

**DEBATES AND PROCEEDINGS OF THE THIRD**

**KWAZULU-NATAL PROVINCIAL LEGISLATURE**

**FOURTH SESSION**

**THIRD LEGISLATURE**

**THURSDAY, 30 AUGUST 2007**

**THE HOUSE MET AT 10:17 IN THE LEGISLATIVE CHAMBER,  
PIETERMARITZBURG.**

**1. SILENT PRAYER OR MEDITATION, OR READING OF THE PRAYER IN  
SCHEDULE 2.**

The Speaker took the Chair and read the prayer.

**2. OBITUARIES AND OTHER CEREMONIAL MATTERS**

**THE SPEAKER:** I am saddened to officially announce to this House that we have experienced yet another loss of one of our members, namely Inkosi S H Gumede. He passed away yesterday morning, following a car accident in Hluhluwe. Hon Inkosi Gumede served this House from 1999 until his untimely death. He served as Chief Whip of the IFP and later as Chairperson of the Portfolio Committee on Conservation and Environmental Affairs. He was later also an ordinary member. This is the third time we suffered the loss of a member of the House this year.

I am also saddened to announce that two of our members have lost their children due to natural causes. The hon member iNkosi K W Mathaba lost his son, Zethembiso Baldwin Mathaba, who passed away in the evening after an operation on Saturday, 25 August 2007. The funeral will be held at Mathambeni Sportsgrounds this coming Saturday, 1 September 2007. The service will start at 10:00.

The hon member Mr J S Vilane lost his daughter, Thobelo Nompumelelo Vilane, who passed away on Monday, 27 August 2007 at Mossford Hospital, eNgwavuma.

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I also need to announce the passing away of iNkosi M Mkwanazi from Mthubathuba at Entabeni Hospital yesterday.

I need to share with the House the passing away of Mr Frank Mbuyazi, father of the late Head of Committees, Mr Mbali Mbuyazi. Mr Mbuyazi Sr passed away last Friday, 17 August 2007. He will be laid to rest this coming Saturday, 1 September 2007, in Mahlabathini.

I feel I need to share with the House that hon member Mrs Oliphant, who is our representative at the NCOP and who is the Chairperson of Committees there, has lost her mother-in-law. Mrs Oliphant's husband also works for the National Assembly.

These are very sad moments for many families, for many friends, for many relatives and also for this House, because they affect members of this House. I will therefore request that we rise to observe a minute of silence on this occasion.

*The House observed a minute of silence.*

**THE SPEAKER:** May their souls rest in peace. Amen.

### **3. ANNOUNCEMENTS BY THE SPEAKER**

**THE SPEAKER:** Hon members, I also need to alert you to the fact that there are several hon members of this House who are still unwell. When I do not see the hon member Mr David Ntombela, I feel I need to remind hon members of this House that the last time we got information from the IFP we were told that Mr Ntombela is unwell. Subsequently we received a doctor's note which indicated the extent to which Mr Ntombela is not well. The doctor's note indicated that Mr Ntombela will not be well for some time. I cannot divulge the details, but the extent of the illness and the treatment that he is receiving were indicated to me. I am saying this because, when we deal with those members who are unwell or those who have passed away, we must always keep them in our minds. Those who pray must pray for them.

I also need to announce that the hon member Mrs H Blose is unwell. She was hospitalised some time ago. She has now been booked off until 31 August 2007.

We hope these members will recover, and we hope they will recover quite soon. In this

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instance, however, we wish everybody to pray for them.

I now wish to proceed with apologies that have been brought to my attention. The hon member Mr E S Mchunu will be joining us later today. The hon member Mr Z J Mchunu is unable to attend. The hon member Ms Z M Ludidi is unable to attend. All of these members have indicated the reasons for their non-attendance. They are acceptable reasons. The hon MEC for Transport, Community Safety and Liaison has tendered his apology. We therefore have to accept all of these.

I wish to make a further announcement in terms of Item 3 on the Order Paper. I wish to inform the House that hon Mr Y S Bhamjee, who was at national Parliament, has joined us as a member of this House. The hon Mr Bhamjee replaces the late hon member Ms N P Molefe. He was sworn in on 10 August 2007. Some members of the House may have been aware of that. Others may not have been aware of that. That is why I am making this announcement. Welcome, Mr Bhamjee.

**HON MEMBERS:** Hear, hear!

**THE SPEAKER:** I must also acknowledge that he has been appointed as a Whip, as well. We received a notice to that effect.

Hon members are advised that Ms Wendy Landsberg, the representative from Parmed, will be in Committee Room 1. Members who wish to consult her regarding their medical aid issues can do so between 10:00 and 14:00.

Hon members are being informed that the hon Mr A Singh has been kind enough to organise for Mr Ben Pillay to test their health conditions, such as cholesterol levels, diabetic status and so on. Members and staff who wish to make use of this service will find him in the Reading Room from 11:00.

I would like to wish the following hon members who were born in the month of August a happy belated birthday. The birthday list has been distributed to hon members. I am informed that I must apologise to the hon Dr Z L Mkhize that his name has been put there. Please delete his name. I do apologise to you, as well. It seems he was not born during the month of August. We will therefore have to deal with him at a later stage.

However, I am informed that the hon Ms L X H Hlongwa was definitely born during the

month of August. I am also told that Dr B M Radebe was born on 10 August. Ms Hlongwa was born on the 9<sup>th</sup> of this month, and Radebe was born on the 10<sup>th</sup>. I am told that Mr G B Bhengu was born on 25 August of this month. Mr S V Naicker was born on 28 August. Apparently one MEC was left out, and that is the hon member Mrs Thusi, who was born on Women's Day, 9 August 2007. Hon members, I wish all of you a happy birthday. I also wish a happy belated birthday to many of you, and I hope you have now been taken care of in this way.

I wish to conclude by making a few other announcements. [Interjections] I am informed that Mrs Mohlaka was born on 14 August. I would like to request staff members and administration to update our information. It looks as if we are a bit shoddy. Mrs Mohlaka, we include you amongst those .... [sithi-ke mpilo nhle](#), [mpilonde kinina nonke](#). [*May you therefore have many happy returns.*] Thank you.

I wish to make a last announcement to inform members of the upcoming floor-crossing period which is due to commence shortly. Members will no doubt be aware that, in terms of Schedule 6(a) of the Constitution of the Republic of South Africa, Act 108 of 1996, the next floor-crossing period runs from 1 September 2007 to 15 September 2007. This floor-crossing period applies to members of the Legislature, as well. In precise terms, the period will run from one second past midnight on Saturday, 1 September 2007 to one second before midnight on Saturday, 15 September 2007.

In preparation for the above and in order to assist parties and members who may wish to exercise their right in terms of the above, the relevant forms which are to be utilised by members and parties will be distributed to all members before the close of business today. The forms should preferably be handed in personally to the Office of the Speaker by the concerned members. They can also be handed to Mr Bongani Sibisi, Chief Operations Officer. Please note that only the attached forms will be accepted. On the last day, up to midnight, Mr Sibisi will be in the Speaker's Boardroom, and available until midnight, after which further forms will not be received. Members who wish to exercise their rights must please be assured that there will be somebody here up to midnight.

That concludes announcements by the Speaker. Oh, perhaps I need to make a last announcement. This announcement deals with Matatiele. I will just make the announcement off the cuff. Members will be aware that there is an Act that needs to be

passed which amends a previous Act which was passed, but which was found by the Constitutional Court to be defective in the sense that members of the Matatiele community had not been consulted by this House. The Constitution Twelfth Amendment Bill has now been amended by the Constitution Thirteenth Amendment Bill which is in the system. It has entered the process of the National Assembly and the NCOP. It has also been sent to us. I have referred it to the Standing Committee on NCOP matters. That committee has, in turn, referred it to the Portfolio Committee on Local Government and Housing. The Portfolio Committee on Local Government and Housing is handling the matter, and the portfolio committee has indicated its intentions to consult the people of Matatiele.

In view of the fact that a memorandum was sent to the Speaker, and in view of the fact that there could also be joint processes regarding consultations with the people of Matatiele, I have indicated to the Standing Committee on Rules that I find it necessary to add that I, in my capacity as Speaker of this Legislature, will make attempts to go and inform the relevant stakeholders in Matatiele of the processes as soon as possible. I will inform them of their rights and obligations, and refer them to the relevant committee that the Legislature has appointed. In that manner I will be responding directly to the memorandum which they have submitted to the Speaker's Office. I will be having discussions with the Portfolio Committee on Local Government and Housing so that we can plan how everything will be practically executed. That is the last announcement I needed to make.

Members will also be aware that we took some time trying to deal with the issue of sound system in this Chamber. It took a little bit of your time. I have also made some announcements. In the past there have been complaints whenever I made announcements and your time for notices of motions had elapsed. I have taken a view that I will exercise my authority to give some time for these matters to be run through, and I will be giving 15 minutes extra for all of this to take place. I now wish to call upon the hon Premier to make such announcements as he may wish.

#### **4. ANNOUNCEMENT OR REPORTS BY THE PREMIER**

**DR J S NDEBELE (Premier of KwaZulu-Natal):** Mr Speaker, I must start by adding our voice to the condolences on the loss of Inkosi Gumede. We have already expressed our

condolences to the family. We have written a letter in which we expressed our condolences to the Chairperson of the House of Traditional Leaders, as well as the leader of the IFP. It is a very sad loss, particularly when we think of the contribution that Inkosi Gumede has made, both during the negotiations for this dispensation, as well as the bilateral meetings that we have had between the ANC and the IFP. His exuberance, his liveliness and his accommodating spirit will be remembered. He was not a person who was given to tension. It is a very, very sad loss to this House and to the people of KwaZulu-Natal, in particular. We want to add our voice to what you, Mr Speaker, have said.

Further than that I can only say that we note what you have said about the period of floor-crossing. Mr Burrows will be aware that there will be drastic changes, as his leader has already entered into discussions with us. [Laughter] It was decided to do it at national level. That is why Mrs Zille and the President have been meeting. We will make an announcement in due course about that. [Laughter]

**MR R M BURROWS (DA):** [Inaudible]

**DR J S NDEBELE (Premier):** Thank you very much, Mr Speaker.

**THE SPEAKER:** Mr Burrows, when you talk, please switch on your microphone, because I did not hear you very well. [Laughter] I thought I had heard you say that she was crossing the floor or something like that. What did you say? [Laughter]

**MR R M BURROWS (DA):** No, Mr Speaker, I was not saying she was crossing the floor. I was saying that the hon Premier is leading us up the garden path! [Laughter]

**THE SPEAKER:** Thank you, hon Premier. Hon members, I will now allow an opportunity for the tabling of reports.

## **5. TABLING OF REPORTS AND PAPERS**

**THE SPEAKER:** Are there any reports for tabling? I have a list of reports that need to be tabled. I see the MEC for Housing, Local Government and Traditional Affairs.

**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** Yes, we will table the First Quarterly Report on Service Delivery for the

Department of Housing. We will present this report later.

**THE SPEAKER:** MEC for Works?

**MRS L JOHNSON (MEC for Public Works):** Thank you, Mr Speaker. I also wish to table the First Quarterly Report on Service Delivery for the Department of Works. I have also been asked by the hon MEC, Dr Radebe, to table the First Quarterly Report on Social Welfare and Population Development. Thank you.

**DR J S NDEBELE (Premier of KwaZulu-Natal):** Mr Speaker, I wish to table the Report on Financial Misconduct during the 2005/06 Financial Year: Public Service Commission. They are bringing it now.

**THE SPEAKER:** They are bringing it?

**DR J S NDEBELE (Premier of KwaZulu-Natal):** Yes.

**THE SPEAKER:** Thank you, Premier. We will table it as soon as it has been brought in. Thank you, hon members. We will now proceed to formal motions and notices by the Chief Whip.

[Angathi akangizwa impela ngehlombe](#)

## 6. FORMAL MOTIONS AND NOTICES BY THE CHIEF WHIP

**MR V C XABA (Chief Whip of the Legislature):** Mr Speaker ...

### **Le Ndlu iyakuqaphela ukuthi:**

[Ilanga lango mhlaka-27 Agasti 2007, kwaba usuku lapho isizwe sakwaButhelezi neNdlunkulu yaKwaZulu baziswa ngokuthi uMntwana waseNdlunkulu ozalwa iSilo saKwaDlamahlaha, uMagogo ubusiswe ngendodana.](#)

[Le Ndlu idlulisa ukumhalalisela uMntwana wakwaPhindangene, iNkosi M.G. Buthelezi iphinde imfisele impilo enhle.](#)

I so move.

## 7. NOTICES OF BILLS OR MOTIONS

**THE SPEAKER:** Hon members, I now invite notices of Bills or motions. We will take this up to 09:45, as I have indicated. Ms Swartbooi, are you standing?

**MS G N SWARTBOOI (ANC):** I am standing, Mr Speaker.

**THE SPEAKER:** Hon members, I believe I have captured the names of all the members who intend to speak. Yes, Mr Gcabashe?

**MR S J GCABASHE (ANC):** Mr Speaker, sir ...

Angazi noma amalungu azwe kahle ukuthi ubufuna abazophakamisa ama-motions ngendlela ame ngayo angathi ayafunga ukuthi angeke aze akhrose njengo-September.  
[Laughter]

**THE SPEAKER:** Bab'Gcabashe ngiyayizwa leyo nkulumo.

Let us proceed to hon Mrs Noel. I also wish to thank the hon Premier for the report that he has tabled.

**MRS M V NOEL (ANC):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

### **This House noting:**

That there has been four massive fires in the eThekweni area in the past two weeks, namely Jabu Place, Cato Crest, Kennedy Road and another big settlement next to the Shifa Hospital, and

The toll in human suffering that these fires have caused, because victims have lost all their worldly goods and their frail shelters.

### **Therefore resolves:**

To appeal to the eThekweni Municipality and the MEC for Housing to accelerate the pace of the housing programme so as to limit these human tragedies and to

provide safe, more durable houses for our people.

**INKOSI N J NGUBANE (IFP):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

Ngokuhlala kwale Ndlu okulandelayo ngiyophakamisa lokhu:

1. Le Ndlu iyamangala futhi iyakunyanya ukuhlaselwa kuphindelela koMntwana u-Dolly lapha eFolweni.
2. Lesi senzo nobugwala esenziwa kumuntu wesifazane ikakhulu, le Ndlu iyasinyanya futhi isikhafulela ngamathe.

Le Ndlu:

1. Icela uMhlonishwa Wezokuphepha Komphakathi Nokuxhumanisa ukuthi aluphenye lolu daba ukuze kuthathelwe izinyathelo lezi zigilamkhuba ezizama ukuvusa udlame KwaZulu-Natali.

**MRS M H AMBLER-MOORE (DA):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

**This House noting:**

That there is a very dangerous passing on the N2 which has caused many accidents, and therefore the Inqadube fly-over was built. This cost R96 million. The construction company, Space Construction, has confirmed that the fly-over was completed a while back. This fly-over is still not open, allegedly because the province is waiting for the Minister of Transport to find time to officially open it.

**Therefore resolves:**

To call on the MEC of Transport to open the fly-over to traffic, and not to wait for the national Minister in order to have yet another ANC rally at taxpayers' expense.

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**REV A H MBATHA (NADECO):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

Le Ndlu:

1. Izwakalisa isililo esikhulu namuhla futhi ithatha lolu-suku njengolungajwayelekile lapho leNdlu ihleli khona emanzini kangaka.

Le Ndlu ngakho-ke inquma ukuzwakalisa:

1. isililo kwaGumede ngokukhothama kweNkosi yesizwe neLungu Elihloniphekile leNdlu ebelimele i-IFP;
2. ukuzwelana nomndeni weNkosi uMathaba; kanye
3. nokuzwelana neLungu Elihloniphekile nomndeni wakwaVilane. Abazelwe ngokwemvelo imihla yabo mifushane kulokhu kuphila.

**MRS S THAKUR-RAJBANSI (MF):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

**This House noting:**

That a great deal of debate is taking place internationally about the value of official development assistance (ODA), and

That parliaments are the key overseers of government policy and expenditure, having a central role to play in monitoring of development aide.

**Therefore resolves:**

To support the NEPAD contact group and AWEPA in their joint effort to develop a parliamentary ODA oversight pilot programme to improve coordination because, in short, sustainability will support parliamentary democracy by increasing the oversight capacity of our parliaments.

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**MR B J MSOMI (UDM):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

Ukukhuza umhlola ngokuhamba kweNkosi S. H. Gumede okuyisehlakalo esethuse wonke umuntu obemazi ikakhulukazi, kulesi sifundazwe. Iqhaza lakhe emikhakheni ehlukeni libonakele futhi liyohlala likhumbuleka njalo.

Ngakho le Ndlu inquma:

Ukukhalisana nomndeni wakwaGumede ubukhosi bakwaMakhasa, iNdlu Yobuholi Bendabuko, inhlango yeNkatha yeNkululeko kanye nabo bonke abebesondelene naye.

**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

**This House noting:**

That an esteemed member of this august House, Inkosi S H Gumede, who was also the Chairperson of the House of Traditional Leaders, a member of the provincial Legislature, has been called to higher service, and

The untimely departure of Inkosi Mzondeni Mkhwanazi and Inkosi Elphas Ndlangamandla.

**Therefore resolves:**

To remember Inkosi S H Gumede as someone who was true to his conscience and the principles which he stood for, and to also remember him as a leader who revelled in the battle of ideas,

To remember Inkosi Mkhwanazi and Inkosi Ndlangamandla as patriots who tirelessly contributed to the upliftment of their communities, and

To pass our collective sympathies and condolences to their families, and to thank them and their families for making selfless contributions in the building of a new

nation.

**MR M B GWALA (IFP):**

Ukukhonkotha kwezinojela zezombusazwe wena owabona izinja zihhohha impisi yehlanze ngodaba lokukhumbula kanye nokwembulwa komfanekiso weSilo sasoSuthu eMgungundlovana kushiye imibuzo esizweni sonkana.

Lokhu kuqinisekise okuhlale kushiwo yiQembu leNkatha yeNkululeko, ukuthi iqembu elibusayo kuleli lizwe linemibala eguquguqukayo njengonwabu nokuthi ukugcina kukaNdunankulu wesiFundazwe kulesi simo akuyiguqulanga imicabango yabantu ethi iqembu elibusayo liwenyanya ngokuphelele amaKhosi nobukhosi baKwaZulu.

Ngakho le Ndlu iphakamisa:

1. Ukukhuza osikhwiliphambana nobhoko nokuthi udaba lwamaqhawe kuleli lizwe ludinga imicabango evela ezingxenyeni zonke zomphakathi wakithi hhayi ukuqonelwa yiqembu elilodwa lezombusazwe.

**MR P N NGCOBO (ANC):**

Sifisa ukufisela iqembu le-rugby uhambo oluqhakazile e-France njengoba beyodlala kwi-World Cup ye-rugby. Sifisa ukubingelela ongiwa baKwaZulu-Natali abathenge iqembu lebhola elibizwa ngokuthi i-Benoni Premier United esizozinza kulesi siFundazwe nokubongela uMnu. Sokhela okwazile ukuthenga uSuthu.

Le Ndlu ifisa ukuzwakalisa ukukhathazeka kwayo ngesivumelwano se-PSL, SABC ne-Supersport esidida umphakathi.

**MRS B S MOHLAKA (IFP):**

Ukudlula emhlabeni kukaSthembiso Baldwin Mathaba one-15 leminyaka ngokukhulu ukuzuma. Ubeyindodana ye-Hon Inkosi W Mathaba iLungu leNdlu.

Ngakho-ke, le Ndlu inquma ukukhalela umndeni weNkosi yakwaMathaba nesizwe sonke saseMacambini ngomkhuhlane ovelile.

**MR G MARI (DA):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

**This House noting:**

The sidelining of organisations from Arts and Culture within the Indian community in the allocation of funding by the Department of Arts and Culture and Tourism;

The uproar within the Indian community and organisations which are representing according to the allocation basis;

The negative impact that non-funding has had on their activities, and

The withdrawal of several cultural organisations participating in the recent Eisteddfod hosted by the KZN Eisteddfod movement.

**Therefore resolves:**

To call upon the MEC for Arts, Culture and Tourism to investigate the non-funding of organisations within the Indian communities who have applied for grant funding and its impact on their activities.

I so move.

**PROF J S MAPHALALA (NADECO):**

1. Le Ndlu iyakuqaphelisisa ukuthi ngokomlando umngcele wesiFundazwe usuka eMzimvubu uyogcina eNingizimu yakwaMabhundu, nokuthi iNgonyama uZwelithini iyiNgonyama engamele sonke isiFundazwe ngokoMthetho wezi-2005.
2. Ngakho-ke le Ndlu iweseka ngokugcwele umbono kaNdunankulu wesiFundazwe uMhlonishwa uNdebele wokuthi iSilo uZwelithini sibe nesigodlo kule ndawo eseningizimu neTheku. Njengoba sesiyiNgonyama yesiFundazwe saKwaZulu-Natali.
3. INdlu iyakuthakasela ukuvusa umlando weSilo uShaka esasinezigodlo ezimbili eThekwini.

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**MS G N SWARTBOOI (ANC):** Mr Speaker, I hereby give notice that I shall move on the next sitting day of this House as follows:

**This House noting:**

That as we celebrate Women's Month, it is important to educate our communities about the rights of women;

That human rights in the Bill of Rights are women's rights, and

That Zandile Mpanza's dignity and rights were violated at Umlazi T Section, hence we have a court case going on today at Umlazi Court discussing a simple thing that women have the right to choose what to wear and what they feel comfortable in in this democratic country.

**Therefore resolves:**

To condemn all patriarchal attitudes that still prevail in our communities;

To request men to also come out as gender activists, and

To express the hope that the perpetrators who committed these acts against Zandile Mpanza's family will rot in jail.

**8. ORDERS OF THE DAY**

**8.1 Voting on the following motion raised by the Chief Whip on Non-Members Addressing the House:**

***This House noting:***

*That the Standing Rules of the KwaZulu-Natal Legislature previously did not provide for a non-Member being able to address the Legislature;*

*That the practice of a non-Member addressing the House is constitutionally acceptable and is common practice at Parliament and in other Legislatures;*

*That permitting a non-Member to address the house on pertinent issues can assist in enhancing oversight and improving service delivery to the people of the province, and*

*That the Rules Committee has agreed and recommended that the Standing Rules should be amended to allow for the practice of non-Members addressing the Legislature.*

**Therefore resolves:**

*That the Standing Rules of the KwaZulu-Natal Legislature be amended by the addition of Rule 30(7) which will read as follows:*

*30(7) The Speaker, after consultation with the Chief Whip, the Chief Whip of the Official Opposition, representatives of other parties in the Legislature and the Leader of Government Business, may invite a person who is not a Member of the House to –*

- (a) address the House or the members of the House; or*
- (b) attend a meeting of the House and state his or her views on a matter before the House.”*

**THE SPEAKER:** Hon members, we will now vote on this matter.

**MR R E KEYS (DA):** Mr Speaker, I wish to rise on a point of order.

**THE SPEAKER:** Yes, Mr Keys?

**MR R E KEYS (DA):** Mr Speaker, I rise on Rule 76. On Thursday, 21 June 2007, the presiding officer postponed the voting on this item to the next sitting day. On the next sitting day of the House, 19 July 2007, there was no reference to the motion, nor was there any reference to the motion on the two subsequent sittings of the House. The motion has therefore lapsed. For this motion to be put before the House, it has to be re-tabled and re-debated, as the ruling of the Speaker on that day in Hansard says, “The vote is postponed until the next sitting.” It was not voted on at the next sitting. It therefore lapses.

**MR V C XABA (Chief Whip of the Legislature):** Mr Speaker, may I address you on that point? The Rule continues: “ ... and/or another sitting agreed to by the Chief Whip, after consultation with the Whips.”

**THE SPEAKER:** I do not know why Mr Radley Keys has not read that part. Why are you not reading the Rule in its totality?

**MR R E KEYS (DA):** Mr Speaker, a meeting of the Whips cannot overrule the ruling of the presiding officer in the House. The presiding officer made a ruling in the House and, subsequent to that, the Whips met. The Whips cannot override a ruling of the presiding officer.

**THE SPEAKER:** Mr Keys, everything in this House is done in accordance with the Rules. When this matter was brought to my attention, I indicated to the Deputy Speaker, who was presiding on the day that, before the matter is brought to the House, I needed to talk to him to get clarity on what had happened. I therefore consulted with the Chief Whip on how we were going to deal with this matter. I also got letters from some parties who had made queries about this matter, and I attended to these queries. During all that time I was handling the matter. I do not think I have violated any Rule. After talking to the Chief Whip, I decided in terms of Rule 76 that the matter be put on the Order Paper for voting today. In therefore do not think there has been any wrongdoing on the part of anybody. The matter has been put on the Order Paper.

**MR R M BURROWS (DA):** Mr Speaker ...

**THE SPEAKER:** Yes?

**MR R M BURROWS (DA):** It is quite clear that a decision was made on 21 June by the Deputy Speaker after consultation. His very words were: “I said I was going to consult. Indeed, I have been able to stand on the shoulders of legal and other giants. In simple words, I have consulted and my consultation leads me to the following decision: I postpone the vote on this matter to the next sitting.” That was a decision by the Deputy Speaker which was announced to this House.

Mr Speaker, if you are saying to us that a decision announced in this House can be summarily changed by yourself, after consultation, then that is your right in terms of the Rules, but quite frankly it violates a decision announced in this House.

**THE SPEAKER:** Mr Burrows, we have worked on these matters with all of you for years. Any decision announced by the presiding officer can be changed by that presiding officer, and there is no Rule that I am aware of which says that cannot be done. If I decide today that, because of unforeseen circumstances, I will pursue this matter tomorrow and I change that decision, I have violated no Rule. Therefore, if there is any Rule that you can show me after this House adjourns, which says that a presiding officer cannot change a decision that he has announced in the House, then I may entertain your query. At this point in time it is very clear that the presiding officer informed the Speaker of this House, bearing in mind that the presiding officer is the Deputy Speaker, and the Speaker informed the presiding officer that there are queries about his decision, and therefore the matter had to be investigated. Now, if you are going to restrict presiding officers arbitrarily in terms of no Rules, then this House is going to degenerate into a situation where anybody can decide on their own, at whatever time they want.

The Rule is quite clear, Mr Burrows. The Rule says: “When the debate on a question has been concluded in the House, the Presiding Officer may postpone the decision of the question until the next sitting day ...” It is in terms of that Rule that the Deputy Speaker made his announcements. The Rule goes on and says, “ ... or any other time agreed to by the Chief Whip, after consultation with the Whips.” It does not give you any room for saying a decision cannot be taken by the Chief Whip. All it does is to open the process for the Chief Whip to agree at some stage. In this case this Rule has not been violated.

**MR R M BURROWS (DA):** Mr Speaker, the Rule itself – as you quite rightly said – states: “When the debate in question has been concluded in the House, the presiding officer may postpone the decision on the question.” He is not obliged to. He may ...

**THE SPEAKER:** Yes.

**MR R M BURROWS (DA):** ...until the next sitting day. That is the one possibility.

**THE SPEAKER:** Yes. Yes.

**MR R M BURROWS (DA):** Or another time agreed to. He cannot do both. He has to make a choice between either the next sitting day or another time agreed to by the Chief Whip, after consultation. In addition, Mr Speaker, I would draw your attention to Rule 2(1) which deals with unforeseen eventualities.

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The Speaker may give a ruling, or frame a rule in respect of any eventuality for which these Rules do not provide.

Our respectful submission is that the Rules provide quite clearly for either the question to be postponed to the next sitting day, or to another time decided by the Whip Chief. He cannot do both. We are quite willing for you to make a ruling on this matter, and we will take it up with you in writing, but we believe that to go ahead now is clearly an abrogation of what Rule 76 clearly says, as well as Rule 2(1), which is your only option. To make such a ruling simply does not support your position, with respect.

**THE SPEAKER:** Mr Burrows, Rule 76 cannot be interpreted in the restrictive manner in which you are doing. It cannot be. Our interpretation, my interpretation on the ruling that I am making now, is that Rule 76 gives the option to the presiding officer to postpone a matter to a day, to the next sitting or another sitting after the next sitting.

**MR R M BURROWS (DA):** [Inaudible.]

**THE SPEAKER:** I am saying the interpretation for me, at this point, is that the matter could have been dealt with at a sitting after the sitting that the matter served on, or it could have been dealt with on another day. The DA, having raised this matter, is invited to make a comprehensive submission to the Office of the Speaker which we will then test in law. Once we have tested it in law, we will oblige by that test of law. At this stage, however, we will proceed with the interpretation I have given. The matter is on the Order Paper and will now be voted upon.

In terms of this item, as I have indicated to you, the matter was brought to my attention. I made thorough investigations on what happened on that day, and my understanding of the process is as follows: That the matter of the motion raised by the Chief Whip was debated in the House. After the debate had been concluded, the Deputy Speaker, who was the presiding officer at the time, postponed a decision on this matter during the debate. I investigated the matter and found that amendments had been proposed. That proposal regarding the amendment formed part of the debate of this House. Today, in terms of Rule 76, the task of this House is therefore to vote, firstly, on that amendment and, secondly, on the motion as a whole.

The amendment that was put to the House was to the effect that the words in paragraph

(b) after the word “House” be deleted, and that (b) must therefore read as follows:

(b) Attend a meeting of the House.

*Amendment put to the House.*

*Agreed to.*

*Motion put to the House.*

*Agreed to.*

**THE SPEAKER:** Thank you, hon members, the motion has been passed and the amendment has been passed, as well.

**MR H L COMBRINCK (Chief Whip of the Opposition):** [Inaudible]

*Hhayi uyabona-ke manje Chief Whip ... [Chief Whip, you see now ...]*

Again, you will say I am suppressing you, but I do not think we can allow the word “rubbish” to be used, especially not when it is used in the form which you are using it. Can you please withdraw that word?

**MR H L COMBRINCK (Chief Whip of the Opposition):** Ag, [*Oh*] Mr Speaker, it was said in jest, but I will happily withdraw it. I am happy to do that.

**THE SPEAKER:** Thank you, Mr Combrinck. I am also happy that you were only joking and that you were not serious when you said it.

## 8.2 Questions

### QUESTIONS AND ANSWERS WILL APPEAR IN A SEPARATE VOLUME

**MR R M BURROWS (DA):** Mr Speaker ...

**THE SPEAKER:** Hello, Mr Burrows.

**MR R M BURROWS (DA):** Mr Speaker, I rise in terms of the Rule pertaining to Questions. You will see that there is a Question in my name, as indicated. When I submitted this question, clearly marked, it was a question to the Premier in terms of Rule

106 which is, if my memory serves me right, Questions to the Premier on Matters of Provincial Importance. This is an item on the Order Paper for 20 September. This question was never posed as a question for oral reply in the normal sense. With respect, it should not appear on this Order Paper at all. I am perfectly happy that it comes up on 20 September in terms of Rule 106. Thank you, sir.

**THE SPEAKER:** Thank you, Mr Burrows. I will ensure that the process is complied with.

### **8.3 Debate on the Annual Consolidated Report on the Performance of all Municipalities, with emphasis on Underperforming Municipalities**

**THE SPEAKER:** That is the report which was tabled by the MEC of Local Government and Traditional Affairs. To begin the debate, the hon Mrs B F Scott has seven minutes.

**MRS B F SCOTT (Chairperson of Portfolio Committee on Finance and Economic Development):** Mr Speaker, hon members, I would firstly like to commend the hon MEC for Local Government on his annual report. It was extremely informative and it certainly helped the committee in its deliberations.

I want to focus on some of the problem areas that pose a challenge to us in this province. The one challenge which also poses a challenge to the MEC for Finance is the capacity of municipalities to report. This has been noted by the MEC as being highly irregular. We are not getting sufficient annual reports and we are not getting the annual performance reports that we require from municipalities in terms of the MFMA. Not all of the municipalities are actually adhering to this regulation.

Also, only a third of the municipalities are reporting on the provision of basic services, and they also do not report on their key performance measures. The impact of that is that national key performance areas cannot be monitored properly. When they looked at the massification report, which is a report that is gleaned from various sources - from national, departmental, as well as local - they found that in 30% of those reports there were discrepancies between the different levels of government. We need to get that data onto an even keel. We need reliable data in order for us to evaluate the impact of interventions in performance. Added to this is the lack of proper development planning.

The kind of reporting that we and Treasury are seeing a deficit in are draft budgets. In-year monitoring reports are not being submitted timeously, and only 10 out of the 14

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water authorities provided information on the percentage of the households earning less than R1 100 a month.

The lack of reporting makes it difficult for the department to monitor the municipalities, and it also makes it extremely difficult for us. The timelines for this reporting is now applicable to all municipalities, so this time next year there is going to be no excuse for municipalities who do not submit timeous reports.

On the issue of capacity, we do note that most of the senior manager positions have been filled in municipalities. However, there are still 13 municipalities that have high vacancy rates. There is also a general lack of technical and development planning capacity within municipalities.

Whilst our overall MIG expenditure in the province is exceptionally high - we are actually the highest in the country. There are municipalities where MIG expenditure is not happening. National Government has actually threatened to withdraw that MIG funding, and we really have to reverse the situation across the province. These issues are linked to the lack of technical capacity.

My assessment is that there is not necessarily a lack of money in municipalities, but there could be a lack of proper spending of that money. What national Government has done through DORA is to provide two conditional grants: one that relates to finance and one that relates to technical, where municipalities have been given additional funds so that they can beef up their capacity in both technical and financial fields.

The question that I do have for the hon MEC of Local Government is: Is this money being used correctly? I am asking, because when we go to some municipalities, we find that these conditional grants have been spent, and yet there has not been a visible improvement in their financial reporting or their technical performance, so we actually need to monitor that a hell of a lot closely.

The other issue relates to shared resources. I think this is really a good idea, particularly in those municipalities or districts where there is low capacity, to create a source of expertise at the District Council level which municipalities with low level expertise can use on a shared basis. That is something that we need to promote quite strongly.

The department must be commended for what it has been doing, particularly through its

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municipal recruitment framework. I think the department has done a lot to try and augment the capacity of municipalities, but I am not 100% convinced that municipalities always take the advice that is given to them by the Department. That is the difficulty, the fact that municipal government is an autonomous level of government to provincial government, and I do realise the challenges that the Minister faces.

Dealing with performance, you know we have noted that in quite a number of municipalities there is a poor alignment between IDPs and the budget. Linked to this, about 44 or 86% of municipalities have not completed their land-use management system planning. This has a direct impact on performance management. How do you monitor the performance of a municipality without a land-use management plan and without an IDP that talks to budget? These are part of the challenges that we face in this province regarding these land-use plans. There has only been an increase of another four municipalities over the space of four years, so only 31 municipalities out of 57 have managed to produce a land-use management plan. This situation makes it impossible for us to evaluate the impact and effect of annually implemented programmes.

In conclusion, the other area that we need to focus on quite closely is the issue of debtors and creditors. The extent to which municipalities are able to collect debt has been identified as a major problem, and also the time length it takes to pay their creditors. Related to this, hon MEC, is an issue that we picked up yesterday in a meeting with a municipality, namely the percentage of the loans that they are taking out to fund their programmes. I do have a concern that municipalities are taking out loans while they might not necessarily have the capacity to pay these back.

The last challenge that I want to mention is the Property Rates Act which is going to come into effect for all municipalities in July next year. That is the level at which municipalities rate their consumers. They need to keep a very close eye on these levels and on their rand ratage to make sure that consumers can afford it. Thank you, Mr Speaker.

**THE DEPUTY SPEAKER:** Thank you, Mrs Scott. The next speaker will be the hon M Z Mthuli from NADECO, for six minutes.

**MR M Z MTHULI (NADECO):** Angibonge baba Somlomo, ngixolise ngezwi lami elingemnandi kakhulu namhlanje. Ngiyafisa ukuba ngiqale ngokuba ngisho ukuthi

akwehlanga lungehlanga ngenkulumo esiyizwe ibekwa uNgqongqoshe mayelana nalabo abahaqwe yizivunguvungu ngenyanga edlule, asethembe ukuthi nathi njengoba sinezimpilo ezifana nezabo, kuyezwela kithina. Ngiqhubeka-ke ngiyafisa ukusho ukuthi abasebenzi bakahulumeni banenkinga encane nje, ongeke wazi ukuthi ngempela yini le edale ukuthi izinto bangazinaki ngoba phambi kwabo babekelwe umthetho okuthiwa noma obizwa ngokuthiwa i-Municipal Systems Act. Lo Mthetho ucacisa ngayo yonke indlela yokusebenza komasipala, kuze kuzoba khona nama-*workshop* imbala abaya kuwona lapho beficana khona no-Batho Pele, no-PFMA no-*service delivery*. Uthole ukuthi kusekhona inkinga enkulu. Yonke le nto bayafunda ngayo kuma-*workshop* kodwa abanaki ukuthi iwusizo kubona ingase yenze ukusebenza komasipala kube kahle uma beyinaka.

Ngakho-ke ayikho into eyichilo noma embi njengokuthi uzwe ukuthi kusekhona ama-*service* angahambi kahle ngenxa yokuthi ngale ngakwenye indawo kukhona abanye beqembu elithile, kogcina mhlawumbe sekuthiwa intuthuko ngeke iye ngakhona ngoba ngale kukhona oweqembu elithile. Sithi lokho siyakukhaba sikukhaba ngezinyawo zombili ngoba akufanele. Intuthuko eyabantu bonke abaphila kulelo zwe. INingizimu - Afrika esiyakhile, siyakhele ukuba singabi nawo umehluko uma sekuya ngakwi-*service delivery*. Silindele konke okuqhamukayo ukuthi kuye ikhona nakhona kukhombise ukuthi labo bantu balindele intuthuko, kuyadinga ukuba bayithole behleli ezindaweni zabo.

Kunezindawo ezintathu esike sazivakashela komasipala abathathu. Ngithi uma ngase kube yinto eyenzeka njalo le, kungaba kuhle ngoba uyabona ukuthi uma ufika, uma nifika njengekomidi banakho ukwethuka nokuvuseleleka ukuthi kanti sibhekekile. Ngoba kwesinye isikhathi kukhona ukuthi nabo bayacabanga ukuthi njengoba bekhona nje emsebenzini ababhekwe muntu. Umuntu bese ecabanga ukwenza into engasile abone engathi awukho umthetho ngemva kwakhe ombhekile, kanti ukhona. Ngakho-ke ngincoma ukuthi lokhu kuvakashelwa komasipala sengathi kungayinto eqhubekayo, bevakashelwa yikomidi Lohulumeni Basekhaya kanye Nezomdabu.

Ngiphetha ngokuthi-ke, inkulumo kaNgqongqoshe engiyizwile imnandi. Ukhulume kabanzi lapho ebesho khona ukuthi nembokodo isingene isithe shi ezikhundleni eziphezulu. Ngithi-ke akube njalo, wonke umuntu okuleli lizwe laseNingizimu Afrika akazizwe ekhululekile ngekhono lakhe. Ngiyabonga Somlomo.

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**THE DEPUTY SPEAKER:** [Siyabonga Ndabezitha](#). The next hon member to deliberate is hon Mrs S Thakur-Rajbansi from the MF. She has five minutes.

**MRS S THAKUR-RAJBANSI (MF):** Thank you. Mr Speaker, I want to thank the hon MEC for his report. In the last debate, when we discussed many of the issues in local government, there were many problems that we raised and various parties recommended a variety of ways in which to resolve these issues. What I want to speak about today is the ripple effect of effective decision-making at municipal levels. This is very important because, like other speakers have mentioned, sometimes we get an underperforming municipality because of the lack of skills or capacity.

I also believe that at the end of the day people who make decisions in municipalities are very important because of the way in which they take that municipality. Now, there can only be two scenarios. The one scenario is that, if a person makes a fair and an effective decision, the decision can be economically, socially and morally correct, even if it is not politically correct. Then, of course, you are going to get a second decision that is made, and this decision can be made purely on the basis of political interference. This can be with respect to any party that is in power in a municipality.

What will the results of this be? The results will be that the decision is economically, socially and morally generally incorrect. Of course, it is a decision that would seem politically correct. So, however these decisions are made, they are generally made by two types of people: The one type understands the animal nature of politics, and the other type is the political animal. This is the personality of politicians that we deal with.

Of course, these decisions can take the form of either the rebel rouser or the floor-crosser, and the floor-crossers would always be ever-ready to please their current companions, or it could be just power personalities who emotionally cloud what is a simple and very easy, fair and clear-cut decision.

Finally, I am debating this because this is the very reason we sit in parliament and produce many, many laws. Our laws can either take the form of fair administrative justice or it can take the form of access to information. Whatever these laws are, we sit here and make these laws. They are fancy laws, but at the end the day they are very expensive laws. So what is the problem? We can sit here and make laws to correct the behaviour of people who are in power, but that is not the objective of law making. The

important thing, hon MEC, is that there are politicians and top officials who work in municipalities who have not matured politically or democratically. Until this is overcome, there will be ongoing underperforming of municipalities, and all the workshops we have where we propose all kinds of remedial actions will be nothing but talkshops.

You must remember that local government is a very, very important sphere of government. It is the municipalities and the decisions made at this level which affect the lives of people. It also has a ripple effect of affecting a variety of other departments. If a municipality performs badly, it will therefore have a ripple effect or a reflection – a bad reflection, mind you – on maybe the Minister of Economic Affairs, and yet it was not his problem. It was just a ripple effect coming from below, going up.

At the end of the day the Minority Front would like to appeal to the hon MEC of Local Government to give this debate the serious thought that it actually deserves. According to Gandhi's philosophy, we must be the change for that which we wish to see. If we do not believe in that, no change can happen because. If we do believe in it, we can use that philosophy as a very powerful vehicle to achieve some action at the municipal level, because the decisions made at that level are the decisions that affect the lives of the ordinary people whom we have been elected to serve. With these few words I want to thank you ... [Time expired]

**THE DEPUTY SPEAKER:** Thank you, hon Mrs Thakur-Rajbansi. Our next speaker will be the hon Mrs Downs. She has four minutes.

**MRS J M DOWNS (ACDP):** Thank you. Mr Speaker, I want to begin by echoing some of the words uttered by the hon Cyril Xaba. He wanted to have the national Minister of Water Affairs come and address this House, because the single issue that most people raised during our initiative of *Taking the Legislature to the People* has been water. Wherever the committees go, the issue of water is raised. Wherever we go when we go out, the issue is always access to water.

Coupled with that, I have been doing quite a bit of constituency work in the past couple of weeks, talking to people in the different areas of the province, as well as talking to my own councillors in various areas. I am going to ask that this House supports me in asking the hon MEC to do a comprehensive report on local government and water and the provision of water in the provinces. It has to go beyond the household supply of

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water. It has to look at the bigger picture, and let me tell you why I am asking for this. At this stage the water losses in Durban are about 30%. In some township areas the water use and payment is less than half of what is actually being supplied to the area because of illegal connections and so on. I know that Durban is spending about R100 million at the moment. They are trying to recover those losses. They are trying to sort them out, but I am told the water loss has now gone up to the 32% level. I have been asking questions and liaising with people in the Department of Water Affairs, and the current thinking in the department is that Durban and its surrounding areas will run out of water by 2010 if we do not start conserving water and looking at our water loss. In fact, the ACDP raised a motion on this very same issue in the Durban City Council.

Then we come to Durban-North, uMkhanyakude. I was in uMtubatuba two weeks ago and was horrified to hear that there were large developments that were planned in uMtubatuba. There is a huge shortage of housing there. They have been in the high end of the market and the lower end of the market, and no new developments are taking place at all. Why? It is because there is no water. There is no dams on the uMfolozi. The northern areas and uMkhanyakude rely completely on the river flow. I am told that in the dry season they have to import bore holes to pump up water from the river bed. We are looking at a major problem in the northern areas.

As far as access to water is concerned, in KwaNgwanase we found that there we many people who really did not have access to water anywhere. In speaking to some of the people there, I discovered that there has been an effort to put in infrastructure. Some people have stand pipes, but no water is coming out of them. That is one of the problems.

There was a report in last week's newspaper relating to Greytown and then a larger report on uThukela Water which is one of the companies that supply water there. uThukela Water did a presentation to the local government committee just recently. I was unable to attend, but I have been looking at the reports from and around uThukela. The issues that they raise are about municipalities that do not pay their bills. They do not make provisions for infrastructure maintenance, and they do not take into account the free water supply when they set their tariffs. In fact, Newcastle's tariffs were nearly double the tariffs of some of the other municipalities. Now, either Newcastle is setting their tariff way too high or the others are setting them way too low. I suspect it is the

latter, that the other municipalities are setting their tariffs way too low. [Time expired.]

Mr Speaker, I am not able to finish, but I would really like to ask this House that we look at the issue of water in the province. Look at it around the municipalities and what is available. Thank you, sir.

**THE DEPUTY SPEAKER:** We thank you for your contribution, hon member. The next speaker will be the hon Mr M E Sithebe. He has seven minutes.

**MR M E SITHEBE (ANC):** Mr Speaker, thank you for allowing me to debate on this crucial issue that is affecting us all and which seeks to reinforce the level of accountability of all the municipalities in the province. I think it is quite important to kick off by saying thank you to Ndiyema for presenting such a good report before this committee. In fact, it enabled us to see what things are like in the various local municipalities in the province. The report that you have tabled before us reflects quite a number of service delivery impacts that is affected by various local government structures in our province.

The type of government that we have created in our country is one that is democratic in nature. This type of government is, of course, grounded in democratic values, amongst other things, which put a lot of emphasis on the whole question of ensuring that it is developmental and caring type of government. In the report that you tabled before us, you reflected on some of our municipalities that are not really matching the challenge that is on offer. That is a mammoth political task that you have ahead of you, because you need to harness the kind of capacity that is required in all those municipalities that we have in this country.

Amongst other things that are reflected here, it seems that we have municipalities that do not even have LED strategies. Amongst those municipalities that do not have LED strategies are Richmond, Imbabazane, uMsinga, Jozini, iNkandla and Maphumulo. That is a pathetic state of affairs, because the Section 153 of the Constitution actually obliges municipalities to play a developmental role. Now, when we have municipalities that do not adhere to that constitutional challenge, we will fail the people of the province. That is an area which we should deal with so that all our municipalities will begin to adhere to the fundamental constitutional mandate that is placed on their shoulders.

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You reported on another area which deals with the whole question of good governance, and the whole question of ensuring that people begin to take charge of their own fate. When you talk about that, we have actually come up with a whole arrangement. Since 2004 we have been encouraging all our municipalities to set up their ward committees. There are still municipalities that are yet to set up those ward committees. The fundamental question that we need to address is this: How effective are those ward committees that we have in the various municipalities?

In terms of co-operative governance, which is enshrined in Chapter 3 of our Constitution, are the ward committees working in isolation or are the ward committees actually creating an enabling environment for existing civil organs to work in those wards? If the latter is happening, we will be better placed to accelerate service delivery as a collective in our communities. I am talking of civil organs such as CPFs, school governing bodies and developmental committees. What role are the ward committees playing? What kinds of interrelations exist between ward committees and civil organs? Is there an interdependency that is enjoyed at that particular level? We need to have ward committees that are playing this very pivotal role. I think those are the few areas that I wanted to talk about.

Another serious issue that I noted is the fact that certain municipalities have failed to fill the positions of senior managers – they have either failed or they are battling to get these positions filled. That is not a very healthy situation. If you have municipalities that are without senior managers the issue of performance measurements comes up. How do you then come up with performance measurements? We should look at those types of issues so that we are able to democratise our municipalities effectively, so that we are able to deliver our services in an accelerated fashion.

In the few minutes I still have at my disposal, I would like to talk about the issue of water services. Last week we visited uThukela Water Services, and there are quite a number of areas that need to be looked at. Tomorrow we will be at meetings with uMzinyathi, Newcastle and Amajuba in order to look into some areas that need to be panel-beaten into shape. Some water services authorities do not even understand what their rights and responsibilities are in terms of existing legislation. Section 93 of the Municipal Systems Act stipulates very clearly what their role is in terms of share agreements or contractual agreements that they should have. Apparently we are not having that type of an

understanding. That is another area which needs to be looked into. We need to equip those municipalities that are playing the role of being water services authorities so that when they deliver services to the people out there, they can be in control of those services. They should not just relinquish their position to ... Time expired]

Mr Speaker, thank you for affording one with the opportunity to speak on this pertinent issue that affects our people.

**THE DEPUTY SPEAKER:** We thank you, hon Sithebe. Our next speaker is the hon Nomndayi for four minutes.

**MR B J MSOMI (UDM):** Thank you. Mr Speaker, unfortunately I did not see the report of the MEC because I was abroad on a study tour. However, sengizwile ngabafowethu ebekade bekhuluma la. Into engifisa ukukhuluma ngayo yile yokuthi inselelo esibhekene nayo ngomasipala isenkulu ngoba ekugcineni uthola ukuthi amakhansela noma umasipala wonke bahleli ne-political mandade edala ukuthi ekugcineni bagcine bengakwazi ukuphuma kuyona babhekane nezinsalelo okufanele babhekane nazo zokulungisa izindaba zezingqalasisizinda nokubhekana nobubha okuhlupha abantu bakithi.

Okunye engithi angikuphawule la, into ebulala omasipala bangakwazi ukusebenza ikakhulu yile engingazi ukuthi umnyango usuhambe kangakanani nayo yokulungisa amaholo ama-Senior Managers because ukuthi kukhona omasipala abancane kunabanye kodwa uthole ukuthi omenenja bakhona izimali abazitholayo zinkulu kakhulu. Uthola ukuthi nje ama-posts noma ama-positions at senior level maningi kunendlela okufanele abe iyona kumasipala ngokwamandla umasipala asuke unawo. Uthola ukuthi kune-Deputy, General Managers inqwaba kulowo masipala but uma uthi ubuka i-capacity in terms of i-budget ubone ukuthi angeke bakwazi ukubhekana nazo. Okwesibili kulento ye-capacity ukuthi ngenxa yepolitiki ephakathi uthola ukuthi ama-appointments enziwayo awabhekeleli ukuthi abantu they are qualified or would meet ama-requirements aleyo post esuke i-advethayziwe.

But because kusuke kukhethwe abantu abathile sebefisa kungene abantu babo, uthola ukuthi kugcina kungene abantu abangakwazi ukuthi benze umsebenzi ngendlela. So ngibona ukuthi inselelo leyo umnyango okufanele ubhekane nayo ikakhulu ukuthi ingabe ama-appointments enzeka ngendlela yini noma, ngoba angeke ungitshele ngama-panel

asuke ebele nawo engekho neutral, asuke ehambisana nezinto ezithize. Kwesinye isimo uthola ukuthi uma ikhansela elithize lisuka eqenjini elithize liyakwazi ukusebenzisana namakhansela aphuma kwamanye amaqembu liba nenkinga ephathini yalo. Enye yezinto engifisa ukuthi la umnyango ukwazi ukwelekelela kuzo ukuthi ubuhlobo okufanele bube khona kwi-council noma komasipala - iyiphi inhlobo engasisiza yobuhlobo okufanele bube khona. Ngike ngibone la indlela esi-debate ngayo ama-issues siyaxabana kodwa siyavumelana ekugcineni ukuthi kufanele ukuthi siphikisane, singavumelani kokunye, sivumelane kokunye, kodwa uthola ukuthi komasipala abaningi i-political tolerance incane kabi uma kuthiwa ikhona.

Lelo qembu elinamandla lenza noma yini ngendlela esuke lifisa ngayo okwenza lingabi nandaba namanye amaqembu asuke ekhona kulowo mkhandlu. Uke udideke-ke kwenye indawo uthole ukuthi ikhona into esuke ifuneka, uthole ukuthi umuntu oyimeya, khona eyimeya enjalo uyambona futhi usefuna ukuba imenenja kamasipala othize, ungabe usazi-ke ukuthi kanti yini le umuntu asuke eseyifuna ngoba phela uma ngabe usuyimeya kufanele phela usebenzise lokho phela ukuthi ukhethwe ngabantu, uthi usenjalo usakhethwe ngabantu usufuna ukuba yimenenja futhi. Ezinye zezinto ezididayo lezo engathi zingalungiswa ukuthi umuntu uma edlala leyo role akadlale leyo role, uma eyi-political role player, akabe yi-political role player.

Kulokhu-ke kwe-capacity, bengingafisa mina ukuthi umnyango; ngiyazi ikhona imizamo eyenzayo yokulekelela; kodwa-ke engakusho kulowa nyaka ophelile ukuthi bekungaba ngcono ukube kukhona i-pool yama experts angakwazi ukwelekelela kulabo masipala okubonakala ukuthi i-capacity ayikho, isetshenziswe leyo nto kakhulu ngoba abanye omasipala kusekude ukuthi bangafika ezingeni okulindeleke ukuthi bafike kulona.

**THE DEPUTY SPEAKER:** Ilungu elilandelayo elizophawula umhlonishwa uMnumzane G Mari imizuzu eyisikhombisa.

**MR G MARI (DA):** Thank you. Mr Speaker, I wish to take this opportunity to thank the MEC for his report. The report reflects some progress made in this area, and also some very serious challenges facing the department.

The DA is not at a stage of acknowledging a “rising star”, especially not with recent press articles reporting “KZN councils under probe” and “32 municipalities investigated”. Hon MEC, more than 50% of municipalities in this province are under forensic

investigations. That star you talk about needs to start rising rapidly if you want to shine some light on the lives of our people. The Democratic Alliance sees is a very serious situation emerging, one that will soon see local government in this province in a crisis. With these statistics this could well happen sooner rather than later.

In 2006 our province had the lowest level of access to basic services in respect of housing, electricity, water, sanitation and refuse removal. I did give some scenarios in respect of that. It was also reported that 13 municipalities were in a state of collapse and wracked with fraud, corruption, mismanagement, nepotism and maladministration. It is distressing to read in the press - a year and half later – that 32 municipalities are being investigated. The situation must be getting serious.

I must, however, compliment the department for unearthing all this fraud and corruption that is taking place in the various municipalities. This House needs to know where we are now in terms of our backlogs, especially with these 32 municipalities now being investigated. Obviously, they are plundering the coffers. The DA believes that the “need for greed” has grown, and with elections on the horizon more and more politicians and officials are giving in to the temptation to plunder the coffers, thus robbing the people of much-needed services.

Our hon President has already warned about individuals who want to get rich quickly by entering the political arena. Hon MEC, resignations to escape disciplinary and criminal action should not deter the department from pursuing the culprits.

**MRS M H AMBLER-MOORE (DA):** Hear, hear!

**MR G MARI (DA):** Let us not have a situation like the Department of Agriculture where delinquent officials took the easy way out. We also know about fraud and corruption in the Department of Welfare. We know about fraud and corruption in the Department of Health. We also know about fraud and corruption in the Department of Housing and other departments.

The frightening part is that this trend is becoming a norm. Really, it is quiet frightening. Hon MEC, what we need is action, and I want to complement you on your actions against delinquent officials and councillors. We need to move away from the public perception that the ANC has a policy which consists of a slap on the wrist when people

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admit to theft, say sorry, enter into a plea bargain and then pay the money back.

I wish to return to the report that is in front of us. KZN has the third highest number of incidents reported with regard to fraud, etcetera. Out of 15 departments, seven departments have been fingered already. An amount of R1.130 billion has been plundered and, according to this report in front of us, only R1 500 has been recovered.

Hon MEC, it is for this reason that the Democratic Alliance is pleased that action is being taken against the culprits. However, we want to see those found guilty bearing the full brunt of the law. The DA also warns that any action taken must be irrespective of which political party leads a council. The allegations that IFP-run councils are being targeted must be investigated. Maybe the hon MEC could inform this House of the facts. How many of the 32 municipalities under investigation are led by the IFP, and how many are led by the ANC? The DA will be doing its own investigation in respect of that. As we move towards new elections the scourge of rampant corruption, fraud, mismanagement and maladministration will continue to rise if not address decisively and quickly.

Let me also comment on the financial viability of municipalities. The majority of municipalities rely on grant funding and continue to struggle to provide the necessary services to communities due to their financial constraints, not forgetting the amount that has already been stolen. Municipalities will continue to struggle as long as there is no revenue base. The main source of income that municipalities rely on is property rates. With the new Property Rates Bill now being enacted, municipalities must be capacitated to compile a property evaluation roll to levy rates on properties.

One of the biggest challenges facing municipalities is rates on properties built on Ingonyama Trust land and land owned by traditional leaders. Communities living and operating businesses on these properties do not pay any rates. This matter has to be clarified. Development is impeded as projects cannot be registered if ownership cannot be determined. Some municipalities do not have a trading service and are reluctant to implement the Property Rates Bill. They must be supported and capacitated so that they can do so.

I must also draw the MEC's attention to a recent visit by the portfolio committee to uMzimkhulu. I highlight this as a specific problem. Let me draw your attention on the historic debts on the books of municipalities. A large portion of this debt is historic and

needs to be cleared out of the books as there is not even a remote chance of ever collecting these debts.

However, debts owed by businesses and government must be pursued. The provincial government must lead by example by paying its debts to municipalities. These monies could be used for development and service delivery. Local government debt in the province being R3.935 billion is totally unacceptable. Durban actually owes R2 billion on its own.

There is also very little progress made to provide a safety net for the indigent. Municipalities must be encouraged to provide a basket of services for the poor. This must include rates, electricity, water and sanitation. If services are unaffordable, communities resist payment and the level of payment is usually low. However, if it is affordable, communities tend to pay.

One of the most important income generators is being neglected, and that is local economic development. The fact that only 15 out of 57 municipalities have a strategy in place is a cause for concern. The department's intervention is urgent in this matter.

Mr Speaker, the DA is pleased to note the good work that has been done by the HOD, the department and the hon MEC through the MAP programme which saw nearly all municipalities submitting their financial statements, adopting their budgets and submitting their IDPs. However, the challenge continues, especially with the scourge of corruption and with some municipalities' debts growing by more than 35%. The question is: Why is this happening and what can be done to remedy this situation? I thank you.

**MR R M BURROWS (DA):** Hear, hear!

**THE DEPUTY SPEAKER:** Thank you, hon Mari. The next speaker will be the hon Mr Kubheka who has seven minutes.

**MR M A I KUBHEKA (ANC):** Thank you, hon Speaker, let me also join the other hon members in commending the hon MEC for the report before the House.

I want to start my input by noting that the report, which is the subject of this debate, as well as the visits conducted by the portfolio committee to Municipalities recently, as noted by other members, suggest that these municipalities that we are talking about

here do exist both in form and content, as prescribed by the Constitution of the Republic.

The report also confirms that these municipalities - all 61 of them - have a fairly good sense of what the purpose of their existence is. The efforts of these municipalities and the department's intervention, as represented by the report, confirm that, as a country and a province, we are indeed on course in seeking to create a usable past within this changing present, so as to secure a liveable future.

I am making a note of this, precisely because I know that any approach at analysing the present without full appreciation of the past, will inevitably produce a skewed conclusion on what the real challenges are and how best to address them.

Looking at the development ... or should I say transformation of our local government system from this historical perspective, it must be a cause for great concern to learn from the report that, seven years into this dispensation, there are municipalities - as noted by other members - still seriously, if not hopelessly, struggling with the basics. That includes organisational structures, filling of unfilled posts and untransformed administration.

The iLembe, uMzinyathi, Sisonke, and uMkhanyakude families with 36%, 32%, 30% and 26% of overall vacancy rates, respectively are cited in the report. This does not at all augur well for our declared offensive against poverty and want. More so, because almost all municipalities in these four districts serve the poorest amongst the poor communities in the province, communities which even have to scratch the ground searching for water. They still have to search for wood in areas where there are no forests in order to make a fire to cook. These are communities which are a glaring reminder of the decades, in fact centuries of political oppression, social neglect and economic exploitation by all the undemocratic governments of the past. Hon MEC, let us once more declare that this situation is totally unacceptable and that, in fact, it militates against the very objectives we seek to realise.

Progressive institutional development and transformation in municipalities is a prerequisite. Lack of it - as noted in the report - is no doubt responsible for the lack of progress in a number of service-delivery areas affecting a number of our municipalities. Also of major concern, is the fact that, in relation to the four district families cited, the report points out that it appears that filling positions of technical managers and

development planning managers are the most problematic. This aggravates the problem, because it is in this area of planning that the full development potential of each municipality can be measured. I believe that this state of affairs accounts for the fact that in about 44 municipalities – or 86% of municipalities, as the hon Belinda Scott has cited - the development of land use and management systems is not clear. It is still to be pursued for some time to come, as stated in the report. This says to me that their development potential will not be realised soon, whilst the lack of technical expertise accounts for their failure to exhaust their allocations from the national grants.

The support given by the department to these and other such municipalities is acknowledged, but it cannot be permanent. Municipalities cannot rely on the department's seconded resource persons into the decade. They must build their own permanent capacity. This must be a priority. Municipalities must not be like a wheelbarrow which only moves when pushed, which cannot move on its own. It is permanently so by design and not by default.

With regard to general service delivery, considerable progress has been made. People's lives are changing for the better. The age of hope is for real, and yet, as indicated by the report in the form of backlogs, much ground still needs to be covered. Like a horse-trail mill our transformation process grinds slowly, but it grinds fine for sure! Development is a process and I suspect it has no end. It is ongoing. That leaves me with no doubt that striving for it now, as did the past generations, makes it a realisable goal for future generations.

In closing his presentation on the report the MEC remarked that, as we look back at the recent history of our communities, we cannot help but see how far we have come. The reality is that we have come from very far.

In conclusion, let me quote President Thabo Mbeki who said "Whatever difficulties, still we progress." For me the Consolidated Annual Municipal Performance Report communicates the message that we are indeed on track, and whatever the difficulties are, still we progress. I thank you.

**THE DEPUTY SPEAKER:** We thank the hon member for his contribution. The next speaker will be the hon iNkosi uMdletshe who has 15 minutes. [Ndabezitha!](#)

**INKOSI B N MDLETSHE (IFP):** Hon Speaker, let me begin by raising a matter of utmost importance. The IFP has been outraged by yet another calculated intervention by the MEC for Local Government in an IFP-controlled municipality in KwaZulu-Natal. The MEC has intervened in the eMadlangeni Utrecht Municipality in terms of Section 139 of the Constitution, alleging mismanagement, maladministration, fraud and corruption. What has surprised everybody is that the appointed acting municipal manager of Utrecht is well known for his proven track record in maladministration and corruption. We in the IFP are wondering if the MEC felt that this municipal manager will do as well in Utrecht as he has done in Kokstad where he was suspended. [Interjections]

**MR M B GWALA (IFP):** It is a disgrace!

**INKOSI B N MDLETSHE (IFP):** The IFP's stand on corruption and maladministration is clear. We do not tolerate it. We do not condone it. We abhor it in principle. We do not need the MEC for Local Government to tell us how to approach allegations of corruption and maladministration in IFP-run municipalities, particularly when the MEC patently tolerates and condones these vices in ANC-controlled municipalities. [Interjections]

The allegations in Utrecht are serious, but are they really the reason for the ministerial intervention when mismanagement, maladministration, fraud and corruption are routinely condoned by the same MEC in ANC-controlled councils? The IFP contends that the ruling party's double standards in dealing with KwaZulu-Natal municipalities of varying political colours are well documented. Is it not conspicuous that, at the slightest sign of political tussles in an IFP-run municipality, a ministerial intervention ensues? ANC-controlled councils, on the other hand, can go as far as disintegrate under a weight of mismanagement and corruption, and the MEC will not take any notice! [Interjections]

**MR M B GWALA (IFP):** A free ride!

**INKOSI B N MDLETSHE (IFP):** Let us look at Abaqulusi and Utrecht on the one hand, and Pietermaritzburg and Kokstad on the other hand.

**MR M B GWALA (IFP):** [Bakithi!](#)

**INKOSI B N MDLETSHE (IFP):** The allegations of corruption and maladministration in both uMsunduzi and Kokstad have been out in the open for a long time. [Interjections] Why did the MEC not resort to his favourite weapon - Section 139 of the Constitution - to

clean up the mess in those municipalities? The answer is obvious enough! They are in the ANC's hands and, therefore, too close to home.

**MR M B GWALA (IFP):** [Bakithi!](#)

**INKOSI B N MDLETSHE (IFP):** The IFP is convinced that the ANC's hunger for power precedes the party's concern about maladministration in local government. The ruling party is determined to use any underhand tactics to seize the control of those municipalities which it failed to carry in the 2006 local government elections.

It is most fitting in a debate on the Annual Consolidated Report on the Performance of Municipalities that one should quote no less an authority than the President who famously told ANC leaders in Mpumalanga back in 2004, and I quote:

I think that we must agree that we should stop offering excuses for the problems that we have with regards to our negligence in tardiness in the provision of services to the people.

In light of the failure of many ANC municipalities to deliver services, the President could not be anything but frank about his party's failures. Let us consider the overall picture. Nationwide as many as 203 municipalities cannot provide sanitation for 60% of their residents. Some 182 municipalities are unable to remove refuse from 60% of houses, and 155 municipalities cannot provide water for 60% of households. The result on the ground is devastating. Five million South Africans still have no access to any basic sanitation. Nearly one million people face the indignity of the bucket system. Free basic electricity is still a pipe dream for many in ANC-controlled municipalities, and 3.7 million people still have no access to running water.

It is not difficult to see why the ANC is failing to deliver. A key factor is rampant corruption in ANC-run municipalities. President Mbeki himself has admitted that the ANC is in danger of being corrupted by what he calls a "self-seeking spirit."

**MR M B GWALA (IFP):** Hey, hey!

**INKOSI B N MDLETSHE (IFP):** Corruption, patronage politics and the focus on race instead of delivery are the main culprits for the failure of many municipalities. It is apparently more important to have the right political connections than the requisite skills

to run a municipality!

As many as 36% of managers have a matric with a diploma or less, according to the government's own statistics. One municipal manager does not even have a matric qualification. Some 37% of municipal managers have less than 5 years' experience in local government, while 74% have 11 or fewer years of experience in local government.

**MR M B GWALA (IFP):** [Ayiqalwe phansi-ke le nto.](#)

**INKOSI B N MDLETSHE (IFP):** The capacity crisis in local government is a result of the implementation of exclusively race-based affirmative-action policies which exclude skilled South Africans. This much has been acknowledged by the Department of Provincial and Local Government. Last year the department attributed the shortage of skills in the municipalities to the transformation and restructuring agenda and employment equity considerations in the sector.

**MR M B GWALA (IFP):** [Aluqalwe phansi ukhetho, ngeke!](#)

**INKOSI B N MDLETSHE (IFP):** This government's preoccupation with race has nothing to do with empowering those disadvantaged by apartheid. It has everything to do with empowering a small elite through cronyism and patronage. The poorest of the poor sadly do not care about whether the race quotas in their municipalities have been filled. They care about gaining access to basic water, electricity and sanitation.

[Ongibhalelayo Mr Speaker, uye lo okhulumayo. Okokuqala ngifuna ukuphendula ilungu elihloniphekileyo, umhlonishwa uMthimkhulu. Saya ezikoleni Mthimkhulu, ngisafunda nje, ngisaphasa futhi. Ngeke sibhalelwe, ngizozibhalela izinto. Engifisa ukukuphawula lapha sengisalelwe yila maminithi, isaga esiphuma kuMhlonishwa, esenza lapha eNgwe Municipality, lapho uthola khona ukuthi u-Municipal Manager uxoshiwe \(noma usaspendiwe\) ngoba waveza amahlazo enziwa amalungu e-ANC emkhandlwini. Instead ukuthi kusetshenzwe labo bantu, kuxoshwa u-Municipal Manager. \[Interjections: Hawu, lolu daba uyalwazi uMhlonishwa\]. Isimangalo esinaso esokuthi uhlaleleni, uthuleleni nalezi zinto zingakhulunywa! Kungani singamboni egijima uMhlonishwa njengoba egijimile e-Utrecht wasebenzise u-Section 139 oku-Constitution? Ngiyamcela-ke mina uMhlonishwa ukuthi akabe uMhlonishwa, angabi i-activist ka-ANC ngoba uma ephethe lo msebenzi uwuphathela isizwe sonke, akawuphathela i-ANC kuphela. Sibheka](#)

ukuhamba kwakhe nokwenza kwakhe. Sibheka ukusebenza kwakhe, sibheka ukuhleka kwakhe, ukuthi abe qotho enkonzweni yesizwe. Athi uma enza izinto somsekela ngoba thina asihambisani ne-corruption. Uma ekwenza ngobuqotho lokho, kodwa uma [Interjections] Ngizosuke ngikhulume eziningi-ke njalo. Angithule mhlonishwa kodwa angiqondile.

**THE DEPUTY SPEAKER:** Hon members, this is not a platform marked for dialogue. Let us give the member a chance to continue. Continue, hon member.

**MR B N MDLETSHE (IFP):** Ngiyabonga Somlomo ukuthi ungivikele ngoba ngiyabona ukuthi bazoze bangishaye oMhlonishwa laba.

Mhlonishwa, zonke lezi zinto zingenzeka nxa uMhlonishwa inkambo yesizwe ezoyithatha serious. Seriously, siyiqembu leNkatha asizwani ne-corruption. And siyomsekela uma enza izinto ngobuqotho. Kodwa okubi ukuthi zithi zenzeka kwabo, angaziboni. Kodwa, ma kwenzeke ngapha – kwathinteka nje – usekhona lapha. Manje angifisi-ke ukusho ukuthi umhlonishwa kungase kwenzeke ukuthi yingenxa yomqashwa ngoba ngiyakholelwa ukuthi uMhlonishwa kukhulu angase akwenze kangcono kulesi simo.

Sengihlala phansi Somlomo, izwe lase-South Africa elethu sonke. Sibheke ubuholi obungaphezulu kwamaqembu ezombusazwe. Sibheke ukuba sizonikela la ngaphezulu kwamaqembu ezombusazwe. Sibheke la ukuzosiza abampofu kunabo bonke nokuphakamisa ifulegi lokusizakala kwabampofu. Sibheke ukuba sehluleke ngobuqotho, senze izinto ngobuqotho sethembeke kuzona ukuze kusasa singahlulelwa ngezenzo zethu ezimbi, kepha sihlulelwe ngezenzo zethu ezinhle. Sibheke ukwenza kuwo wonke amaqembu ezombusazwe, sekusho thina siyiNkatha, wonke amaqembu ezombusazwe ukuba azibophezele ekusebenzeleni abantu ngobuqotho, kungachenywa. Ngiyabonga Somlomo.

**THE DEPUTY SPEAKER:** Sibonge Ndabezitha ngegwaqaza lesikhathi osiphe lona. Sesizocela-ke manje uNgqongqoshe uNdiyema ukuthi aphenyule lezi zinkulumo esezizwakele. UNgqongqoshe ngizomunika imizuzu engamashumi nesihlanu – 15 minutes.

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**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** Thank you. Mr Speaker, let me start by thanking all the members for participating in the debate on this report. Indeed, the report has indicated that we have taken a step forward. We have never been shy to raise in the reports the challenges that still face us collectively. For that we will be consistent in maintaining that particular stance, for we have a responsibility to the people of KwaZulu-Natal and to the country as a whole. During the tenure of our leadership we rose to the occasion and we dealt with the issue that matters the most, because local government is at the coalface of service delivery. It is the sphere of government that is closest to the people of our country and the people of our province.

I wish to come to the issues raised by my colleagues here. Let me say that we are improving the submission of annual financial statements. We have taken it upon ourselves to read thoroughly the AG's reports and many other reports that show up those municipalities where there are weak support systems, and the Department of Local Government supports those municipalities.

We are also monitoring the performance of our municipalities with regards to the spending of the MIG. I want to assure this House and the people of KwaZulu-Natal that, although we are not directly part of the transactions between the National Government as well as those respective municipalities with regard to the actual transactions of MIG spending, we have developed the systems to try and assist those struggling municipalities. However, we have made it possible for municipalities themselves to come forward and ask us for our support. Through that early warning system we have been able to identify those areas in which municipalities have difficulties. We have been able to deploy our team. We have been able to use the shared services that we have deployed in the various district municipalities. They are able to assist those municipalities to spend the money. None of us can ever justify under-expenditure when there is still a huge backlog in terms of resources which our people out there still yearn for.

With regard to the issue of conditional grants, the question is: Are they correctly used by municipalities? Are they used for the purposes for which they had been earmarked? We want to simply say this: Where there are reported instances where a municipality is acting *ultra vires* of its conditions for a conditional grant, the Department of Local

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Government and Traditional Affairs in KwaZulu-Natal will not fold our arms and do nothing. In the first instance, we will assist those municipalities. Where we believe a municipality is persistently acting like a delinquent child, we will deal with that municipality as such, as a delinquent child, and proceed in a proper way. For that reason, hon Scott, we are actually monitoring this, and where there are difficulties we will actually support municipalities.

As for the collection period in municipalities, I want to say that there are genuine difficulties and challenges in municipalities. Our municipalities are serving a huge community base where the majority of people who get services belong to indigent communities. In that regard we expect municipalities to apply the law in a humane way, but we are also encouraging communities who qualify for indigent status to go and register themselves. The rest of us – including members of this House, business people, government departments and everyone else - must pay our rates. We want to support municipalities in taking very stern action, including prosecuting individuals who fall foul of meeting their obligation for non-payment of services.

We will not ask municipalities to mollycoddle individuals who do not want to make good on the services rendered to them. We will support them if they want to take action against such individuals. I am hoping that colleagues who are debating here do not owe municipalities money. I am going to be calling for reports from municipalities, and I am going to start with members of this House. I want to know whether all of them are paying for their services. We will name and shame those who do not – those who come here and grace these very important benches, and yet do not make good on that which they are supposed to make good on.

Let me deal with the issue of the percentage of the loans. With regard to this matter, we are saying to municipalities: When you take out a loan, make sure that loan does not get used for consumption expenditure. That loan should be used for capital investment. Also, they must make sure they make the correct assessment, based on the user pay concept, to ensure that they are able to service that loan and able to pay their debt on time.

We are also warning municipalities that they should never commit future generations by making reckless decisions with regard to financial commitments. In that regard the

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MFMA and other pieces of legislation also constrain them in terms of how they can do that. However, financial institutions are rating municipalities and they are assessing their rates. The majority of them who are unable to service their debt will not even be able to raise loans through commercial institutions, so we are closely monitoring this issue as well.

We are looking into ward committees. We want to make them effective because they are the voice of the communities.

With regard to Section 57 employees and performance bonuses, we have just completed a workshop and we are very clear that we want performance bonuses that are linked to the successes of a municipality, not those of an individual. Why should we pay a bonus if a municipality is down on its belly? We say no.

As regards salaries that are paid in municipalities, those are determined by the municipalities. However, we are intending passing new legislation nationally which will integrate the staff of municipalities into the public service. We want to assure you that as soon as that happens, the problems of salary scales that are determined at a municipal level will be something of the past.

We are closely monitoring the matter of appointing skilled personnel *versus* political appointments. It is unfortunate that colleagues sitting in this House allow councillors who belong to their political parties to make appointments solely based on political considerations. Hon member Keys, you expect this MEC to perform miracles with a bunch of individuals who are known to serve a political interest instead of serving the people of the community. I think we must stop that. We must be honest with ourselves and simply say that there is nothing wrong in appointing a competent person, even if that person belongs to your party, but do not come here and raise questions and expect this MEC to perform miracles when you do not do anything within your party. [Interjections] I want good relations between councilors, all councilors, irrespective of their political leanings. Councilors are there to serve the public - all of them, without exception. We expect them to work. They may debate issues, but there should still be a national interest to serve the people.

The DA feels that the province is not a rising, shining star due to the forensic investigations that have taken place. I think you should be thanking us, because it is not

32 municipalities, but rather 32 forensic investigations. We are the only province that has never been prepared to sweep rot and corruption under the carpet!

**HON MEMBERS:** Hear, hear!

**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** We have investigated ... [Interjections] No, no! I do not deal with the media or papers. I report directly to you. I am reporting to you that those are 32 forensic investigations. Some of them have been repeated in municipalities as phase 2; some of them have been done as phase 3, but is not true that there are 32 different investigations into municipalities.

As for the argument that we are targeting specific municipalities, I just want to say to the hon Mr Mari that there are people who suffer from delusions of grandeur. When they do, they bring wrong things into the public domain and they couch them as facts. It cannot be facts. We have conducted investigations. I have made one typical example and said that each municipality would be treated on the basis of what we find in that investigation. These investigations are never done by the MEC. The MEC appoints a competent company from outside. They are not even staff members who work in the department. We pay money to people who have credibility and legitimacy to conduct these forensic investigations, and therefore they report to me. If they find wrongdoing in any municipality, I will act.

When I became an MEC I took an oath of office. I stood here and said that would uphold the Constitution and the laws of the land. I want to be able to go out and apportion guilt impartially and equally. I will not do otherwise. Each municipality shall be judged on the basis of what has been found, and on that basis action will be taken. Action will be taken on the basis of what the forensic investigations had unearthed. Anyone who comes here and speaks completely out of depth and ignorance will be undermining the status of hon members who belong to this august House.

As for the property rates in rural areas, those who hold a long lease issued by Ngonyama are liable to pay rates. There are business people and individuals who hold those long-term leases. Other residents cannot pay rates because they do not actually have security of tenure.

I do not want to talk about the issue of Thando Thubane. He was never found guilty of maladministration. We would not have taken a reckless decision. There is no criminal record. When people talk out of ignorance, they unfortunately undermine their stature in the public domain. I know the hon Inkosi Mdletshe who is my colleague will never do that, and I am sorry that he has been fed wrong information. [Interjections]

Let me deal with Utrecht. It is very unfortunate that there are colleagues in the IFP who abhor corruption and maladministration, but unfortunately they come out to the contrary. It sounds as if they are saying, "We have our own corruption that must be protected, and you, MEC, you are actually acting on own corruption and we are unhappy with that." It is unfortunate that that is the message that comes out. There is no corruption that belongs to anyone. Municipalities are not fiefdoms of political parties. The councillors that lead them work for public institutions and they are subject to the rules of public institutions.

Hon Buthelezi, I highly respect you, but it is unfortunate that you again speak out of ignorance. Regarding Msundusi, there has been a report which is currently before council. The investigations are being done. We have been investigating Kokstad, and the process is actually taking place there. There is no municipality that is escaping our net! There is not a single one! I do not know why there is this fixation with corruption when I do not condone corruption. I am not corrupt, and no party must ever own corruption. No party must ever do so.

The point we are making is very clear. In Utrecht there has been sheer arrogance and contempt. We did not act after 21 days. We gave them 21 days - as we did with other municipalities – and they did not act. We did not act after 30 days. We did not act after 60 days. We acted after three months, with absolutely no piece of paper, not even a response. I have not taken similar action in some of the other municipalities. I have not taken the same action in Nongoma, despite the fact that there is no report of R1 million appropriated by councilors. I have not taken the same action in Nqutu, despite having a similar report. I have not taken the same action in Estcourt, despite having a similar report. I have not taken the same action in Babazane, despite having a similar report. These reports are here. I have not taken the same action in uThukela, because I am not looking at municipalities in terms of who leads them. I am looking at people who say to me, "These are the responses". If they are unsatisfactory, I return them. However, if they do not act and they think they can pooh-pooh me and pooh-pooh the MEC, then

they are going to face the might of the law. In Utrecht there was intransigence, sheer sheer arrogance and serious contempt, and that will not be tolerated at any municipality, whether it is Utrecht or anywhere else in KwaZulu-Natal. [Time expired] I thank you.

**THE DEPUTY SPEAKER:** We thank the hon MEC for answering the questions very patiently. You have indeed confirmed that patience is still a virtue.

#### **8.4 First Quarterly Report on Service Delivery by the MEC for Housing, Local Government and Traditional Affairs**

**THE DEPUTY SPEAKER:** Our next speaker is again the hon MEC who has 20 minutes.

**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** Mr Speaker, I have approached the Office of the Speaker, as well as the Office of the Chief Whip and requested their indulgence in terms of time. In my capacity as the MEC for Housing, Local Government and Traditional Affairs, I thought it was important to deal with issues regarding Local Government and Tradition Affairs today before I start dealing with matters regarding Housing. I therefore plead for your indulgence, and request you to afford me 30 minutes instead of 20 minutes. I was actually given the impression that my request would be considered favourably.

**THE DEPUTY SPEAKER:** Accepted, MEC.

**MR M MABUYAKHULU (MEC for Housing, Local Government and Traditional Affairs):** Hon Speaker, Members of the Executive Council, hon members of this august House and all protocol observed, it is with heavy hearts that we rise today, as we did earlier, to address this hallowed Chamber on one who embodied all that was honest, frank and positive about this Legislature and who has been called to higher service. Indeed, in my capacity as the MEC responsible for Traditional Affairs, I liken us to stricken chickens after the pounce of a hawk. We stand confused and are at a loss for words because of the sudden passing away of an esteemed member of this Legislature, Inkosi Simon Hulumeni Gumede. Like a hawk, death has struck us a cowardly blow and has rather harshly reminded us of our mortality by snatching away our charismatic colleague.

Inkosi Gumede was a true son of the soil. He was an intellectual par excellence, a keen debater and a person with a passion for this province and particularly the institution of

traditional leadership. He was a robust speaker. Inkosi Gumede never held a grudge. A crossing of swords over ideological and policy issues inside this House and inside the House of Traditional Leaders was soon forgotten outside where Inkosi Gumede would revert to his more jocular and jovial self.

Inkosi Gumede was someone who revelled in the battle of ideas. He did not believe that the fact that you hold different ideas meant that you were a political adversary. Above all, his political beliefs were subservient to his deep sense of humanity. More mature politicians are difficult to find these days. This province has been robbed of one of its best brains, a colourful personality. It has been untimely robbed of an astute politician and a keen fighter for development and progress.

We mourn the passing away of Inkosi Gumede and we send our condolences to his family, the traditional community he led and the institution of traditional leadership where he played a leading role. We have no doubt that, wherever he is, he is giving someone a piece of his mind! He always fought against ignorance and indeed brought colour to our lives. Yet, we cannot escape the sense of loss that we feel. [Uhambe kahle Mkhaya wami! Mnguni, Gumede siyohlala sikukhumbula!](#)

This is indeed turning out to be a black week for the institution of traditional leadership. We have also learnt with shock of the passing away of Inkosi Mzondeni Mkhwanazi of Mtubatuba and Inkosi Elphas Ndlangamandla of uPhongolo. These amakhosi passed on at a critical time in the evolution of the institution of traditional leaders. We are grateful for the contribution they made. Their legacy in fighting for the development of our people will spur us on to redouble our efforts to create a better life for all our people. May their souls rest in peace?

Sir, in a world often littered with inescapable tragedies, it is important that time and again good news is told. Good news is important in times of despair and shock. It helps lift our spirits. Good news is important for the soul, for it gives hope, and hope is the core of what drives us as humankind.

We stand before this august House, exactly four months after we presented our 2007/08 budget policy speech in which we enumerated a number of measures and strategies that we have put in place to fast-track the delivery of houses to our people in this province. When we stood before this esteemed House in April, we reminded hon members of the

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words which were uttered by one of the valiant freedom fighters and pathfinders on the road we have travelled over the past 13 years, the late Minister Joe Slovo, who was the first Minister of Housing under the democratic dispensation.

Minister Slovo said:

In years to come we need to be able to look around us and say that housing has indeed become a physical expression of a country healing itself, of a country to which each individual is contributing according to his or her possibilities, and a country which cares about its people and the communities in which they live.

These words continue to be the guiding light that inspires all our humble efforts as we forge ahead with our endeavours to ensure that indeed housing becomes “the physical expression of a country healing itself.”

While this current 2007/08 financial year is still in its infancy, we are humbled by the fact that our department got off to a workman-like start and has made numerous major strides in all its key programmes, bar a few challenges here and there. However, precisely because we are a department that is not averse to self-examination and does not shy away from self-scrutiny, we believe that we can always do better and improve on our victories if we candidly look at the road we have travelled.

A respected African intellectual, Franz Fanon, once observed that every generation has its mission, and they can either fulfil it or betray it. The achievements of the Department of Housing are a testimony of a generation hard at work to fulfil its mission of bettering the lives of a people, as opposed to betraying it. In the past 12 years the Province of KwaZulu-Natal has approved a total number of 431 989 housing subsidies. This is an unparalleled achievement by any standard. Hon members will agree that never in the history of our province has there ever been such a deliberate and concerted investment in the housing of our people.

To understand the impact of this achievement on our people’s lives, this would mean that we have provided housing opportunities to a total of 2.5 million people, if we use Statistics South Africa’s average of 1:5. This clearly tells us that we have made a noticeable dent in the housing backlog which, on its own, was a physical expression of the deprivation of our people. This is indeed good news that can only serve to lift our

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souls and inspire us to double our efforts in order to finally win the war against homelessness.

In the first quarter we sought not to remove our foot from the accelerator. We are now moving with even greater speed, but it is speed that is checked by caution. Our starting point, as is reflected in our budget policy speech, has been to reposition our department. We remain steadfast in our belief that we cannot remake the world before we remake ourselves. One cannot expect outstanding results from an imperfect and unsound organisation. Likewise, our department has to constantly conduct introspection to understand whether our efforts continue to respond to the fulfilment of our mandate.

In pursuit of this objective, we have started with the rationalisation process which includes, among other things, addressing organisational issues, including the future of the R29 staff. The repositioning of our internal institutional arrangements is critical for our ability to deliver on our mandates and in meeting our targets. Our strategic repositioning, which is almost complete, has enabled the department to sharpen the details in the focus areas that impact on provincial priorities and areas that are likely to impact on high-profile milestones, such as the 2010 FIFA World Cup.

The thrust of our programmes is geared towards benefiting the poor and to bridge the gap between the first and the second economies. Our programmes have continued to uphold the tenets of the comprehensive plan. We want to confirm to this august House that the main thrust remains unchanged. The department has introduced a business re-engineering and performance enhancement dimension. In other words, we are putting more emphasis on the need to address challenges that may lead to the failure of achieving our targets. As a result of the adoption of this strategic approach we are now positioning ourselves to implement legislation intended to prevent the re-emergence of slums.

All our programmes continue to indicate clear contributions to the achievement of provincial priorities. The department remains committed to promoting sustainable and integrated development. To this end the department will continue to strengthen its regional capacity and ensure that there is increased participation in the development of integrated development plans at municipal level. We will facilitate the integration of housing sector plans with the Municipal Infrastructure Investment Plans (MIIP) and we

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will ensure that our housing budgetary process is aligned to the MIG funding allocation programme.

Our housing delivery continues to break new ground. The vision of "Breaking New Ground" presents an opportunity for the department to facilitate the development of sustainable human settlements through integrated housing delivery. It is a rather disconcerting but inescapable fact that financial institutions have not played as huge and as decisive a role as they could have played in ensuring that it is easier to fund housing initiatives, particularly for that section of our community deemed unbankable or not creditworthy. We recall that the national financial institutions had committed themselves to spending R42 billion before the end of 2008 and yet KwaZulu-Natal shows the least movement in terms of contribution to housing by financial institutions.

Obviously ours is not to apportion blame, but to find ways to ensure that the commitment by the financial sector translates to the eradication of the scourge of homelessness. That is our role as the department that was given the stewardship over all housing matters. We are addressing this aggressively within the new vision. We have no doubt that our socio-economically integrated human settlements create opportunities for the financial institutions to play a role.

Sir, we move from a premise that programmes and components within the department are critical in the realisation of stated objectives and the achievement of targets. Policies, in themselves, amount to nothing if they are not driven by an organisation that functions like a well-oiled machine.

Targets also become critical because they ensure that all of us drive towards a particular objective at a particular time. This then means that those whom we serve, know what to expect and when to expect it. This is a principle that continues to drive our performance within the department.

Allow me to present a summary of progress to-date and the status quo of programmes that we have undertaken during the period under review – the first quarter of the 2007/08 financial year.

### **Administration**

We are pleased to inform this august House that our department has made significant

progress in its bid to align the departmental structure with the requirements of the comprehensive plan for the creation of sustainable human settlements called “Breaking New Ground” (BNG). The key feature of the new departmental structure is the provision that the department has made for the post of the Chief Operations Officer (COO). The COO will be responsible for all the core functions of the department and must ensure that all service delivery targets are met.

We have also engaged in a vigorous internal transformation process with the main objective of ensuring that the department is well capacitated and equipped to respond to the housing delivery demands and challenges in the province. We are, as a result, pleased to announce that over the first three months of this current financial year, key positions in the financial and legal portfolios have been filled. This being Women’s Month, we are also pleased to inform this House that gender representation in our department, particularly within the senior management level, has improved. With more than 30% of our SMS being women, we feel we are contributing to the transformation of our society.

### **Housing: Planning and Research**

As all of us are aware, the housing delivery process in our province is largely informed by the needs of various municipalities as contained in their Integrated Development Plans (IDPs). This year the emphasis is on the timeous consolidation of housing needs into a comprehensive human settlement plan and the ability to utilise all funding allocated to the province. Our officials continue to play a major role in terms of providing support to municipalities in the preparation of IDPs, housing sector plans and housing sector policies.

I wish to come back to the capacity building of municipalities as housing-delivery institutions. Last year our department hosted the Housing Summit which looked at the state of housing in the province, and also diagnosed stumbling blocks that impede our efforts to speed up housing delivery processes. One of the issues that were highlighted sharply was the issue of the lack of capacity of municipalities to play a meaningful role in the delivery of houses. In order to address this, our department is aggressively embarking on a capacity building programme to ensure that municipalities play a critical role in the housing delivery process.

In the first quarter we had set ourselves a target of training at least 5 000 housing consumers on various aspects of housing, but at the end of the first quarter we had actually already exceeded our target by 847. This return is critical because it means that we are moulding home owners who will indeed appreciate that their houses are capital and lifetime assets. A total of 25 visits to municipalities had been targeted for the first quarter, but at the end of the first quarter we had visited 32 municipalities. We also carried out six training workshops in municipalities where we capacitated municipalities on matters housing. Our target had been for four workshops to be undertaken. In this regard we are again able to report a positive variance of two.

### **Land identification and acquisition**

Land unavailability continues to be one of the serious challenges threatening to undermine our housing efforts. While we feel we are making headway in the identification and acquisition of land in close proximity to potential employment opportunities, we think we need to focus more on the lag time and delays in land/legal processes. This we have prioritised because we understand that our housing programmes can only succeed if suitable land is identified and acquired urgently.

While the process to audit all government land is underway, it is heartening to note that traditional community land, which constitutes the bulk of communal-owned land, is now available for housing development, particularly for our rural housing communities.

### **Policy and Research**

In order to ensure that meaningful and timeous delivery of suitable housing products to qualifying beneficiaries occurs, it is of vital importance that suitably researched and tested policies are developed. These policies need to be aligned with the ever changing face of local government throughout the country as well the impact of the construction boom and its knock-on effect on the supply of materials as well as skilled technical and professional resources. In addition, the impact of the HIV/Aids pandemic has not been fully investigated in terms of the housing delivery chain and the most suitable products that should be delivered. For the period under review, we have continued to briskly work in terms policy formulation and research and development.

### **Housing Development Implementation**

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### **Slums Clearance Programme**

One fulfilling achievement that our department made in the first quarter of this current financial year was to reap the dividends of its hard work when the Eradication and the Prevention of the Re-emergence of Slums Bill was adopted and enacted into law by this esteemed House. The Department of Housing would like to once again take this opportunity to doff our hats off to members of this esteemed House for showing political maturity by unanimously voting this ground-breaking legislation into law.

While it is easy to look at the day on which this legislation was adopted into law by this very House as just another day in the hustle and bustle of parliamentary activities, we have no doubt in our minds that the generations to come will remember it as one of the defining moments in our efforts as the province of KwaZulu-Natal, to eradicate slums and to provide our people with safe and quality houses, and may we say we are the first in our country.

While it is tempting to bask in the afterglow of your victory when you have achieved a feat as big as this, we would like to assure this House that the passing of this legislation into law has strengthened our resolve to work even more hard to eradicate slums in our province. Our department is poised to begin a process of engagement with all stakeholders, particularly our municipalities who will be at the forefront of the implementation of the Act to capacitate them in terms of the implementation.

### **Provision of Housing to Vulnerable Groups**

One of the biggest challenges facing our country is the issue of the HIV/Aids. When we presented our policy budget speech in April this year, we pledged that we will during the course of this year, commit resources and energies to the provision of housing to those affected by HIV/Aids and other vulnerable groups. We are pleased to report before this House that we have identified beneficiary groups who would benefit in this programme. We have also prioritised affected households to benefit from the programme.

### **Rural Housing Development**

It is our firm belief that given the skewed nature of development in this country as a result of the apartheid and colonial legacies, we cannot begin to speak of sustainable development if we do not address the issue of rural development. Our efforts to provide

our people in rural areas with houses in order to ensure that the gap of development between rural areas and urban areas are continuing. We are therefore pleased to report before this House that the partnership between traditional leadership structures and municipalities, has among other things, resulted in the identification and release of land for rural housing delivery. This, hon Speaker, hon Premier and hon members, will ensure that we work even harder to provide our people in rural areas with decent and quality houses.

### **Broad-Based Black Economic Empowerment and Housing Delivery**

One of the important pillars of our economic regeneration is the issue of providing economic opportunities to all our people who were excluded in the economy of this country by the erstwhile apartheid and colonial regimes. Our department believes that the Broad-Based Black Economic Empowerment is one of the effective tools through which, we can ensure that our people play a meaningful role in the economy of their country and their province in particular. We are therefore pleased to report to this House that our department continues to ensure that BBBEE is at the centre of all our housing delivery initiatives.

The department's approach to people's housing projects encourages the involvement of managing agents who ensure that the is of acceptable quality. The requirements of BBBEE will be met once the foundations for skills development are firmly in place. The department has ensured that all projects that are submitted for approval provide a clear indication of opportunities in planning/preliminary investigations, land/legal processes, building material manufacturing, procurement and material supply. A BBBEE policy and strategy will be in place in time for the mass delivery of units in terms of the alum clearance programmes.

### **Social Housing**

We are pleased to report to this House that our department is working hard to increase housing options for our people in our province. To this end, the introduction of social housing in an attempt to increase the rental housing opportunities, is taking shape, and the department has at least four projects that are under construction, and the numbers of units that will be delivered is steadily improving as the identification and approval of the provisional restructuring zones progresses.

**Progress in brief**

We are pleased to report that in the first quarter we have not only met our target for completed houses, but have actually almost doubled the number of houses completed. Whereas we had set ourselves a target of 3 500 houses to be completed in the first quarter, the actual number of houses completed stood at 6 002 at the end of the quarter. We believe this proves that constant reviewing of our policies and practices is beginning to find expression in the form of accelerated housing delivery.

Our department also delivered way beyond expectations with regard to the hostel redevelopment programme in the quarter under review. We were able to upgrade a total number of 409 hostel units while our target had been to upgrade 200. We had hoped to complete 4 900 sites but because of various circumstances, we fell short by 233 and were able to complete 4 667 sites.

Our target for properties to be transferred was 3 200 but over the period under review we were able to transfer 1 300 properties. The primary reason for this negative variance was that most of the houses built were built in rural areas as part of our rural housing programme where most of the projects fall under the Ingonyama Trust Land where ownership cannot be transferred to individuals.

While this setback riles us, we are not blind to the fact that this negative variance happened within a situation where we had far surpassed our own targets. Obviously we have learnt from our errors and have no doubt that tomorrow we will be more than up to the challenge of meeting our targets in all our areas of operation.

**Housing Property Management****Asset Management**

Property management focuses on the maintenance of the rental housing stock of the department. This rental stock is being depleted as the department is intensifying the transfers of properties to qualifying beneficiaries in terms of the Enhanced Extended Discount Benefit Scheme (EEDBS). The department intends to only hold a key portfolio of properties by the next financial year, thereby reducing our rates and taxes bill and only holding properties which contribute to the achievement of our strategic objectives.

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### **Rental Tribunal Support**

In the past, the emphasis was on the provision of technical and administrative support to the KwaZulu-Natal Rental Housing Tribunal. Going forward, we feel it is necessary to change our approach and move away from dealing with crises when they have happened, but institute pre-emptive and pro-active measures within the rental housing sector. To this end, the component will collaborate with the Social Housing Capacity Development Unit and identify specific programmes that will enhance the delivery capacity of social housing institutions and education requirements of tenants.

### **Medium-Density Housing**

The department is identifying areas of integration and coordination across key provincial interventions. This co-ordination must take into account infrastructure investment planning trends in the province. Nodal development activities, including designated presidential development nodes and the well-documented Inanda/Ntuzuma/KwaMashu development node, are being closely monitored for the identification of housing delivery opportunities in existing residential areas. Medium-density housing requirements associated with major infrastructural developments have been identified. These developments include the Dube Trade Port, the King Shaka International Airport, the new soccer stadium, the upgrade of the transport system and the expansion of commercial and residential property in and around Umhlanga Ridge.

### **Extended Discount Benefit Scheme**

One of the goals that our government set itself when it took over the reins in 1994 was to fast-track home ownership to our people who were denied this by the apartheid regime. We are pleased to report to this House that the Enhanced Extended Discount Benefit Scheme (EEDBS) continues to be one of the critical tools through which our government is accomplishing this goal. Our department is working hard to ensure that we remove bottlenecks in this process. The processing of subsidies and the packaging of projects, in general, has emerged as one of the factors that delay progress in the implementation of the EEDBS. In addition, the lack of technical capacity and competency within municipalities has emerged as another contributory factor.

**Progress in brief**

For the period under review, we maintained 1 745 houses whereas our target had been to maintain 1 250 houses. Thus we report a positive variance of 495 houses maintained. We also set ourselves a target of 300 rental tribunal cases to be resolved but were able to resolve 227 cases. This was largely due to the public sector industrial action that made it impossible for the tribunal to finish its work.

**Conclusion**

While the first three months of a financial year is too short a period to use to predict what will happen during the rest of the financial year, we believe that overall this report shows that if we continue on this positive footing, we can achieve even bigger milestones going forward. While there are many challenges faced by our department, we are however humbled by the positive strides that our department has achieved over the past three months. We have no doubt in our minds that if we can continue at the rate we are going, we will be able to achieve most of the targets contained in our budget policy speech which we presented to this House in April.

A wise person once said. "The home is the centre and circumference, the start and the finish, of most of our lives." This echoes our rallying call that "[Umuntu ngumuntu ngekhaya](#)". We are acutely aware of the space we occupy in building truly democratic and integrated communities. The pace of housing delivery, the quality of the houses delivered, the location of houses built, should all form part of a mix that goes into building truly integrated and sustainable communities. We have the will and the commitment to see our mandate through and we hope the report we have tabled before this esteemed House, attests to our resolve to ensure that housing becomes a physical expression of a country healing itself. I thank you, sir.

**THE DEPUTY SPEAKER:** Hon members, you will agree with me that we need to thank the hon Minister for the exhaustive, rich and dynamic report he has delivered to this House. This report will not be debated today, but will be debated on 13 September 2007.

*Business suspended at 13:10.*

*Upon resumption:*

## **8.5 Debate on the First Quarterly Report on Service Delivery by the Department of Agriculture and Environmental Affairs**

**THE DEPUTY SPEAKER:** Welcome back, hon members. We will now debate a report that was tabled by the MEC for Agriculture and Environmental Affairs. I have in front of me the Speakers List. In terms of my list, the first hon member to deliberate is the hon Ms G N Swartbooi who has 10 minutes.

**MS G N SWARTBOOI (ANC):** Thank you. Mr Speaker, we want to extend a word of gratitude and appreciation to the MEC of Agriculture for tabling this First Quarterly Report of this department for 2007/08 to the House so that it can be debated by hon members of this House.

We know that hon members are going to come with their x'es. We are going to say: "Instead of "y", the department was supposed to do "x", but we would like the hon MEC to listen attentively and respond to our questions.

We also want to welcome the new HOD of the department, Advocate Modidima Manny. You are welcome, sir.

We have no doubt that the hon MEC, new as he is, has already made enormous strides in improving the department's financial performance and service delivery so that we can one day say we have a true non-racial, non-sexist and democratic country, and truly a better life for all.

On the issue of the turnaround strategy of the department, we are quite happy that the department has decided on engaging the fast gear in addressing the findings of the internal audit report. The findings were bad. They were really bad. However, when you look at the hon MEC's report, you can see that he has also allowed for achievements and issues that they were able to address within the department.

The hon MEC has also tabled the report at the portfolio committee. The report to the portfolio committee outlines what they have already achieved thus far. The committee is still awaiting answers regarding the lack of supporting documents, because at the moment we are not sure whether those supporting documents, the ones we were told were lacking, are there.

Agcine efumanekile noma lawo ma- supporting documents mangaba efumanekile ikwazile yini i-department ukuthi ifake yonke i-information icomplethe i- information edingwa yi Finance Portfolio Committee kuyona. Ilokho-ke esikuphakamisayo njengekomidi le Agriculture.

However, we are aware of the undertaking by the hon MEC to meet with the Portfolio Committee on Finance and Economic Development. We know that the hon MEC and the Chairperson of the Portfolio Committee on Finance and Economic Development arranged a meeting for next week, because the hon MEC wants to give a full report to the Portfolio Committee on Finance and Economic Development in response to the internal audit report.

As we celebrate Women's Month, I am not going to be bogged down by the issues that have been raised by the hon MEC in the report, but I would like to concentrate on the gender issues. Firstly, I would like to make the hon MEC aware that his department does not have a Gender Focal Point (GFP), and all departments are required to have GFPs. It is crucial that each and every department has a GFP.

Whenever there is a provincial gender machinery, there is no-one from the Department of Agriculture and Environmental Affairs who represents the department. That is problematic. We are aware that there is no separate women's budget. We therefore call on the Standing Committee of the Quality of Life and Status of Women, Children, Youth and Disabled People to mainstream gender. The person who will ensure that there is gender mainstreaming within the department is the Gender Focal Point. That person is supposed to be in the Office of the HOD. That person should report directly to the Office of the hon HOD and should be at a director level, as per the National Policy Framework. We hope that the MEC is going to look at that matter and appoint this person. We know that our hon MEC is still new. There is a lot he still needs to attend to in the department. However, we raise these issues to make the hon MEC aware of some of the issues he needs to look at.

When you talk about gender issues, please note that gender issues need to appear in the strategic plan of the department. You need a person who is going to look through gender lenses when the strategic plans are drawn up. The budgets of the department need to be informed by the strategic plan of the department. [Interjections]

Ilokho esifuna ukuthi sikuphakamise MEC. *[That is what we wish to propose, MEC.]*

We want to congratulate the hon MEC and the department on the activities and events that have been organised throughout this month of August, Women's Month. One of the most successful events was that of "Female Farmer of the Year". It was well organised, hon MEC, and we congratulate your department. At this "Female Farmer of the Year" event I was asked to speak, not as a member of the Portfolio Committee of Agriculture, but I was asked to deliver a message as the Chairperson of the Standing Committee of the Quality of Life and Status of Women, Children, Youth and Disabled Persons. One of the things that I emphasised was to encourage women to be given land, to have access to and control of land.

We know that women in rural areas have their own gardens, but those gardens are not being used. If they can be given seeds so that they can plant something, we can produce a lot of food in this province. We women can use our hands. If we can use those small gardens, many women can apply to become farmers.

Bakwazi ukuthi mabathole babe nama-farm siyazi ukuthi baningi futhi benza umsebenzi omuhle Ngqongqoshe. Ukudla esingakuprojusa uma ubuka umhlaba ola KwaZulu-Natali ukudla okungeke kugcine nje kusondlela izingane zethu emakhaya kuphela kodwa singagcina sondla imiphakathi yethu, singagcina sondla i-province yonke, singagcina sesondla izwe lonke lase-South Africa ngisho namanye amazwe ahluphekayo abhekene ne-drought njenge-Zimbabwe njengamanje ingagcina ifidwa yile province ngomhlaba nje okhona. So lokho komhlaba kubalulekile. Okunye okufuneka siku-emphasize, MEC, we know ukuthi ...

The issue of water is not within the competency of the department. Yesterday I joined the Portfolio Committee on Local Government when they visited the Ugu District. We found that the people down there still do not have water. They are running short of water. Even those who have land, even those who are willing to plant something in the soil cannot do anything without water. They need water. I do not know whether there is any possibility for the department to establish a relationship with the Department of Water Affairs. [Time expired] I thank you.

**THE DEPUTY SPEAKER:** We thank the hon Ms Swartbooi for her contribution. The

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next speaker to deliberate is the hon Rev A H Mbatha who has six minutes.

**REV A H MBATHA (NADECO):** Thank you. Mr Speaker, NADECO is encouraged and wants to thank the hon MEC for the report. As we all know in this House hon MEC Mthimkhulu's portfolio is crucial for the survival of the people of this province - maybe the people of Swaziland too; maybe the people of Mozambique too; maybe the people of Lesotho too, and maybe the people of the Eastern Cape, as well.

It does appear that there are good intentions from all of us in this House to see the Department of Agriculture and Environmental Affairs providing solutions to poverty, unemployment, malnutrition, disease and wealth creation. It is NADECO's view that unless we stimulate agricultural activity in a manner that does not scare off investors in this sector; we are going to find ourselves extinguishing fires in our communities. I therefore commend the hon MEC's effort to put in place the Land Reform Forum. [Siyabonga Bhungane ngalokho.](#)

It is my understanding that at this forum all stakeholders are going to engage one another, and I also believe that the issues that relate to land are going to be deliberated on, are going to be debated and be resolved so that people engaged in land issues will find each other at this forum.

The challenge though is two-fold. The first one is the willingness of our people to be involved in farming-related activities, just the willingness. It is hopeless to have the budget and the expertise in the department if there is no person out there who is willing to get his or her own hands dirty and be a farmer. I once challenged hon members of this House and said that some of us need to put our money where are mouths are. We ourselves should go and farm and be an example to our communities.

The second challenge, hon MEC, is the willingness of our employees in the department to truly, truly make a contribution that would make a difference to our willing communities who want to farm. Assuming that these two issues are secured, this House needs effective monitoring and timeous adjustments on budgets. I am certain that all of us want to see issues like land claims and land tenure get resolved. We want to see people being trained and taught skills in agriculture and environmental affairs. The Department of Agriculture should be a care-taking place; not a stumbling block in our path of progress when it comes to agriculture. May I repeat myself: Agriculture should become a

care-taking place, and these issues I have mentioned should not be stumbling blocks in our path of progress when it comes to agriculture. If these matters are taken care of, we will once more be able to make the country gain and grow.

I want to repeat what I have just said to hon members. We - from the hon Speaker's Office right down to ordinary hon members - should go out there and engage in farming and prove that we are not paying lip service to the importance of agriculture during these debates. Let people go out there and be stock farmers and be red meat producers and be dairy farmers and be a land tilling people. Let us all go out there and make agriculture a priority.

Hon MEC, I support the speaker who spoke before me. My request, though, is that we should not make the same mistakes that were made when corrective action was taken with regard to blacks *versus* whites. Corrective action meant just a little bit for a black person so that he can see himself being affirmed. Let us not create a situation that when it comes to a women farmer, we say: "Just a small holding is sufficient. After all, it is a women. Just a small garden is sufficient. After all, it is a woman. Just a little bit of it and they can organise themselves with a few seeds." No, let us create farmers and commercial farmers out of our women. [Hear, hear] Let us make them business people and make them succeed. If we complained that we were being given just a little bit because we were black, they will also complain one day that they were given just a little bit because they were women. My request is for us to prioritise farming. Let us create wealth around agriculture. Thank you.

**THE DEPUTY SPEAKER:** The next member to deliberate is hon Mrs Thakur-Rajbansi who has five minutes. I do not see her in the House, and therefore I will announce the next person on the list. The next speaker will be the hon Mrs J M Downs, ACDP. My eyes tell me that she is not in the House, either. I then proceed to the next hon member, the hon Mr B J Msomi, UDM, who has four minutes. [Nomndayi](#), the platform is yours.

**MR B J MSOMI (UDM):** Thank you, Mr Speaker. Let me join my colleagues in congratulating Advocate Maanya on his appointment as HOD which, to me, is a cornerstone in our endeavours of pushing back the frontiers of poverty. I want to assure him that he has the support of this House, but a word of advice to him is that he must not act as a broom. A new broom sweeps clean, but once it gets older, it leaves a lot of dirt

behind. That would be my words of advice to Advocate Manny that [umsebenzi awuqalile akeqhubeke nawo, akangathi ukwenze ngoba esafika, kodwa kube yindlela azosebenza ngayo kuze kuphele i-term yakhe ephethe lo mnyango.](#)

If we are to realise the agrarian revolution, there is a need - as far as I am concerned - to promote agriculture everywhere. We have the people. We have huge tracts of land, but they are not being utilised. Then there are those who have small plots of land, but my request would be to the department that the people who have these plots of land at their disposal should be encouraged and assisted by the department in tilling the land. The seeds should be made available and, where necessary, the equipment should be given to the people. I do not think we have to wait for people to come with glossy business plans and what not, because people do have land. [Yilokho ebengikucela nje Somlomo ukuthi abalekelelwe abantu kungaze kuthiwe abakhe ama-co-operatives.](#)

There are people out there in rural areas who have land, but they do not have the capacity to till that land. However, my request would be for the department to assist such people so that they will be able to till the land. I am saying this, and I have said it before, that the Department of Agriculture should work together with the Department of Education in introducing subjects which deal with agriculture at the early grades in our schools. If one remembers correctly, [ngesikhathi sisafunda thina](#) each and every school had a vegetable garden [ezinye zize zitshale ama-flower garden, zazizihle kabi izikole.](#) However, [kuyadumaza](#) if you go to our schools, you will see [ukuthi nje](#) it is just barren land. There is no green grass. We do not know what happened. If the department can start small [kulezi zikole ezikhona ukuthi where is the vegetable garden, nenzani ngesikhathi senu? Mhlawumbe izingane zingacina zithanda ukuthi zisebenze umhlabathi because we were told ukuthi ukulima umhlabathi kuwumsebenzi wabantu abaphansi.](#) However, [kumele ingane ingathi iqala esikoleni kulama grades aphansi ifundiswe ukuthi ilime umhlabathi ngoba impilo isemhlabathini.](#)

[Ngithi angibonge kule mizuzwana esele ukuzimisela komnyango, kuphethe yena u-Head of Department kanye noNgqongqoshe ukuzimisela kwabo ngokushintsha isimo salo mnyango obukeka unezinselelo ezinkulu ngenxa yesimo obekusebenzeka ngaphansi kwaso ngaphambilini. Siyethemba-ke ukuthi la maphupho abasibekela wona kule mihlangano eke sibe nayo yama-portfolio committees azogcina engewona amaphupho kodwa eyi-reality. \[Time expired\] I thank you.](#)

**MRS M H AMBLER-MOORE (DA):** Thank you, Mr Speaker. The Democratic Alliance would like to take this opportunity to offer our condolences to the Gumede family and to the IFP.

I felt very privileged, because I knew Inkosi Gumede very well. When five of us from this Legislature went to China, he appointed me as his official food taster. It did not seem to make any difference because he hated Chinese food! [Laughter] He was just a really wonderful person to work with and I was always amazed at his incredible grasp of the English language. I have struggled for years to learn isiZulu, but Inkosi Gumede used English words I did not even know the meaning of. We really are saddened by the passing away of Inkosi Gumede.

When I prepared this speech on Tuesday, this is what I wrote, and I quote:

I want to thank the hon MEC for a very comprehensive report, and a report that has really said to this House that there is light at the end of the tunnel and it is not an uncoming train.

As has been said many times, this department has really suffered under the appalling leadership of the last HOD and I hope that steps have been taken to let him have his day in court. It is our hope in the DA that we never go through that again. The new HOD has a huge challenge.

The next day, Mr Speaker, I heard that two senior members of staff have been suspended. What is going on? How far is the forensic audit? Is the new HOD, of whom we know nothing, been the one to suspend the two members or was it you, hon MEC? Is the MEC going to brief the Portfolio Committee on Agriculture? Admittedly, the MEC gave his report two weeks ago and in politics two weeks can be a lifetime. However, hon MEC, this House needs to be briefed on steps being taken. We need to be reassured that that little light we are seeing is indeed not an uncoming train.

I think it is appropriate today to thank Siddiq Adam for the work he did in this department. [Hear, hear!]. He was a breath of good, clean, fresh air and we wish him well in his new post.

The report had so much in it, Mr MEC. Where should I start? I was delighted to hear that you have met with the National Agricultural Farmers Union (NAFU), the Landless

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People's Movement (LPM) and especially with the KwaZulu-Natal Farmers Union. We desperately need our farmers, and great damage was done to this relationship between your department, through the HOD and KwaNalu, and we congratulate you on the bridges you are building.

We are still in Women's Month and it was very encouraging at the Women's Parliament to hear about the work you are doing with women, the mushroom project, the training of 198 women who received diplomas and the 1658 women who were trained in the last year.

Global warming and economic development, at times sacrificing the environment, have been very topical in the past few months. I am delighted to hear from the department and the hon Premier that the EIAs are to be speeded up, but when you look at the shortage of EIA officers in this province, I am very concerned that there may be short-cuts. This must not happen.

With economic development comes waste and that is what I want to focus on today. The departmental officials went on a very good visit to Japan and the report made for fascinating reading. It is my hope that it does not remain fascinating reading on a shelf, but that the recommendations are put into action. Interestingly, it was the women who in parts of Japan said: "Enough! We want to have clear skies." It took 40 years in that part of Japan to succeed in implementing pollution control.

We have pretty effective air quality control in this country, but what we do not have is effective anti-litter education policies and effective recycling policies. If you do not believe me about the litter, go down any street in a South African town and you will see what I mean. I was in Greytown on Saturday and I was shocked. It was filthy!

We do not have recycling programmes. One just has to examine the waste stream to see that most of what is thrown away can indeed be recycled. Recycling is also a job creator. It makes the consumer aware of protecting the environment. I never cease to be amazed at the number of people who voluntarily recycle. It requires planning and commitment from the community and especially local government. It also requires money. It is an ideal opportunity for Public/Private Partnerships and it is not only government that must be involved in recycling.

We can learn once again from Japan. In the city of Kitakyushu, 71% of investment for recycling comes from the private sector. The public sector is responsible for providing land infrastructure and subsidies. We can also learn from America. They have a wonderful programme called "Keep America Beautiful". They always tell you it is like the milkmaid's stool which has three legs. This anti-litter campaign also has three legs - the community, business and local government. Each leg is essential to the success of the programme and if you take one leg away from the stool, it will collapse. If we take one leg away from the programme, it would collapse.

I want to suggest, hon MEC, that we should have a serious look at starting programmes in at least two local authorities this year. It is going to require dedicated staff members. It cannot be an add-on for some employee. We need to find two local authorities committed to cleaning up their town in a sustainable manner, not just when we have a competition to see which is the cleanest town in the province. It must be towns that want to recycle, want to educate their people into the evils and dangers of littering. I know that the MEC for Education is very keen on this kind of thing, so maybe the Department of Education and our Department of Agriculture can work together on this.

In my final few moments of this debate, I would like to add concerns that I have. We in the portfolio committee were given a mechanisation policy of this department. I believe it needs a strong review. There is a member in this House who has benefited greatly from ... I do not know if it was a loan or a grant, to buy a tractor, I think it was. I do not believe that is right. I do not think members in government should be benefiting from our mechanisation policy. I think we have to have a good, long hard look at this to see that the right people are indeed getting the tractors. I see the hon Msomi is shaking his head there. I believe that it is within our purview to support those who cannot afford to buy things themselves with loans for whatever else they need. I thank you, Mr Speaker.

**THE DEPUTY SPEAKER:** Thank you, Mrs Ambler-Moore. I would like to thank you on a personal level, in particular, regarding your remarks about Inkosi Gumede. It has occurred to me that Inkosi Gumede was a very good conversationalist. Whenever he met me, for example, he would talk to me about karate. He would enjoy using words relating to karate - words like *ouzuki*, *to kushan kai* and *mawashi geri* whenever we met in the passage here. He knew karate theoretically as I know karate practically. Once more I wish to say: May his soul rest in peace. [Phakathwayo!](#)

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**MS Y M NAHARA (ANC):** Thank you, Mr Speaker. [Kunabantu abanochuku, kodwa angifuni ukukhuluma. Uma ukhuluma ngeNkosi uGumede.](#) This is a very difficult thing to do.

[Uma ethi mfowethu kufanele siye ebantwini lapha kwaMhlabuyalingana, kuyahlushekwa,](#) Inkosi Gumede was a member of my portfolio committee also. We are going to miss him in the portfolio committee. I will miss his guidance.

[Mayethi-ke mfowethu kufanele siye kubantu lapha kwaMhlabuyalingana kuyahlushekwa;](#) I will also say the same. May his soul rest in peace!

Hon Speaker, I want to add my voice to my colleagues who have been debating here, by congratulating the hon MEC Mthimkhulu for being able to close this gap in the department. At the same time, whilst I say that, I want to once more welcome Advocate Mannya. Welcome to the beautiful province of KwaZulu-Natal, sir.

I think this report presented by the hon MEC, other than telling us what he is doing in his department, answers the many questions that arose from the members in this House as to where to now? What is going to happen? It also answers some of the media projections about the department which was painted very, very black. It also clears up the confusion that was created amongst our farming community. There are people who used to say: "You will never get any support because the money is finished. You will never get any support in this department because the department is falling apart."

Thank you, hon MEC, because your report does respond to these confusions that were created by the people. I do not know what their interest was. My colleagues have said much more, but I also want to say in particular that I fully support the corrective measures that were taken, as well as the turnaround strategy to address the findings of the Auditor-General.

I would like to remind hon members here that as politicians, we are very good in saying things, but practically these things are not easy. It is a fact that the MEC had to take some drastic measures in correcting issues in the department. It would not be possible for the MEC to do justice to this department if he did not embark on some of the measures he has taken.

I am quite happy with the zoning, amongst other issues, that the MEC has done. The

zoning of potential agriculture areas will now be known as agriculture corridors. That is one of the ways that will allow us in the portfolio committee to do our oversight work, to know exactly where we want to go. What are we going to see? Where are we going? Unlike the person who has been in this department since 2002 ...

There was a project that was launched by Inkosi Ngladla. [Wafika wadlula uXoshindlala](#). To date nobody can account and tell you what happened to Inkosi Ngladla. MEC, we do not want to see that. We agree with you and I can assure you that we will support you as long as the department is embarking on good strategies such as the realignment of the structure to the departmental priorities and your budget. I think that is a good initiative because that tells [ukuthi-ke manje sisukaphi siyaphi](#).

My colleagues have said much more on this issue, but I want to stress that progress or good working is not only about the funds. It is also about the good machinery. I think your initiative of aligning your budget and restructuring your department so that we can have machinery is a good one. We want to say that the implemented structure is a good one.

Oversight often meant [ubaba uMbatha laphana ukhulumile](#) about the event of the forum that you have launched on the 28<sup>th</sup>. This forum will talk to the conflict and the misunderstandings between our various farming communities. It will also talk to the stock theft that is taking place both on commercial and small farms. It will also bring an end to the violence between our white farmers and black farmers. It will also bring an end to the conflict between commercial farmers and small farmers. Therefore, MEC, I foresee that the forum will bring KZN farmers into one body that will be known as KZN farmers. We will cease to have black and white farmers in this province.

The portfolio committee expects, MEC, the best from you and your new HOD. We will expect to see communication after the realignment. We will expect the lines of communication being smoothed between yourself and the portfolio committee. We also expect to see improvement after the strategic workshop that you had. We expect to see improvements in the regional offices, so that people will not come back and say [asisazi ukuthi sizoya kwabani-ke manje](#). These are some of the issues that we all expect.

Before I end, I want to remind the MEC that there is an outcry [lana yokuthi izinkomo zamaNguni engathi ezamadoda wodwa](#).

The female farmers that Mzwakhe was talking about ... Most of the female farmers were asking [ukuthi kanti kwathiwa izinkomo ezamadoda, thina kanti singobani ngoba singama-farmers. Sanikwa izinkukhu kuphela, sizozithola nini lezi zinkomo?](#)

MEC, you have to look at this one. We want these cows [siyalobolisa, sinabantwana, but siyayifuna inyama futhi ithina esikwazi ukupheka.](#)

That is one other thing which the HOD and the MEC will have to look into, [ukuthi sesifuna izinkomo asisazifuni izinkukhu.](#)

Trying to bring this discussion to an end, I must say, you have done something [engajwayelwe la kule Department.](#) I joined this department in 2002 and I have never heard of an MEC who has taken the time to sit down with female managers [ake adle nabo nje ngeke ngisho ukuthi naphuzani, ngeke ngisho MEC, kodwa ngiyazi.](#)

I think that is a very good initiative, MEC. I hope you did not do it just during August, but that you will from time to time interact with your female managers. There are many other issues that will happen when you are the manager in a department or in the private sector [ubizwa ngamagama amabi kabi](#) and you are always frustrated. However, when a senior member comes to you and says, "What is your problem? How can I help?" it does encourage people and will make these managers to act or to perform better. I thank you, Mr Speaker.

**MR S V NAICKER (IFP):** Mr Speaker, two days ago I rang our late Inkosi Gumede, asking him if he is to participate in the agricultural debate. His response to me was: "I will not be able to come, but please continue with the debate." Hence, I stand here today in this House, solemnly remembering a man whom I regard as one of the giants of our society. [Hear, hear!]

I want to immediately congratulate the HOD, Advcoate Modidima Manny. I want to remind him that this is an extremely important department. There is a fundamental principle as far as politics and reality is concerned, it is not about smothering each other. It is about finding each other. That is what it is all about. What is more, we have to leave behind the scars of the previous administration. If we are going to live with that, we will not be able to achieve what we want to achieve, particularly in this department, a department which is multi-faceted.

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The department's first quarterly report for 2007/08 mainly confirms its commitment to addressing a series of anomalous findings in the forensic report conducted by the provincial Treasury. Obviously we are awaiting the revolution of change, as the hon MEC called it, to take us out of that dilemma. We believe that agriculture is the answer to unlock the potential for business growth, poverty alleviation, the potential for economic development, job creation and a healthy and wealthy economy in our province. A glimpse at this report stresses that you had paved the way for a habit of excellence.

We understand that you were not able to provide all that was expected by every member in this Legislature, but I want to confess that it is humanly impossible to find the panacea to all the problems that you have inherited. I welcome the hon MEC. I have observed him very closely and, from my own experience, I can tell that he has people skills. He is able to communicate. He has already discovered that the 24 hours in the day and night are not sufficient for what he needs to do. With such enthusiasm he will no doubt right the wrongs of the past in this particular department.

As far as the report is concerned, I must say that it is very ambitious. Reports are always flowery and theatrical, and the ability to translate our policies into practical terms is what counts at the end of the day. In this instance time is of importance to recover lost ground. Having drafted the asset management policy, the biological asset register, the updated lease asset register, we could say that we are getting close to establishing overall assets of this large department. No department, no government can function satisfactorily without it being aware of its assets. So, therefore I want to emphasise the importance of an assets register.

Previously extension officers were not accepted by the farming community. In the early days we had difficulty in introducing extension officers, because the cultures were completely different. However, with the period of advancement, the farming community did realise the importance of extension officers. Now that we have stated that extension officers have to be identified for specific training, we do not have a full complement of extension officers like we did in the past. What will the time scale be for the department to have its full complement of extension officers? What is more, will you be able to tell us if the extension officers are trained in-house or will they be trained by outside institutions?

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I did state that this is a multi-faceted department. Recently we were taken by surprise with regard to the red meat industry. This industry appears to be problematic, according to the KZN Red Meat Producers Organisation. Stock theft presents a serious threat to the viability to the red meat industry in KZN. It seems that stock theft is one of the most difficult cases to prove in court. What compound the situation are vacant stock theft monitoring posts and the need to have knowledgeable in stock theft methodology. Stock theft figures are staggering - 22 432 animals stolen, with 9751 having been recovered. This leaves 12 681 animals with a value of approximately R95,1 million. This loss is painful.

This situation places an additional responsibility on the shoulders of the department. Has the department set in motion mechanisms to address this situation? A report to the organisation states that communities are losing faith in the legal system. A report by the legal system to the portfolio committee with regards to the progress on this issue will be welcomed.

I want to come to another important subject which is land. South Africa is in its thirteenth year of democracy. After decades of apartheid, during this time the country has seen social and economic stability and growth and it is one of the few African countries classified as an upper middle-income country. Despite this, South Africa remains a highly unequal equal society where statistics often hide extreme differences of wealth between various populations. The racially skewed distribution of land inherited from the apartheid era remains unchanged at the moment. Today 85% of land is still under white ownership and around 70% of the people, who live in rural areas, live in dire poverty.

Why do I bring this particular matter into this debate? What I am now going to touch on might overlap with local government. I hope the Chairperson of the Portfolio Committee on Local Government will listen very attentively to my points regarding the Property Rates Tax Act. Let us look at the imposition of municipal property rates on agricultural enterprises.

All parties are expected to support the municipal property rates fix of 2004, as it reflects the input and representation of a wide range of role players in our society. In this vein, organised agriculture has repeatedly stated that it accepts responsibility to pay rates so as to ensure sustainable local government. This property rates issue should be brought

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into this debate as it severely impacts on agriculture. According to some this would be a complex matter, but the facts are that significant harm against agriculture enterprises of all sizes will arise when the Municipal Property Rates Act is implemented - 2007, 2008 and 2009.

The economic impact of levying property rates on farm land can be used as follows: First and foremost, economic return to land drops due to a decrease in farmers' ability to finance growth in business, which leads to a decrease in investment and fixed improvements, an increase in job losses and perhaps an increase in social dysfunction in rural areas and even the crime rate, reduced poverty and inequalities in land, the pride and dignity in agriculture as an occupation and the farming community as a whole. The realities of the municipalities not applying their minds to these requirements are evident at the level rates being applied.

The problems which arise s may be categorised as follows: The municipalities have clearly failed to understand the economic sensitivity pertaining to agriculture enterprises. Are the municipalities applying their mind to the procedural manner in which the NPRA is required to be implemented and why they maybe locked into the old order legislation? The economic impact on agriculture is a sector that is extremely high in risks with low economic returns. Unlike commercial and industrial property, agricultural enterprises have not, and probably never will, receive the same level of municipal services enjoyed by other property tax payers. As you will understand, at present many services are provided at the farming community's expense.

We must at all times be mindful of the contribution of agriculture to the local communities. Our province desperately needs a vibrant and viable agriculture sector. In addition, we will need sustainable local government which is managed in a mature manner, wherein the Municipal Property Rates Act is implemented in the interests and well-being of all people as a whole.

We understand that it is still in its infancy stage. It is all the more important that agriculture has a watchful eye, that agricultural development is not burdened in any way by property rates taxes.

I will come back to another issue. Here is an article with the headline: Shortage of state vets could spell disaster for KZN. I want to quote from this article that appeared in the

media on 26 August. I am sure that the hon MEC would have read this, and I quote:

If a disease outbreak is not contained, we lose our capability to export milk and meat. We lose consumer confidence ...

It is a long article, but the author raises concerns. I want to appeal to the MEC and the administration to set in motion an investigation to establish what is going on in this field and see what best we can do.

Once again, Mr Speaker, I want to wish the HOD well. [Time expired.] He will not find us confrontational. He can expect our co-operation. Thank you so much.

**THE DEPUTY SPEAKER:** Thank you, hon Naicker, and also for congratulating the HOD and showering him with blessings. We now give this opportunity to the hon MEC to respond to the debate. He has 15 minutes.

**MR M E MTHIMKHULU (MEC for Agriculture and Environmental Affairs):** Thank you very much, hon Speaker. Hon members, I would like to join this House and the nation to pay tribute to Inkosi Gumede. I could not believe it yesterday when this sad news was relayed to us when we were in Cabinet. *Siyohlale sikukhumbula njalo Mnguni, bekuba mnandi kakhulu-ke mina ngaso sonke isikhathi uma sibonana athi mkhwenyana, ngithi mukhwe wami ngiyajabula ukuthi sibe nawe. Njengoba usuhambile-ke Mnguni sengathi ungaphumula kahle.*

Thank you very much for your contributions to this debate. I must say I will try my best to capture the issues that you have raised. If I happen not to touch on an issue that you have raised, please do not feel that I am snubbing you, because we will have ample time in the portfolio committee.

Hon Swartbooi, the department does not have a strategy or a plan on the Gender Focal Person. You are right. That is why, on my instruction the HOD, Advocate Mannyha has already arranged the women managers' dialogue which was held on 17 August 2007 to develop and draft a plan. The plan was presented at the strategic planning session which we were held last week from 23 to 26 August and, whilst we speak, all women staff members in the department from the entire province in our department are presently congregating at Cedara, where they are engaging on a plan of action. Hon Swartbooi, your matter has therefore already been taken into consideration. A transformation

manager has been designated by the HOD to drive this process, the overall organisational transformation process with regards to issues of gender. A Gender Focal Person will definitely be appointed, [Mhlonishwa Swartbooi](#).

[Nalolu daba lwamanzi](#): I hope you are aware that we are facing a serious crisis in the province around the issue of drought. For instance, the hardest hit districts are uMkhanyakude, uThukela, uMzinyathi, Zululand and some parts of Ugu. It is a problem. The issue of water scarcity which is affecting the agricultural sector is presently before the Executive Council and we in the department are also engaging with the Department of Water Affairs to see how we can jointly address this challenge.

Hon Rev Mbatha, it is true [Mfundisi ukuthi](#) we need to lead by example. If we, as members of this House, can seriously engage in agricultural activities and in farming, it will make a lot of sense when we say to our people: Please, you must grab this chance of addressing the problem of poverty by accelerating farming activities in our province, and if we can do it as members of this House, our constituencies will follow us. Also, hon [Mfundisi Mbatha](#), the issue of our staff members ... We have come up with a new model in our department which we call the high performance team model, where we will be ensuring the effective use of the skills and efficiency of our members, because we are aiming at ensuring that delivery is maximised.

[Odabeni Mfundisi lwe-environment, impela lezi zokongiwa kwemvelo akufanele ukuba zivimbe ezolimo kodwa futhi kufanele imithetho siyigcine](#) because there are environmental laws in this country, but I am happy to inform this House that a plan is being developed by the department to harmonise the environment and agriculture so that we are able to achieve our objectives. We have discussed this at length at our strategic planning meeting.

[Kuliqiniso futhi ukuthi ezolimo zineqhaza elikhulu okufanele zilibambe yingakho phela sicela ukuthi abahlonishwa babambisane nathi](#). I must inform the House that the department will be implementing the presidential priority projects in agriculture which will main focus on land reform. For instance, 5 million hectares of land will be released in order to accommodate some 10 000 new farmers countrywide. In KwaZulu-Natal it is approximately 1 million hectares of land that will be used specifically for this programme which is a presidential project. We will be concentrating on production, accelerating the

advancement of emerging farmers in order for them to get involved in exports. This is a project which we will be rolling out very soon. Our focus will therefore be on economic development and alleviating poverty.

*Siyasebenza Mhlonishwa uMsomi nabezemfundo. For instance, sinamakolishi amabili ezemfundo e-Cedara naseMpangeni e-Oscar ukuqinisa yona le nto yezolimo.* There is also an FET band in education where agriculture is being provided as one of the modules, so we are strengthening our ties and links with the Department of Education. Let me say categorically, hon Ambler-Moore, there are no senior managers who have been suspended. It is not true.

Mr Speaker, the direction that we are taking in the department right now will keep hon members busy because some of the staff members will be running to you and reporting us for not performing. The instruction that I have given to that HOD is that he must deal with non-performers because the department cannot afford to carry people who are just passengers. I told the HOD to deal with people who are not complying with the dictates of the law in any and all activities of the department. So, if the HOD deals with some people in the department, they will rush to you *bazosiceba, hayi-ke kulungile mina ngingasho nje ukuthi baningi abasazofika* because we are determined to see to it that any person who is a non-performer in the department will have to step aside. [Interjections] Yes, any person who does not comply with the law will have to face the wrath of the PFMA. [Interjections]

I am not going to defend anybody who breaks the law or anybody who does not perform. Without mentioning the names of the two very senior gentlemen, one had a verbal exchange with the HOD because the HOD wanted some work to be done and it could not be done by the time when the HOD needed that work. He was not suspended. He went home and he remained at home for a few days because he had flu. That gentleman is back in the office right now.

With regard to the other one, the HOD had identified a certain irregularity in the procurement of services of a certain service provider. The HOD then asked the senior manager why there was this irregularity with regard to this contract. He wanted to know what had happened. The HOD wrote a letter to this gentleman and said: Can you tell me what it is that should stop me from suspending you? That cannot be regarded as a

suspension, so that gentlemas has not been suspended, hon Amble-Moore. He is off sick right now. However, I must say...[Interjections] No, no, no! I am saying, hon Burrows, we are going to deal with any person that does not perform and does not comply with the laws. Yes? Yes!

I am not going to respond to you, hon Krog, because you and the hon Mrs Mncwango are now just making a noise. You are stirring up the hot air. We are busy ... [Interjections]

**THE DEPUTY SPEAKER:** Hon members, please allow the MEC to proceed peacefully.

**MR M E MTHIMKHULU (MEC for Agriculture and Environmental Affairs):** Thank you, Mr Speaker. Early this week, hon members ... Yes, we did launch the KwaZulu-Natal Land and Agrarian Reform Forum, because we want this forum to deal with various challenges pertaining to the issue of land and land reform. We would like to urge hon members to support this forum because there are various things that need to be tackled by this forum. For instance, the issue of atrocities to which some workers are subjected. [Abalimi bayabahlukumeza abantu basemapulazini.](#) [Mfundisi uMbatha, ngiyethemba ukuthi abasepulazini lakho ubaphatha kahle.](#)

I hope [ngoba](#) it is so painful to always receive complaints from farm dwellers who are treated as if they are sub-human. We in this forum are going to try our best to tackle this matter. Mrs Ambler-Moore, about the mechanisation policy, yes, various policies in the department and some operational systems are being reviewed to bring them in line with the recommendations made. We are on the ball.

Today is the HOD's 30<sup>th</sup> day in the department. He has been able to consult with staff members at all levels, veterinary services, specialists, deputy and middle managers, low level staff, expanded regional management teams and women managers and, as I have indicated, unions. He has also briefed the portfolion committee and we have met with MAFU, KwaNalu, the Landless People's Movement and also the extension officers. Very soon we will be having the first extension officers' *indaba* because we want to ensure that everybody knows what is expected of him or her in the department.

Lastly Mr Speaker, [indaba ye](#) veterinary service, hon Naicker ... [Time expired] Please allow me just one minute, sir. The allegation that the department has no capacity to

respond to any outbreak of avian flu is wholly false. It is false. The department has a team on standby and it was just an article that appeared in the newspaper. A disgruntled group of people who owe the department posted this negative story. So, hon members, be aware, we are able to face whatever disaster that can happen.

Thank you very much, hon Speaker. [Ngiyabonga kakhulu.](#)

**THE DEPUTY SPEAKER:** We thank the hon MEC for a wonderful response. I would have considered your request further, but I looked at the MEC for Public Works and I realised that I must not steal her time.

### **8.6 First Quarterly Report on Service Delivery - Department of Public Works**

**THE DEPUTY SPEAKER:** The debate on this report will take place on 6 September.

**MRS L JOHNSON (MEC for Public Works):** Thank you, hon Mr Speaker, hon MECs present, hon members of the House. I am here to present a report on the progress achieved by the Department of Public Works in the first quarter of this financial year.

Members of the House will be well aware of the fact that this quarter had a variety of challenges for the public sector in general because of the public sector industrial action which resulted in delays in most government's programmes. The Department of Public Works was no exception to this.

In April 2007 I delivered my first budget speech in this House, in which I outlined programmes to take place in the current financial year.

I will now outline achievements to date as well as highlight challenges and how we are dealing with them as a department.

#### **Internship Programme**

As I indicated in my budget speech, as a department we have a capacity challenge which mirrors the country's status and this state of affairs has not changed, professionals in the built environment are still scarce.

As I said, we will implement the internship programme to address this challenge. As a department we are mindful of the fact that we cannot single-handedly deal with this

challenge. It requires an integrated approach both by the Department of Works, the private sector and the Department of Education. We had a series of meetings and engagements with private sector consulting firms to facilitate the placement of interns in some of these firms.

I am pleased to report that seven interns have been placed in the department, working with various consulting firms - including private sector companies such as Richards Bay Minerals - as their mentors. These young people will get the opportunity to gain practical experience which is required for registration as professionals. At the end of the programme they will be absorbed in the department.

Currently there is an initiative at national level to source professionals in the built environment from Cuba. A country to country agreement has been signed. Our provincial department will also benefit from this initiative as we expect to get approximately 56 professionals. This will assist the department in meeting provincial infrastructure demands.

During the first quarter as the department we have been able to fill 111 posts, two of which are professionals.

### **Assets Register**

The department still continues to update the fixed asset register as required. Currently as part of phase 2, the Geographical Information System (GIS) linkage is ongoing and we hope that it will be finalised by the end of the second quarter. We are currently working on linking it to Basic Accounting System (BAS) and Works Information Management System (WIMS) and also update the leasing and hiring fields to ensure a correct audit trail of all properties.

Let me indicate that one of the requirements of the KwaZulu-Natal Land Administration Act of 2003 (Section 14) is that all departments should submit annual reports on all acquisitions and disposals to the Department of Public . This will enable us to update the register, as well as report to this hon House. We request departments to adhere to the provisions of this Act.

As a department we also audit all properties outside the province that belong to us as a province. Currently a total of three properties have been identified in other provinces.

These are in Gauteng (Germiston), Mpumalanga (Witbank) and the Free State (Welkom). We will be making the necessary recommendations to the Executive Council for the future utilisation or disposal of these properties. We will continue to search for other properties outside the province.

### **Devolution of property rates**

As I have indicated in my budget speech, KwaZulu-Natal was amongst the three chosen pilot sites for the devolution of property rates this financial year. We were later informed that the national Treasury has not approved the piloting of the devolution of property rates. However, as a department, we will continue to prepare ourselves and our systems for devolution process.

### **Eviction process**

Hon members, as you are aware, the department has been dealing with the issue of illegal occupants for quite some time. It is encouraging to report that the department received an order to evict 17 occupants in the Ulundi flats. The process of eviction has started and, as we speak, 16 occupants have been successfully evicted, while aspects relating to one individual are still being addressed by our Legal Services section.

I must say that it is common knowledge that the challenge of illegal occupation is prevalent in the entire province. As we promised, we will undertake a provincial wide audit and that process is underway and a draft report is to be refined and finalised. One of the disturbing findings of this report is the sub-letting of government properties by some of our officials. We will however forward the details to the relevant departments for possible misconduct cases to be brought against the officials once the entire process has been finalised.

### **CIDB (Construction Industrial Development Board) Outreach Centre**

It gives me great pleasure that the Department of Public Works has responded to the outcry of contractors of this province in making services accessible to contractors. I must say that there were a few challenges experienced as a result of the industrial action, however the structure was completed in June and it is now operational and is located in Mayville, Durban. The outreach centre was officially opened on the 4 August 2007 by Minister Thoko Didiza. The centre has really brought relief to contractors as the

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turnaround time will be greatly reduced.

### **Expanded Public Works Programme (EPWP)**

The department continues to prioritise and use the EPWP approach in the implementation of government infrastructure. As a department, we had aimed at creating 16 000 jobs at the end of the financial year. By the end of the first quarter a total of 3 630 has been created. This must be understood in the context of less infrastructure delivery at the end of the first quarter.

### **National Youth Service**

The department is participating in the National Youth Service Programme. The objectives of the programme, among others, are to encourage a culture of service among the youth and to bring about a sense of national pride, whilst at the same time improving the capacity of artisans in the country. It is the intention of the department to impart a sense of patriotism in these youth and a sense of ownership for community structures and to take pride in their province.

The department has already advertised for youths who are interested in the built environment, and our target is 600 youths. The youth will be trained formally for four months, after which they will be placed on various construction sites for a further eight months. Whilst they are on site they will be mentored, whilst they also receive business entrepreneurial skills. At the end of the first quarter, briefings had already been done in all the regions and the shortlisting criteria had been set by the committee.

I must say that the programme is implemented in consultation with the KwaZulu-Natal Youth Commission, Umsobomvu Youth Fund and the Department of Labour. This programme will be launched in the near future.

### **Infrastructure Development**

As a department our core business is both infrastructure delivery and providing real estate services to the provincial government. As I delivered my speech in April 2007, I reported that one of the critical challenges faced by the Department of Public Works is the inability of departments to forward infrastructure plans on time, to allow for planning to take place in year zero of a financial year to ensure delivery on time.

Mr Speaker, I wish to report that most departments still submit their projects on *ad hoc* basis which makes it difficult to deliver on time. However, the Department of Education was the only one that submitted its infrastructure plan in November 2006. There was, however, an agreement with the Department of Health, even at MEC's level, which resulted in the attendance of the Department of Public Works in the Portfolio Committee on Health. We believe this will lead to a better understanding of infrastructure delivery and improvement in expenditure.

Some of the projects that were due for completion in 2007/08 from 2006/07, the department has managed to complete 453 toilets, 57 classrooms, two administration blocks, two prefabricated classrooms and nine water tanks.

Kindly note that there were serious challenges at an operational level, due to the industrial action by public sector employees, as I have alluded to when I started my report. This was reflected in the expenditure as indicated in the various departmental reports. This is because disruptions happened on payments as service providers could not be paid due to inaccessibility to public offices. A true reflection of the state of affairs will be reflected in the mid-term report.

### **Masakhe Emerging Contractor Development Programme**

The Department is still committed to this programme which is aimed at creating a conducive environment for contractors to qualify for upgrading and ensuring representivity at grades 1 to 5. One of the critical aspects of this programme is that it is "cleaning" the current database of contractors which is characterised by fronting, among others. In this programme the department will ensure that there is a credible database of contractors in the department.

As at the end of the first quarter, workshops on the programme for regional contractors and officials have been conducted to ensure that there are no gaps at implementation. This was also coupled with IT software. To date an advert has been put on the newspapers in July and contractor briefings have been held in various regions. Attendance at the workshops has been very good.

The department remains committed on targeted interventions directed at women and youth. For the first quarter of 2007/08, work worth R47 million (29,5%) has been

awarded to women contractors.

In celebrating youth month, the department held a Youth in Construction Summit which was followed by a partnership programme between the Department of Public Works and the KwaZulu-Natal Youth Commission, where the department and the youth of Mandeni painted a local crèche. We will continue to function in an integrated fashion with other critical stakeholders in the delivery of government services.

A partnership with Cell C and the department involved Masibumbane High School where girl children learners at grade 12 were exposed to the built environment with a view to generate interest in the construction sector and to foster understanding of this sector amongst learners.

### **Budget**

As at the end of the first quarter, the department was at 19% against 25%. This was mainly because of the personnel costs as well as infrastructure delivery. As the year progresses, this situation should normalise and we are monitoring it closely.

In conclusion, Mr Speaker, as a department we are committed to timeous service delivery, putting people first and working with the people. We want to thank the members of the Portfolio Committee on Public Works for their continuous support and guidance.

Thank you, hon Speaker and members, [Masisukume Sakhe](#). Thank you.

**THE DEPUTY SPEAKER:** Hon MEC, we thank you for your exhaustive report and also for saving us some time.

### **8.7 First Quarterly Report on Service Delivery – Social Welfare and Population Development**

**MRS L JOHNSON (on behalf of MEC for Social Welfare and Population Development):** Mr Speaker, I have been asked by hon MEC Dr Radebe to present this report on his behalf. The hon MEC left for Cuba this afternoon, and had requested me to act on his behalf while he is away. I am going to read his report as it is, without adding or subtracting anything. [Interjections] I will mind the commas, as well. [Laughter]

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**THE DEPUTY SPEAKER:** Hon MEC, we accept the fact that you are going to read on behalf of the hon MEC and we wish you good luck. Please proceed.

**MRS L JOHNSON (on behalf of MEC for Social Welfare and Population Development):** Mr Speaker, hon members, I rise on behalf of the MEC for Social Welfare and Population Development, Dr B M Radebe, to present the report for the first quarter in respect of his department.

My department (his department) was allocated a budget of R1,3 billion for the 2007/08 financial year. The expenditure for four months ended 31 July 2007 against the budget is reflected below per programme.

The department has spent 29% of the budget as at 31 July 2007, which is lower than the expected norm of 33%. The reasons for the under-expenditure are that Programme 2 is underspent because of the ongoing difficulty in recruiting professional social workers, whilst the underspending in Programme 3 is due to the fact that the department is still performing the due diligence exercise on the business plans of the entities applying for financial assistance to ensure compliance with the PFMA.

During my first budget speech tabled in the Legislature in April 2007, I alluded to a number of areas that my department would consider, both in relation to Social Welfare and research programmes.

### **Fire Disasters**

Over the past few months my department has been pushed to the limit in its attempt to assist our people ravaged by extreme veldt fires. In June we had the fire disasters in Vulindlela, Mpendle, Curry's Post, Karkloof, Esikhawini and Lamontville. In July we had fire disasters in Paulpietersburg, Nkandla, Vryheid, Melmoth, Eshowe and Winterton. In all these instances my department provided immediate social relief through food parcels, blankets, psychological counselling, in partnership with other government departments and municipalities. The budget we have used is above normal as it now stands at R1,6 million.

### **Anti-corruption**

We continue in our efforts to deal with those who attempt to draw social grants when

they are not entitled to do so. In the past months we have saved our government over R1,6 million by arresting those who are attempting to defraud the social pensions system.

### **Childcare and Protection Services**

The department is still grappling with the serious problem of attempting to cope with the increased demand for childcare services, utilising the limited supply of available social workers. In spite of these problems and the strike action in June, the department was able to finalise 4 981 foster care cases out of the backlog of 18 000 cases.

As the lead department in the Expanded Public Works Programme, the department has developed implementation plans for Early Childhood Development (ECD) and will target 133 learners in Umzimkhulu, Inkandla and Msinga Local Municipalities.

Some 266 children released from Westville Correctional Centre and Excelsior Place of Safety have been exposed to the aftercare programme that is being implemented by the department. Our probation officers have rendered services to 1 204 children in conflict with the law.

### **Care of the Older Persons**

As indicated in my policy speech, KwaZulu-Natal has the largest population of older persons in the country, and we have increased the number of service centres for older persons where they receive nutritional meals, recreation and basic health services, from 237 in the previous years, to 349 by the end of the first quarter. Furthermore, we have added one new home for the aged and now we subsidise 54 homes.

### **Services to People with Disabilities**

In my interaction with communities I have discovered alarming numbers of people with disabilities who are in need of assistive devices, stimulation, training centres and other forms of assistance. My department has extended the prevention and awareness programmes which aim at creating awareness of children with disabilities, from 40 areas in 2006/07 to 52 areas at the end of the first quarter. In certain areas, such as Umsinga and others, I have identified a need for a new service for children with disabilities. We have set aside R400 000 for such a service.

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**HIV/Aids**

By the end of the 2007 financial year we had 59 community care centres where children affected by HIV/Aids are kept within their families and provided with cooked meals, food parcels and counselling services. During the first quarter the department has established an additional 27 community care centres, resulting in the total of 86 in the province. In line with our Expanded Public Works Programme, we have targeted 605 learners to be trained in various fields.

**Development Projects**

We have developed a conceptual framework for sustainable livelihood and guidelines for implementation of various fields of service. Some 17 projects (one-stop centres) have been identified at Nkandla, Nongoma, Jozini and Osizweni, to mention but a few. We are consolidating plans to address these development projects and hope to commence the implementation during the course of this year.

We have continued to work with the Independent Development Trust on 257 poverty relief projects funded by the national Department of Social Development. By the end of the first quarter, 27 of these projects were already operating independently.

At the end of the 2006/07 financial year we had provided funding under the integrated social development services grant for infrastructural development of the community care centres; rehabilitation of early childhood development centres and the strengthening of HCBC by establishing soup kitchens and material needs for deserving children. We continue to monitor the implementation of those projects.

In conclusion, we will continue in working with our portfolio committee to improve on serving our people. We thank you for your support and guidance and we will spare no effort in meeting the target we have committed to. Thank you.

**THE DEPUTY SPEAKER:** Hon MEC, we thank you for giving birth to twins in this House this afternoon. [Laughter]

Hon members, I need to make one announcement before we adjourn. The announcement concerns all hon members of the provincial Legislature and relates to the celebration of Child Protection Day and Women's Day in honour of our senior citizens on

1 September to 7 September 2007, respectively.

As you know, two amaKhosi, iNkosi S H Gumede and iNkosi M M Mkhwanazi of uMkhanyakude, where these events were going to take place, have passed away. The Office of the Premier would like to inform hon members that the events have been postponed until further notice. We received this notice from Dr Nonhlanhla Mkhize, General Manager (Human Rights).

I do not know if the hon Premier has any announcements from one of the MECs?

**MRS L JOHNSON (MEC for Public Works):** There are no announcements, Mr Speaker.

**THE DEPUTY SPEAKER:** Hon members, I thank you for your attention and for your work today. I adjourn this sitting until 6 September 2007 at 10:00 in the morning.

*The House was adjourned at 15:49.*