



**environment, forestry
& fisheries**

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 834 (NW1041E)

INTERNAL QUESTION PAPER NO. 15 of 2020

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Ms H S Winkler (DA) to ask the Minister of Forestry, Fisheries and the Environment:

- (a) What criteria are necessary to declare an area a High Priority Air Quality Area, (b) has she considered declaring the South Durban Basin a High Priority Air Quality Area considering that the area has been identified as an air pollution hot spot with high incidences of respiratory illness, (c) what oversight does her Department exercise over the eThekweni Metropolitan Municipality in terms of monitoring compliance with the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), (d) how often does her Department exercise oversight over the specified municipality in terms of compliance with the specified Act, considering that her Department has been made aware of high levels of air pollution in the South Durban Basin and across the province, and (e)(i) what oversight and (ii) how often does her Department exercise oversight over municipalities in terms of their compliance with the specified Act?
- (b)

834. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- a) For the Minister to declare an area as a national air quality priority area, amongst other things:
- It must have exceedances of national ambient air quality standards;

- The Minister reasonably believes that such will be the case in the future; and
 - It must extend beyond provincial boundaries.
- b) As indicated above, for an area to be declared as a priority area, it must extend beyond provincial boundaries. In the case of the South Durban Basin, the area falls entirely within the boundaries of the eThekweni Metropolitan Municipality. As a consequence, it would be for the Member of Executive Council (MEC) in the province to make such a declaration if the area meets the requirements as set out in Section 18 of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).
- c) The national department provides oversight and support to all municipalities in the execution of their air quality management duties and responsibilities through an intergovernmental forum called MINMEC, consisting of the Minister of Environment and the MECs responsible for Environment, as well as Mayors of metropolitan municipalities, relevant sector departments and SALGA. MINMEC meetings are held on a quarterly basis to ensure that policy coordination takes place.

Furthermore, the MINMEC has established a technical forum called MINTECH, consisting of the Director-General and provincial Heads of Department, relevant sector departments, metropolitan municipal managers and SALGA to provide formal technical support to the MINMEC. MINTECH, as the technical structure, informs and advises the Minister and MECs. MINTECH is informed by Working Groups consisting of national, provincial and local government officials. Working Group 2 is designated for air quality management.

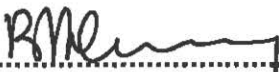
Through these structures sector targets are set, in line with relevant legislation, performance monitored and corrective measures taken by all three spheres of government according to the principles of cooperative government as set out in Chapter 3, section 41 (1) of the Constitution. This section of the Constitution stipulates the principles of co-operative government and intergovernmental relations applicable to all spheres of government, and requires them (spheres of government) to operate within the framework of mutual trust and good faith.

d) The established fora meet on a quarterly basis.

e) (i) and (ii) The Department is in the process of establishing a stakeholder forum in the area, with the view to bring together spheres of government, industry, NGOs/CBOs, academia and any other interested and affected parties. The forum will provide a platform for all stakeholders to engage openly and transparently with a view to address air pollution concerns in the area.

In addition, the Department will be conducting a health study in the area in order to get a better understanding of the impact of air pollution on the residents of the area.

Regards



MS B D CREECY, MP

MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 29/5/2020