

Report of the Portfolio Committee on Forestry, Fisheries and The Environment on the Strategic Plan 2019/20—2023/24, Annual Performance Plans 2023/24 and the Budget Vote 32 of the Department Of Forestry, Fisheries and The Environment (Dffe), Dated 2 May 2023

1 BACKGROUND

The Portfolio Committee on Forestry, Fisheries and the Environment (hereinafter referred to as the Portfolio Committee) scrutinised the 2022/23 Vote 32: Forestry, Fisheries and the Environment and budget projections for the Medium Term Expenditure Framework (MTEF) period ending in the 2024/25 financial year. The process entailed the examination of the 2023/34 Annual Performance Plans (APPs) and Budgets of the Department of Forestry, Fisheries and Environment (hereinafter referred to as the Department or DFFE), and the five national public entities reporting to it during briefings held in April 2023. Therefore, the Portfolio Committee reports as follows:

2 INTRODUCTION

This report accounts for the process embarked upon by the Portfolio Committee to consider Vote 32: Forestry, Fisheries and the Environment as tabled by the Minister of Finance, and the Five-Year Strategic Plan and Annual Performance Plans of the Department, and the five public entities that report to the Minister of Forestry, Fisheries and the Environment. The Portfolio Committee process followed the tabling of Strategic Plans, APPs and budget allocations by the Department and its national public entities in Parliament as required in terms of the Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999). The APPs outline the annual plans in line with Strategic Plans and the allocated budget as per the Estimates of National Expenditure (ENE) tabled by the Minister of Finance. These planning documents were tabled in March 2023 and presented at briefing sessions on 18 and 19 April 2023.

2.1 Overview of the Department of Forestry, Fisheries and Environment and Entities

The mandate of the Department of Forestry, Fisheries and Environment (DFFE) is to ensure the protection of the environment and conservation of natural resources, balanced with sustainable development and the equitable distribution of the benefits derived from natural resources for current and future generations. This is to be achieved while giving effect to the right of the nation to an environment that is not harmful to their health and well-being as stated in section 24(b) of the Constitution of the Republic of South Africa, which stipulates specifically that “*all South Africans have the right to an environment that is not harmful to their health or wellbeing, and to have the environment protected for the benefit of the present and future generations*” through the relevant legislation.

2.2 Legislative mandate

The core business of the Department is underpinned by the Constitution of the Republic of South Africa and all other relevant pieces of legislation that are derived from it. The constitutional directive “*to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures*” gave rise to the formulation and adoption of notably the National Environmental Management Act (NEMA) No. 107 of 1998. NEMA has undergone several amendments and has provided the bedrock for enacting the following “*specific environmental management acts*” (SEMAs), or issue-specific legislation on biodiversity and natural heritage resources; oceans and coasts; climate change and air quality management; and waste and chemicals management. Those applicable SEMAs comprise National Environmental Management: Biodiversity Act No. 10 of 2004; National Environmental Management: Protected Areas Act No 57 of 2003; National Environmental Management: Air Quality Act No. 39 of 2004; Sea Fishery Act No. 12 of 1988; National Environmental Management: Waste Act No 59 of 2008; National Environmental Management: Integrated Coastal Management Act No. 24 of 2008; Marine Living Resources Act No. 18 of 1998; National Veld and Forest Fire Act No. 101 of 1998; and National Forests Act No. 84 of 1998, *inter alia*.

The Department fulfils its mandate by formulating, coordinating and monitoring the implementation of national environmental policies, programmes and legislation with additional support from its entities, such as the iSimangaliso Wetland Park Authority (iSimangaliso), Marine Living Resources Fund (MLRF), the South African National Biodiversity Institute (SANBI), South African National Parks (SANParks), and the South African Weather Service (SAWS). The Department is structured into *nine* programmes to ensure the effective achievement of its constitutional mandate. The *nine* different programmes and their purposes are reflective of the different focus areas and subsectors of environmental management (Table 1). The objective of the current programme structure is to ensure that specific attention is given to each focus area of the Department’s constitutional mandate while acknowledging the interrelationship and ensuring an integrated approach.

Table 1: The structure and purpose of each departmental programme

Programmes	Purpose
1: Administration	Provides strategic leadership, management and support services to the department.
2: Regulatory Compliance and Sector Monitoring	Promotes the development of an enabling legal regime and licensing authorisation system that will promote enforcement and compliance and ensure coordination of sector performance.
3: Oceans and Coasts	Promotes, manages and provides strategic leadership on oceans and coastal conservation.
4: Climate Change, Air Quality and Sustainable Development	Leads, promotes, facilitates, informs, monitors and reviews the mainstreaming of environmental sustainability, low carbon emissions, climate resilience and air quality in South Africa's transition to sustainable development.
5: Biodiversity and Conservation	Ensures the regulation and management of all biodiversity, natural heritage and conservation matters in a manner that facilitates sustainable economic growth and development.
6: Environmental Programmes	Implements the expanded public works programme and green economy projects in the environmental sector.
7: Chemicals and Waste Management	Manages and ensures that chemicals and waste management policies and legislation are implemented and enforced in compliance with chemicals and waste management authorisations, directives and agreements.
8: Forestry Management	Develops and facilitates the implementation of policies and targeted programmes to ensure the sustainable use and management of forests.
9: Fisheries Management	Ensures the sustainable utilisation and orderly access to marine living resources through improved management and regulation.

3 LINKAGES BETWEEN THE DEPARTMENTAL PRIORITIES AND THE NATIONAL DEVELOPMENT PLAN VISION 2030

The National Development Plan (NDP) Vision is that by 2030, South Africa's transition to an environmentally sustainable, climate-change resilient, low-carbon economy and just society will be well underway. Achieving this requires, first and foremost, attaining the NDP outcomes relating to the transformation of society and an economy, which is internationally competitive, equitable, job-creating and sustainable (resilient, green and low-carbon), *inter alia*. Thus, the National Development Plan sets out a vision for promoting environmental sustainability in South Africa by making an equitable transition to a low-carbon economy and transforming human settlements for improved local governance and spatial integration. The National Development Plan envisions environmental sustainability and transformation within the context of an integrated and inclusive economy that is supported by a capable and developmental state. This vision is given expression by the following priorities of the government's 2019/20–2023/24 medium-term strategic framework (MTSF), with which the work of the Department of Forestry, Fisheries and Environment is closely aligned:

- Priority 1: Economic transformation and job creation
- Priority 2: Education, skills and health
- Priority 3: Consolidating the social wage through reliable and quality basic services
- Priority 4: Spatial integration, human settlements and local government
- Priority 5: Social cohesion and safe communities
- Priority 6: A capable, ethical and developmental state
- Priority 7: A better Africa and world

The Department's 2019/20–2023/24 Strategic Plan and 2023/24 Annual Performance Plan are aligned with the priorities outlined in the MTSF. However, during the 2022/23 financial year, the Department undertook a process of revising its contribution to the MTSF and their associated targets. In consultation with the

Department of Performance, Monitoring and Evaluation (DPME) and the Auditor General of South Africa (AGSA) to ensure proper alignment of plans and application SMART principles.

Priority 1 “A capable, ethical and developmental state”, the Department undertakes initiatives that improve capacities to comply with legislation. However, the Department is still struggling to ensure good governance, compliance with laws as indicated by an unqualified audit opinion and transforming the demographic composition of the workforce. The implementation of projects under Operation Phakisa and Expanded Public Works Programme (EPWP) has an immense contribution to Priority 2 “Economic transformation and job creation”. While jobs and work opportunities are created, the state of the environment points to inefficiencies and regression in ecosystem rehabilitation and restoration. For Priority 3 “Education, Skills and Health” the Department has consistently awarded bursaries, offered internships and conducted awareness, albeit insufficient, on waste management. The poor air quality in the Highveld Priority Area (HPA) and other parts of the country are a testament that human health is compromised due to non-compliance or poor enforcement of ambient air quality standards. Similarly, Priority 5 (Spatial integration, human settlements and local government) entails training government officials and councillors at the district municipality level. The Department supports municipalities in incorporating environmental priorities in their IDPs, manages hazardous waste streams, and implements air quality management interventions to reduce atmospheric emissions. Priority 7 (A Better Africa and World) focuses on one of the Department’s key functions of leading and influencing an environmental management global agenda, which includes negotiations on Climate Change, Sustainable Development, Chemicals and Waste Management, Oceans and Coastal Management, Biodiversity and Conservation. The Department pursues targeted and strategic global and regional engagements to enhance South Africa and Africa’s socio-economic development priorities.

In summary, the Department’s 2023/24 APP aims to continue with the implementation of the Department’s approved Strategic Plan, which is aligned to Environment Sector priorities as outlined in the Government’s 2019/20 – 23/24 MTSF Plan and seven priorities of the 6th administration. However, the 2023/24 APP is the last attempt at addressing persistent environmental challenges (e.g., poaching, environmental degradation and pollution, climate change) as well as the need to catch up with goals that were derailed by the COVID-19 pandemic.

3.1 Medium Term Strategic Plans and Annual Performance Plans (APPs) of the Department and its Entities for 2023/24

The Department serves as the national collaborator with provinces in shared or concurrent responsibilities and takes the lead in guiding the environmental, forestry, and fisheries sectors by establishing the necessary policies, laws, and benchmarks for safeguarding the environment and promoting sustainable development in the country. This is evidenced by the Department's significant contribution to the formulation, handling, and management of a multitude of policy and legislative measures.

The Portfolio Committee received a briefing via the online platform Zoom, regarding the Department's strategic plans for the period of 2019/20 to 2023/24, as well as its annual performance plans and budgets for the 2023/24 fiscal year, recognising the Department's crucial role as described above. The primary objective of this meeting with the Department and its entities was to assess the appropriateness of the allocated budget in support of achieving the Department's and entities' strategic objectives and annual performance plans, as well as to ensure that the budget was consistent with the government's strategic priorities, as defined by the NDP. In addition to this, the Committee was also eager to learn about how the 2023/24 annual performance plan was designed to address the current environmental challenges confronting South Africa.

This report presents the Portfolio Committee's main findings, observations, and recommendations following its interactions with the Department and its entities, focusing on their strategic plans, annual performance plans, and budget.

3.2 Reconfiguration of the Department of Forestry, Fisheries and the Environment

The Department of Environmental Affairs was renamed the Department of Environment, Forestry and Fisheries (DEFF) in June 2019, incorporating the forestry and fisheries functions from the previous Department of Agriculture, Forestry and Fisheries. The Department further realised a name change to the Department of Forestry, Fisheries and Environment (DFFE) at the time of presenting its APP and budget to the Committee in the 2021/22 financial year. There were ongoing alignments and transfer of functions among departmental programmes to streamline operations and improve the effectiveness and efficient use of available resources. During the 2022/23 financial year, there were notable changes in functions and where they are transferred or merged within the Department. Notwithstanding these alignment processes, the mandate of the Department has not changed. Accordingly, DFFE is mandated to give effect to the right of

citizens to an environment that is not harmful to their health or well-being and to have the environment protected for the benefit of present and future generations. To achieve this, the Department provides leadership in environmental management, conservation and protection toward sustainable development for the benefit of South Africans and the global community.

3.3 Departmental Strategic Objectives

The Department's strategic objectives over the medium term are to:

- Provide leadership, strategic, centralised administration, executive support, and corporate services, and facilitate effective cooperative governance, international relations, and environmental education and awareness;
- Promote the development and implementation of an enabling legal regime and licensing/authorisation system to ensure enforcement and compliance with environmental law;
- Promote, manage and provide strategic leadership on oceans and coastal conservation;
- Improve air and atmospheric quality, lead and support, inform, monitor and report efficient and effective international, national and significant provincial and local responses to climate change;
- Ensure the regulation and management of all biodiversity, heritage and conservation matters in a manner that facilitates sustainable economic growth and development;
- Implement expanded public works and green economy projects in the environmental sector;
- Manage and ensure that chemicals and waste management policies and legislation are implemented and enforced in compliance with chemicals and waste management authorisations, directives and agreements;
- Develop and facilitate the implementation of policies and targeted programmes to ensure the sustainable management of forests; and
- Ensure the sustainability, utilisation, and orderly access to marine living resources through improved management and regulation.

4 BUDGET ALLOCATION TO THE DEPARTMENT AND ITS ENTITIES

The 2023/24 Government budget is framed within the context of the four policy objectives set out in the 2023 State of the Nation Address (SONA): Addressing load shedding, growing the economy and jobs, building better lives, making communities safer, fighting corruption, and making Government work, promoting economic recovery, sustainable public finances, structural reforms, and faster economic growth. The Government will continue to provide support for the response to the pandemic, job creation and social protection, partly through the special COVID-19 social relief of distress grant. The contribution from the Department will be to facilitate a fair and equitable shift towards a low-carbon economy and a society that can withstand the effects of climate change. Additionally, the Department has plans to generate job opportunities through an Expanded Public Works Programme while simultaneously promoting a favourable atmosphere for South Africa's transition to a circular economy. Since financial resources are tight and limited, Parliament must be more effective and efficient in its oversight and accountability functions, particularly on the finances, service delivery against the mentioned priorities and value for money.

The Department's allocation over the MTEF period is R14.3 billion, with 49.2% earmarked for spending on goods and services. The budget translates to an average annual increase of 2.8% in DFFE's expenditure, rising from R9 billion in 2022/23 to R9.8 billion by 2025/26. The Expanded Public Works Programme (EPWP) will receive funding for projects aimed at creating job opportunities. Transfers and subsidies to the Department's entities account for 24% of expenditure over the period, totalling R7.1 billion. During the medium term, the responsibility for enforcement at ports of entry will shift to the Border Management Authority. Consequently, the Department of Home Affairs will receive R14 million in 2023/24, R14.7 million in 2024/25, and R15 million in 2025/26. The allocation is shifted to the Department of Home Affairs as a result of this change.

The budget allocation to the Department constitutes 0.40% of the overall Government expenditure of R2.242 trillion. According to inflation data from the South African Reserve Bank, the funding level for the Department has remained steady since 2016/17, fluctuating only slightly between 0.40% and 0.45% of national spending. Factors such as global politics, anticipated Rand depreciation for the current year, rising national debt, persistently high stages of load-shedding and competing needs present challenges for the Government to increase departmental budget allocations. While the gross domestic product (GDP) is expected to reach 2.5%, it will not have any significant impact on the departmental allocation. Consequently, The budget allocation of the Department is R9.87 billion for the 2023/24 financial year, which is a nominal decrease of 9.8% (R878.7 million) from the 2022/23 allocation (Table 1). All departmental programmes were affected by the 2023 budget allocations when compared to the 2022 allocations. In nominal terms, five programmes

received an increased allocation (*Climate Change and Air Quality, Biodiversity and Conservation, Environmental Programmes, Chemicals and Waste Management and Fisheries Management*) and a reduction of funds affected four programmes (*Administration; Regulatory Compliance and Sector Monitoring (RCSM); Oceans and Coasts; and Forestry Management*).

Table 1: The Overall budget allocation to the Department and its programmes for the 2023/24 financial year and changes between the 2022/23 and 2023/24 financial years.

Programme	Budget		Nominal Rand change	Real Rand change	Nominal% change	Real% change
	2022/23	2023/24				
R million						
Administration	1 285.1	1 210.6	- 74.4	- 131.0	-5.8%	-10.2%
Regulatory Compliance and Sector Monitoring	314.2	308.6	- 5.6	- 20.0	-1.8%	-6.4%
Oceans and Coasts	502.5	496.8	- 5.7	- 28.9	-1.1%	-5.8%
Climate Change and Air Quality	571.1	673.0	101.9	70.4	17.8%	12.3%
Biodiversity and Conservation	1 237.9	2 081.0	843.1	745.8	68.1%	60.2%
Environmental Programmes	3 245.0	3 257.6	12.6	- 139.6	0.4%	-4.3%
Chemicals and Waste Management	620.4	634.2	13.8	- 15.9	2.2%	-2.6%
Forestry Management	664.0	586.7	- 77.2	- 104.6	-11.6%	-15.8%
Fisheries Management	554.7	625.2	70.5	41.3	12.7%	7.4%
TOTAL	8 994.8	9 873.6	878.7	417.5	9.8%	4.6%

Source: Adapted from National Treasury (2023)

The departmental budget allocation has resulted in changes to departmental transfers to the entities. For example, the transfers to entities have increased from R1.313 billion in the 2022/23 financial year to R1.609 billion in the 2023/24 financial year. Four entities experienced increases in their transferred allocations (the South African Weather Service, South African National Biodiversity Institute, National Regulator for Compulsory Specifications, and Marine Living Resources Fund), while the transfer to two entities decreased (iSimangaliso Wetland Park Authority, and South African National Parks), as shown in Figure 1. The Department is injecting capital amounting to R1.945 billion (up from R582.40 million in 2021) into the SAWS (R163m), iSimangaliso (R189.6m), SANParks (R1.268b) and SANBI (R323m) towards maintenance, development and infrastructure projects of the entities.

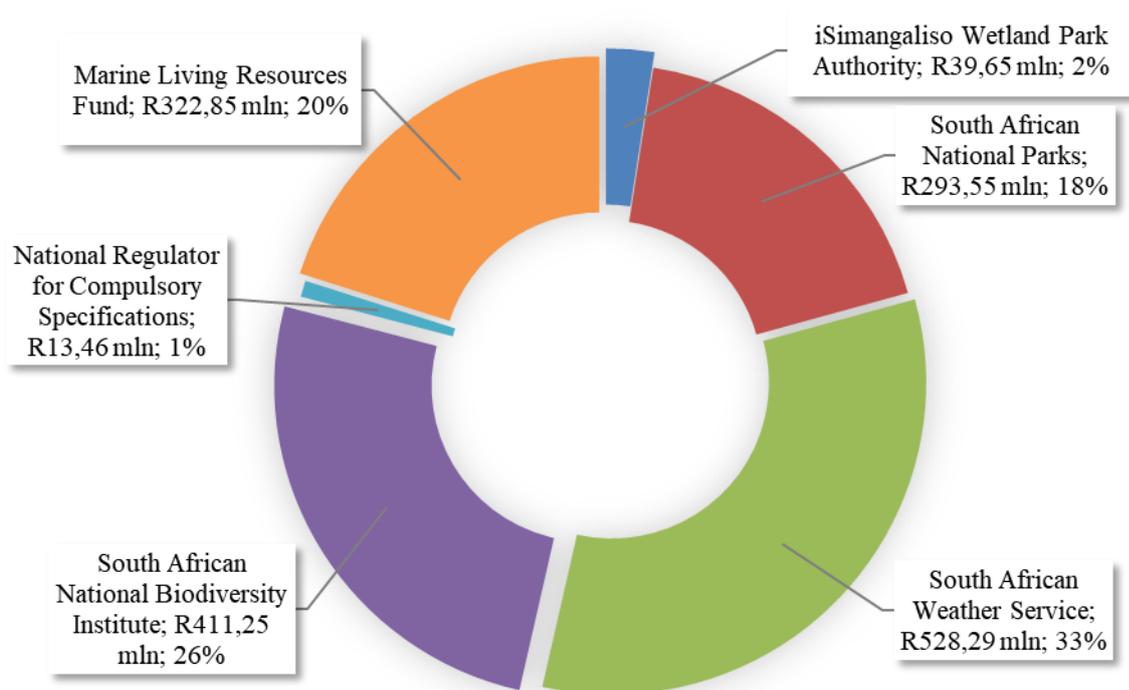


Figure 1. The budget transfers to entities from Vote 32 for the 2023/24 financial year amounted to R1.609 billion. (Adapted from the National Treasury, 2023).

5 DISCUSSIONS ON DEPARTMENTAL STRATEGIC PLAN, APP & BUDGET

As guided by Hon B Creecy, the Minister of Forestry, Fisheries and the Environment, Hon Maggie Sotyu, the Deputy Minister of Forestry, Fisheries, and Environment, introduced the departmental delegation and noted that eight out of nine Deputy Director Generals are women. Thereafter, the departmental presentation on the strategic plan (2019/20–2023/24), annual performance plan and the budget for 2023/24 was led by the Director-General of the Department, Ms Nomfundo Tshabalala, supported by the respective Deputy Director-Generals. The Committee made pertinent observations captured under the Department and also under specific departmental programmes/branches and entities.

5.1 Programme 1: Administration

The *Administration Programme* is responsible for providing strategic leadership, management and support services to the Department. The Programme reorganised some sub-programmes that resulted in their increase from four to six. The Branch had a 5.8% (R74.4 million) nominal reduction in its allocation, mainly from *Corporate Management Services* and *Financial Management Services*. When factoring in inflation, the real decrease is 10.2%, amounting to R131 million. This programme consumes 12.3% of the total departmental budget, which is a 2.0% decrease from the 2022 allocation. Consequently, members raised several issues under this *Administration Programme*, comprising the following:

- 5.1.1 The Committee was concerned about the 487 frozen posts as well as 291 vacant positions and wanted to know whether this did not pose any challenge to the work of the Department. The Committee further asked whether those positions were previously filled, or if there were timeframes to fill them.

Departmental responses

- 5.1.2 Regarding the issue of frozen and unfilled posts, the Department responded that these were not confined to one programme, but were spread across the Department and undertook to prioritise key positions, particularly at the senior management level when filling these vacancies.

5.2 Programme 2: Regulatory Compliance and Sector Monitoring (RCSM)

The purpose of the *Regulatory Compliance and Sector Monitoring (RCSM) Programme* is to promote the development and implementation of an enabling legal regime and licensing/authorisation system to ensure enforcement and compliance with environmental law. The Programme reorganised some sub-programmes

that resulted in their increase from six to eight. The overall budget decrease is R5.6 million, mainly contributed by the R33.1 million decrease in the allocation from the Integrated Environmental Authorisations and Enforcement sub-programmes. The Programme consumes a 3.1% share of the entire departmental allocation – slightly reduced from 3.5% in the 2022 allocation. It is in this regard, among others, that members of the Committee raised the following matter:

- 5.2.1 The Committee wanted to know the number of cases before the National Prosecuting Authority (NPA) relating to non-compliance with environmental legislation that had not been finalised.

Departmental response

5.2.2 The Department acknowledged that there was a backlog in processing cases related to compliance by the NPA and to address this the Department had drafted a Compliance and Enforcement Strategy. In addition, the Department was working towards getting the eThekweni Metropolitan Municipality to comply with water quality regulations as part of the compliance and enforcement initiative. The Department had been running the Water Quality Programme for the past three years, including testing and monitoring the quality of water flowing into estuaries. There has been notable progress made thus far;

5.3 Programme 3: Oceans and Coasts

The purpose of the *Oceans and Coasts Programme* is to promote, manage and provide strategic leadership on oceans and coastal conservation. The Branch has to manage the 1.5 million square kilometres of the exclusive economic zone (EEZ) that is a priority for job creation and economic development under Oceans Economy. The allocation to this Programme makes up 5.0% of the departmental budget (down from 5.6% in 2022). The 2023 allocation is R5.7 million less in nominal terms when compared to the allocation of 2022 and shrunk by 5.8% when factoring in inflation. This overall reduction raises questions about how the Department would deal with existing and additional responsibilities in the oceans space such as the proclamation and management of the new Marine Protected Areas (MPAs) as well as the *Oceans Economy*, inter alia. As a result, the Committee posed the following clarity-seeking question:

5.3.1 The Committee welcomed the Ocean Economy Master Plan and noted that it required a multi-stakeholder approach to ensure its success and wanted to know if the Department had consulted other departments to achieve the targets set in the Master Plan.

Departmental response

5.3.2 The question on the consultations with other departments to achieve the targets set out in the Master Plan was not responded to.

5.4 Programme 4: Climate Change, Air Quality and Sustainable Development

The purpose of this *Programme* is to lead the mainstreaming of environmental sustainability, low carbon and climate resilience and air quality in South Africa's transition to sustainable development. The Programme reorganised some sub-programmes that resulted in their decrease from ten to seven. The overall budget amounts to 6.8% (up from 6.3% in 2022) of the departmental budget. The budget was increased by R101.9 million (17.8%) in nominal terms and when factoring in inflation, the increase amounts to R70.4 million (12.3%). Significant changes were increased transfers towards the *South African Weather Service* sub-programme. The Committee inquired about international donor funding and emission sanctions as follows:

5.4.1 The Committee asked whether any of the climate change programmes of the Department were supported by international donor funding;

5.4.2 The Committee wanted to know if the Department had a detailed breakdown for the US\$80 million donor funding earmarked for environmental or sustainable development programmes; and

5.4.3 The Committee also wanted to know how the Kendal Power Station was reporting on its emissions and whether the Department had issued any notices to polluting industries in particular, in the Highveld Priority Area.

Departmental responses

5.4.4 On the donor-funding budget, the Department stated that the US\$80 million was obtained through several bilateral agreements with Germany, Flanders and multilateral finance agreements. The Department would ensure that there were continuous engagements with the donor entities and monitors the use of the funds by accredited entities; and

5.4.5 In addition, the foreign funding was located in the Office of the President. However, after the agreement was signed the Just Energy Transition Investment Plan was handed over to the Climate Change Commission to facilitate public consultation.

5.5 Programme 5: Biodiversity and Conservation

The purpose of this *Programme* is to ensure the regulation and management of all biodiversity, heritage and conservation matters in a manner that facilitates sustainable economic growth and development. The *South African National Parks*, *iSimangaliso Wetland Park Authority* and *South African National Biodiversity Institute*

contribute to this Programme. The budget allocation to this Branch constitutes 21.1% (up from 13.8% in 2022) of the departmental budget. The drastic increase in the budget allocation of the Branch is largely due to increased transfers to the South African National Parks and South African National Biodiversity Institute. The matter raised in the *Biodiversity and Conservation Programme* was:

- 5.5.1 The Committee commended the Department on the envisaged biodiversity programmes and wanted to know whether they would benefit the previously advantaged communities.

Departmental responses

- 5.5.4 The Department also mentioned that it envisaged the Biodiversity Programme to benefit around 400 previously disadvantaged individuals.

5.6 Programme 6: Environmental Programmes

The purpose of this *Programme* is to ensure the implementation of the Expanded Public Works Programme (EPWP) which has important implications for the environment and to conceptualise and implement green economy projects in the environmental sector. Thus, the aim of the EPWP (via the *Environmental Programmes*) is to provide unemployed mainly disadvantaged people with income support through work opportunities, while building and protecting South Africa's natural resources using labour-intensive methods. It is seemingly this income-provisioning, pro-poor appeal of the *Environmental Programmes* that it received an increased budget allocation by 0.4% (R12.6 million). The changes in sub-programme allocations are from dividing the budget nearly equally among the regions. The budget of this branch constitutes 33% of the departmental budget (36.1% in 2022) – thus consuming the largest part of the departmental budget. The Programme reorganised some sub-programmes that resulted in the removal of the Green Fund and the creation of three regions. The number of sub-programmes is still five.

5.7 Programme 7: Chemicals and Waste Management

The purpose of the *Chemicals and Waste Management Programme* is to manage and ensure that chemicals and waste management policies and legislation are implemented and enforced in compliance with the chemicals and waste management authorisations, directives and agreements. The Programme reorganised some sub-programmes that resulted in the creation of the *Chemicals and Waste Economy Programme Coordination* which resulted in the increase of the sub-programmes from six to seven. This Programme's allocation is 6.4% of the departmental budget (6.9% in 2022). The overall nominal budget allocation to the Programme has increased by 2.2% (R13.8 million) and seems to align with the strategic priority on the waste economy of the Department. The budget allocation seems to indicate a shift primarily from the funding of the *Waste Bureau* and *Integrated Waste Management* sub-programmes to the *Chemicals and Waste Management Policy and Specialist Monitoring Services*. The following issues were discussed under the *Chemicals and Waste Management Programme*:

- 5.7.1 The Committee noted that the Department provided training on waste management for 300 officials and wanted details on what the training entailed, the criteria used to identify the trainees, whether all municipalities would be trained and who was paid for the training;
- 5.7.2 The Committee was concerned about the fact that the Department did not present any initiatives to deal with disposable diapers, which is one of the biggest challenges in South Africa.

Departmental responses

- 5.7.3 The Department responded that the waste management training was conducted in collaboration with the South African Local Government through their local government forums and covered a wide range of topics, such as Integrated Waste Management, among others;
- 5.7.4 Furthermore, the Department's Local Government Support Strategy and Training are provided in several areas that fall within their area of responsibility as well as climate change and biodiversity conservation. Local Government support officers are available and are supported by youth to ensure they execute their mandates;
- 5.7.5 Regarding the dumping of disposable nappies, the Department had initiated several projects to address this challenge, for example, the promotion of re-usable towel nappies.

5.8 Programme 8: Forestry Management

The *Forestry Management Branch* exists to develop and facilitate the implementation of policies and targeted programmes to ensure proper management of forests and State plantations. The Programme reorganised some sub-programmes that resulted in the creation of two new sub-programmes, the *Forest Land Management and Post Settlement Support*; and *Forestry Policy Management*, thus increasing the

number of sub-programmes to four. The allocation to the Forestry Branch makes up 7.7% of the departmental budget (7.9% in 2021) and was nominally reduced by R26.2 million (3.7%). The bulk of the budget (57%) goes to the *Forest Land Management and Post Settlement Support* sub-programme where the bulk of the Programme's workforce is located. The following was the clarity-seeking question raised by the Committee under the *Forestry Branch or Programme*:

5.8.1 The Committee wanted to know whether forestry programmes were designed with climate change mitigation and other aspects in mind.

Departmental response

5.8.2 The Department also reported that Forestry Management and the Climate Change branches worked very closely to ensure that projects were aligned.

5.9 Programme 9: Fisheries Management

The *Fisheries Management Programme* serves to ensure sustainable utilisation and orderly access to marine living resources through improved management and regulation. The Programme extended the scope of the *Aquaculture Development* sub-programme to include Fresh Water Fisheries. The funds allocated to the Fisheries Branch make up 6.3% of the total departmental allocation (6.2% in 2022). The overall budget was increased by R70.5 million (12.7%) when compared to the 2022 budget allocation. The sub-programme affected by reduction is *Aquaculture Development and Fresh Water Fisheries* despite the newly expanded responsibility. The costs of vessel maintenance and operation are expected to be higher when factoring in the state of the currency and higher fuel prices.

6 ENTITIES REPORTING TO THE DEPARTMENT

6.1 South African National Parks

SANParks was established in terms of the National Environmental Management: Protected Areas Act (Act No 57 of 2003), with the mandate to develop, expand, manage and promote a system of sustainable national parks that represents the country's biodiversity and heritage assets through innovation and best practice for the just and equitable benefit of current and future generations. It is in this regard that the Committee raised the following matters with SANParks while interacting with the entity's Strategic Plan (2019/20 – 2023/24) and Annual Performance Plan and budget for the 2023/24 financial year:

- 6.1.1 The Committee inquired about the 11% increase in visitors;
- 6.1.2 Proposed that the Department specify a security line item in the Kruger National Park budget;
- 6.1.3 The Committee sought information on the funding needed to hire 82 rangers and the budget allotted for rangers who live outside of the park;
- 6.1.4 The Committee proposed that the target for poached rhinos should be zero, despite it being insurmountable;
- 6.1.5 Clarity was sought on the climate change impact on wildlife populations, available options to increase the rhino population, and measures to curb elephant poaching; and
- 6.1.6 The Committee proposed a joint meeting with other Committees that are affected by the content of Mr Rademeyer's report on rhino poaching and other related crimes.

South African National Parks Responses

- 6.1.7 SANParks clarified that the number of visitors has exceeded the pre-Covid levels;
- 6.1.8 SANParks undertook to discuss and consider the inclusion of a security line item on the budget;
- 6.1.9 SANParks admitted that the working and living conditions within the Park were not good but the Park was limited by available resources towards filling vacant posts or upgrading living quarters; and
- 6.1.10 SANParks also stated that they have a comprehensive report on the impact of climate change on the park and adjacent communities.

6.2 iSimangaliso Wetland Park Authority

The iSimangaliso Wetland Park Authority in KwaZulu-Natal was established in 2002 in terms of the World Heritage Convention Act (Act No 49 of 1999), with the mandate to ensure that effective and active measures are implemented in the Park for the protection and conservation of World Heritage Convention values; promote empowerment of historically disadvantaged communities living adjacent to the Park; promote, manage, oversee, market and facilitate optimal tourism and related development in the Park; and encourage, sustain, invest and contribute to job creation. The issues raised by the Committee with the iSimangaliso Wetland Park Authority comprised the following:

- 6.2.1 The Committee wanted an update on the farms in the St Lucia area after the flooding, land encroachment by neighbouring communities, and mining in the buffer zone;
- 6.2.2 The Committee wanted the details on budget changes between years and the board strategy session; and
- 6.2.3 The Committee also wanted to know whether non-conservation initiatives were being undertaken by the Park in collaboration with other authorities in the district to address unemployment and poverty.

iSimangaliso Wetland Park Authority responses

- 6.2.4 On the questions relating to land invasion or encroachment, and engagements with farmers, the Committee will be provided with a written response; and
- 6.2.5 The board strategy session had been about the five-year strategy and crafting the annual performance plan.

6.3 South African National Biodiversity Institute

SANBI was established in September 2004, in terms of the National Environmental Management: Biodiversity Act (Act No 10 of 2004). The mandate of the Institute is to monitor and report regularly on the status of South Africa's biodiversity, all listed threatened or protected species, ecosystems and invasive species; and the impact of any genetically modified organism that has been released into the environment. The Institute is also mandated to act as an advisory and consultative body on matters relating to organs of State and other biodiversity stakeholders; coordinate and promote the taxonomy of South Africa's biodiversity; manage, control and maintain all national botanical gardens, herbaria and collections of dead animals that may exist; and advise the Minister of Forestry, Fisheries and Environment on any matter regulated in terms of the Act, and any international agreements affecting biodiversity that are binding on South Africa.

To this end, SANBI presented its strategic plan (2019/20 – 2023/24), annual performance plan and budget for the 2023/24 financial year via a virtual platform (Zoom). Members of the Committee raised several issues on the entity's strategic plan, annual performance plan and budget, which are captured below:

- 6.3.1 The Committee sought clarity regarding the White Paper on Conservation and Sustainable Use of South Africa's Biodiversity, and how it relates to the High-Level Panel (HLP) recommendations, which called for the phasing out of the captive lion industry;
- 6.3.2 The Committee noted that there were requests from the captive lion owners who would like to exit the industry and wanted to know whether the Department had a plan to handle those who did not want to exit the industry voluntarily;
- 6.3.3 The Committee was concerned about the challenges posed by the alien invasive species, which resulted in water loss in terrestrial water bodies and rivers, and further wanted to know who was responsible for clearing invasive species, whether this had been budgeted for and what the long-term strategy for the clearing was;
- 6.3.4 The Committee raised a concern about the cancellation of lifetime membership of the Botanical Society (BotSoc) members who had been getting free entry into South African botanical gardens, particularly the Kirstenbosch. Lifetime members had invested thousands to have access to the gardens. The question therefore was what would happen to the members who joined, hoping they had signed up with the expectation that they would get free lifetime access instead all they would receive now is a 10% discount off entrance fees. Secondly, there were people with lifetime memberships who were very confused as to the way forward;
- 6.3.5 The Committee noted that the Entity had exceeded its revenue target of R1.2 million visitors, and its latest figure was R1.3 million visitors and wanted to know the reasons for the cancellation of the lifetime membership;
- 6.3.6 There was a question regarding the establishment of the Scientific Authority, whether it was a permanent structure or was appointed by the Minister during her tenure, and what the key scientific studies that the body was seized with at the time;
- 6.3.7 The Committee wanted to know whether SANBI through the Groen Sebenza internship programme monitored the progress of young black interns who published papers, as part of this programme and methods used to ensure their growth into full-time scientists; and
- 6.3.8 The Committee sought clarity on the 12 cheetahs that were exported to India.

6.3.1 SANBI responses

- 6.3.9 Concerning the White Paper on Sustainable Use, SANBI supported by the Scientific Authority, had developed management plans, focusing on some species, such as lions, elephants and leopards to determine whether the survival of species in the wild was compromised by any activity; and hence the reference to “non-detrimental findings”;
- 6.3.10 The Scientific Authority Committee was appointed by the Minister and comprised of representatives from each of the provinces, and a representative from the South African National Parks (SANParks). SANBI’s role was to provide administrative and logistical support and secretarial support for the Authority. The mandate of the Authority is to conduct research and provide the necessary evidence to support the Minister in carrying out her duties. Additionally, the Scientific Authority was to support the monitoring of illegal trade. Many of the studies conducted were focused on particular areas where species were threatened due to illegal trade. A key example that SANBI was focusing on, was the illegal trade in succulents;
- 6.3.11 On the invasive alien species, SANBI acknowledged that these species were among the key drivers of biodiversity loss, and investment was vital to ensure that a long-term solution was achieved. SANBI had produced the Status of the Biological Invasives Report;
- 6.3.12 Regarding the Groen Sebenza Programme, SANBI implemented a tracking system, and a monitoring programme to monitor the progress of young scientists’ growth over time;
- 6.3.13 With regards to the BotSoc membership, SANBI introduced a new system that worked on a 90/10 framework in terms of the ratio, which meant a 10% discount on entrance fees. A new arrangement was agreed on between SANBI and the BotSoc, about the 450-plus lifetime members. SANBI would honour that arrangement;
- 6.3.14 In addition, the agreement or relationship between the BotSoc and its members was between the BotSoc and its members, and if there were any claims for refunds, SANBI was not liable;
- 6.3.15 On the banning of animals in captivity, the Department presented a comprehensive report to the Committee on the linkages and relationship between the White Paper, the Game Meat Strategy as well as work on lions. The White Paper was adopted by Cabinet two weeks ago, which focused primarily on the four goals related to conservation and sustainable use, access and benefit-sharing, and transformation. The White Paper was a broad policy direction, and provided a strategic thrust to the rest of the work of the Department and the sector, as far, as issues related to biodiversity conservation and sustainable use went; and
- 6.3.16 On the exportation of 12 cheetahs, it was mentioned that the Minister had responded to a parliamentary question, in this regard.

6.4 South African Weather Service (SAWS)

The South African Weather Service (SAWS) is a *section 3a* entity established in terms of the South African Weather Service Act (Act No 8 of 2001) as amended, Public Finance Management Act (PFMA) and associated treasury regulations. SAWS mandate is to provide *two* distinct services, i.e., the public good service, which is funded by the Government of South Africa and commercial services where the user-pays principle applies. SAWS’ strategic plan (2019/20 – 2023/24), annual performance plan and budget for the 2023/24 financial year, which were presented to the Committee via a virtual platform (Zoom), were reflective of this dual function. The details of the interactions between the Committee and SAWS are captured below:

- 6.4.1 The Committee commended SAWS for better presentation compared to the previous years and the fact that laws and policies were implemented, as well as the introduction of the code of conduct within the Entity and hoped that it would also be implemented going forward;
- 6.4.2 There was concern around SCM and Training for Bid Committee members;
- 6.4.3 There was a question on the use of aerodrome warnings target of 98 per cent and whether they were used in all provinces or every municipality;
- 6.4.4 The Committee noted the challenge of poor air quality management across the country and wanted to know the criteria used for air quality monitoring, especially in the Highveld Priority Area and why the heavily polluted areas were not on the South African Air Quality Information System (SAAQIS) and why SAWS was not monitoring those as well;
- 6.4.5 The Committee wanted to know whether SAWS worked with MeerKAT Telescope in the Northern Cape on meteorological programmes and if not the Committee encouraged them to do so;
- 6.4.6 There was a concern around SCM and training provided for Bid Committees;
- 6.4.7 The Committee wanted a long-term solution to deal with load shedding for air quality monitoring stations, especially for aviation purposes;
- 6.4.8 On air quality monitoring stations that reported on the SAAQIS website, the Committee asked whether those were raw data represented on the site, or it was processed information, where specific pollutants were reflected on the website. For example, the EThekweni Metro data on the SAAQIS website on two evenings reflected poor air quality;

- 6.4.9 The Committee raised concern that most of the weather stations were in the urban areas and wanted to know if there was a plan to spread the stations to rural areas as well; and
- 6.4.10 The Committee also noted challenges related to weather prediction and whether there were risk management plans to address that.

6.4.1 South African Weather Service Responses

- 6.4.11 SAWS welcomed the compliment regarding the presentation and told the Committee that the code of conduct had been implemented and employees were workshopped on it;
- 6.4.12 Concerning the aerodrome warnings, it was responded that all airports in the country were covered;
- 6.4.13 SAWS also highlighted that it had been affected by load shedding and some of the equipment did not automatically start up, even if the power came back. A report on weather station availability was submitted to the Board. It was not looking good for the past quarter;
- 6.4.14 Concerning SAAQIS, it was responded that SAWS did the air quality monitoring in conjunction with the Department, and areas with poor air quality were prioritised such as the Vaal area because of steel manufacturing as well as the Highveld area, whilst the Bojanala area was identified as a potential area where there would be more air quality issues;
- 6.4.15 On the MeerKAT matter, SAWS mentioned that they would look into it, however, they were currently working with the South African National Space Agency (SANSa) as well as collaborated with the Agricultural Research Council (ARC), and the Council for Scientific and Industrial Research (CSIR);
- 6.4.16 On the SCM matter, SAWS reported that it had resolved most of the governance challenges in the past few years, which had led to some improved audit outcomes;
- 6.4.17 Regarding the air quality monitoring stations, SAWS assured the Committee that it had prioritised all critical weather stations, especially those related to aviation for safety purposes and the set targets were in line with international standards. Furthermore, SAWS had attended to non-functional airport stations when required as a matter of urgency as it could impact the lives of people flying in or out of a particular airport; and
- 6.4.18 Regarding the SAAQIS, the Committee was assured that the data put on the *App* had been processed and that it came from various service providers for municipalities. There was a penalty if the data were manipulated.

6.5 Marine Living Resources Fund

The management of marine fisheries resources lies within the Fisheries Management Branch (the Branch) of the Department of Environment, Forestry and Fisheries (the Department) as primarily guided by the Marine Living Resources Act (MLRA), No. 18 of 1998. The Marine Living Resources Fund (MLRF or the Fund), a schedule 3A Public Entity under the PFMA, was established in terms of section 10 of the MLRA. The MLRF is the main source of funding for the operational activities of the Branch. The MLRF receives transfers from the Branch and generates its other income from levies on fish products, licence fees and permits, fines and confiscations, and harbour fees. In terms of section 10(3) of the MLRA, the Director-General administers the MLRF in consultation with the Minister. The functions of the MLRF are executed by the staff of the Branch, in partnership with other stakeholders in the fisheries-related industry. The mandate and core business of the MLRF is to manage the development and sustainable use of South Africa's marine resources and protect the integrity and quality of the marine ecosystem. The MLRF tabled its 2023 APP which was presented together with that of the Fisheries Management Branch.

7 RECOMMENDATIONS

After reviewing the Department and entities' inputs, the Committee acknowledged their plans to fulfil their mandates and assume additional responsibilities, all of which are influenced by various factors and modifiers in the natural environment. The Committee expressed appreciation for these efforts. The Committee is conscious of its responsibility which is to ensure that the Department and the respective entities do exactly, as they have proposed for themselves without any deviation except to exceed agreed targets. The Minister has already made it abundantly clear that achieving 80 per cent is the minimum acceptable performance. It is therefore in this regard that the Committee makes the following recommendations:

- The Department should submit in writing a report on the emissions from the Kendal Power Station and notices issued to polluting industries or companies in the Highveld Priority Area;
- The Department should provide detailed information on the waste management training provided, including the criteria used to identify trainees, whether all municipalities will be trained, and who was paid for the training;
- The Department should provide a plan to ensure that the envisaged biodiversity programmes benefit previously disadvantaged communities;

- The Department should provide a detailed breakdown of the US\$80 million donor funding, where the projects are located, and implementation timelines;
- The Department should provide the Committee with plans to source funds and upscale initiatives to deal with disposable diapers, which is one of the biggest challenges in South Africa;
- The Department should provide the Committee with a plan for handling captive lion breeders who will not exit the industry voluntarily;
- The Department should provide the Committee with a breakdown in terms of municipalities where the 120 000 trees will be planted and the applied criteria for prioritised to be supplied with the trees;
- SAWS should provide a copy of the report on weather stations that was submitted to the Board;
- SAWS should provide a report on the status and location of air quality monitoring stations;
- The iSimangaliso Wetland Park Authority should submit a written response to the questions on the flooding of the St Lucia Estuary area and progress on the engagements with the affected farmers;
- iSimangaliso should provide details on the mining applications and land encroachment after receiving a court ruling in favour of the park.
- SANParks should provide a breakdown of security expenses to track budget allocations and successes in the parks and a breakdown of the funding towards security at Kruger National Park;
- SANParks should provide a comprehensive response to the report that was presented by Mr Rademeyer;
- SANParks must submit a comprehensive report on the impact of climate change on the park and adjacent communities, including resilience, adaptation and mitigation plans; and
- SANBI must submit a written response on the cancellation of the membership agreement with BotSoc.

The Minister should submit detailed responses to the Committee on behalf of the Department and all its entities made in this report within 60 days after the adoption of this report by the National Assembly.

Having considered the budget and annual performance plan of the Department of Forestry, Fisheries and the Environment, the Portfolio Committee recommends to the House to adopt the Budget Vote 32 allocation for the 2023/24 financial year, with the allocation of R9.873 billion, as tabled on 22 February 2023.

Report to be considered.