

MINUTES OF PROCEEDINGS

OF THE

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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THURSDAY, 9 MAY 2013

1. The House met at 14:15.
2. The Speaker took the Chair and read the prayer.
3. [14:17] The Chief Whip moved: That the Western Cape *Eighteenth Gambling and Racing Amendment Bill* be referred back to the Standing Committee on Finance, Economic Development and Tourism for further consideration and report.
Agreed to.
4. [14:18] Interpellations.
5. [14:47] Questions.
6. [15:18] Statements by Members.
7. [15:42] Mr H P Geyer moved without notice: That the House gives recognition to Christians today with the celebration and commemoration of Ascension Day, which is celebrated 40 days after Good Friday.
Agreed to.
8. Mr A M Figlan moved without notice: That the House congratulates Mr Madikizela, the Minister for Human Settlements, on receiving an award from SHRA (the Social Housing Regulatory Authority) for the best province in the country in respect of social housing.
Agreed to.
9. Ms D Gopie moved without notice: That the House congratulates the young detective constable of the South African Police Service, Sipiwo Nteta of Elsies River, on receiving the award for the most enthusiastic and passionate detective in the country.
Agreed to.
10. Mr M G E Wiley moved without notice: That the House –
 - (1) notes with grave concern the ongoing killing of young people in gang-related activities and violence; and

- (2) extends its sympathy to the families of Charles Snyman (15) and Mortima Joubert (19), both shot dead, and Keelan Solomons (20) and Cedrico Hoorn (15), who were critically wounded in Kraaifontein on Saturday, 4 May 2013.

Agreed to.

11. Ms A Rossouw moved without notice: That the House –

- (1) congratulates the versatile painter and artist, Hannatjie van der Wat, on the extraordinary example set by her to every South African in that, at the memorable age of 90 years, she is still involved in her main passion in life – the creative arts; and
- (2) notes with interest that her art of the past 70 years was displayed recently in an exhibition in Stellenbosch giving an overview of her work.

Agreed to.

12. Ms B G Mbalo moved without notice: That the House –

- (1) extends its condolences to the families and friends of the two learners from Tafelsig who drowned in Monwabisi beach on Workers Day; and
- (2) notes that the two children, Luzuko Sidumo and Mihlali Feni, were both only nine years old.

Agreed to.

13. Ms A J du Toit Marais moved without notice: That the House congratulates Messrs Zamayedwa Sogayise and Dawood Khan on being unanimously re-elected to serve as the chairperson and deputy chairperson of the Khayelitsha Hospital Board for the 2013/2014 financial year.

Agreed to.

14. Ms J L Hartnick moved without notice: That the House expresses its sincere condolences to the family and loved ones of Jarryd Manuel and Megan Hendricks, who were tragically killed in Delft on Sunday evening, 5 May 2013.

Agreed to.

15. Ms N P Magwaza moved without notice: That the House commends a group of students at the Cape Peninsula University of Technology for launching the Students Against Women Abuse (SAWA), to fight against the abuse of women.

Agreed to.

16. Ms M Tingwe moved without notice: That the House congratulates the Western Cape Minister of Education Donald Grant on successfully jumping over a school fence after not being allowed to enter the school.

Agreed to.

17. Mr J J Visser moved without notice: That the House –

- (1) congratulates Patricia de Lille, the mayor of the City of Cape Town, on the fact that has been named as one of the best mayors in the world by the *City Mayors Foundation*, an international organisation based in London, which campaigns for and tries to promote sound, good and strong local government; and

- (2) wishes her all of the best as she has indicated that she is willing to serve as mayor for a second term.

Agreed to.

18. Ms B G Mbalo moved without notice: That the House notes that the Habitat Council has challenged Mr Anton Bredell, the Western Cape Minister of Local Government, Environmental Affairs and Development Planning, in the Cape High Court for granting approval for a development within the historic City Centre precincts that include the 18th century Lutheran church complex.

Agreed to.

19. Mr E J von Brandis moved without notice: That the House—

(1) congratulates Theewaterskloof on the ceremony marking the start of the work on the wind energy plant at Klipheuwel/Dassiefontein, which took place on 8 May 2013; and

(2) notes with interest that this is the first project of its kind in the Overberg region and that it is estimated that approximately 200 jobs will be created by the project.

Agreed to.

20. Mr M C Walters moved without notice: That the House congratulates the Overstrand Municipality on being nominated as the top local authority in South Africa by Municipal IQ.

Agreed to.

21. Ms D Gopie moved without notice: That the House commends the South African Police Service on its recent successful raid of a drug house in Delft, where drugs to the value of R2,2 million were confiscated.

Agreed to.

22. Ms J L Hartnick moved without notice: That the House congratulates Elizabeth Duke van Bishop Lavis on her 100th birthday and expresses its gratitude about the fact that she is still experiencing good health.

Agreed to.

23. Ms M Tingwe moved without notice: That the House extends its condolences to the family of the two sisters, Uwive Mqweni (1) and Sis Lyanga (5), who were killed in a fire at their Philippi home.

Agreed to.

24. Mr H P Geyer moved without notice: That the House congratulates the City of Cape Town on its nomination as the most productive metro municipality in South Africa by *Municipal IQ*.

Agreed to.

25. Ms M Tingwe moved without notice: That the House –

(1) notes with concern the attack by a girl gang of learners at the Heideveld High School; and

(2) acknowledges that this indicates that, alarmingly, gangsterism is now also spreading among female youth.

Agreed to.

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26. Ms E Prins moved without notice: That the House expresses its gratitude to the Deputy President of the Republic of South Africa, Kgalema Motlanthe, for being willing to give attention to the plight of farmworkers in the Western Cape.

Agreed to.

27. [15:56] The House discussed the following subject in the name of Ms L Brown:

The report of the Commission for Employment Equity on the Western Cape and the fact that our Province remains resistant to change.

Mr K E Magaxa, having disregarded the authority of the chair, was ordered to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the Member withdrew from the Chamber.

Debate concluded

28. [17:02] FIRST ORDER

Consideration of Report of the Standing Committee on Agriculture and Environmental Planning on the *National Environmental Management Laws First Amendment Bill* [B 13B – 2012] (NCOP), dated 26 April 2013 (See Announcements, Tablings and Committee Reports, p 54) (Ratification of final mandate).

There was no debate.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP to support the Bill with amendments was ratified.

29. [17:03] SECOND ORDER

Consideration of Report of the Standing Committee on Community Development on the *National Health Amendment Bill* [B 24F – 2011] (NCOP), dated 8 May 2013 (See Announcements, Tablings and Committee Reports, p 55) (Ratification of voting mandate).

There was no debate.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP to support the Bill was ratified.

30. The House adjourned at 17:05.

R G HINDLEY
Secretary to Provincial Parliament

NOTULE VAN VERRIGTINGE

VAN DIE

PARLEMENT VAN DIE PROVINSIE WES-KAAP

DONDERDAG, 9 MEI 2013

1. Die Huis kom om 14:15 byeen.
2. Die Speaker neem die Stoel in en lees die gebed voor.
3. [14:17] Die HoofswEEP stel voor: Dat die *Wes-Kaapse Agtiende Wysigingswetsontwerp op Dobbelary en Wedrenne* na die Staande Komitee oor Finansies, Ekonomiese Ontwikkeling en Toerisme terug verwys word vir verder oorweging en verslag.

Goedgekeur.
4. [14:18] Interpellasies.
5. [14:47] Vrae.
6. [15:18] Verklarings deur Lede.
7. [15:42] Mnr H P Geyer stel sonder kennisgewing voor: Dat die Huis vandag aan Christene erkenning gee met die herdenking en viering van Hemelvaart, wat 40 dae na Goeie Vrydag gevier word.

Goedgekeur.
8. Mnr A M Figlan stel sonder kennisgewing voor: Dat die Huis mnr Madikizela, die Minister vir Menslike Nedersettings, gelukwens met die ontvangs van 'n toekenning van SHRA (die reguleringsowerheid vir maatskaplike behuising) as die beste provinsie in die land met betrekking tot maatskaplike behuising.

Goedgekeur.
9. Me D Gopie stel sonder kennisgewing voor: Dat die Huis die jong speurderkonstabel in die Suid-Afrikaanse Polisie diens, Siphwo Nteta van Elsiesrivier, gelukwens met die ontvangs van die toekenning vir die mees entoesiastiese, toegewyde en geesdriftige speurder in die land.

Goedgekeur.
10. Mnr M G E Wiley stel sonder kennisgewing voor: Dat die Huis –

(1) met groot kommer kennis neem daarvan dat jeugdige baie gereeld sterf in bende-erwante bedrywighede en geweld; en

- (2) sy medelye uitspreek teenoor die families van Charles Snyman (15) en Mortima Joubert (19), wat albei op Saterdag, 4 Mei 2013, in Kraaifontein doodgeskiet is, en Keelan Solomons (20) en Cedrico Hoorn (15), wat ernstig gewond is.

Goedgekeur.

11. Me A Rossouw stel sonder kennisgewing voor: Dat die Huis –

- (1) die veelsydige skilder en kunstenaar, Hannatjie van der Wat, gelukwens met die uitsonderlike voorbeeld wat sy aan elke Suid-Afrikaner stel deurdat sy op die heuglike ouderdom van 90 jaar nog daaglik betrokke is by haar lewenspassie – die skeppende kunste; en
- (2) met belangstelling daarop let dat haar werk oor die afgelope 70 jaar onlangs in ’n oorsigtentoonstelling op Stellenbosch uitgestal is.

Goedgekeur.

12. Me B G Mbalo stel sonder kennisgewing voor: Dat die Huis –

- (1) sy meegevoel betuig teenoor die families en vriende van die twee leerders van Tafelsig wat op Werkersdag by Monwabisi-strand verdrink het; en
- (2) daarop let die die twee kinders, Luzuko Sidumo en Mihlali Feni, albei net nege jaar oud was.

Goedgekeur.

13. Me A J du Toit Marais stel sonder kennisgewing voor: Dat die Huis sy gelukwensing oordra aan mnre Zamayedwa Sogayise en Dawood Khan met die feit dat hulle eenparig herverkies is as onderskeidelik voorsitter en ondervoorsitter van die hospitaalraad van die Khayelitsha-hospitaal vir die boekjaar 2013/2014.

Goedgekeur.

14. Me J L Hartnick stel sonder kennisgewing voor: Dat die Huis sy opregte medelye uitspreek teenoor die familie en geliefdes van Jarryd Manuel en Megan Hendricks, wat Sondagaand, 5 Mei 2013, tragies gesterf het in Delft.

Goedgekeur.

15. Me N P Magwaza stel sonder kennisgewing voor: Dat die Huis ’n groep studente van die Kaapse Skiereiland Universiteit van Tegnologie loof omdat hulle die organisasie *Students Against Women Abuse* (SAWA) op die been gebring het om te veg teen die misbruik van vroue.

Goedgekeur.

16. Me M Tingwe stel sonder kennisgewing voor: Dat die Huis die Wes-Kaapse Minister van Onderwys Donald Grant gelukwens daarmee dat hy daarin geslaag het om oor die heining van ’n skool te spring nadat hy toegang tot die skool geweier is.

Goedgekeur.

17. Mnr J J Visser stel sonder kennisgewing voor: Dat die Huis –

- (1) vir Patricia de Lille, die burgemeester van die Stad Kaapstad, gelukwens met haar aanwysing as een van die beste burgemeesters ter wêreld deur die *City Mayors Foundation*, ’n internasionale stigting vir stadsburgemeesters gesetel in London, wat gesonde, goeie, oop en sterk plaaslike regering voorstaan en probeer bevorder; en

- (2) haar voorspoed toewens nadat sy laat blyk het dat sy bereid is om vir 'n tweede termyn as burgemeester te dien.

Goedgekeur.

18. Mnr B G Mbalo stel sonder kennisgewing voor: Dat die Huis daarvan kennis neem dat die Habitat-raad vir mnr Anton Bredell, die Wes-Kaapse Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning na die Kaapse Hoë Hof hof toe gesleep het oor die verlening van goedkeuring vir 'n ontwikkeling binne die grense van die historiese Stadsentrum, wat die Lutheraanse kerkkompleks uit die 18^{de} eeu insluit.

Goedgekeur.

19. Mnr E J von Brandis stel sonder kennisgewing voor: Dat die Huis–

- (1) vir Theewaterskloof gelukwens met die sooispit-seremonie van die windenergieaanleg by Klipheuvel/Dassiefontein, wat op 8 Mei 2013 plaasgevind het; en
- (2) met belangstelling daarop let dat dit die eerste projek van dié aard is in die Overbergstreek en dat daar na verwagting sowat 200 werksgeleenthede deur dié projek geskep gaan word.

Goedgekeur.

20. Mnr M C Walters stel sonder kennisgewing voor: Dat die Huis die Overstrand-munisipaliteit gelukwens met sy benoeming as Suid-Afrika se top plaaslike munisipaliteit deur *Municipal IQ*.

Goedgekeur.

21. Me D Gopie stel sonder kennisgewing voor: Dat die Huis die Suid-Afrikaanse Polisie diens gelukwens met die geslaagde klopjag wat hulle onlangs uitgevoer het op 'n dwelmhuis in Delft, waar daar beslag gelê is op dwelmmiddels ter waarde van R2,2 miljoen.

Goedgekeur.

22. Me J L Hartnick stel sonder kennisgewing voor: Dat die Huis Elizabeth Duke van Bishop Lavis gelukwens met haar 100^{ste} verjaarsdag en sy dank uitspreek oor die feit dat sy nog steeds goeie gesondheid geniet.

Goedgekeur.

23. Me M Tingwe stel sonder kennisgewing voor: Dat die Huis sy medelye betuig met die familie van die twee susters, Uwive Mqweni (1) en Sis Lyanga (5), wat in 'n brand by hulle huis in Philippi gesterf het.

Goedgekeur.

24. Mnr H P Geyer stel sonder kennisgewing voor: Dat die Huis die Stad Kaapstad gelukwens met sy aanwysing as die mees produktiewe metro-munisipaliteit in Suid-Afrika deur *Municipal IQ*.

Goedgekeur.

25. Me M Tingwe stel sonder kennisgewing voor: Dat die Huis –

- (1) met kommer kennis neem van die aanval by die Hoërskool Heideveld deur 'n bendegroep wat bestaan uit meisies wat leerders is; en

- (2) erken dat dit 'n aanduiding is van die onrusbarende feit dat die betrokkenheid van vroulike jeugdige by bendebedrywighede nou aan die toeneem is.

Goedgekeur.

26. Me E Prins stel sonder kennisgewing voor: Dat die Huis sy dank uitspreek teenoor die Adjunkpresident van die Republiek van Suid-Afrika, Kgalema Motlanthe, aangesien hy bereid is om aandag te skenk aan die lot van plaaswerkers in die Wes-Kaap.

Goedgekeur.

27. [15:56] Die Huis bespreek die volgende onderwerp in die naam van me L Brown:

Die verslag van die Kommissie vir Gelyke Indiensneming oor die Wes-Kaap en die feit dat ons provinsie steeds onwillig is om verandering te aanvaar.

Nadat mnr K E Magaxa die gesag van die Stoel verontagsaam het, word hy gelas om die Raadsaal vir die orige van die dag se sitting te verlaat.

Die lid verlaat daarop die Raadsaal.

Debat afgesluit.

28. [17:02] EERSTE ORDER

Oorweging van Verslag van die Staande Komitee oor Landbou en Omgewingsbeplanning oor die *National Environmental Management Laws First Amendment Bill* [W 13B – 2012] (NRVP), gedateer 26 April 2013 (Sien Aankondigings, Tertafelleggings en Komiteeverslae, bl 54) (Ratifikasie van finale mandaat).

Daar was geen debat nie.

Die mandaat wat die Wes-Kaapse Provinsiale Parlement se afvaardiging na die NRVP magtig om die Wetsontwerp te steun, is bekragtig.

29. [17:03] TWEEDE ORDER

Oorweging van Verslag van die Staande Komitee oor Maatskaplike Ontwikkeling oor die *National Health Amendment Bill* [W 24F – 2011] (NRVP), gedateer 8 Mei 2013 (Sien Aankondigings, Tertafelleggings en Komiteeverslae, bl 55) (Ratifikasie van Stemningsmandaat).

Daar was geen debat nie.

Die mandaat wat die Wes-Kaapse Provinsiale Parlement se afvaardiging na die NRVP magtig om die Wetsontwerp te steun, is bekragtig.

30. Die Huis verdaag om 17:05.

R G HINDLEY
Sekretaris van die Provinsiale Parlement