

THURSDAY, 01 JUNE 2023

[No.11/2023] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 01 June 2023

The Hybrid House met at 09h08.

1. 09h09 Members were given an opportunity for silent prayers or meditation.
2. 09h10 The Speaker made announcements, including the passing away of the following persons:
 - 2.1 Ms Marietjie Bothma “Intombi Yomzulu”, the iconic South African TV personality, radio broadcaster and comedian;
 - 2.2 Mr Eusebius McKaiser, a renowned political analyst, broadcaster and former *Mail & Guardian* columnist. McKaiser was a political and

social commentator, as well as popular radio talk show host, debate coach, master of ceremonies and a public speaker of note who was a South African national debate champion and the 2011 World Masters Debate Champion;

- 2.3 All victims of gender-based violence, femicide and hate crimes;
- 2.4 All public servants and traditional leaders of this province and the country at large; and
- 2.5 All victims of road fatalities in our province during the recent past.

The Hybrid House observed a minute of silence.

- 3. 09h11 The Speaker made further announcements
- 4. 09h15 The Premier made announcements.
- 5. 09H21 The Speaker read into the record the tabling of the following documents:

5.1 KwaZulu-Natal Legislature

5.1.1 Fourth Quarter and Annual Institutional Performance Report

5.2 Portfolio Committee on Cooperative Governance and Traditional Affairs

5.2.1 Cooperative Governance Portfolio Committee 2022/23 First Quarter Report;

5.2.2 Cooperative Governance Portfolio Committee 2022/23 Second Quarter Report;

5.2.3 Cooperative Governance Portfolio Committee 2022/23 Third Quarter Report; and

5.2.4 Annual Performance Report of the Cooperative Governance and Traditional Affairs Committee 2022/23.

5.3 Office of the Premier

5.3.1 Report by the Premier on solving Youth Unemployment and Mass Employment Creation following the 2023 State of the Province Address.

5.4 Department of Cooperative Governance and Traditional Affairs

5.4.1 Report to the KwaZulu-Natal Legislature in terms of Section 131(2)(b) of the Municipal Finance Management Act, No 56 of 2003.

5.5 Auditor-General of South Africa

5.5.1 2021/22 MFMA Consolidated Report.

6. 09H23 The Speaker made remarks.

7. 09h25 The following Members gave notice of their intention to move motions on the next sitting day of the House:

7.1 Mr SC Nkosi, ANC, to move:

LeNdlu iyakunaka lokhu:

1. Umsebenzi omuhle owenziwe u-Dr Mahlaba ekuholeni uMnyango wakwa Public Works eyakha izakhiwo zikaHulumeni.

LeNdlu inquma kanje:

1. Ukuncoma umsebenzi omuhle owenziwe u-Dr Mahlaba kulemiNyango.

2. Ihhovisi lakwanokusho elakhiwe eLembe District.
3. ukwakhiwa nokungaphazamiseki kwesikole sodumo i-JG Zuma High School KwaMashu M-Section.
4. ukuncoma umphakathi wakwaMashu ngokungaphazamisi nakanye ukwakhiwa kwalesisikole

7.2 Ms PH Mbatha-Cele, ANC:

This motion exceeded 100 words and therefore, in terms of Standing Rule 106(1), the motion falls away.

7.3 Ms NR Majola, ANC:

This motion exceeded 100 words and therefore, in terms of Standing Rule 106(1), the motion falls away.

7.4 Mr P Govender, IFP:

This motion exceeded 100 words and therefore, in terms of Standing Rule 106(1), the motion falls away.

7.5 Ms NJ Nkwanyana, IFP, to move:

This House Notes:

The cholera outbreak in Tshwane, Hammanskraal which has resulted into the death of 23 people and the source of cholera outbreak remains unknown. Although, there are no cases of cholera outbreak

that have been reported in KZN right now, but the question remains: Is KZN ready should the cholera outbreak strikes?

This House Resolves:

To call upon the KZN MEC for Health, Nomagugu Simelane to tell the public on what preparedness and response plans are in place to detect and responds to should the disaster strike as KwaZulu-Natal has a record of high deaths due to cholera outbreak as it happened during 2000/2001.

7.6 Mr S Moodley, IFP, to move:

This House Notes that:

The 63-year-old woman alleged to be a taxi boss was ambushed by gunmen as she got out of an e-hailing service on Monday near her home on Boniface Road in Woodlands. The issue of killing of taxi operators and owners, lawlessness in the taxi industry, conflict over routes and power struggles over the control of associations needs to be urgently eradicated.

This House Resolves:

1. Trigger-happy and lawless elements which are responsible for the instability in the taxi industry must be isolated.
2. To call upon MEC of Transport to look for tangible measures to address the problems facing the taxi industry.

7.8 Mr LM Meyer, DA, to move:

This House notes that:

1. June is celebrated as Pride Month during which members of the LGBTIQ+ community celebrate their community.
2. May was celebrated Africa month, celebrating our continent.
3. This week the President of Uganda signed the inhumane and cruel so-called anti-gay law into law, making the very existence of LGBTIQ+ people in Uganda illegal.

This House therefore resolves:

- To wish the LGBTIQ+ community of KZN well with international Pride Month, and with their Pride march.
- To condemn the Uganda governments cruel anti-gay law, and call on the government of Uganda to respect human rights to all people.

7.9 Ms S Hoosen, DA, to move:

Noting that:

The release of the recent fourth quarter crimes stats reveals that KZN is now the Murder and Rape Capital of this country. In addition, there has been an increase in rape and murder against women and children. So, the words made of keeping the women, children and most vulnerable safe under this government is just another false promise.

This House resolves:

1. That the MEC for Community Safety and Transport report to this house on what turnaround strategies will be implemented to reduce crime and keep our people safe.

7.10 Ms M Tembe, DA, to move:

Noting that:

- In Sacca informal settlement, a new baby was found abandoned and dumped in a pit toilet and died in hospital.
- Unfortunately, this was not the first incident in this informal settlement.
- There is a rise of baby dumping, which is a criminal offence, despite there being resources available.

This House resolves:

To call upon the MEC of social development to conduct community education and family planning intervention into this community and others like this in the province.

7.11 Ms HP Chiliza, EFF:

This motion exceeded 100 words and therefore, in terms of Standing Rule 106(1), the motion falls away.

7.12 Ms S Thakur-Rajbansi, EFF, to move:

Noting:

The daily accidents that occurs between Hilton and Marianhill Toll, a SANRAL project.

Further noting, the lives especially youth and property lost in these accidents.

This Honourable House calls on the:

Honourable MEC of Transport to provide an urgent executive statement to cover the death and morbidity figures we are dealing with and the steps being taken to make this stretch of road safe, whilst holding those accountable for these carnages.

We need a “road carnages cost” policy in KZN.

7.13 Ms CM Shinga, NFP, to move:

Ukuba le Ndlu iyakuqonda futhi iyakuqaphela:

- Ukubaluleka kokubukhona kwezinhlangano ezingenzinzuzo (NPOs,NGOs and CBOs) emiphakathi yethu. Ekulweni nezihahlava eziwumbulalazwe (Social-ills)
- Iqonda futhi ihlonipha neqhaza, LeStholimpilo Drug and Alcohol Rehabilitation Centre – Ray Nkonyeni, Kanye nomsunguli wayo ongasekho ofihlwe ngelendlule.

Ngakho-ke Lendlu inquma kanje:

1. Ukuthi uMnyango wazeNhlakahle, nokaNdunankulu neminye baqhubeke basenakelele lesikhungo nezinye izikhungo.

2. Njengoba uNdunankulu ayezibophezele, enkulumweni yakhe yanonyaka yokusebenza ngokubambisana nenhlangano ezizimele. Naso lesikhungo sihlomule ohlelweni likaNdunankuli ukuze singafi singashabalali.

7.14 Ms NL Mpayipheli, EFF, to move:

Le Ndlu iyakunaka

ukwanda kwezigigaba zodlame kulesisifundazwe , lapho kubulawa ngesihluku imindeni kusetshenziswa izibhamu. Akugcini nje ngodlame lokubulawa ngesihluku kuphela abantu, kepha izibalo zakamuva ezethulwe uNgqongqoshe wamaPhoyisa uMnu Bheki Cele ziyethusa lapho ebeveza ukwanda kwezigameko zodlame lokuhlukunyezwa nokunukubezwa ngokocansi kwabesifazane. Kuyathusa ukuthi phakathi kuka January kuya kuMarch bangu 10 512 abantu besifazane abadlwenguliwe

Ngakho-ke inquma kanje:

Ngakho ke siyanquma ukuba udaba lodlame nokuhlunyezwa kwabesiFazane lubekwe ezithebeni, kukhulunywe ngokuthi yikuphi uHulumeni akwenzayo ukulwa nalesihlava ikakhulukazi njengoba nokhetho selusemome

7.15 Mr HU De Boer, DA, to move:

Noting that:

1. Thousands of Richards Bay citizens continue to suffer coal dust pollution and gas leaks from nearby industry causing widespread ill health and loss of amenity.

2. Concurrently, residents of Hillcrest, Pietermaritzburg and Ilembe battle ongoing noxious odours, burning skin and eyes due to industrial pollution from alleged nearby landfill sites.

This House resolves:

For Government to appoint an independent specialist task team of air quality and environmental pollution experts to pinpoint the industry responsible – and take swift legal action to protect the citizens as mandated in the Constitution of South Africa.

7.16 Ms M Nair, DA, to move:

Noting that:

Residents of Bester in eThekweni have not had their VIP toilets cleaned for more than 6 years, resulting in them overflowing. Some beg their neighbours to allow them to use their toilets and others go the Bridge City Mall to relieve themselves. At night, it's too dangerous, so they are forced to use buckets.

This House resolves:

The MEC for Human Settlements and Honourable Premier immediately intervene to restore the dignity of Bester residents, by eradicating all pit toilets.

7.17 Dr I Keeka, DA, to move:

Teenage pregnancies are among the causes for school drop-outs;

The Schools Act states:

“public school(s) must admit learners and serve their educational requirements without unfairly discriminating in any way”,

Pregnancy cannot be a barrier to accessing education, let alone the reason for expulsion because of such,

Sithengile Secondary expelled a pregnant learner, violating her rights accorded in the bill of rights and,

Acted illegally through their vile actions. She was instructed to return next year, after delivery. This house resolves:

- To condemn any such schools’ repugnant discrimination criminal acts that destroy young girls’ futures,
- To call upon the MEC to urgently intervene.

7.18 Mr MA Chiliza, ANC, to move:

LeNdlu:

Iyakunaka ukwanda kokubulawa kwabantu ngesihluku emiphakathini yethu.

UKhongolose uyasigxeka kakhulu lesi senzo sokubulawa kwabantu okudlangile kulesifundazwe lapho kusuke kubulawa abantu behlezi nemindeni yabo kokunye singabala izigameko lapha e-Mgungundlovu, e-Harding, e-Marianhill nakwezinye izindawo.

LeNdlu ingquma kanje:

Ukushayela ihlombe uhulumeni okhokhelwa ngu Khongolose ngokushesha ukubopha kwamaphoyisa ezindaweni ezinjengo Mgungundlovu lapho ababulali babanjwa esikhathini nje esingatheni.

Ngakho-ke siwuKhongolose siphakamisa ukunxenxwa komphakathi ukuba ubambe iqhaza elikhulu ekulwisaneni nalesihlava kanye nobunye nje ubugebengu obuhleliwe.

Sinxusa futhi ukuthi uHulumeni lo ka Khongolose uqhubeke nokuqeqesha izinhlaka ezakhiwe umphakathi ezilwisana nobugebengu ukuze zibambe iqhaza ngendlela esemthethweni.

7.19 Ms GN Swartbooi-Ntombela, ANC, to move:

Ukuba leNdlu iqaphele:

- Ukwanda kwezigameko zokubulawa, ukwebiwa Kanye nokuhlukunyezwa kwabesifazane nabantwana ngokocansi.
- Ukukhula kwezigameko zokunyamalala kwabantu besifazane kanye nabantwana okubalwa kubo uNkosazana Mbali Mngadi ongowase-Inanda Township onyamalele enyangeni edlule ephume ekhaya ebhekise kwi-Aviation Academy eMhlanga.

LeNdlu inquma kanje:

1. Ukunxusa uMnyango wezokuPhepha (SAPS) ukuqikelela ukusombulula amacala abantu abanyamalele.

2. Ukunxusa amalunga omphakathi waKwaZulu-Natal ukuba elekelele uhulumeni neminyango yezokuphepha (SAPS) ngokuthumela ulwazi abanalo mayelana nokuntshontshwa kwabantu emphakathini esihlala kuyo.

7.20 Ms LD Ngubane, ANC, to move:

LeNdlu iyakunaka:

1. Amalungelo abantu ayisisekelo njengoba equkethwe kumthethosisekelo ahlanganisa nokutholakala kwamanzi. Ukushoda kwamanzi esifundazweni kusaqhubeka nokushiya imiphakathi icindezelekile. **Ukulahleka kwamanzi okuholela emanzini angangenisi kuyasixwayisa ngamasu awongiwayo angasebenzi kanye nokulawula isidingo esifundazweni.**
2. Umnyango wakwa-COGTA usebenzisa uhlelo lokulawulwa kokongiwa kwamanzi kanye nesidingo ukuze luqaliswe yiziphathimandla zosizo lwamanzi ukuze kusetshenziswe amanzi ngendlela ephumelelayo ukuze ahlinzekele abasebenzisi ngendlela eqhubekayo.

Le Ndlu inquma kanje:

Ukugunyaza ukuqaliswa okusheshayo.

7.21 Ms HS Dlamini, ANC, to move:

LeNdlu iqhakambisa:

1. imisebenzi emihle eyenziwa uMnyango wezokuThuthukiswa koMphakathi ukuthuthukisa intsha ngohlelo lweziKhungo zokuthuthukisa intsha.

2. ukwakhiwa kwalezizikhungo ezitholakala ezindaweni ezisemakhaya nalapho kunesidingo esikhulu sazo, njengaseMkhanyakude, King Cetshwayo, eThekwini nasoGwini.
3. Iqhaza elibanjwe elizizikhungo ekulweni nobugebengu, izidakamizwa, ububha, ukukhula komnotho nokudala amathuma omsebenzi.
4. Iqhaza elibanjwe elizizikhungo ekucijeni intsha namakhono afana nokukhanda amapayipi, ugesi, ukwakha, ukushayela, ukuphatha njalo njalo.

Ngakhoke leNdlu ithatha isinqumo sokuthi:

1. Igqugquzele uMnyango ukuthi uqhubeke nalezinhlelo ezinhle kangaka.
 2. LoMnyango unikezwe izimali zokuthi uqhubeke nokwakha lezikhungo ngenxa yemiphumela emihle esiyibonayo.
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7. 09h54 The Speaker made remarks.
 8. 09h56 Question session commenced and Questions numbers 178, 118, 166 were answered from Question Paper 01/2023. Question 179 was deferred to the next Question Session.
 9. 10h28 Debate on the Report by the Premier on solving Youth Unemployment and mass employment creation following the 2023 State of the Province Address commenced and was concluded at 11h54.
 10. 11h55 The Speaker made an announcement and remarks.
 11. 11h59 The House was adjourned *sine die*.