



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, 29 January 2019 (at 08:30), Committee Room 1, 4th Floor, 7 Wale Street, Cape Town

PRESENT

Members

Democratic Alliance

Allen, RI (Alternate Member)
Mnqasela, M
Philander, WF (Chairperson)
Simmers, TA

African National Congress

Beerwinkel, CF
Dijana, TM
Olivier, RT (Alternate Member)

The following persons were in attendance:

Department of Environmental Affairs and Development Planning

Mr A Barnes, Chief Director: Environmental Planning
Mr K Munro, Director: Spatial Planning
Mr Ms C Kriel, Chief Planner

South African Local Government Association

Mr A Joseph, Advisor

1. Opening and Welcome

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

The Chairperson informed the Members that the National Environmental Management Laws Amendment (NEMLA) Bill [B14 D–2017] (NCOP) was referred to the Committee and that a programme has been received from the Select Committee on Land and Mineral Resources at the NCOP. As this will have an impact on the Committee's Programme, the Chairperson requested that this matter be dealt with when the Committee discusses item four (Committee Programme) on the agenda.

Agreed to.

2. Briefing by the Department of Environmental Affairs and Development Planning on the latest developments in Spatial Planning and Land Use Management

The Department proceeded to brief the Committee on the Land Use Planning Regulations, 2015: Draft Amendment 2018, and the recent developments in the domain of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA).

With regard to the former, the Department briefed the Committee on its background and purpose, the proposed amendments, the public participation process that was followed and the way forward.

With regard to the latter, the Department provided the Committee with background information relating to the pre-promulgation of SPLUMA, the developments post implementation as well as the challenges and legal issues experienced. The Department further outlined the need for the establishment of various Working Groups and the focus area of each group. The status of municipalities in the Western Cape in relation to the implementation of the amendments to SPLUMA and its effect on Municipal Bylaws were provided to the Committee.

The Committee expressed its concern regarding the lack of capacity and knowledge in some municipalities to effect the necessary amendments to their Bylaws and the impact that this will have on economic development in the specific municipal areas.

The Committee deliberated.

3. Consideration and adoption of Draft Committee Quarterly Report (October –December 2018)

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

4. Consideration and adoption of updated Tracking Document as at 29 January 2019

The Chairperson submitted the Draft Tracking Document which was considered and adopted.

5. Consideration and adoption of Draft Committee Programme as at 29 January 2019

The Chairperson submitted the Draft Committee Programme which was considered and adopted with amendments to include the NEMLA Bill and the public participation process associated thereto.

5.1 Discussion of Public Participation Process

The Chairperson informed the Committee that a copy of the NEMLA Bill as well as a summary of a report published by the Parliamentary Monitoring Group (PMG) on 25 April 2018 was circulated to assist members to gain an understanding of what the Amendment Bill seeks to do.

The Provincial Department of Environmental Affairs and Development Planning provided the Committee with a brief outline of the Amendment Bill.

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

The Committee deliberated.

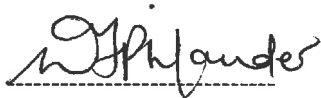
6. Resolutions/Actions

6.1 The Committee having perused the summary of the PMG report and considering the input from the Provincial Department, **RESOLVED** that:

- 6.1.1 The Amendment Bill is a technical, stakeholder and industry specific Bill, that does not directly affect the greater public;
- 6.1.2 It will follow a public participation process that will consist of one public hearing in Cape Town and written submissions;
- 6.1.3 The briefing by the National Department of Environmental Affairs and the public hearing will take place on the same day;
- 6.1.4 If, after the briefing by the National Department of Environmental Affairs, the Committee feels that further public engagement is necessary, it will undertake to deal with this accordingly; and
- 6.1.5 Advertisements will be placed in the Cape Times, Burger and Cape Argus.

6.2 The Committee **REQUESTED** that the Department of Environmental Affairs and Development Planning provide it with the names and contact details of specific stakeholders in the air quality, compliance and enforcement, biodiversity and conservation, waste management and integrated coastal management disciplines in order for it to extend an invitation to these industry specific stakeholders to participate in the public engagement process.

The meeting adjourned at 10:30.



MS WF PHILANDER, MPP

CHAIRPERSON: STANDING COMMITTEE ON ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Date:14/3/2019.....

