

**THURSDAY, 22 JUNE 2023**

**[No. 12/2023] FIFTH SESSION, SIXTH LEGISLATURE**

**KWAZULU-NATAL LEGISLATURE**

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**MINUTES OF PROCEEDINGS**

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**Thursday, 22 June 2023**

The Hybrid House met at 09h06.

1. 09h08 Members were given an opportunity for silent prayers or meditation.
2. 09h08 The Acting Speaker made announcements, including the passing away of the following persons:
  - 2.1 Mr Patrick Ndlovu, a legendary actor whose acting career spanned more than four decades;
  - 2.2 Ms Tina Monica Joemat-Petterson, a Member of Parliament who served as Chairperson of the Portfolio Committee on Police. Before joining Parliament in 2009, Ms Joemat-Petterson served as

an MEC in the Northern Cape Legislature. She went on to serve as Minister of Agriculture, Forestry and Fisheries between 2009 and 2014. She was later appointed to the position of Minister of Energy between 2014 and 2017;

- 2.3 Mr Clive “The Dog” William Barker, coach of the *Bafana Bafana* team that won the 1996 Afcon on home soil and qualified for the World Cup. Barker was a true legend of South African football. As far as coaching goes, he was a pioneer in South Africa and helped to change the face of the sport in this country;
- 2.4 Mr Raj Morar, a former Member of Parliament and Councillor in the eThekweni Municipality. Mr Morar served as Chairperson of the Ward 70 Branch in Naidu Makaya Zone and was a former Zonal Treasurer. He also ran the ANC’s Chatsworth Parliamentary Constituency;
- 2.5 All victims of gender-based violence, femicide and hate crimes;
- 2.6 All public servants and traditional leaders of this province and the country at large; and
- 2.7 All victims of road fatalities in our province during the recent past.

*The Hybrid House observed a minute of silence.*

4. 09H14 The Acting Speaker introduced the following new Members representing the ANC:
  - Honourable Mr MA Dirks; and
  - Honourable Mr SN Ndwalane.
5. 09h16 The Premier made announcements.
6. 09H24 The Speaker read into the record the tabling of the

following documents:

## **6.1 KwaZulu-Natal Legislature**

6.1.1 KwaZulu-Natal Legislature: Budget Performance In-Year Monitoring Report [IYM] for the month of May 2023.

## **6.2 Portfolio Committee on Education**

6.2.1 Annual Oversight Plan: 2023/24; and

6.2.2 NSNP Schools Visits Report.

## **6.3 Financial and Fiscal Commission**

6.3.1 2024/25 Annual Submission on the Division of Revenue Act.

## **6.4 Office of the Premier**

6.4.1 Report by the Premier on Non-viable Schools, following the 2023 SOPA in relation to converting Non-viable Schools to Learning and Training Centres or Community Colleges for the transfer of Artisanal and Small-business Skills.

7. 09H25 The Speaker made further announcements.

8. 09h26 Mr MA Zulu, ANC, delivered a Member's Statement as follows and concluded at 09h27:

The milestones achieved by Cogta with regard to traditional leadership under the helm of the African National Congress (ANC) government exemplifies the ANC's respect for traditional leadership and the commitment to strengthen the institution of traditional leadership. Over and above committing to the continued remuneration of Izinduna, including backpay, the

department has committed to capacity-building and impartation of skills transfers.

The ANC continues to applaud the role played by traditional leadership in communities as we are faced with social ills, such as crime, substance abuse, gender-based violence, etc.

Which programmes are implemented by provincial government, working with traditional authority, and what other support does Cogta and the Office of the Premier provide to traditional leaders?

9. 09h27 Ms PH Mbatha-Cele, ANC, delivered a Member's Statement as follows and concluded at 09h28:

Two years ago, the Durban motor licensing office was damaged and declared unsafe. After a needs analysis was conducted, the centre was relocated to uMbilu to ensure that people are at least assisted, even through its previous business could not be compared to the approximately 70 000 vehicle transactions that Durban catered for every month, making it the biggest in the province.

We welcome the announcement made by the MEC for Transport, Community Safety and Liaison to temporarily serve the people [at uMbilu]. However, the reopening of the Durban motor licensing centre will ensure that the people will get a variety of services. While we appreciate the temporary use of the uMbilu office, servicing the people is a priority for the ANC-led government. The department must also inform us of other improvements made with regard to the reopening of the motor licencing offices.

10. 09h28 Mr TV Xulu, ANC, delivered a Member's Statement as follows and concluded at 09h29:

This House notes the outcry raised by the community in the deep rural area of Weenen in uThukela District which pertains to overcrowding at Sahlumbe Secondary School, the only available secondary school in the area where the

community and a delegation, led by Inkosi Mthembu, engaged the MEC for Education to intervene through the construction of a new school in the Sahlumbe area.

The African National Congress considers education as a societal matter, hence our government made it an apex priority which is evident through different programmes, such as learner transport, amongst others.

In responding to the challenge of overcrowding, what practical steps has the department taken to lessen the burden carried by the only available secondary school?

11. 09h29 Mr MB Gwala, IFP, delivered a Member's Statement as follows and concluded at 09h30:

Section 139 of the Constitution has been used by the MEC for Cogta, hon Bongi Sithole-Moloi, in targeting municipalities governed by the opposition.

The IFP is not against any intervention by the MEC of Cogta to deal with transgressions at municipalities, as has happened at Umsekeli, but we question her intervention strategy which seems to be political motivated. Some municipalities have been under administration for quite some time now and it seems as if no progress is being made to turn the tide at some municipalities, including ANC-led municipalities, such as the Msunduzi Municipality. This raises serious questions around the effectiveness of provincial administration and the capability of administrators deployed to these municipalities.

Further, there is no clear timeframe on how long the municipality should be placed under administration and what criteria are used when placing a municipality under administration. There is also a veil of secrecy when it comes to the money that has been spent by the department on administrators.

12. 09h32 Ms TP Mthethwa, IFP, delivered a Member's Statement as follows and concluded at 09h33:

On 23<sup>rd</sup> October 2015, the Department of Transport published the national Policy on Learner Transport which is intended to improve access to quality education by providing safe, decent, effective, integrated and sustainable learner transport, especially for learners in rural areas who experience challenges in accessing schools.

Many schools in KZN had been applying for learner transport since its inception in 2012, but without success. Some 402 schools that will benefit from an amount of R266.430 million towards scholar transport for the 2023/24 financial year is not enough. The ANC-led government has failed many learners in KZN by not providing them with learner transport.

Parents are forced to hire unsafe bakkies to transport their children. It is inexcusable to blame the lack of funding year after year. We have not been informed on how the KZN MECs for Education and Transport intend to address this issue.

13. 09h33 Ms M Tembe, DA, delivered a Member's Statement as follows and concluded at 09h34:

KwaZulu-Natal's alarming teenage pregnancy statistics, as revealed by the MEC for Health, demand an urgent response.

Between April and December last year, 26 515 girls aged between 10 and 19 years fell pregnant. A staggering 1 254 were aged 14 years and younger. These are shocking statistics.

This requires an in-depth study to identify circumstances, factors and omissions that have given rise to young girls falling pregnant.

It seems that the Department of Social Development has turned a blind eye to this ongoing issue. Each year the numbers increase, but the silence of the Department of Social Development is deafening.

What is the MEC for Social Development doing to deal with the massive increase in teenage pregnancies and how are they following up with social workers in clinics who have identified that statutory rape has occurred. This issue needs urgent attention to come up with workable, whole-of-society action and solutions as communities are waiting for the Department of Social Development to assist them.

14. 09h35 Ms PP Harricks, EFF, delivered a Member's Statement as follows and concluded at 09h36:

The scourge of violence at schools in our province is cause for concern, with schools slowly turning into war zones. The big question is: What is the provincial government doing to combat crime in schools? This is not only a departmental issue, as it needs the attention of various stakeholders.

During the 2023 State of the Province Address, the Premier highlighted that each provincial department was to allocate a certain portion of its budget towards combatting crime in the province. Can we get a breakdown of what has been done so far to promote a safe and conducive learning environment at schools?

15. 09h36 Ms CM Shinga, NFP, delivered a Member's Statement as follows and concluded at 09h37:

As the NFP, we note the growing population of the Province of KwaZulu-Natal which dictates that we need to be hard on revenue generation and collections.

One department that has a major role and responsibility to execute this mandate of revenue generation and collection is the Department of Public Works. It seems as if the department is failing its principal and prudent mandate, hence we have numerous neglected and abandoned government properties and/or buildings throughout the province. Some of these properties have become white elephants or [imihume yabaphangi lakugcwelezelwa khona abantu abanye bayaziyaziqashisela ngalezindlu zikahulumeni](#).

The NFP notes with concerns the abandoned and neglected houses in uMzumbe in Ugu District. We have been informed that some of them, especially those situated in areas such as Ophapheni and Turton, belong to the government. These houses were meant to house government employees, but for some reason they have been neglected.

The neglect of these properties can be seen in the overgrown verges, and at several vandalised structures, windows and doors have been damaged and stolen.

Some houses have serious plumbing issues, and sewerage problems affect the roads leading to the Turton Community Health Centre. This endangers the health and living environments of the surrounding communities which have to deal with these health hazards.

It is worth noting that some of those houses have occupants, but the houses are not serviced or maintained. We doubt those occupants even pay for rates and services.

**As the NFP, we would like to know:**

1. Who are those people who are currently occupying these premises?

2. In which capacity are they living there? Who placed them there? Are they government employees? Do they pay rent? Do they pay for rates and services?
3. Why are these premises or properties being abandoned and neglected by the Department of Public Works? Who must be held accountable?
4. Is there any solution or remedy? If there is a turnaround strategy or mechanism to deal with the matter? When can we expect the department to address this problem by maintaining, servicing and improving those properties/premises?
5. Who provides the day-to-day assessment, management and monitoring of those properties. Is it a provincial or local office? And why are they not doing their job?
6. Has this matter ever been reported to the KZN Department of Public Works by the local uMzumbe/Ugu Public Works office? If so, what action was taken?

I hope the MEC for Housing and Public Works will respond and attend to this as a matter of urgency.

16. 09h39 Ms MC Frazer, MEC for Education, responded to the Members' Statements made by Ms TP Mthethwa and Mr TV Xulu and concluded at 09h43.
17. 09h43 Ms NM Khoza, MEC for Social Development, responded to the Member's Statement made by Ms Tembe and concluded at 09h45.
18. 09h46 Mr MC SC Nkosi, MEC for Public Works and Human Settlements, responded to the Member's Statement made by Ms CM Shinga and concluded at 09h48.
19. 09h48 Ms BN Sithole-Moloi, MEC for Co-operative Governance and Traditional Affairs, responded to the

Members' Statements of Messrs MA Zulu and MB Gwala and concluded at 09h52.

20. 09h53 The Speaker made remarks.
21. 09h55 Debate on the Report by the Premier on Non-viable Schools, following the 2023 State of the Province Address, relating to the conversion of Non-viable Schools to Learning and Training Centres or Community Colleges for the Transfer of Artisanal and Small-business skills commenced and was concluded at 11h18.
22. 11h19 Debate on the Oversight Visits by the Portfolio Committee on Transport to Cabane River Bridge (2 February 2022) and the Construction of Road P749 from 26 to 43 kilometers (22 February 2022) at Umzimkhulu Local Municipality commenced and was concluded at 12h13.
23. 12h14 Debate on the 1<sup>st</sup> ANC Party Motion commenced and was concluded at 13h29.
24. 13h30 The business of the House was suspended and resumed at 14h05.
25. 14h06 Debate on the 1<sup>st</sup> IFP Party Motion commenced and was concluded at 15h16.
26. 15h17 The Speaker made remarks and an announcement.
27. 15h18 The House was adjourned until Thursday, 29 June 2023.