

**THURSDAY, 25 JULY 2019**

**[No. 10/2019] FIRST SESSION, SIXTH LEGISLATURE**

# **KWAZULU-NATAL LEGISLATURE**

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## **MINUTES OF PROCEEDINGS**

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**THURSDAY, 25 JULY 2019**

The House met at 09h01.

1. 09h02 Members were given an opportunity for silent prayers or meditation.
2. 09h03 The Deputy Speaker made announcements including the passing away of:
  - Mr Sthembili Buthelezi;
  - Two security guards from Umlaza Township; and
  - Two maskandi fans from KwaMashu Hostel.

*The House observed a minute of silence.*

3. 09h27 The Speaker read into the record the tabling of the following reports:
  - 3.1 Portfolio Committee on the Premier: Report for 2019/2020;
  - 3.2 **Office of the Premier:**
    - 3.2.1 Annual Performance Plan, 2019/2020;

**3.2.2** Royal Household Trust: Annual Performance Plan, 2019/2020; and

### **3.3 Cooperative Governance and Traditional Affairs**

#### **3.3.1** Annual Performance Plan, 2019/2020

4. 09h07 The Premier made remarks and announcements.
5. 09h12 The following reports were tabled:
- 5.1** Mr S C Nkosi tabled the Report of the Portfolio Committee on Finance on Budget Vote 6 – Treasury for 2019/2020;
- 5.2** Mr N R Mthembu tabled the Report of the Portfolio Committee on Co-operative Governance and Traditional Affairs on Budget Vote 11 – Co-operative Governance and Traditional Affairs for 2019/2020.
6. 09h13 The following Members gave notice of their intention to move motions on the next sitting day of the House:

#### **6.1 Mr R R Pillay, ANC, to move:**

##### **This House notes:**

The welcome and decisive intervention by the accounting officer, supported by the MEC for Health, with regard to the SCM Unit dealing with security and other services;

The alleged leaking of confidential documents prior to completion of the process, as reported, is of extreme concern;

That one cannot avoid concluding that these actions are directed at undermining the implementation of a fair and equitable SCM process;

That this will require further and thorough investigation; and

That this should be a sharp message to all public administration staff that it will not be business as usual during the Sixth Term.

**6.2 Mr S A Duma, ANC, to move:**

**The House notes:**

The shocking death of 1 200 commercial cattle in Wasbank due to poisoning from Voermol Feeds; and

That the Department of Agriculture has visited the farm and is waiting for further results.

**This House therefore resolves:**

To follow up on this story without hiding any facts as these cartels have been monopolising the industry forever.

**6.3 Ms M C Frazer, ANC, to move:**

**Le Ndlu iyakunaka:**

Ukucindezeleka kwendlu emnyama ngezikhathi zobandlululo lapho yayingavunyelwe ukwenza izifundo zamakhono athize;

Ikhumbula amazwi kababa u-OR Tambo lapho ayethi khona isizwe esinganakekeli intsha yaso asinalo ikusasa.

**Ngakho-ke Ndlu inquma kanje:**

Ukubongela uMnyango weMisebenzi kahulumeni oholwa uMhlonishwa u-Peggy Nkonyeni ngokunika imifundaze kubantwana abangu-75 ukuze bafundele amakhono ashodayo angajwayelekile.

**[*This House notes:***

*The oppression of black people during the apartheid era when they were not allowed to pursue studies to gain certain skills;*

*The words of OR Tambo who said a nation which does not look after its youth has no future.*

***This House therefore resolves:***

*To congratulate the Department of Public Works, under the leadership of hon MEC Peggy Nkonyeni, which awarded bursaries to 75 students to pursue studies in rare and scarce skills.]*

**6.4 Mr P Govender, IFP, to move:**

**This House notes:**

That UKZN students at the forefront of ongoing protests;

They have threatened to shut down the institution, saying that academic programmes will not continue unless their demands are met.

**This House therefore resolves:**

To call on the Minister of Higher Education –

To intervene in this matter;

To investigate and deal with students' demands before the situation gets out of hand; and

To ensure that the operations of tertiary institutions are continuously monitored to avoid violent student protests.

**6.5 Ms T J Gumede, IFP, to move:**

**Le Ndlu:**

Ikhathazekile ngokwentuleka kwamanzi ezindaweni eziningi ezakhele lesifundazwe sethu;

Kumanje abasebenzi bomtholampilo waseZakheni oThukela i-St Chads besabisa ngokuwuvula lo mtholampilo njengoba sekuphele amasonto amathathu amanzi engekho nosekubekwe engcupheni izimpilo zabo, iziguli nomphakathi wonkana kwizifo ezithathelanayo.

## **Ngakho-ke le Ndlu inquma kanje:**

Ukunxenxa uhulumeni wethu ukuba usebenze kanzima ukulungisa indaba yamanzi nokusatshalaliswa kwawo ngokushesha njengoba iziteleka eziningi umsuka wazo ukwentuleka kwamanzi;

Ukuthi kubhekwe ezinye izindlela zokuthola amanzi emadamini amakhulu akulesi sifundazwe nakomakhelwane bethu njengoLesotho.

Ukuthuma umhlo. uSipho Hlomuka ukuba alusukumele udaba lwezithuthi zamanzi komasipala abanezinkinga zamanzi, ukuba kubangelwa yini ukuba zingathembeki emphakathini njengoba kubuye kuphele amasonto zingawahambisi amanzi.

### **[*This House notes:***

*With concern the water shortages in many areas of our province; and*

*That workers at St Chad's Clinic at Ezakheni, Ladysmith, where there has been no water supply for three weeks, have threatened to shut down the clinic because this situation is potentially life-threatening as it may expose people (workers, patients and the community) to communicable diseases.*

### ***This House therefore resolves:***

*To call on our government to work tirelessly to resolve the issue of water shortages, as the majority of community protests are about the water shortage;*

*To call for alternative ways of channeling water from large dams in this province and neighbouring Lesotho; and*

*To mandate hon Sipho Hlomuka to investigate the matter of water tankers in municipal areas where there are water shortages – to find the cause of their unreliability as communities have to go for weeks without water being delivered.]*

**6.6 Mr M Khawula, IFP, to move:**

**This House notes:**

The sad news of the passing away of nine-year-old Giselle Chetty, a Grade 3 pupil at Deccan Road Primary School, Pietermaritzburg, after contracting the H1N1 virus.

**This House therefore resolves:**

To urge parents and teachers to be vigilant and to take the necessary precautions and decisions in the interests and wellbeing of all learners;

To call on the Department of Health to intervene and ensure that there is no outbreak of swine flu; and

To express our deepest condolences to the family, teachers and friends of the little girl.

**6.7 Mr H U De Boer, DA, to move:**

**This House notes:**

That the rights of the LGBTIQ community are enshrined in the Constitution, as are the rights of all South African citizens; and

That many young gay school learners face enormous social and emotional challenges within the public school system.

**This House therefore resolves:**

To call on the MEC for Education –

To ensure that all school governing bodies in KwaZulu-Natal are sensitive to the needs of their LGBTIQ learners;

To protect LGBTIQ students' rights, and

To support their efforts in establishing LGBTIQ support groups at school that are on par with other school societies or groups.

**6.8 Ms S Hoosen, DA, to move:**

**This House notes:**

The motor licensing department receives an annual income of over R1 billion;

The decision to stop mailing reminders to drivers was based on financial implications;

This poor decision has seen more drivers paying penalties in the absence of mailed reminders for them to renew their licenses.

**This House therefore resolves:**

To call on the MEC for Transport to review this decision and reinstate the reminder system; and

To investigate cheaper ways of sending out reminders, such as via SMS, Whatsapp or e-mail.

**6.9 Dr I Keeka, DA, to move:**

**This House notes:**

The destruction of property by disgruntled learners at Mariann Ridge Primary School due to the prolonged sidelining of serious issues at this school;

Numerous concerns have been raised, but are constantly ignored by the HOD and MEC for Education;

Similar allegations of destruction of property at L Bodasing Primary School (KwaDukuza) should not be ignored.

**This House therefore resolves:**

To call on the MEC for Education to urgently intervene and not to continue to fob off issues at schools;

To urge EPC chairpersons to initiate a committee-based investigation at Mariannridge; and

To condemn the destruction of property at our facilities.

**6.10 Mr A V Khoza, EFF, to move:**

**This House notes:**

That it has been almost two months since the Mayor of eThekweni, Zandile Gumede, was forced to take leave of absence;

That this said leave comes as a result of the mayor facing serious charges of corruption and money laundering; and

That eThekweni Municipality is technically bankrupt.

**This House therefore resolves:**

To call on the Premier and MEC for Co-operative Governance and Traditional Affairs to ensure that the rule of “no work, no pay” is applied in this case; and

To call on the mayor to pay back whatever money has been paid to her up till now.

**6.11 Ms S Thakur-Rajbansi, MF, to move:**

**This House notes:**

That female members of the KZN Legislature ought to be embraced by a gender-responsive institution; and

That two new male MPLs from the Democratic Alliance – hon Bradley Singh and hon Pappas – are engaging in dishonourable behavior on social media by harassing me – and I have proof of this.

**This House therefore resolves:**

To call on the Speaker to consider [drafting] a Policy on Gender in the Workplace to serve as protection for Members of this Legislature as there are Members who are bringing the decorum of this institution into disrepute in public spaces.

## **6.12 Mr V R Mlotshwa, NFP, to move:**

### **Le Ndlu:**

Idumele futhi kuyayimangaza ukuqhubeka kokubulawa kosopolitiki isonto nesonto;

Inaka ukuthi ngoMgqibelo ebusuku zingu-20 kuJulayi 2019 kuhlaselwe kwadutshulwa kwabulawa uNobhala we NFP oKhahlamba – uMnu Majika Samuel Khumalo obenguthisha eMthende High School abuye abe sesigungwini esiphezulu se-NATU.

Sizwakalisa ukukhalisana nomndeni wakhe wakwaKhumalo nezihlobo nabangani kanye nomphakathi we Ward yakhe obuthembele kuye njengoba ukhombisile ngomhlaka 08 May 2019 wamseka wavota wadla umhlanganiso ngokhetho.

### **Ngakho-ke le Ndlu inquma kanje:**

Ukuba uMhlonishwa uMxolisi Kaunda alusukumele lolu daba aphinde avakashela umndeni njengoba ehlale enza kwabanye.

Ukuba uMhlonishwa Kwazi Mshengu ayohlanganisa amehlo nomndeni njengoba kuhlale kwenziwa nakwabanye.

Ukuba uNdunankulu enze isiqinisekiso sokungenelela ekulweni nesihlava sokubulawa kosopolitiki kulesi siFundazwe.

### **[This House:**

*Notes with disappointment and surprise the continued killing of politicians on a weekly basis;*

*Notes that on Saturday, 20 July 2019, the secretary of the NFP in Ukhahlamba, Mr Majika Samuel Khumalo, a teacher at Mthende High School and an executive member of Natu, was ambushed and killed; and*

*Sends our condolences to the Khumalo family, relatives, friends and the community of his ward who had put their trust in him and had shown their support for him on 8 May 2019 when he won the election after they had voted for him.*

***This House therefore resolves:***

*To call on MEC Kaunda to look into this matter and visit the family to pay his respects, as he normally does in the case of others;*

*To call on MEC Kwazi Mshengu to visit the family and pay his respects, as he does in the case of others; and*

*To call on the Premier to intervene and fight against [this scourge of] political killings in this province.]*

**6.13 Mr B Singh, DA, to move:**

**This House notes:**

That the DA congratulates Durban-born swimming sensation Chad le Clos on winning South Africa's first gold medal at the World Long-Course Championships in South Korea; and

That Chad le Clos is one of many exceptional talents that our province has produced.

**This House therefore resolves:**

To call on the MEC for Sport and Recreation –

To send a congratulatory message to Chad le Clos and the SA swimming team on their tremendous efforts at international championships;

To recognise KwaZulu-Natal's sporting talent; and

To ensure that our sport stars are given the support they deserve.

**6.14 Ms M Ntuli, DA, to move:**

**This House notes:**

The poor service delivery by the ANC, both at ward level and nationally; and

That the electorate rejects the corrupt ANC at every election and takes steps to elect a capable and efficient party to represent them.

**This House therefore resolves:**

To congratulate the DA for taking yet another ward off the ANC in Ward 2, Swellendam; and

To offer support to the new councillor as he works to restore those citizens' faith in democracy.

**6.15 Mr M J Mazibuko, IFP, to move:**

**This House notes:**

The candid admission by NPA head Shamila Batohi who described the institution as far worse than she had expected and as "a house on fire";

This, as South Africans are becoming increasingly impatient to see justice being served; and

These candid words imply that, unless something drastic happens, there is a likelihood that unscrupulous individuals who have looted South Africa's coffers may escape their day in the court

**This House therefore resolves:**

To call on the government to seriously heed the plea for help from Ms Batohi and to urgently intervene with a view to rescuing the NPA from the shadow of death.

**6.16 Mr S Moodley, IFP, to move:**

**This House notes:**

That our fragile environment is being destroyed daily.

**This House therefore resolves:**

To call on MEC Nomusa Dube-Ncube –

To place more emphasis on conservation and the protection of our environment;

To lead a campaign against single-use plastic;

To advocate for harsher penalties for illegal dumping to serve as a deterrent against this growing scourge;

To encourage more clean-up campaigns of our rivers and coasts as they will assist in ensuring the aesthetic appeal of these areas and the survival of our marine life; and

To support tourism and curb diseases related to pollution and environmental hazards.

**6.17 Ms T P Mthethwa, IFP, to move:**

**This House notes:**

The news that female pupils at Mariann Ridge Secondary School in Pinetown, west of Durban, protested for two days and set toilets alight because they are forced to use facilities which are in an unsanitary condition; and

That problems cannot be solved by creating more problems.

**This House therefore resolves:**

To condemn these barbaric actions by learners who burn school infrastructure which costs millions [of Rands] to rebuild; and

To urge the MEC Kwazi Mshengu, MEC for Education, to urgently attend to the many issues affecting that school and find lasting solutions.

**6.18 Mr N M Sibiya, ANC, to move:**

**This House notes:**

The ANC government in this province and the country has launched an electrification project in the area of KwaQwabe in Ward 2, eNquthu two weeks ago;

This means all 11 VDs in the deep rural area of eNquthu, Ward 2 and all its people now have electricity; and

This community has had no electricity since 2004, but today things are different.

**Ngakho-ke le Ndlu inquma kanje:**

Ukubonga i-ANC ngemisebenzi yayo emihle ukuthuthukisa abantu basemakhaya; i-ANC iyaqhubeka ukuba yilona lodwa ithemba kubantu bakithi eyenza izinto zenzeke.

**[This House therefore resolves:**

*To thank the ANC for its sterling work of developing rural communities; the ANC continues to be our people's only hope by making things happen.]*

**6.19 Mr S W Mshengu, ANC, to move:**

**This House notes:**

The convening of the *25 Years of Democracy* conference by the Presidency in concert with the Mapungubwe Institute for Strategic Reflection and the University of Johannesburg; and

That this conference was centered around thematic issues like governance, leadership, socio-economic transformation, citizenship and identity.

**This House therefore resolves:**

To receive the resolutions of this conference in order to enrich our programme of improving the quality of life among the people of KwaZulu-Natal.

**6.20 Ms H G S Mavimbela, ANC, to move:**

**This House notes:**

The Department of Sport and Recreation will host the Premier's Cup on 27 and 28 July 2019 at Princess Magogo Stadium and King Zwelithini Stadium, respectively;

The Premier's Cup features seven teams from KwaZulu-Natal playing in the Premiership (Amazulu, Maritzburg United and Lamontville Golden Arrows) and National First Division (Royal Eagles, Real Kings, Richards Bay FC and uThongathi FC); and

Matches are free, with tickets available at pick-up points as from today.

**This House therefore resolves:**

To wish all the best to the participating teams; and

To urge the citizens of KwaZulu-Natal to support our teams.

**6.21 Ms M Govender, ANC, to move:**

**This House notes:**

That Nelson Mandela International Day (18 July) was celebrated throughout the country by citizens who performed community service;

That their service benefited those who are most in need; and

That South Africans gave freely of their time, energy and resources.

**This House therefore resolves:**

To commend all South Africans for showing the true spirit of ubuntu and for walking in the shoes in our beloved Nelson Mandela.

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| 7.  | 09h39 | The Speaker made an announcement.   |
| 8.  | 09h40 | The House resolved itself into a Committee of Supply.   |
| 9.  | 09h42 | The debate on Vote 1 – Office of the Premier commenced and was concluded at 11h43.                        |
| 10. | 11h44 | The Chairperson made announcements.   |
| 11. | 11h46 | Debate on Vote 11 – Co-operative Governance and Traditional Affairs commenced and was concluded at 14h30. |
| 12. | 14h31 | The business of the House was suspended and resumed at 15h08.   |
| 13. | 15h09 | Debate on Vote 6 – Finance commenced and was concluded at 17h02.  |

14. 17h03 The Speaker resumed the Chair.
15. 17h04 The Chairperson of Committees gave a report on the Committee of Supply and sought permission to sit again.  
*Permission granted.*
16. 17h05 The House was adjourned until Friday, 26 July 2019 at 09h00.