted that the Province does not have oversight over national Departments, a relationship of collaboration between the three spheres of government on mutual and concurrent matters would be appreciated. Secondly, the Committee had invited DFFE and the respective Minister to address it on the Alien Vegetation Eradication Programme as DFFE provided funding to Western Cape Government in that particular year for approximately R30 million. As the Committee had oversight over the provincial Department of Environmental Affairs and Development Planning and its Entity, CapeNature, the Committee would have appreciated feedback from the national Department as to whether it was satisfied with the manner in which that R30 million was spent. Thirdly, the Committee regretted the scaling down of the high altitude teams. In the past, Working on Fire provided the Province with assistance in terms of high altitude teams for the eradication of alien vegetation and the feedback received was that this had been scaled down which diminished the level of support to the Province.

The Committee deliberated.

4. Resolutions/Actions

4.1 Agricultural Product Standards Amendment Bill [B 15B—2021]

4.1.1 The Committee RESOLVED that it would consider requesting the Western Cape’s Delegate in the NCOP, when compiling its Negotiating Mandate Report, to ensure that:

4.1.1.1 Affected industries gain the right to ensure that the costs associated with the auditing process are within limits acceptable to the relevant industry; and

4.1.1.2 It be clearly put that assignees (“the entities that are to audit the management control systems”) possess the necessary qualifications, product or industry knowledge in order to fulfil their tasks, as well as being free of any conflict of interest.

4.2 National Veld and Forest Fire Amendment Bill [B 24B—2021]

4.2.1 The Committee RESOLVED that it would consider requesting the Western Cape’s Delegate in the NCOP, when compiling its Negotiating Mandate Report, to ensure that:

4.2.1.1 Various grammatical errors be corrected;

4.2.1.2 Since the short title of the principal act will be changed to the National Veldfire Act, consideration should be given to also change the short title of the Amendment Bill to the National Veldfire Amendment Act, 2023 ;

4.2.1.3 The wording of section 4(8) be changed to “*...join a fire protection association, if such an association has been registered in the area in which the land is situated*”; and

4.2.1.4 In terms of clause 7 amending section 26 of the principal act - The Western Cape Government expressed concern regarding the powers allocated to traditional leaders to “enter, search, arrest, and seize” in terms of this Act. It should be noted that these powers may only be exercised by those “that (they) have been trained to be competent by an accredited institution.” The national Department deemed these powers to be required to, for example, act against arsonists in rural areas. It is therefore proposed that those exercising these powers not only provide proof of their identity, but that they also provide proof of being found competent in terms of the Act.

6. Consideration and adoption of Draft Committee Minutes

The Chairperson submitted the Draft Committee Minutes of 25 July 2023, which were considered and adopted.

7. General

7.1 The Chairperson informed the Committee of the next meeting on 22 August 2023 where the Negotiating Mandate Reports on the Agricultural Product Standards Amendment Bill [B 15B—2021] and National Veld and Forest Fire Amendment Bill [B 24B—2021] will be compiled, considered and adopted.

7.2 The Chairperson further informed the Committee of the oversight visit scheduled for 7 September 2023 to the Cederberg area where it will meet with CapeNature, the Department of Agriculture, the Citrus Growers Association and farmers to assess the impact of the recent flood damage to agricultural infrastructure, crops and biodiversity, with specific reference to challenges in relation to the exporting of agricultural products such as citrus;

7.3 In light of the scheduled oversight visit, the Chairperson requested that the Reserve Manager at the Algeria Camping Site be asked to share some of the photographs that were taken shortly after the June 15th floods which would then give the Committee an indication of progress when it visits the Reserve. Agreed to.

8. Closing

The Chairperson expressed his appreciation to the members for their active participation in the meeting and to the officials for their contribution to the success of the meeting. Particular appreciation was expressed to the National Departments for their thorough responses to submissions received and to the Committee’s questions that was posed.

The meeting adjourned at 16:00.

A handwritten signature in black ink, appearing to read 'AP van der Westhuizen', written in a cursive style.

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

Date:22 August 2023.....