

TUESDAY, 16 JULY 2019

[No. 07/2019] FIRST SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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TUESDAY, 16 JULY 2019

The House met at 09h07.

1. 09h07 Members were given an opportunity for silent prayers or meditation.
2. 09h08 The Deputy Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mr Amos Ndwalane
 - 2.2 Ms Nomhle Nkonyeni
 - 2.3 Mr James Small, and
 - 2.4 Mr Marc Batchelor
3. 09h10 The Deputy Speaker read into the record the tabling of the following reports:
 - 3.1 Department of Public Works: Annual Performance Plan 2019/2020; and
 - 3.2 Department of Community Safety and Liaison: Annual Performance Plan 2019/2020.

4. 09h21 The following reports were tabled:
- 4.1 Ms N P Nkonyeni tabled the Department of Human Settlements: Annual Performance Plan 2019/20;
 - 4.2 Mr M B Ntuli tabled the Report of the Portfolio Committee on Community Safety and Liaison on Budget Vote 9 – Department of Community Safety and Liaison;
 - 4.3 Mr N Ntombela tabled the Report of the Standing Committee on Oversight in respect of Vote 2: KZN Legislature;
 - 4.4 Mr S A Duma tabled the Report of the Portfolio Committee on Transport on Budget Vote 12 – Department of Transport;
 - 4.5 Mr S C Nkosi tabled the Report of the Portfolio Committee on Finance: KZN Appropriation Bill, 2019; and
 - 4.6 Mr T M Kaunda tabled the Department of Transport: Annual Performance Plan 2019/2020 – 2021/2022.

5. 09h24 The following Members gave notice of their intention to move motions on the next sitting day of the House:

5.1 Ms J N Cele, ANC, to move:

Le Ndlu:

Ihalalisele uMnyango Wezempilo, oholwa uMhlonishwa uNomagugu Simelane-Zulu kulesi siFundazwe, ngeqhaza lawo lokwamukela abafundi asebebothule izifundo zabo zokuba odokotela e-Cuba;

Iyakunaka ukuthi kuyabonakala ukuthi uMnyango unesu elisobala lokulekelela ukulwisana nokusweleka kwemisebenzi.

Le Ndlu iphakamisa:

Ukuba bonke labo dokotela bafakwe ngaphansi kohlelo lokulekelela ezibhedlela nasemakilini okungenzi kahle ukuze badlulise ikhono;

Ukuba balekelele ukuze abantu abagulayo bangahlali kuma-queue belinde odokotela;

Ukuba lokho bekwenza njengophawu lokubuyisela kubantu basesi siFundazwe sakithi.

[This House:

Congratulates the KZN Department of Health, under the leadership of MEC Nomagugu Simelane-Zulu, for its role in welcoming students who have completed their medical studies in Cuba; and

Notes that the department has a clear plan to assist in addressing unemployment.

This House therefore resolves:

To call for the deployment of all these doctors to struggling hospitals and clinics where they will be able to impart their knowledge and skills and assist patients so that they will not have to wait in long queues to see doctors; and

To call on these doctors to avail themselves to this task as a symbol of ploughing back their skills to the benefit of the people of KwaZulu-Natal.]

5.2 Ms N Dube-Ncube, ANC, to move:

This House notes:

The recent arrest of 39 undocumented foreign nationals at Mariannhill Toll Plaza;

These drivers had no permits or legal status which would allow them to be in this country;

One employer was arrested and charged; and

This happened after the provincial government took steps to rectify the adverse situation relating to undocumented foreign truck drivers which threatens to plunge the industry into turmoil.

This House therefore resolves:

To condemn the blatant defiance by some truck operators who continue to employ foreign nationals without the required documentation; and

To commend the Department of Home Affairs which conducted this operation to curb an immoral situation.

5.3 Ms L X H Hlongwa-Madlala, ANC, to move:

This House notes:

That the cane industry is under immense pressure from both external and internal factors that are likely to lead to compromised economic growth for KwaZulu-Natal.

This House therefore resolves:

To review and consider any available support to small-scale farmers to counter the detrimental effects of a basket of economic issues and a high cost of doing business.

5.4 Mr M B Gwala, IFP, to move:

This House notes:

That hundreds of people, mostly foreign nationals, have made Msunduzi landfill site in New England Road their home; and

That families, including children and infants, are living in plastic shelters on this dumping site, scavenging for food and looking for items to sell.

This House therefore resolves:

To urge local government officials to expedite security control measures to minimise access to this site to prevent people from being exposed to possible danger which may lead to the municipality being legally liable; and

To invite the private sector, NGOs and the Pietermaritzburg community to assist government in creating opportunities that will address poverty and unemployment.

5.5 Dr I Keeka, DA, to move:

This House notes:

That in Newcastle the mayor is out on bail for murder, attempted murder and conspiracy to commit murder;

That Newcastle has no deputy mayor or speaker;

That municipal finances are in ruins after serious allegations of unchecked looting by ANC deployees; and

That there is a dearth of political leadership which seriously affects service delivery at all levels.

This House therefore resolves:

To call on the MEC for Cogta to stop frolicking around with implicated persons; and

To stop twiddling his thumbs and immediately begin the process of putting this municipality under section 139(2)(b) administration in the interest of all residents.

5.6 Mr A V Khoza, EFF, to move:

This House notes:

Attempts by Afriform, a racist, backward neo-Nazi group, to push this country into civil war;

That these racist thugs have established a private prosecution unit which, since its establishment, has not prosecuted a single white person, but prosecuted Duduzane Zuma instead – and failed;

That Afriform recently decided to prosecute hon Julius Malema, Leader of the EFF.

This House therefore resolves:

To expose Afriform for what it truly is – a racist, neo-Nazi group that has no place in our country; and

To start a legal process to declare this formation of prosecutorial hitmen illegal in the interest of social cohesion and racial harmony.

5.7 Ms S Thakur-Rajbansi, MF, to move:

This House notes:

The deplorable state the dysfunctional Mobeni Heights Crematorium in Chatsworth has been in for almost a decade; and

The MF's 2018 motion on PPP in this regard to ensure the efficient running of existing crematoria and the development of new cremation and burial facilities.

This House therefore resolves:

To call on the MEC for Cogta to present a report on the budget which supports this line item;

To reprioritise the development of crematoriums and burial sites throughout the province; and

To monitor this infrastructure spent by KwaZulu-Natal municipalities through PPP arrangements.

5.8 Mr V R Mlotshwa, NFP, to move:

Le Ndlu iyakunaka:

Ukukhohlakala nokugcwaneka komkhandlu waseDumbe oholwa iMeya yakhona ukuba baxebule umbhalo okwabizwa ngawo irenki yakhona Zanele kaMagwaza-Msibi;

Ukuthi le *taxi rank* eyayingekho nhlobo; yakhiwa i-NFP isaphethe loya Mkhandlu.

Lesi senzo sizosusa udungunyane oluzobhebhetheka lugcwale i-Dumbe lonke.

Ngakho-ke le Ndlu inquma kanje:

UMhlonishwa uHlomuka akangenelele ukuvimba lolu dungunyane kungakonakali.

UNdunankulu amonithe ukuthi lolu daba luyavinjwa yini ngoba ekugcineni kuyophendula yena.

[This House notes:

The contempt and disdain shown by eDumbe Municipality, under the leadership of its mayor, by removing the signposting of the local taxi rank which was named after Zanele kaMagwaza-Msibi;

That this taxi rank had not even existed until it was built by the NFP while it was governing that municipality; and

That this act will result in unrest that could spread throughout the area of eDumbe.

This House therefore resolves:

To call on MEC Hlomuka to intervene and prevent any unrest from erupting; and

To call on the Premier to monitor the situation to ensure that any “unrest” is prevented, because at the end of the day he is the one who will be held accountable.]

5.9 Ms C Q Madlopha, ANC, to move:

The House notes:

That the ongoing furore relating to an increase in illegal dumping of waste in and around eThekweni Municipality’s area of jurisdiction is a major concern; and

That this includes the spillage of sewage into the ocean, as well as the illegal dumping of household refuse in Nqetho near Hillcrest where a local resident burns it for a fee.

This House therefore resolves:

To condemn the unacceptable degradation and flagrant disregard of the environment; and

To charge the Department of Edtea, under MEC Dube-Ncube, to protect the ecosystem and environment, and to look into this matter with a view of nipping it in the bud.

5.10 Ms N R Majola, ANC, to move:

This House notes:

The transformative approach taken by the ANC-led Department of Social Development, mandated by the party's resolutions on social transformation; and

That this approach has evolved out of this country's unique history of inequality and the violation of human rights as a result of colonialism and apartheid.

This House therefore resolves:

To call on the ANC-led government to continue with its journey of social change, buttressed by policies and legislation which seek to accelerate a truly reconstructed, transformed, unified and developed country, with the objective of reducing the many social ills that we are faced with.

5.11 Mr M Khawula, IFP, to move:

This House notes:

The excellent performance by the Proteas during the 2019 Netball World Cup held in England; and

The dismal performance of our other national teams – including *Banyana Banyana*, as well as our cricket and rugby teams – during recently held international tournaments and World Cup events.

This House therefore resolves:

To congratulate the Proteas on whom we pin our hopes to be our saviours on the international platform; and

To congratulate Netball SA on winning the right to host the Netball World Cup in Cape Town in 2023.

5.12 Mr M J Mazibuko, IFP, to move:

This House notes:

Reports of yesterday's protests by Engonyameni residents because of a lack of water supply;

A concerning tendency among communities to disrupt schools during their protests;

Serious allegations by residents that municipal officials cut the water supply because they want to install water tankers for their own benefit.

This House therefore resolves:

To call on eThekweni Municipality to urgently engage with Engonyameni residents about their grievances;

To urge residents not to disrupt schools during their protests; and

To call on the acting mayor to urgently institute an investigation into these serious allegations of deliberate tampering with the water supply by municipal officials.

5.13 Mr B Singh, DA, to move:

This House notes:

That the country has lost a great sporting legend, James Small, former rugby player for the Springboks, as well as the Sharks, our home team; and

That his contribution to South Africa's win against New Zealand during the 1995 Rugby World Cup infused the hearts of the people of this country with light at the end of the apartheid era.

This House therefore resolves:

To call on the KZN Legislature to contact and offer its condolences to the Small family in honour of this rugby legend's excellence, both on and off the field.

5.14 Mr N B Mthethwa, ANC, to move:

This House notes:

The continued exclusion of black people from fishing along the Isimangaliso Wetlands Park and other areas.

This House therefore resolves:

To introduce quotas, in line with radical economic transformation, when issuing fishing licenses in order to enable black fishermen to participate in that space, while avoiding overfishing.

5.15 Mr N Ntombela, ANC, to move:

This House notes:

That crime has no colour;

That the collapse in value of Steinhoff shares was felt across the globe and wiped out R15.6 billion of the Government Employees Pension Fund after the Public Investment Corporation had invested in Steinhoff;

That KPMG was one of four auditing firms exposed for their fraudulent conduct in auditing Gupta family-owned businesses and the VBS Mutual Bank in South Africa;

That the UK Securities and Exchange Commission has launched an investigation into three former KPMG partners who stand accused of leaking confidential information in a bid to improve inspection results for the firm.

Inkohlakalo nobuqhophololo abunabala; izigebengu aziboshwe. [*Fraud and corruption have no colour; criminals must therefore be arrested.*]

5.16 Mr S Moodley, IFP, to move:

This House notes:

That rampant crime is claiming innocent lives;

That the recent murder and burglary case in Silver Glen, Chatsworth, is yet another gruesome reminder that we are no longer safe in our own homes;

That criminals are becoming increasingly brazen and fearless; and

That this sense of lawlessness which is permeating our communities does not auger well for investor confidence, tourism and nation building.

This House therefore resolves:

To find urgent solutions to address rampant crime; and
To call on the MEC for [Community] Safety and [Liaison]
to step up measures to curb crime.

5.17 Mr S W Mshengu, ANC, to move:

This House notes:

That July is Savings Month in South Africa, according to
the SA Savings Institute.

This House therefore resolves:

To call on the Legislature and Provincial Treasury to
embark on an aggressive campaign to inculcate a culture
of saving and prudent investment, especially among the
youth, given the worrying economic climate in our country.

5.18 Mr S Sonjica, ANC, to move:

This House notes:

The scourge of gender-based violence and the lack of care
centres for victims in rural areas.

This House therefore resolves:

To call on the Department of Community Safety and
Liaison, the Department of Social Development, the
Department of Health and the SA Police Service to present
a comprehensive report on the functionality of existing
centres; and

To applaud the Department of Higher Education and
Training for tabling a draft policy on gender-based violence
in the post school education and training sector.

5.19 Ms G N Swartbooi-Ntombela, ANC, to move:

This House notes:

That the national Minister of Human Settlements, Ms
Lindiwe Sisulu, was accompanied by the Premier of
KwaZulu-Natal, Mr Sihle Zikalala, and Members of the

Executive Council of KwaZulu-Natal, when she handed over title deeds to 456 Cornubia residents in eThekweni Metro on 5 July 2019; and

That title deeds guarantee property ownership and restore people's dignity, especially those who were disadvantaged by the repressive apartheid system.

This House therefore resolves:

To congratulate the Department of Human Settlements and the beneficiaries of these title deeds.

6. 10h28 The General Budget Debate and Voting on the Reports of the Portfolio Committee on Finance and the Standing Committee on Oversight commenced and was concluded at 11h46.
- Question put.*
- That the Reports of the Finance Portfolio Committee and STACOV be adopted.
- Agreed to.*
7. 11h48 The Speaker made announcements.
8. 11h49 The business of the House was suspended and resumed at 12h33.
9. 12h34 The House resolved itself into the Committee of Supply and the debate on Vote 9 – Community Safety and Liaison commenced and was concluded at 14h50.
10. 14h52 Debate on Vote 12 Budget – Transport commenced and was concluded at 17h34.
11. 17h35 The Deputy Speaker resumed the Chair.
12. 17h36 The Chairperson of Committees gave a report on the Committee of Supply and sought permission to sit again.
- Permission granted.
13. 17h37 The Deputy Speaker made announcements.
14. 17h38 The House was adjourned until Wednesday, 17 July 2019 at 14h00.