



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, 28 July 2020 (at 14:30), Virtual Meeting via Microsoft Teams*

**PRESENT**

**Members**

**Democratic Alliance**

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

**African National Congress**

Smith, D (Alternate Member)

**Apologies**

Herron, BN (GOOD Party)  
Marran, P (African National Congress)

Mr A Bredell, Minister of Local Government, Environmental Affairs and Development Planning  
Mr P van Zyl, Head of Department: Environmental Affairs and Development Planning  
Dr R Omar, Chief Executive Officer: CapeNature

**The following persons were in attendance:**

**Department of Environmental Affairs and Development Planning**

Ms Marlene Laros, Director: Biodiversity and Coastal Management  
Ms Kayleen Marhota, Environmental Officer

**CapeNature**

Ms C Birss, Executive Director: Biodiversity Conservation  
Mr D Hignett, Capability Manager: Biodiversity Conservation

## **Members of the public**

Mr D Pinnock  
Mr F Garrard  
Mr D Botha

## **WCPP Officials**

Ms S Niekerk: Procedural Officer  
Mr T Abbas: Information Technology Software & Hardware Support 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 from CapeNature and the Department.

The Chairperson explained the meeting procedure for video conferencing.

### **2. Briefing by CapeNature and the Department of Environmental Affairs and Development Planning on the submission of Norms and Standards for the Management of Elephants in South Africa, 2019**

CapeNature provided the Committee with background information pertaining to the subordinate legislation, the key provisions of the 2008 Norms and Standards for Elephants as well as the amendment process and implications for the Western Cape. Notable amendments were highlighted and recommendations were made.

The Committee deliberated.

### **3. Resolutions/Actions**

3.1 The Committee RESOLVED that it would submit the following comments to the relevant Select Committee at the National Council of Provinces (NCOP):

3.1.1 That the Committee supports the amended National Norms and Standards for the Management of Elephants in South Africa developed in terms of section 8 (3) of the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004), subject to its concern listed below:

3.1.1.1 That the Committee is concerned about the interpretation of Paragraphs 6(3)(a) and 6(3)(b) in the Norms and Standards relating to management plans as the wording used suggests that the issuing authority cannot decline a management plan and, if this is correct, may have an impact on the implementation of the mandate of the issuing authority; and

3.1.1.2 That the Committee recommends that the National Department of Environmental Affairs, Forestry and Fisheries supports the regulated community through a Compliance Promotion Programme (roadshow) and that this is done for all amended and new regulations.

- 3.2 The Committee further REQUESTED that the Department of Environmental Affairs and Development Planning provides it with:
- 3.2.1 A report on whether any submissions were made to the National Assembly on the Norms and Standards for the Management of Elephants in South Africa, whether these submissions were incorporated and if it was rejected, the reasons for non-inclusion; and
  - 3.2.1 A table containing a clause-by-clause breakdown of the amendments pertaining to the National Environmental Management Laws Amendment Bill [B 14 D-2017], outlining the impact and/or the financial implication of each amendment.

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

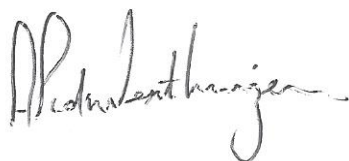
The Chairperson submitted the Draft Committee Minutes of 14 and 24 July 2020, which were considered and adopted.

**5. Consideration and adoption of Draft Committee Programme as at 28 July 2020**

The Chairperson submitted that Draft Committee Programme which was considered and adopted. Emphasis was placed on the oversight visit to the Overstrand area in September 2020. The Committee agreed that the travelling cost of Members will be claimed from the Committee's budget. The Committee further indicated that some Members may opt to utilise the Western Cape Provincial Parliament's transport for this visit.

The Chairperson expressed his appreciation to the Members, the officials from CapeNature and the Department as well as the officials from the Western Cape Provincial Parliament for their contributions to the success of the meeting.

The meeting adjourned at 15:38.



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

Date: .....12 August 2020.....