



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

Ref: 11/4/1/2/16

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Tuesday, 12 July 2018 (at 09:30), Committee Room 1, 4th Floor, 7 Wale Street, Cape Town

PRESENT

Members

Democratic Alliance

Hinana, NE
Maseko (alternate
Simmers, TA (Chairperson)

African National Congress

Dijana, TM

Apologies

Beerwinkel, CF (ANC)
Dijana TM (ANC)
Schäfer, BA (DA)

Ms C Labuschagne, Permanent Delegate: National Council of Provinces
Mr P van Zyl, Head of Department: Environmental Affairs and Development Planning

The following persons were in attendance:

Department of Environmental Affairs and Development Planning

Ms M Laros, Director: Biodiversity and Coastal Management
Mr P, Hardcastle, Director: Planning and Policy Co-ordination
Mr A Rhodes, Acting Director: Spatial Planning and Coastal Impact

Department of the Premier

Mr L van der Schyff, State Law Advisor

Western Cape Provincial Parliament

Ms A Mtimkulu, Researcher

1. Opening and Welcome

The Chairperson opened the meeting, apologised for starting late and welcomed all present. He informed the Committee of the process that was followed in order for the National Department of Environmental Affairs to be present and brief the Committee. He voiced his dissatisfaction at the fact that the Ministry of Environmental Affairs informed the Committee less than 24 hours before the briefing that officials from the National Department will not attend the meeting as "our Minister is of the view that the relevant MEC should brief the Committee".

2. Discussion by the Department of Environmental Affairs and Development Planning on their concerns in relation to the Marine Spatial Planning Bill [B 9D–2017] (NCOP)

The Department proceeded to inform the Committee of their concerns relating to the Bill.

These concerns included the following:

- The Bill does not provide sufficient guidance to terrestrial planners;
- There is no cross-reference to the Local Government Municipal Systems Act (Act 32 of 2000);
- The Bill clearly identifies the economic utility of the ocean but does not identify its ecological and socio-cultural utility;
- The Bill does not seem to recognise that coastal planning schemes, in terms of the Integrated Coastal Management Act (Act 24 of 2008), need to be compiled by all three spheres of government, neither does it provide for potential conflicts between the Bill and the said Act;
- The Bill excludes all fresh water bodies and estuaries; and
- The National Working Group on Marine Spatial Planning created in terms of clause 9 of the Bill includes competent officials from various national departments but it does not make provision for the inclusion of provincial officials.

The Committee deliberated and thanked the Department for their contribution.

3. Discussion on the public participation process to be followed for the Marine Spatial Planning Bill [B 9D–2017] (NCOP)

The Chairperson defined the Committee's constitutionally mandated function in terms of public participation.

4. Resolutions/Actions

4.1 The Committee, having considered the input from the Department, RESOLVED that:

- 4.1.1 It will follow an active public participation process that will consist of public hearings as well as written submissions from affected stakeholders;
- 4.1.2 Three public hearings will be held in the following areas; Saldanha Bay, Mossel Bay and Cape Town;
- 4.1.3 All public hearings will commence at 18h00;
- 4.1.4 Advertisements will be placed in the Cape Times, Burger, Son as well as in the relevant community newspapers in the areas where public hearings will be held; and

- 4.1.5 The Committee will make use of the service of the Communication and Information section to assist with a media campaign as well as the service of the Public Education and Outreach Section to assist with public awareness.
- 4.2 The Committee further REQUESTED that the National Department of Environmental Affairs provide it with its response to comments received from the Ministry of Local Government, Environmental Affairs and Development Planning, CapeNature, the University of Cape Town, the South African National Biodiversity Institute and the World Wild Life Fund South Africa in 2017.

The meeting adjourned at 11:00.



MR TA SIMMERS, MPP
CHAIRPERSON: STANDING COMMITTEE ON ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: