

THURSDAY, 29 JUNE 2023

[No. 13/2023] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 29 June 2023

The Hybrid House met at 09h15.

1. 09h16 Members were given an opportunity for silent prayers or meditation.
2. 09h17 The Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mr Sokesimbone “Sox” Kubheka, a popular radio presenter who made a name for himself on *Radio Bantu* which is now called *uKhozi FM*. Apart from broadcasting, Kubheka also became a household name after acting in television shows, such as *Shaka Zulu* (1986), *Inkomedla Yodwa* (1989) and *The Gift* (1991);

- 2.2 Ms Perfect Ntombenhle Nana Mbatha (née Nzuzza), sister of Mr Zethembiso Nzuzza: Manager of the Committees Directorate. Ms Mbatha will be laid to rest on Saturday, 01 July 2023 at Utrecht Town Hall at 09h00;
- 2.3 Mr John Myaka, ACDP PR Councillor at uMhlathuze Municipality. Mr Myaka was shot at his church at eNseleni. He was on the pulpit when two men approached him and shot him dead;
- 2.4 Victims of the tornado that occurred around eThekweni Municipality yesterday afternoon;
- 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.

- 3. 09h19 The Speaker made further announcements.
- 4. 09h22 The Premier made remarks and announcements.
- 5. 09h27 The Speaker read into the record the tabling of the following documents:
 - 5.1 Portfolio Committee on Co-operative Governance
 - 5.1.1 Report of the Portfolio Committee on Co-operative Governance and Traditional Affairs: Focused Intervention Study on Assessing the Implementation of Water Access and Yellow Plant Programmes at seven municipalities in the province (Ugu,

uThukela, uMzinyathi, aMajuba, Zululand, uMkhanyakude and Harry Gwala Municipalities), dated 7 June 2022.

5.2 Ad hoc Committee on Land Restitution

5.2.1 Ad hoc Committee on Land Restitution: Complaints and Other Related Matters: Zululand, Amajuba, Uthukela and Umzinyathi Progress Report, as tabled in July 2021.

5.3 Portfolio Committee on Public Works

5.3.1 Report by Portfolio Committee on Public Works: Oversight Visit held at Mhlabuhlangene Senior Secondary School, Ugu District Municipality on 08 July 2022;

5.3.2 Portfolio Committee on Public Works: Annual Oversight Plan, 2021/22; and

5.3.3 Report by Portfolio Committee on Public Works: Stakeholder and Public Involvement Session held in Peacevale Hall, uBuhlebezwe Local Municipality, Harry Gwala District on Tuesday, 24 January 2023.

6. 09h29 The Speaker made further announcements.

7. 09h30 The following Members gave notice of their intention to move motions on the next sitting day of the House:

7.1 Ms NPF Mavuso, ANC, to move:

This House notes:

That water is a crucial source of life and is defined as a basic human right;

That Cogta continues to make serious strides in transforming our communities for the better by having invested R57 million in short-term water and sanitation projects to accelerate universal access and by having distributed 365 static tanks, totalling R2.6 million, to various municipalities as an interim measure; and

Water war rooms have been established in most districts with the support of OSS champions.

This House therefore resolves:

To commend Cogta for its municipal support for water interventions as water is indeed a basic human right.

7.2 Mr MB Gwala, IFP, to move:

This House notes:

That people can no longer move freely in this country because of rampant killings that happen daily;

That this country is becoming more frightening and dangerous by the day;

That despite efforts by the SA Police Service and other security personnel, criminals are still indulging in criminal activities; and

That Zama Masondo, an IFP councillor in eDumbe Local Municipality, survived an assassination attempt when his car was shot at in the Tholakele area.

This House therefore resolves:

To call upon the KZN provincial government to step up its efforts to eradicate crime in KwaZulu-Natal to ensure that citizens are safe.

7.3 Ms TJ Gumede, IFP, to move:

This House notes:

That, with the upcoming 2024 elections, the pressure is weighing heavily on the ruling party; and

That this has led to some MECs and Members disregarding the ethos of good governance.

This House therefore resolves:

That government work which involves participatory engagements must remain just that, and not become ANC rallies; and

That Members must exercise restraint and not engage in political campaigns during these gatherings, as the former course of action will prevent undue tensions that may otherwise threaten peace.

7.4 Mr S Bhanprakash, IFP, to move:

This House notes:

The dangers of illegal sand-mining operations in KwaZulu-Natal have become evident during oversight visits;

Possible environmental impacts include soil erosion, sinkhole formation, loss of biodiversity,

damage to existing infrastructure and the contamination of soil, ground and surface water;

Illegal sand mining has become a lucrative industry which services the building industry, as well as glass, jewellery and filtration manufacturers;

These illegal operations undermine the fragile economy of KwaZulu-Natal and the security of communities where they exist.

This House therefore resolves:

To call upon the Department of Economic Development, Tourism and Environmental Affairs and affected municipalities to deal decisively with illegal sand mining.

7.5 Mr FA Rodgers, DA, to move:

This House notes:

That a by-election was held in Ward 11, Newlands East;

That the Democratic Alliance increased its vote from 41% to 57%; and

That this is yet another by-election in KwaZulu-Natal where the voters of this province told the ANC that they have had enough.

This House therefore resolves:

To congratulate the DA on yet another by-election victory; and

To agree that 2024 cannot come soon enough.

7.6 Mr LM Meyer, DA, to move:

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.

7.7 Ms CM Shinga, NFP, to move:

This House notes:

That there are 14 million unregistered young South Africans, as per the Independent Electoral Commission;

That the largest and most influential voting cohort in South Africa are the youth who are not willing to vote, perhaps because they feel deprived and unrepresented; and

That young people need to be encouraged to register and vote.

This House therefore resolves:

To call upon political parties and the Departments of Education, Co-operative Governance and Traditional Affairs, as well as Sport and Recreation

to collaborate with the Legislature and the IEC on voter education outreach programmes which target the youth.

7.8 Mr HU de Boer, DA, to move:

This House notes:

That uMhlathuze Cllr J F Myaka was cruelly gunned down during a church service in Enseleni this week; and

That Cllr Myaka was part of the multi-party political pact in the City of uMhlathuze that had ousted the former mayor and ANC leadership.

This House therefore resolves:

To call on the SA Police Service to not only speedily investigate this particularly brutal murder, but to also make arrests; and

To call on the KwaZulu-Natal Legislature to formulate a political violence task team to assist with investigations and help foster respect and tolerance among all political parties.

7.9 Ms M Tembe, DA, to move:

This House notes:

Attempts by the principal of Botate Primary School to sell a teaching post will neither be the first, nor the last in KwaZulu-Natal;

This abominable practice is further exacerbated by the heinous sexual abuse of many teachers who continue to remain silent after having paid for their jobs with their bodies;

That not encouraging whistleblowing is spineless and politically expedient.

This House therefore resolves:

To call upon the MEC for Education to implement the recommendations of the Ministerial Task Team that investigated allegations of the selling of posts of educators by members of teachers' unions and departmental officials in provincial Education departments.

7.10 Ms NJ Nkwanyana, IFP, to move:

Le Ndlu iyakunaka ukuthi:

Selokhu iqembu leNkatha labhulela uKhongolose esakeni kuhle kwamabele ngokhetho lomasipala izinhliziyi zibomvu zigcwele amahlule kubaholi be-ANC ngenxa yokuthi bahlanzwa ngabantu.

Lokhu kufakazelwa isigameko sokuhlaselwa kukaMnu Skhumbuzo Hlatshwayo okusolakala ukuthi uhlaselwe ikhansela leANC eMnambithi ngoba licikwa ukuthi unxenxa abantu ukuthi bajoyine iNkatha ngoba bekhathele izethembiso ezingafezwa.

Le Ndlu inquma kanje:

Ukunxusa abaholi be-ANC ukuthi abaqhubeke bazikhothe amanxeba ayoze aphole ngoba abantu ibona abawuhlansa uKhongolose ngoba uhluleka ukubanika izidingo zentuthuko kodwa baqoma iNkatha futhi abayeke uchuku lokuhlasela amalungu eNkatha.

Ukunxusa amaphoyisa ukuthi asheshise uphenyo ukuze lizoboshwa leli bhoklolo le-ANC elihamba lishaya abantu.

Ukunxusa i-ANC ukuthi ifundise amakhansela ngokuthi abantu banelungelo lokujoyina iqembu lezombusazwe abalithandayo.

[*This House notes:*

That since the IFP defeated the ANC during the municipal elections, ANC leaders are disheartened because they feel that they are being humiliated by the people; and

This is evidenced by an incident involving an alleged attack on Mr Skhumbuzo Hlatshwayo by an ANC councillor in Ladysmith, apparently because he had been canvassing people to join the IFP since they were tired of promises not being fulfilled.

This House therefore resolves:

To call on ANC leaders to continue with their healing process now that the people have rejected the party for its failure to deliver services and have chosen the IFP instead; and to urge them to refrain from attacking IFP members;

To urge the police to continue their investigation without delay so that the ANC bully who beats up people can be apprehended; and

To urge the ANC to teach its councillors about people's rights to join any political party of their choice.]

7.11 Ms TP Mthethwa, IFP, to move:

This House notes:

The lack of political will by the KwaZulu-Natal Department of Education to prioritise safety in schools, thereby allowing them to become battlefields;

The Department of Education has failed to install metal detectors, cameras and strict security measures in schools to prevent access to people who carry dangerous weapons;

This comes after a learner was stabbed to death by a fellow pupil at Sihlengeni High School in Vryheid; and

It is alleged that the cause of the fight was a romantic relationship.

This House therefore resolves:

To call for an urgent debate on the lack of safety in schools.

7.12 Mr S Moodley, IFP, to move:

This House notes:

Road accidents in KwaZulu-Natal are a regular occurrence and the number of accidents remain alarmingly high, often with irreparable consequences;

Fatalities and serious injuries devastate the families of all involved;

Two people were recently killed and three seriously injured after a head-on collision involving

three trucks on the N2 at Zinkwazi, resulting in looting and a huge traffic jam.

This House therefore resolves:

To call for greater political will from government to stop road carnage by deploying traffic police on our roads 24/7;

To send our heartfelt condolences to the families of the deceased; and

To wish a speedy recovery to the injured parties.

7.13 Ms NM Khoza, ANC, to move:

This House notes:

The Child Protection Month commemoration and closure were held at Wentworth Youth Development Centre in eThekweni;

Abused children are pleading with government to save them from their parents; and

Protecting children from violence, exploitation, trafficking and abuse is not only a basic value, but an obligation clearly set out in section 28 of our Constitution.

This House therefore resolves:

To call on the KwaZulu-Natal Legislature and provincial government to lead a debate aimed at conscientising society about children's rights, equality and dignity; and

To call on every individual to participate in a coherent programme 365 days per year to ensure that children are protected.

7.14 Mr TS Mtshali, ANC, to move:

This House notes:

Today the Department of Transport, led by MEC Hlomuka, will launch *S'thesha Waya-Waya*, a programme aimed at creating sustainable jobs;

Not only will it create 6 000 job opportunities, but participants will also get a national certificate (NQF Level 3) upon completion of the programme;

This clearly indicates the ANC-led government's commitment towards creating sustainable jobs, especially for the youth;

Despite the stubborn challenge of youth unemployment, the ANC-led government continues to wage war against unemployment.

This House therefore resolves:

To commend MEC Hlomuka for ensuring that his department creates employment opportunities, and

To urge him to continue creating more jobs.

8. 09h53 Debate on the 2nd ANC party motion commenced and was concluded at 11h07.
9. 11h08 The Speaker made remarks.
10. 11h10 The business of the House was suspended and resumed at 11h31.
11. 11h32 Debate on the 2nd IFP party motion commenced and was concluded at 12h36.
12. 12h37 The business of the House was suspended and resumed at 13h12.

13. 13h13 Debate on the Report of the Portfolio Committee on Cogta on its Focused Intervention Study on the Assessment of the Implementation of Water Access and Yellow Plant Programmes at seven Municipalities in KwaZulu-Natal (Ugu, Uthukela, Amajuba, Umzinyathi, Zululand, Umkhanyakude and Harry Gwala Municipalities) commenced and was concluded at 14h28.
14. 14h29 Debate on the Report of the *Ad Hoc* Committee on Land Restitution: Complaints and other Related Matters – uMzinyathi, uThukela District, Amajuba and Zululand Districts commenced and was concluded at 15h35.
15. 15h36 The Speaker made remarks and announcements.
16. 15h42 The House was adjourned until Thursday, 06 July 2023 at 09h00.