

THURSDAY, 25 MAY 2023

[NO. 10/2023] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 25 May 2023

The Virtual 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 Mr Billy Masetlha;
 - 2.2 Mr Charles Ngazi Tembe;
 - 2.3 Mr Thembinkosi Apleni;
 - 2.4 Ms N D Sikhosana;
 - 2.5 Ms Khanyisa Nyongo;

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

The Hybrid House observed a moment of silent prayer.

- 3. 09h14 The Premier made announcements.
- 4. 09h17 The Speaker made announcements.
- 5. 09h19 The Speaker read into the record the tabling of the following documents:

5.1 KwaZulu-Natal Legislature

5.1.1 KwaZulu-Natal Legislature: Budget Performance In-Year Monitoring Report [IYM] for April 2023.

5.2 Standing Committee on Public Participation and Petitions

5.2.1 Report by the Chairperson of the Standing Committee on Public Participation and Petitions following the 2023 Interfaith Symposium.

5.3 Standing Committee of Chairpersons

5.3.1 2022 Harry Gwala District TLTP Close-out Report; and

5.3.2 Social Transformation Cluster Oversight Report on the Implementation of National Development Plan and Action Work Group D.

5.4 Standing Committee on Public Accounts (SCOPA)

5.4.1 Report of the Standing Committee on Public Accounts on the follow-up hearings held in March and April 2023 on the 2021/22 Report of the Auditor-General; and

5.4.2 Annual Report on Committee Performance for the 2022/23 financial year which ended on 31 March 2023.

5.5 Portfolio Committee on Conservation and Environmental Affairs

5.5.1 Report on the Consideration of the Performance Report on Environmental Affairs for Quarters 2 and 3 of the 2022/23 financial year.

5.6 Portfolio Committee on Finance

5.6.1 Report on the 2022/23 Fourth Quarter Financial and Non-Financial Performance of Vote 6: Provincial Treasury.

5.7 Department of Co-operative Governance and Traditional Affairs

5.7.1 Umgungundlovu District Municipality: Annual Report, 2021/22.

5.8 Department of Economic Development, Tourism and Environmental Affairs

5.8.1 Report to the KwaZulu-Natal Provincial Legislature by the MEC for Economic Development, Tourism and Environmental Affairs, Mr Siboniso Duma, on the State of the Economy in KwaZulu-Natal following the 2023 State of the Province Address.

6. 09h37 The following Members indicated their intention to raise motions and Member Statements:

6.1 Mr SA Duma, ANC, to move:

Le Ndlu:

Iyalitusa futhi iyalazisa iqhaza elabanjwa yiSilo esesiyinyandezulu uMdlokombane Odlá Abakayise ngokuba yisishabasheki nesigomagoma kwezentuthuko kanye nokudala ukuthula Ukuthi uMdlokombane nembala ube umlomo ongathethimanga futhi elimela iqiniso.

Ngakho-ke le Ndlu inquma kanje:

Ukuba sihlonishwe iSilo uGoodwill kaBhekuzulu ngokuthi kwakhiwe umfanekiso waso ozoma wodwa ezindlini zesiShayamthetho ungelekwa sithunzi, Ukuthi nxa sewakhiwa lo mfanekiso ube ngaphezulu kweminye ekhona okukhomba ubuqhawe beSilo sethu.

This House:

Praises and acknowledges the role played by the late AmaZulu King Zwelithini, for being the biggest champion of development and peacemaking.

Notes that the King was indeed true to his words and stood by the truth.

This House therefore resolves:

That king Goodwill kaBhekuzulu be honoured with erection of his statue which will stand alone in the Legislature precincts.

That when his statue is erected, it must stand bigger than all the existing statues to demonstrate our late King's heroism.

6.2 Ms M Govender, ANC, to move:

This House notes:

That June is celebrated as National Environment Month;

That 5 June is World Environment Day;

That there are serious concerns about contributors to climate change, such as toxic chemicals, the depletion of the ozone layer, desertification and global warming; and

That the impact of climate change in South Africa include changing rain patterns and increased evaporation, both of which increase the likelihood of extreme droughts and severe natural disasters, such as the recent floods in KwaZulu-Natal.

This House therefore resolves:

To deepen environmental awareness among our communities on an ongoing basis, and particularly during National Environment Month.

6.3 Mr SE Hlomuka, ANC:

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

7. 09h44 Dr I Keeka delivered the DA Member's Statement as follows and concluded at 09h45:

The very basic fiduciary responsibility of the department of education is to ensure that every one of the almost 141,000 staff are paid, and paid on time.

Section 21 schools only received their allocations and allowances recently, and while the department blamed this on a treasury glitch, they think that schools are stupid enough to believe this.

To make matters worse, when we visited schools during the feeding crisis that saw millions of learners starved, manufactured by the Taliban faction, even food handlers were not paid.

Now we have Grade R educators who began teaching this year, who are also not being paid.

The response from the MEC was that she will have a look into it.

The big question is, what on earth is going on if the very basics can't get done? The Department is simply lurching from one crisis to another without any accountability.

If the feeding crisis was not big enough for the MEC or her HOD to leave on their own, or their party removing them, then citizens should know that the ballot box cannot come sooner.

8. 09h45 Ms MC Frazer, MEC for Education responded to the DA Member's Statement and concluded at 09h46.

9. 09h47 Mr LM Meyer delivered the DA Member's Statement as follows and concluded at 09h48:

KZN Province has one Metro, but sadly this Metro is not something to be proud of. A city awash in sewerage, where the poor have to get their water

from heavily polluted rivers. A Metro that sends back R322 million in grants, unused, while the poor people of eThekweni suffer under the failing infrastructure.

Now loadshedding is back in full, with the Head of Electricity saying that he will switch the power off, but he cannot guarantee he will be able to switch it back on. And the MM of the Metro is currently under a huge cloud.

And the MEC puts the city, under pressure from the National Government, under a section 154. The Democratic Alliance calls out this ham-fisted approach, and renews its call for a Section Intervention. Honourable MEC put the Metro under administration, or the voters of eThekweni, as was shown yesterday in Chatsworth, will put you under administration.

10. 09h48 Ms N Dube-Ncube, Premier responded to the DA Member's Statement and concluded at 09h49.

11. 09h49 Ms M Nair delivered the DA Member's Statement as follows and concluded at 09h50:

Earlier this month on the 9th of May, the first special audit report on flood relief funds for the 2022 flooding in KZN and the Eastern Cape was presented to the portfolio committee on Cooperative Governance in the National Assembly by the Auditor General's office.

In KZN, we were told that 1810 temporary residential units were completed and provided to flood victims, yet according to the report, only 736 TRUs were completed and occupied. The report also confirmed our suspicions that there was gross manipulation of the procurement processes to favour pre-selected suppliers, some of whom were not even qualified to do the job.

Shockingly the report also revealed that awards were made to contractors of which Directors were

Government employees or in partnership with government employee.

Previous AG reports revealed that these TRUS were not up to standard and would not endure another flood. Now we understand why.

Shockingly the Department of Human Settlements know nothing of this and to date have not contacted the AGs office to seek clarity on these damning findings.

12. 09h50 Ms N Simelane, MEC for Health responded to the DA Member's Statement and concluded at 09h51.

13. 09h51 Ms E Rabe delivered the DA Member's Statement as follows and concluded at 09h52:

The Daily News in its edition yesterday highlighted the nine officials who were arrested in 2020 for fraud, corruption, and money laundering who appeared in the Durban HighX Court this week.

The CFO of the Premier's Office was one of the five from this department. A R24 million tender is no small change, and although this matter has taken three years, the Democratic Alliance welcomes the arrest and charges of nine officials.

One has to wonder however, how long this matter is going to take before those who are guilty are dealt with appropriately. One also has to wonder what the Department, or departments in this matter have done when it comes to the service provider in this regard?

Make no mistake, the Democratic Alliance will be keeping a very close eye on irregular and wasteful expenditure in all departments. Matters of this nature cannot continue to rob our province.

14. 09h52 Ms N Dube-Ncube, Premier responded to the DA Member's Statement and concluded at 09h53.

15. 09h53 The following Members indicated their intention to raise motions and Member Statements:

15.1 Ms LXH Hlongwa-Madlala, ANC, to move:

This House notes:

The Minister of Higher Education, Science and Technology Dr. Blade Nzimande unveiled a new state of the art facility known as The Richmond Indaleni Skills Centre Innovation Hub that will provide practical learning programmes that focus on bridging the skills gap, promote the culture of innovation and entrepreneurship to youth in the community and urged for its maintenance.

This House therefore resolves:

To welcome this innovative leadership from the Minister and the ANC led government for taking the lead to develop, empower, and enable young people to realise economic freedom in their lifetime.

15.2 Ms NPF Mavuso, ANC, to move:

This House notes:

1. The Minister of Higher Education, Science and Technology Dr. Blade Nzimande unveiled a new state of the art facility known as The Richmond Indaleni Skills Centre Innovation Hub that will provide practical learning programmes that focus on bridging the skills gap, promotes the culture of innovation and entrepreneurship to youth in the community.
2. He further urged the community to maintain this new facility.

This House therefore resolves:

To take this opportunity to welcome this innovative leadership from the Minister and the ANC led government for taking the lead to develop, empower, and enable young people to realise economic freedom in their lifetime.

15.3 Ms LD Ngubane, ANC, to move:

Lendlu iyakunaka:

1. NgoLwesihlanu, zingama-3 kuNdasa wezi-2023 iWorld Health Organization igubhe Usuku Lomhlaba Lokulalela ukuze iqwashise ngokungezwa futhi ikhuthaze ukunakekelwa kwezindlebe nokuzwa.
2. Ngenxa yokusebenzisa kakhulu ama-headphones akhalela phezulu, ama-earbud nomcu10A wasemotweni, intsha yaKwaZulu-Natal isivame ukubonakala kochwepheshe bezokulalela nongoti bezempilo abanezinkinga zokuzwa.
3. I-KZN Auditory Implant Programme, ehola uhlelo lokufakelwa izinsiza kuzwa [cochlear], yasungulwa wumnyango wezempilo.

Le Ndlu inquma kanje:

Uncoma uNgqongqoshe Wezempilo, uMhlonishwa uSimelane kanye nomnyango ngokusiza iziguli ezindaweni zasemakhaya kanye nokudlulisela iziguli ebezidinga ukufakelwa i-cochlear eNgwelezane esibhedlela nase-Inkosi Albert Luthuli Central Hospital.

15.4 Mr BM Zuma, ANC, to move:

The House notes:

the plight facing young people of the country, in particular our Province who remain unemployed, marginalized with limited economic opportunities owing to the socio-economic structure imposed by the painful historical past. A nation that doesn't continuously take interest in its youthful population development is doomed in the context of global socio-economic ecosystem.

Therefore, the House resolves that:

All KZN government Departments must develop and implement comprehensive youth development programmes and ensure support including adequate funding to address the socio-economic challenges facing young people, precluding them from attaining sustainable livelihoods.

16. 09h58 Ms S Hoosen delivered the DA Member's Statement as follows and concluded at 09h59:

In the last financial year, the department of transport spent R250 million to maintain our road verges and drainage systems. But, wherever you travel in the province, the provincial road verges are in a terrible state and there is no proper maintenance being conducted.

Where is the money going?

The MEC, in this response to my transport budget debate informed this house that his department is open and transparent and will provide me with the information of how the money was spent, who is benefiting, the list of the 6000-youth employed under this Programme and whether the public is receiving value for money.

The lack of forthcoming information and silence on this issue from the MEC is very clear, which is very much similar to everything else he knows about his department in that he has no idea how the money is spent or whether the 6000-youth employed actually exists. I want to remind the MEC that soon the call from the AG to investigate this matter will be knocking on your door.

17. 09h59 Mr SE Hlomuka, MEC for Transport, Community Safety and Liaison responded to the DA Member's Statement and concluded at 10h01.
18. 10h02 The session of the Question to the Premier in terms of Standing Rule 120 resumed, wherein Question No. 1 till Question No. 6 were answered and was concluded at 10h56.
19. 10h57 The Speaker acknowledged the presence of Mfolozi TVET College Students.
20. 10h58 The Debate on the Report by the Chairperson of the Standing Committee on Public Participation and Petitions following the 2023 Interfaith Symposium commenced and was concluded 12h07.

The voting on the debated started as per earlier Speakers' remarks and the voting went as follows:

In favour: 60
Against: Nil
Abstentions: 06

The Ayes have it.

21. 12h14 The Debate on the Report by the Chairperson of the Standing Committee on Public Accounts following the 2022 SCOPA Hearings by Standing Committee on Public Accounts resumed and was concluded at 13h35.

The House was suspended for lunch and resumed at 14h20

22. 14h23 The House commenced and Speaker made announcements.
23. 14h25 The Debate on the Report by the MEC for Economic Development, Tourism and Environmental Affairs on the state of the economy in KwaZulu-Natal following the 2023 SOPA resumed and was concluded at 15h47.
24. 15h48 The Speaker made further announcements.
25. 15h51 The House was adjourned until Thursday, 01 June 2023 at 09h00.