

TUESDAY, 26 NOVEMBER 2024

[NO. 13/2024] FIRST SESSION, SEVENTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Tuesday, 26 November 2024

The Hybrid House met at 09h07.

1. 09h08 Members were given an opportunity for silent prayers or meditation.
2. 09h09 The Deputy Speaker made announcements, including the passing away of the following persons:
 - 2.1 Ms Zandile Gumede, a clerk for SCM in the Department of Public Works and Infrastructure in the Southern Region. On Sunday, the day before the campaign of *16 Days of Activism for No Violence against Women and Children* was launched, she and her 12-year-old child were shot dead in her home by someone who is known to

the family. Her other six-year-old child was in the house when it happened;

2.2 All victims of gender-based violence, femicide and hate crimes;

2.3 Public servants and traditional leaders of this province and the country at large who have passed away; and

2.4 Various victims of road accidents and others who have lost their lives in our province during recent times.

The Hybrid House observed a minute of silence.

3. 09h10 The Deputy Speaker made further announcements.

4. 09h11 The Speaker read into the record the tabling of the following documents:

4.1 Standing Committee on Public Accounts

4.1.1 Report of the Standing Committee on Public Accounts on the Hearings of the 2023/24 Reports of the Auditor-General held in October 2024.

4.2 Department of Agriculture and Rural Development

4.2.1 Re-tabling of the Agri-business Development Agency: Annual Performance Plan, 2024/25.

5. 09h12 The Premier made remarks and announcements.

6. 09h18 The following Members gave notice of their intention to move motions on the next sitting day of the House:

6.1 Mr M B Gwala, IFP, to move:

This House notes:

That monuments have played a significant role in commemorating history and constructing collective memory through their commemorative, educational, and aesthetic functions; and

That to better understand the crucial role of monuments in the commemoration of collective memory and history, an analysis of specific commemorative practices is warranted.

This House therefore resolves:

To call upon the Premier of KwaZulu-Natal to motivate the Department of International Relations to consider the importance of erecting King Cetshwayo's statue at an appropriate place in England, next to Queen Elizabeth's statue, and to ensure that King Cetshwayo's statue is built next to Queen Victoria's statue in the KZN Legislature precinct.

6.2 Mr P N Msimango, IFP, to move:

Le Ndlu iyakunaka ukuthi:

Njengoba izwe lonke libhekene nokuguquka kwesimo sezulu okwenzeka kulesi sikhathi esiphila kuso kugcina kuholela ekutheni kulahleke imiphefumulo ngenxa yokuduma kwezulu okubi futhi kwesinye isikhathi kuhambisane nesishingishane esishiya kukhalwa.

Isigameko sakamuva ileso sokudlula emhlabeni kowesifazane okubikwa ukuthi ushaywe umbani wezulu ehamba nodadewabo emgwaqeni u-R34 eSigqokweni e-Denny Dalton, oLundi ngoLwesihlanu.

Ngakho-ke le Ndlu inquma kanje:

Ukudlulisa amazwi enduduzo emndenini kanye nezihlobo zikaNkosazana Mazet Mbatha (27) oshaywe umphezulu

Ukunxusa uhulumeni waKwaZulu-Natali ukuthi ufakele imiphakathi izikhonkwane ezivimba izulu njengoba kusehlobo abantu beshaywa umphezulu.

Ukunxusa uMnyango wakwa-COGTA nomasipala ukuthi ufundise imiphakathi ngobungozi bokuguquka kwesimo sezulu okuhambisana nokuduma kwezulu okuyingozi.

[This House notes:

That the country is currently facing the fall-out of climate change which sometimes results in fatalities due to heavy thunderstorms and gale-force winds; and

That a young woman passed away last Friday after reportedly being struck by lightning while walking with her sister along the R34 in eSigqokweni area of Danny Dalton near Ulundi.

This House therefore resolves:

To pass our heartfelt condolences to the family and relatives of Ms Mazet Mbatha (aged 27) who was fatally struck by lightning;

To call on the government of KwaZulu-Natal to install lightning conductors for communities as lightning strikes are particularly prevalent during the summer season; and

To call on the Department of Co-operative Governance and Traditional Affairs to conduct civic

education about climate change and the dangers of thunderstorms and lightning.]

6.3 Mr B M Zuma, ANC, to move:

This House notes:

That, as it did during the previous term, the ANC-led government continued to host a series of service-delivery, stakeholder and community engagements during November 2024, ahead of the District Development Model Presidential *imbizo*; and

The *imbizo* hosted on 8 November 2024 at eThekweni Metropolitan Municipality was a huge success.

This House therefore resolves:

To commend these *izimbizo* as they continue to promote dialogue between citizens and government in the interests of building a responsive government; and

To call on the KwaZulu-Natal provincial government to continue prioritising the alignment of the work done by the national, provincial and local government spheres.

6.4 Ms M C Frazer, ANC, to move:

This House notes:

The commencement of the 16 Days of Activism against GBVF and vehemently declares war on this scourge.

This House therefore resolves:

To urge people to support the strategic plan on GBVF passed by the ANC to ensure that people are neither discriminated against, nor violated as government cannot win the fight against this scourge alone, but together we can do more; and

To commend the ANC's various policies that protect women and children, and humbly request all political parties to not only participate in these annual campaigns, but to emulate the ANC by participating in ongoing daily campaigns that declare war on GBVF.

6.5 Dr I Keeka, DA, to move:

This House notes:

That 1197 bodies are piled up at KwaZulu-Natal mortuaries after the department completed all its processes;

SAPS have not followed due process, causing above-ground graveyards dating back as far as 2017;

The DA has escalated the matter to the National Police Committee, pointing out the need for personnel, money and due process, and allowing for SAPS to complete their processes;

Municipalities are duty-bound to allocate a budget and to conduct pauper burials.

This House therefore resolves:

To call upon SAPS to finalise its processes so that municipalities can bury their dead, thereby offering families closure and dignity.

6.6 Ms R Gokool, DA, to move:

This House notes:

That road safety is a critical concern affecting our communities; and

Recent statistics indicate an increase in accidents and injuries, highlighting the need for immediate action.

This House therefore resolves:

To call on the KZN Department of Transport and all other relevant stakeholders, including law enforcement, to prioritise unroadworthy vehicles, poor road conditions and the intolerable lack of policing, in order to curb accidents and prevent loss of life going into the festive season period.

Implementing these measures will help reduce accidents, protect vulnerable road users and promote safer driving habits on our roads.

6.7 Ms C M Shinga, NFP, to move:

This House notes:

That township economies across KwaZulu-Natal remain under-developed, leaving local entrepreneurs with limited resources, opportunities, and access to markets; and

That inadequate infrastructure, such as roads, electricity, and internet connectivity, continues to hinder economic growth in these communities.

This House therefore resolves:

To call for targeted investments in township infrastructure to stimulate business growth;

To introduce financial incentives, such as tax breaks, for businesses operating in townships; and

To establish programs providing access to micro-loans, mentorship, and training for township entrepreneurs.

6.8 Mr B C Mngadi, MKP, to move:

This House notes:

The frustration faced by operating taxi owners in KwaZulu-Natal because of a failure on the part of the Department of Transport to issue operating permits on time; and

This often results in the impounding of operating taxis under the self-same department's *Operation Shanela*.

This House therefore resolves:

To protect the taxi industry because as is the most accessible mode of public transport available to our people, and the most powerful black-owned business sector that sustains many families in our black communities.

6.9 Mr L Maxegwana, MKP, to move:

This House notes:

That the decline of local ownership, and the control and operation of spaza shops in townships have adversely affected the economic potential of townships.

This House therefore resolves:

To establish a provincial economic development forum, under the auspices of the Department of Economic Development, Tourism and Environmental Affairs, to co-ordinate a policy that deals with micro-enterprises, street trader licences, vendor licenses and activities of foreign owners and operators in the informal economy; and

To encourage government-led partnerships to drive developments in the supply chain of goods.

6.10 Mr S D Mabaso, MKP, to move:

This House notes:

The scourge of drug use in the Province of KwaZulu-Natal and the impact this has on the lives of our youth in the townships.

6.11 Mr M W Twala, EFF, to move:

This House notes:

That at least eight municipalities in KwaZulu-Natal are currently under administration due to under-performance;

These municipalities serve predominantly black communities; and

Maladministration, lack of accountability, wasteful and irregular expenditure, and flouting of the PFMA have resulted in their inability to render basic services to their communities: dealing with sewerage overflowing onto the streets, overdue refuse collection, no supply of clean drinkable water and poor electricity supply.

This House therefore resolves:

To identify the root causes of this collapse; to empower staff through training; and to use the law to make these institutions functional again to provide urgent essential services to our people.

6.12 Ms N J Nkwanyana, IFP, to move:

This House notes:

Many critical provincial departments are being affected by budget cuts;

The budget allocated to the Department of Health for the 2024/25 financial year amounts to R53 billion as the department was not spared from these cuts;

Budget cuts are a cause for concern; and

The lack of funding is having a dire effect on the department's performance, with some projects potentially being put on hold to meet payroll obligations.

This House therefore resolves:

To call for an urgent debate on the negative effects of budget cuts on critical departments, such as the Department of Health, as budget cuts affect the provision of services.

6.13 Mr L J de Klerk, IFP, to move:

This House notes:

Reports of private companies in KwaZulu-Natal employing undocumented foreign national, evidenced by the recent arrest of 288 illegal workers in Newcastle, highlight a troubling trend;

This practice deprives local citizens, particularly the youth, of employment opportunities, and undermines the enforcement of labour and immigration laws.

This House therefore resolves:

To call upon the provincial government to take appropriate measures to ensure stricter enforcement of immigration and labour laws, including regular workplace inspections and heavy penalties for businesses employing undocumented individuals; and

To request this Legislature to convene a task team to monitor and report on progress in addressing this issue.

6.14 Mr S A Duma, ANC, to move:

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

6.15 Ms M Nair, DA, to move:

This House notes:

That informal settlers continue to set up home on dangerous servitudes, flood plains and unstable banks, endangering lives and making rescue operations and the provision of emergency housing following disasters extremely challenging, as has recently happened in uMgudula settlement in eThekweni.

This House therefore resolves:

To address this problem by ensuring that those currently residing in these hazardous areas are provided with safer alternative housing solutions;

To prevent future occupation through stricter enforcement of municipal by-laws; and

To mandate municipalities to implement proactive measures, including community awareness programmes and regular inspections to safeguard residents from putting their own and others' lives at risk.

6.16 Ms H S Lidgett, DA, to move:

This House notes:

That sewage pollution is devastating KwaZulu-Natal's tourism economy, causing environmental harm, endangering public health, and severely damaging KZN's potential world-class reputation;

That the collapse of the tourism economy in eThekweni is a stark example of this crisis which hinders economic growth and job creation; and

That municipalities have failed to address the crisis.

This House therefore resolves:

To call on the MEC for EDTEA to investigate sewage management systems in key tourism areas;

To table a report with findings and recommendations; and

To collaborate with municipalities, the private sector, tourism authorities, and experts to implement sustainable solutions to prevent and restore pollution-affected areas.

6.17 Mr S P G Mbatha, MKP, to move:

This House notes:

The report by the MEC for Human Settlements on the state of housing in KwaZulu-Natal, and is concerned about –

The chronic neglect of housing caused by years of corruption and maladministration;

The backlog of housing delivery, leaving countless citizens in informal settlements without adequate shelter or basic services;

Substandard and incomplete housing projects that fail to meet the needs of intended beneficiaries and waste critical financial resources; and

The lack of urgency in implementing innovative, substantial, inclusive housing solutions to address KwaZulu-Natal's growing urbanisation and population pressures.

This House therefore resolves:

To call for urgent action to address the housing crisis.

6.18 Dr M S Mthethwa, MKP, to move:

This House notes:

The perilous state of social services in KwaZulu-Natal;

Social workers are at the core of community welfare in KwaZulu-Natal;

KwaZulu-Natal has a high unemployment rate, resulting in an increasing number of people living in poverty;

We all know poverty breeds problems, such as domestic violence, displaced families and drug abuse.

This House therefore resolves:

To call for a functioning social service to help curb the increasing number of people affected by various social ills.

6.19 Ms N F Khumalo, MKP, to move:

This House notes:

The malfeasance and maladministration in the KwaZulu-Natal Department of Education, especially when it comes to the payment of Norms and Standards to schools; and

Tranche payments have caused havoc in the management of many schools in the province.

This House therefore resolves:

To call for a debate on the matter, as per the motion proposed by the MKP.

6.20 Ms S M M Mkhize, ANC, to move:

This House notes:

The recognition of women who have made significant impacts in various fields is limited, despite their contributions, there is a glaring lack of research and documentation on the lives, achievements, and legacies of these women.

This House therefore resolves:

To call on the government to establish a national research initiative dedicated to documenting and celebrating the lives and achievements of these women ensuring that their contributions become the heritage for future generations.

Further urge higher institutions including other progressive research institutes to prioritize research on women's history and contribution of mama Nokuhamba Nyawo, Florence Mkhize, Queen Mkabayi kaJama and Queen Monase, etc.

6.21 Ms S V de Boer, DA, to move:

This House notes:

South Africa annually advocates for 16 Days of No Violence against Women and Children;

Recent statistics indicate that contact crime and GBV remain rampant – a shameful stain on the fabric of our democracy; and

Rape and sexual assault on our children and mothers continue to destroy families and individuals, with South Africa seen as the rape capital of the world.

This House therefore resolves:

To call on MEC Shinga and MEC Meyer to create safe spaces for all victims of domestic abuse; and

To urge the KwaZulu-Natal government to formally extend its 16-day campaign into a focused year-long effort to combat GBV crimes.

6.22 Mr L M Meyer, DA:

This House notes:

That Breyten Breytenbach passed away two days ago at the age of 85;

He was a true hero of our nation and a man who opposed the apartheid government, a stance for which he was arrested and ultimately imprisoned;

He was the voice of the Afrikaner's conscience, speaking through his poetry to the soul of our people; and

His poetry was world renowned, making him a true son of South Africa who flew our flag high, here and abroad.

This House therefore resolves:

To remember Breyten Breytenbach's contribution to the development of Afrikaans, as well as the struggle for freedom in South Africa.

7. 09h47 The MEC for Finance tabled the the KwaZulu-Natal Adjustments Appropriation Bill, 2024, and concluded at 10h28.
8. 10h29 The Deputy Speaker referred the KwaZulu-Natal Adjustments Appropriation Bill, 2024, to the Portfolio Committee on Finance, and Vote 2 of the same Bill to the Standing Committee on Oversight.
9. 10h30 Debate on the 1st IFP motion commenced and was concluded at 11h44.
10. 11h45 Debate on the Consolidated Report by the MEC for Transport and Human Settlements, based on Annual Reports submitted by Municipalities in terms of section

11 of the KZN Elimination and Re-emergence of Slums Act, 2007, commenced and was concluded at 12h56.

11. 12h57 The business of the House was suspended and resumed at 13h49.
12. 13h50 Debate on the 4th MKP motion commenced and was concluded at 15h18.
13. 15h20 The Premier delivered a Report on Programmes and/or Plans by the KwaZulu-Natal Government aimed at ending the Scourge of Violence and Abuse directed at Women and Children and concluded at 15h40.
14. 15h41 Debate and Voting on the Conferral of a Final Mandate on the Older Persons Amendment Bill [B11D-2022] commenced and was concluded at 16h34.

Question put:

That the KwaZulu-Natal provincial delegation to the National Council of Provinces vote in support of the Older Persons Amendment Bill [B11D-2022] at the relevant NCOP select committee; and

That the head of the provincial delegation to the NCOP, or a delegate designated by the head of delegation, cast a vote in favour of the Older Persons Amendment Bill [B11D-2022] at the NCOP plenary.

Question agreed to.

Results of the vote were as follows:

In favour = 41 Against = 0 Abstentions = 35

15. 16h35 The Speaker made remarks and an announcement.
16. 16h36 The House was adjourned until Thursday, 28 November 2024 at 09h00.