

THURSDAY, 06 JULY 2023

[No. 14/2023] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 06 July 2023

The Hybrid House met at 09h03.

1. 09h04 Members were given an opportunity for silent prayers or meditation.
2. 09h05 The Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mr Essop Pahad, former Minister in the Presidency. After South Africa's general elections in 1994, Mr Pahad served as the parliamentary counsellor to the then Deputy President Thabo Mbeki. After the 1999 general elections, he was appointed as Minister in the Presidency. He was a member of the organising committee of the FIFA World Cup that took place in South Africa in 2010 and also a former member of the National Executive Committee of the ANC. He left government in 2008;

- 2.2 Mr Neethiananthan Perumal Naidoo, loving father of Ms Nerusha Naidoo, Secretary to the KwaZulu-Natal Legislature. Mr Naidoo was born on 6 February 1945 and passed away on 30 June 2023;
- 2.3 Mr Teboho Mahlatsi, producer and talented filmmaker whose most recognisable works include *Shaka iLembe*, the classic *Yizo Yizo*, *Jacob's Cross*, *Ayeye* and many others;
- 2.4 Mr Innocent “Killer” Mkhwanazi, an IFP councillor in the uMkhanyakude District Municipality;
- 2.5 All victims of gender-based violence, femicide and hate crimes;
- 2.6 All public servants and traditional leaders in KwaZulu-Natal and the country at large; and
- 2.7 All victims of road fatalities in our province during the recent past.

Although these people have departed from this world, they will forever live on in the hearts of their loved ones.

The Hybrid House observed a minute of silence.

- 3. 09h16 The Premier made remarks.
- 4. 09h25 The Speaker made remarks.
- 5. 09h24 The Speaker read into the record the tabling of the following documents:
 - 5.1 Portfolio Committee on the Premier
 - 5.1.1 Report by the Portfolio Committee on the Premier, Fourth Quarter Report, 2022/23.

5.2 Standing Committee on Quality of Life

5.2.1 Report on the Parliament for People with Disabilities, 2022.

5.3 Standing Committee on Public Participation and Petitions

5.3.1 2022/23 Finalised Petitions by the Standing Committee on Public Participation and Petitions;

5.3.2 Resolutions of the 2022 Sex Work Symposium;

5.3.3 Resolutions of the 2022 LGBTQIA+ Symposium;

5.3.4 Resolutions of the 2023 Sex Work Symposium; and

5.3.5 Resolutions of the 2022 Workers' Parliament.

6. 09h29 Ms JN Cele, ANC, delivered a Member's Statement as follows and concluded at 09h30:

Climate change is a huge problem globally, as well as here in South Africa and in the Province of KwaZulu-Natal. The recent floods that took place in eThekweni on Tuesday last week have reversed government's gains when counting the cost of the damage to many families and our infrastructure.

What are the government's plans in relation to educating the people of KwaZulu-Natal on climate change?

Moreover, what assistance has been provided to the affected families by the ANC-led government, and particularly by the Departments of Human Settlements, Co-operative Governance and Traditional Affairs, as well

as Social Development to ensure that no family sleep without shelter, food and clothing.

Equally, are any psycho-social services being offered to affected persons by the government?

7. 09h30 Mr JL De Klerk, IFP, delivered a Member's Statement as follows and concluded at 09h31:

During the by-election held in Ward 14 of Inkosi Langalibalele Municipality on the 28th of June 2023, the African National Congress established two parcel distribution centers close to two voting district stations with the intention of influencing voters to support the ANC in Ward 14.

The situation resulted in significant issues, leading to the Independent Electoral Commission suspending the election for several hours and seeking police intervention to halt these illicit and irregular activities. Consequently, the election failed to uphold the principles of freedom and fairness.

Given these circumstances, we in the Inkatha Freedom Party had anticipated that the public would express their condemnation of such actions by the MEC for Co-operative Governance and Traditional Affairs, as well as the Executive Council, but this did not happen.

The only logical conclusion that can be drawn from this is that the KZN Executive Council endorsed the ANC's unlawful and illegitimate actions during this by-election.

8. 09h32 Mr LM Meyer, DA, delivered a Member's Statement as follows and concluded at 09h33:

In May, we learned that the government finally recognised that there is a crisis in eThekweni, somewhat, and that it would institute a section 154 intervention in

the metro, although the DA maintains that a section 139 intervention would be better.

However, here we are in July, and it seems, as is the case with so many things the ANC touches, that the section 154 intervention has disappeared like mist before the sun. The only movement we had on the matter was when the ANC in eThekweni said it would not allow the MEC to address council on the intervention.

Since May the situation in eThekweni has deteriorated considerably and the people of eThekweni are suffering under the collapse of the metro. Their suffering has been made worse with the uncertainty of the government's intervention, as no section 154 has been gazetted.

The MEC, bullied by ANC councillors in the metro, has gone underground on this and there is no forward movement.

The DA wants the MEC to inform this House on where we stand with the intervention in the metro, to ensure that good governance is implemented and that the people's needs are put before the needs and internal strife of the ANC.

9. 09h33 Ms Chiliza, EFF, delivered a Member's Statement as follows and concluded at 09h34:

Almost every day on our roads we are greeted by scenes of carnage and destruction caused by the high number of heavy-duty motor vehicles that transport goods that should not be travelling on our roads.

Truck owners employ unqualified persons to drive their trucks, while their trucks themselves are not roadworthy. Law enforcement officers on our roads are not doing what is expected of them and that contributes significantly to the tragic accidents and deaths that we see almost daily.

This government must therefore prioritise:

- Fixing the rail system to transport goods;
- Monitoring and evaluating the work of law enforcement officers and ensure constant training;
- Setting time limits for trucks to be on busy national roads;
- Providing state-owned truck stops so trucks do not park off on the road without proper visibility and security; and
- Recalling the MEC for Transport for sleeping on duty and for not having any solutions for the lives that are lost on our roads every day.

10. 09h35 Rev SE Manqele, ACDP, delivered a Member's Statement as follows and concluded at 09h36:

The high crime rate in our province is most concerning. Our people are being butchered every single day. This happens in all corners of the province – in urban and rural areas.

Thugs are heavily armed and sometimes better equipped than law-enforcement agencies. People are gunned down with heavily powered machine guns – not just pistols and revolvers.

We all know the statistics released by the Minister of Police. Thugs are not here to play. They mean business. This House should be looking at ways in which to protect our communities by removing guns from our communities.

Many people say they need guns to protect themselves, but the reality is that thugs take these guns after killing the owner, making them better armed than before.

It is possible to remove arms and ammunition from the community, as long as there is willingness. It is possible to have a gun-free KwaZulu-Natal and South Africa.

People depend on us for their protection. Let us show them that we are not here by chance. Remember, these guns are in schools and everywhere else. Your child and my child are not safe at school. One day you may get a call, saying that your child has been murdered at school. I am making a humble request for a gun-free society.

11. 09h36 Ms NJ Nkwanyana, IFP, delivered a Member's Statement as follows and concluded at 09h37:

A paramedic is a highly trained and skilled medical professional who is educated to carry out some of the duties of a physician. We appreciate that paramedics have the right to be safe while they work. However, some paramedics are neglecting their patients, citing safety concerns when working at night.

It is incumbent upon the MEC for Health, hon Nomagugu Simelane, to inform the public of the department's plans to keep paramedics safe. The MEC must present a plan with tangible solutions to protect paramedics and other service providers who have become soft targets for criminals.

12. 09h37 Mr NB Mthethwa, ANC, delivered a Member's Statement as follows and concluded at 09h38:

Crime continues to be a very serious challenge in our communities where all of us should play a meaningful role in calling for an end to social ills which come in various forms, such as gender-based violence, murder, rape, theft, etc.

Part of dealing with the problem is to get an understanding of the mechanisms, support or programmes that are implemented among vulnerable communities by the Department of Community Safety and Liaison, in conjunction with other relevant stakeholders, to combat this scourge by building safer communities and a crime-free society.

13. 09h38 Mr MA Dirks, ANC, delivered a Member's Statement as follows and concluded at 09h39:
- The ANC in the KwaZulu-Natal Legislature congratulates the ANCYL on hosting a successful conference this past weekend and congratulate the newly elected leadership.
- We note the dignified manner in which the conference proceedings were conducted. Yes, ndeed, young people are responsible and are leading.
- This successful ANCYL conference brings hope to millions of young people from all walks of life that the struggle for a radical transformation of their lives will be accelerated and achieved in their lifetime.
- Now is the time for Africans from all walks of life and across the political divide in South Africa to unite and achieve radical economic transformation and the expropriation of land without compensation.
- Roar, young lions, roar! Vote ANC in 2024.
14. 09h39 Mr MC SC Nkosi, MEC for Public Works and Human Settlements responded to the Statement by Ms JN Cele and concluded at 09h43;
15. 09h43 Ms BN Sithole-Moloi, MEC for Cooperative Governance and Traditional Affairs, responded to the Statement by Ms JN Cele and concluded at 09h45.
16. 09h45 Mr SE Hlomuka, MEC for Transport, Community Safety and Liaison Education, responded to the Statement by Ms HP Chiliza and concluded at 09h47.
17. 09h47 Ms N Dube-Ncube, Premier of KZN, responded to the Statement by Ms NJ Nkwanyana and concluded at 09h49.
18. 09h50 The Speaker made remarks.

19. 09h51 Debate on the Report of the Portfolio Committee on Public Works on the Oversight Visit held at Siphumelele Primary School on 21 June 2022 commenced and was concluded at 10h54.
20. 10h55 The Speaker made a ruling.
21. 11h02 Debate on the 1st DA Party Motion commenced and was concluded at 12h20:

This House notes:

The total collapse of eThekweni and uMsunduzi which are either under administration or facing administration; and

That most ANC municipalities in KwaZulu-Natal are financially dysfunctional and unable to deliver basic services.

This House therefore resolves:

To look to uMngeni Municipality and the great strides it has made as an example of what can be done in the Province of KwaZulu-Natal under a new DA government.

22. 12h21 The Speaker made an announcement
23. 12h22 Debate on the 1st EFF Party Motion commenced and was concluded at 13h40:

This House notes:

The violent riots in KwaZulu-Natal and Gauteng during July 2021 when 36 black people were killed by racist Indians in Phoenix;

The massacre of black people in Phoenix was motivated by racism and hatred of Africans; and

A year after the Phoenix massacre, there has been no justice for the victims.

This House therefore resolves:

To establish an ad hoc committee to investigate the causes of the Phoenix massacre;

To receive submissions from the public on the impact and aftermath of the massacre on the affected communities; and

To establish a special fund for victims of the Phoenix massacre.

24. 13h41 The Speaker made an announcement.
25. 13h43 The House was adjourned *sine die*.