

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 29 MAY 2023

COMMITTEE REPORT

Annual Committee Activity Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning for the 2022/23 financial year as follows:

Members

The Committee comprised the following members:

Van der Westhuizen, AP (DA) (Chairperson)
America, D (DA) from 9 June 2022
August, SN (Environmental Affairs and Development Planning) (GOOD)
Bosman, G (DA) until 4 August 2022
Botha, LJ (DA) until 8 June 2022
Marais, PJ (Agriculture) (FF Plus)
Marran, P (ANC)
Murray, C (DA) from 5 August 2022

Alternate Members

America, D (DA) until 8 June 2022
Lili, A (ANC) from 21 September 2022
Mackenzie, RD (DA) until 26 February 2023
Maseko, LM (DA) until 8 June 2022; reinstated from 5 August 2022
Plato, D (DA) until 8 June 2022
Schäfer, BA (DA) until 8 June 2022; reinstated from 5 August 2022 until 26 February 2023
Sileku, I (DA) from 30 November 2022
Smith, D (ANC)

1. Introduction

The mandate of the Committee was to:

- 1.1 maintain oversight over the Executive Members and the Departments and its Entities, of the way in which they perform their responsibilities including the implementation of legislation and to hold them accountable to the Western Cape Provincial Parliament; and
- 1.2 consider and report on legislation, other matters and the Annual Reports referred to it by the Speaker.

In fulfilment of its mandate the Committee:

- 1.3 facilitated public participation and involvement in the legislative and other processes of the Committee;
- 1.4 conducted its business in a fair, open and transparent manner;
- 1.5 promoted co-operative governance; and
- 1.6 reported regularly to the House.

2. Reporting departments and entities

- 2.1 Department of Environmental Affairs and Development Planning
- 2.2 Department of Agriculture
- 2.3 CapeNature
- 2.4 Casidra

3. Overview of committees' activities

Number of committee meetings	15
Number of public hearings	6
Number of oversight visits	4

4. Oversight activities

The 2022/23 year was considered a challenging, yet productive year in which interactions with the Departments and Entities and the many stakeholders consulted were both cordial and productive and ensured that committee members could approach their oversight function with objectivity and insight. The Committee successfully conducted most of its business by way of virtual meetings on Microsoft Teams.

The financial year was eventful, with several initiatives having resulted in follow-up activities and meetings. The Committee focused on legislation, current and regulatory matters as well as overseeing the implementation of policies and programmes related to the Department of Agriculture, the Department of Environmental Affairs and Development Planning, Casidra and CapeNature. The following is a summary of the Committee's activities during the year.

- 4.1 In terms of NCOP Bills, the Committee focused and concluded its processes on the Sectional Titles Amendment Bill [B 31B–2020] (NCOP) (s76) that was referred to it and submitted its Negotiating Mandate Report as well as its Final Mandate Report timeously for submission to the relevant NCOP Select Committee.
- 4.2 Current and regulatory matters that were addressed by the Committee included the locust swarm situation in the Western Cape and the impact of the closing down of the Langeberg and Ashton Canning Company. The Committee also considered the legal framework in

which a nature reserve, namely the Driftsands Nature Reserve, could be de-proclaimed in terms of Section 24(1)(b) of the National Environmental Management: Protected Areas Act, 2003 (Act 57 OF 2003). The Committee gave consideration to the loss of biodiversity and the irreversible impact on ecosystem integrity due to the scale and nature of the rapid unlawful settlement in the Reserve and recommended that the House supports the withdrawal of the proclamation of the Driftsands Nature Reserve.

In addition, the Committee focused on the impact of the Russian invasion of Ukraine on the agricultural sector where the Department of Agriculture provided the Committee with information and statistics in respect of South Africa's agricultural trade with Russia and Ukraine by outlining the top ten agricultural imports from Russia and Ukraine as well as the top ten agricultural exports to Russia and Ukraine. The Committee was informed that the ongoing Russia and Ukraine conflict posed a major threat to South Africa and the Western Cape Agricultural Sector and that research on the full impact of the Russia and Ukraine conflict on the Western Cape Agricultural Sector could not be comprehensively assessed as yet. The impact of the war on inflation relating to food prices, specifically wheat, as well as on the cost of petrol and diesel was expanded upon. The Committee was further informed that the limited supply of wheat in the global markets will have a negative impact on domestic markets and increases in prices of wheat related products such as bread will affect food security, especially affordability and availability. The Committee expressed concern in relation to the escalating food prices and its impact on the most vulnerable.

- 4.3 The Committee followed up on the implementation of the Western Cape Biodiversity Act, 2021 (Act 6 of 2021), and the progress on the drafting of the associated Regulations. The Department of Environmental Affairs and Development Planning briefed the Committee in this regard and specific reference was made to the impact of the Act on biodiversity matters in the Province, as well as to the challenges that were experienced with the implementation thereof. The Committee compiled several resolutions that will ensure that the phased implementation of the Act proceeds with due consideration for public participation and alignment to national policies.
- 4.4 In terms of Money Bills, the Committee deliberated on Vote 9: Environmental Affairs and Development Planning and Vote 11: Agriculture, in the Schedule to the Western Cape Adjustments Appropriation Bill [B 3–2022]. Similarly, the main appropriated budget for the 2023/24 financial year for Vote 9: Environmental Affairs and Development Planning and Vote 11: Agriculture, in the Schedule to the Western Cape Appropriation Bill [B 2–2023] was deliberated on. The bills are listed below.
- 4.5 The future curricula of the Elsenburg Agricultural Training Institute with specific reference to tertiary institutions and qualifications that fall within the ambit of the national sphere of government continued to be of concern to the Committee. To this end, the Committee met with the Department of Agriculture to determine if there was communication with the relevant national authority, how this would affect the future of the Training Institute and how the Department was dealing with this matter. The Department of Agriculture informed the Committee that several meetings were held with the Department of Higher Education and Training, the Department of Agriculture, Land Reform and Rural Development and the National Treasury regarding the shift of the Elsenburg Agricultural Training Institute to national government. The Committee was further informed that the parties agreed that executive consultation must be held before further administrative processes could be instituted. No date was set for the executive engagement. The Department of Agriculture provided the Committee with the five options in respect of the Elsenburg Agricultural Training Institute which would form part

of the executive engagement, one of which was the proposed shift to the Department of Agriculture, Land Reform and Rural Development. The Committee further noted that it was not in favour of the shift of the Elsenburg Agricultural Training Institute to the National Government and made several recommendations to the Department of Agriculture in this regard. The Committee will continue to follow up on this matter in the 2023/24 financial year.

- 4.6 The Growth Potential of Towns in the Western Cape was also explored with a focus on the evidence needed to inform spatial planning and strategy in order to determine where investments should be prioritised in the Western Cape.
- 4.7 Air Quality Management, a Programme within the Department of Environmental Affairs and Development Planning, was focused on with specific reference to the monitoring of Air Quality, the effect of Air Quality on human health and the environment, applicable legislation, law enforcement, air quality management systems, challenges and mitigation measures in place.

The Department provided the Committee with an overview of the Air Quality Management Directorate within the Department of Environmental Affairs and Development Planning. The effect of air quality on human health and the environment was explained and the air quality management systems within a legislative context were highlighted. Air Quality Planning and Information Management relating to Air Quality Governance, inclusive of oversight in municipalities, was explained as well as Air Regulatory Services with specific reference to the capacity of crematoria during the COVID-19 Pandemic and compliance monitoring and enforcement. Comparative air quality figures for areas and towns were provided to the Committee as well as the challenges experienced and mitigation measures that were in place.

Numerous concerns were raised by the Committee, including the public consultation process relating to the solid waste plant that was constructed adjacent to a residential area in Worcester, efforts for the limitation of the emission of methane gas at solid waste sites and the capacity within municipalities to compile Air Quality Management Plans and related by-laws.

- 4.8 The Committee conducted two oversight visits, one to the Southern Cape, another to the West Coast.

The focus of the visit to the Southern Cape was on the Department of Environmental Affairs and Development Planning's Biomass Projects and the Restore Eden Projects. These projects were situated in Plettenberg Bay, Knysna and Sedgefield. The Committee also visited two farms that were enrolled in the Agricultural Producer and Support Development Programme of the Department of Agriculture, as well as the provincial Department of Agriculture's Outeniqua Research Farm in George.

Oversight visits were conducted to the West Coast towns of Vredendal, Vanrynsdorp, Brand se Baai, Ebenhaeser, Papendorp and Strandfontein. The oversight visits were a result of numerous discussions in committee meetings where concerns were raised in relation to mining activities along the West Coast and the potential environmental damage caused by these mining activities. Specific concerns related to the rehabilitation of the areas that have already been mined and where responsibility resided. The visit proved insightful and produced many resolutions that will be followed up by the Committee.

- 4.9 The Committee, as part of the Service Delivery Cluster of Committees, participated in two Cluster Visit Weeks that took place in the Overberg Region and Garden Route District.

The visit week to the Overberg region included a visit to the Sinobuntu Food Garden in Caledon and the Walker Bay Nature Reserve in De Kelders, Gansbaai. The purpose of the visit to the food garden was to engage with the Department of Agriculture, Casidra and members of the community as well as beneficiaries on several issues that included background information relating to the food garden project; best practices for proprietorship of gardens; number of gardens supported, extent of support and funding granted; lessons learnt; sustainability of the various projects; contribution to healthy lifestyles and food security; recovery of assets that were stolen or vandalised; processes where gardens come to an end and related issues.

The purpose of the visit to Walker Bay Nature Reserve was to engage with CapeNature, members of the community as well as beneficiaries on several issues that included the Sour Fig Harvesting Project background and operation, challenges experienced, successes achieved, community and youth involvement and community benefits. The Cluster B delegation participated in a short hike to the Klipgat cave, accessible via the De Kelders gate at the Walker Bay Nature Reserve, which was home to Middle Stone Age and Late Stone Age humans. The Committee also attended and participated in the meetings of the other committees within the Cluster during the visit week.

The Visit Week to the Garden Route District included a visit to the Oudtshoorn Research Farm and the Groenvlei Carp Eradication Project at the Goukamma Nature Reserve.

The purpose of the visit to the Oudtshoorn Research Farm was to engage with the Department of Agriculture on a number of issues that focused on research, and included the Smart Decision-Making Tool for the ostrich industry; the Department's contribution to the breeding and keeping of quality, sought-after ostriches; the role of the Department in Avian Influenza control and/or prevention as well as other risks; the contribution of the ostrich industry to the economy; and why the Klein Karoo seemed to be ideal for the ostrich industry. To this end, three young researchers shared their respective research topics with the delegation. To gain a balanced viewpoint from the private industry on the quality of the support services provided by the Department of Agriculture, an invitation

was also extended to the South African Ostrich Business Chamber and Cape Karoo International, who briefed the delegation on the slaughtering of ostriches; the markets for feathers, ostrich meat and leather (export and export markets); and the extent to which the Department was serving and meeting the expectations of the industry.

The purpose of the visit to Groenvlei lake was to engage with CapeNature and its partners as well as with project beneficiaries on a number of issues that included the project background and operation, challenges experienced, successes achieved, community and youth involvement and community benefits. Carp was an invasive species, introduced in Groenvlei in the 1990s. The Groenvlei lake was the ideal environment for the carp and as a result the carp had increased to the extent where they were causing ecological degradation to this unique freshwater lake.

- 4.10 The Committee also received regular updates from the Department of Environmental Affairs and Development Planning and CapeNature as well as from the Department of Agriculture and Casidra on its quarterly performance where non-financial performance targets were evaluated and where performance indicators that were not achieved and/or partly achieved were reviewed.

- 4.11 Annual reports were the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their Strategic Plans and Annual Performance Plans. To this end, the Committee deliberated on the Annual Reports of the Department of Agriculture and the Department of Environmental Affairs and Development Planning as well their respective entities, Casidra and CapeNature, for the 2021/22 financial year.
- 4.12 A late invitation was extended to the Committee, which was accepted, to participate in the joint public meetings and joint site visits of the National Assembly Portfolio Committees on Agriculture, Land Reform and Rural Development, as well as on Labour and Employment on the living and working conditions of farmworkers in the Western Cape. Subsequently, the Committee was invited to attend a meeting with the South African Human Rights Commission for further deliberation on complaints emanating from the agricultural sector. The Committee also attended the Department of Agriculture's Western Cape Prestige Agri Awards Ceremony that gave recognition to the valuable and important contribution of agri workers to sustainability and growth in the Western Cape.

5. Legislation

In the 2022/23 financial year the Committee dealt with the following items of legislation:

5.1 Provincial bills

- 5.1.1 Western Cape Adjustments Appropriation Bill [B 3–2022]: Vote 9 - Environmental Affairs and Development Planning
- 5.1.2 Western Cape Adjustments Appropriation Bill [B 3–2022]: Vote 11 – Agriculture
- 5.1.3 5.1.5 Western Cape Appropriation Bill [B 2–2023]: Vote 9 - Environmental Affairs and Development Planning
- 5.1.4 Western Cape Appropriation Bill [B 2–2023]: Vote 11 – Agriculture

5.2 NCOP bill (Section 76)

Sectional Titles Amendment Bill [B 31B–2020] (NCOP) (s76)

6. Facilitation of public involvement and participation

In line with its mandate to facilitate public participation as part of the legislative process, the Committee created awareness and opportunity for the public to participate in the legislative process by advertising in print media, using social media such as Facebook, Twitter and Instagram as well as drafting specific letters to affected and interested stakeholders to comment on legislation.

The public was therefore given the opportunity to submit requests to make verbal presentations to the Committee, to submit written comments and to submit oral submissions via WhatsApp voice notes. The Committee resolved that a decision on public hearings on the Sectional Titles Amendment Bill would be made once written and oral submissions were studied. There was minimal public interest and the Committee agreed that in-person public hearings will not be held.

7. Financial particulars

The Committee's actual expenditure for the 2022/23 financial year as at 31 March 2023 was R218 229,05 against an adjusted budget of R272 949,00. The underspending was due to public hearings that did not take place in respect of the Sectional Titles Amendment Bill as explained above.