

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 15 FEBRUARY 2021

COMMITTEE REPORTS

1. REPORT OF THE STANDING COMMITTEE ON THE PREMIER AND CONSTITUTIONAL MATTERS ON THE ANNUAL REPORT OF THE DEPARTMENT OF THE PREMIER FOR THE YEAR ENDED 31 MARCH 2020, DATED 2 FEBRUARY 2021.

1. Introduction

Annual reports are the key instruments for departments to report on performance measured against performance targets and budgets as outlined in the strategic plans and annual performance plans of departments.

The Annual Report Programme for the 2019/20 financial year was advertised in the newspapers, inviting stakeholders and members of the public to attend and participate in the discussions. No members of the public were present during the discussion of the Annual Report, therefore, no input was received.

Members of the Standing Committee on the Premier and Constitutional Matters deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department of the Premier.

2. Overview

The Committee considered at a virtual meeting the 2019/20 Annual Report of the Department of the Premier on 7 December 2020.

Before proceeding to the consideration of the Annual Report, the Premier and the Director-General were given an opportunity to make opening remarks. The Premier and the Director-General provided a synopsis of the successes and challenges faced by the Department of the Premier.

In the year under review, the Department of the Premier received a clean audit with no unauthorised expenditure for the 2019/20 financial year. The Committee raised concerns and recommendations based on its interaction with the Department on its 2019/20 Annual Report.

3. Concerns

- 3.1 The Department installed 630 Wi-Fi hotspots which provides 120 000 citizens access to the internet using limited free data. This service is available to an estimation of only 1.7 % of the population of the Western Cape.
- 3.2 The Committee raised a concern that the Department does not set targets to track the number of citizens gaining access to the internet via the Wi-Fi hotspots.

4. Information Requested

The Committee REQUESTED that the Department provide the Committee with the following information by 22 February 2021:

- 4.1.1 A list of all grievances, misconduct and dispute matters lodged and the outcomes of these cases;
- 4.1.2 The latest report on the plans for the next Premier's Advancement of Youth (PAY) project;
- 4.1.3 A copy of the monthly reports that were produced on Citizen engagements detailing the top 10 issues identified by the Western Cape Government (WCG) Contact Centre for the year under review;
- 4.1.4 The target set by the Department on the number of the citizens accessing the internet using limited free data through the Wi-Fi hotspots every month;
- 4.1.5 A copy the Cape Higher Education Consortium (CHEC) evaluation report that was conducted in 2018 and considered in the 2019/20 financial year by the CHEC/WCG Joint Task Team (JTT);
- 4.1.6 A list of the names of the Faith-based Organisations that assists in the development of the protocols relating to bereavement and funerals in the event of COVID -19 cases; and
- 4.1.7 A copy of the Work from Home policy.

5. Conclusion

The Chairperson thanked the Premier and the Department for their preparation and responses to questions raised by the Committee members.

2. REPORT OF THE STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM ON THE ANNUAL REPORTS OF THE PROVINCIAL TREASURY AND THE WESTERN CAPE GAMBLING AND RACING BOARD FOR THE YEAR ENDED 31 MARCH 2020, DATED 3 FEBRUARY 2021.

1. Introduction

The Annual Report programme for the 2019/20 financial year was advertised in newspapers, inviting stakeholders and members of the public to attend and participate in the virtual meeting and discussions.

Members of the Standing Committee on Finance, Economic Opportunities and Tourism (the Committee) deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Provincial Treasury and its Entity, the Western Cape Gambling and Racing Board, on 10 December 2020.

Members of the public were also given an opportunity to pose questions and make oral submissions. The Committee did not receive any input from the public for this Annual Report deliberation.

2. Overview

The Committee considered the Annual Reports of the Provincial Treasury and its Entity; Western Cape Gambling and Racing Board (the Board).

Before proceeding to the consideration of the Annual Reports, the Minister, the Head of Department, the respective Chief Executive Officer and Chairperson of the Board were given an opportunity to make opening remarks.

In the year under review, the Provincial Treasury received its seventh consecutive unqualified audit with no findings, and achieved 98% of its targets. This was particularly important as it came during a period of leadership transition in respect of the arrival of the new Head of Department, Mr D Savage. The Department also received the Silver Award for the “Best Ethics Department” in the Provincial Service Excellence Awards.

The Board achieved the majority of its targets with 12 being fully achieved and four being partially achieved. The Board also received an unqualified audit with findings.

3. Deliberations on the 2019/20 Annual Reports

3.1 Provincial Treasury: Findings/Concerns

- 3.1.1 A question was raised in respect of whether the Western Cape Gambling and Racing Board (the Board) was better suited to report to the Department of Economic Development and Tourism, given that gambling is considered an economic activity and because the Provincial Treasury’s focus was on revenue collection, management of budget and fiscal policy etc. The Provincial Treasury indicated that the transfer of the Board to another department was not currently being considered. There was a trade-off between the social harms stemming from the economic activities associated with gambling and the fact that gambling was a specialised area of regulation. There was a policy review taking place in respect of certain matters and regulations, and this matter of the possible transfer of the Board to another department could be raised during this review.
- 3.1.2 In terms of Provincial Treasury’s Programme 2: Sustainable Resource Management, nearly all the targets for the sub-programmes have been achieved. However, in terms of budget performance for Programme 2, there is a striking increase in underspending of the budget for this programme compared to the previous financial year. The Provincial Treasury noted that the underspending in Programme 2 affected its spending performance slightly, but it has not affected its outcomes in terms of the non-financial targets for the 2019/20 financial year.
- 3.1.3 The Provincial Treasury informed the Committee that public sector supply chain matters were very complicated and there were significant supply requirements that were daunting, particularly for small suppliers. The Provincial Treasury’s commitment was to work with each and every supplier and guide them through the

supply chain system. The Provincial Treasury added that the Supplier Database Walk-in Centre did not only look at problem areas, it also looked at support provided to suppliers, as not all suppliers were tech-savvy. The Committee noted that the manner in which this data was recorded in the 2019/20 Annual Report was concerning as the Committee could not discern between the support given and the problems encountered.

- 3.1.4 The Committee was aware that the Provincial Treasury had assisted Kannaland Municipality (the Municipality) with financial and administration matters. The Committee previously met with the Municipality and Innovasure on their proposed energy project. The Committee also, recently, became aware that the Municipality's Council met at 15h00 on 10 December 2020 to discuss the Innovasure Project as an Unsolicited Bid - Public Private Partnership (PPP). The document, to be discussed by the Council, included the report of the Municipal Manager and informed the Council of the Project's progress to date, the options available to progress with the project, and requested the Council to resolve on the Innovasure matter. The document detailed events that unfolded in 2019 with Innovasure and the National Treasury. The document also indicated that the Municipality had received a communique from the National Treasury on 19 August 2020, stating that the PPP should be delayed until the National Treasury's concerns are addressed. However, the Municipality disagreed with the National Treasury and indicated that they did not need permission from National Treasury to continue with the project, according to the Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), and that they did not have to continue the project as a PPP. According to the 2019/20 Annual Report of the Provincial Treasury, R4, 821 million was given to the Municipality by the Provincial Treasury, as part of the Western Cape Municipal Financial Recover Services Grant, for financial governance and financial sustainability. There was a concern about whether the Municipality would be able to manage its administrative and financial duties, in addition to this project, given that the Municipality was still under administration. Minister Maynier and the Provincial Treasury agreed that this project was a concern as the Municipality was under a provincial financial recovery plan. The Provincial and National Treasuries have cautioned the Municipality against moving forward with this project. The Provincial Treasury has raised concerns about whether the project would compromise the financial recovery plan of the Municipality. The Provincial Treasury was aware of the Council meeting taking place and the officials would be taking action during the course of the day, ensuring that the Council is fully appraised of the legal views as well as Provincial Treasury and National Treasury's views on the project. The Provincial Treasury would like to assist the Municipality to find the right model to proceed with its energy security intentions. It also came to the Committee's attention, during this meeting, that the Minister of Local Government, Mr A Bredell, had just issued the Municipality with a letter of demand to cease in respect of this project.
- 3.1.5 Laingsburg Municipality in the Central Karoo had approximately R300 for service delivery expenses in its bank account about two to three months ago. Beaufort West and Knysna were also problematic areas that needed assistance from Provincial Treasury to put proper policies in place, to root out corruption and achieve a clean audit. The Provincial Treasury offers bespoke support to municipalities, and has worked with Laingsburg Municipality on its cash flow challenges. The Provincial Treasury has written to the Laingsburg, Beaufort West and Knysna Municipalities to offer its assistance so that the municipalities may improve their financial performances and audit processes. The Provincial Treasury has asked that these municipalities provide it with all their audit steering committee meeting dates. The Provincial Treasury was committed to supporting these municipalities, especially the Chief Financial Officers (CFOs), in vetting the responses provided to the Auditor-General,

and anywhere else that the Provincial Treasury can assist with. The Provincial Treasury keeps in contact with the CFOs on a weekly basis. This service is also offered to all the municipalities in the Province.

3.2 Western Cape Gambling and Racing Board: Findings/Concerns

- 3.2.1 There was a concern regarding the policy rationale to locate the Western Cape Gambling and Racing Board (the Board) under Provincial Treasury and not under the Department of Economic Development and Tourism. Concerns were raised by the Board that its responsibilities may be more suited to fall under the work of the Department of Economic Development and Tourism than under the Provincial Treasury. This matter was also raised during the deliberations on the Provincial Treasury's 2019/20 Annual Report Deliberations (see point 3.1.1)
- 3.2.2 The Board fully achieved 14 of its targets and partially achieved four of its targets. The reason for the partial achievement were related to the COVID-19 National Disaster Regulations, and the industry and the Board's early response to the lockdown. With the announcement of the National Disaster Regulations and the lockdown, the Board suspended audits, which requires physical contact and the casinos closed their premises in order to process all logistical activities prior to the lockdown.
- 3.2.3 There was a concern about how the Committee could make the process of nominations of candidates to the Board more efficient in order to negate the quorum challenges that the Board had experienced in recent years. The Board had made submissions on the Western Cape Nineteenth Gambling and Racing Amendment Bill [B 1-2020], requesting that the quorate rule should state that the quorum should be a majority representation of members and that the Executive Council should be able to extend board members' terms for a period up to three years instead of one year.
- 3.2.4 Practice has shown that illegal online gambling has continued unabated and the ban on online gambling has not been enforced effectively. There seemed to be confusion between online gambling, which was illegal in South Africa, and betting online offered by bookmakers, which was legal i.e. casino-type gambling offered online, such as roulette, was offered by illegal operators. The Board has started to address this confusion by distributing information/communication about the types of gambling that are illegal and those that are not. However, the Board has also been advocating for law and policymakers to legalise and regulate online gambling, which would force these operators to contribute to the fiscus and invest in Corporate Social Investment.

4. Resolutions/Actions

- 4.1 The Committee RESOLVED to, at a future date:
 - 4.1.1 Visit the Kannaland Municipality to receive an update on the proposed Kannaland-Innovasure Energy Project and a briefing on the legal and factual concerns in respect of this project, by all relevant role players, including the Provincial Treasury, National Treasury, the Department of Local Government, Kannaland Municipality and Innovasure;
 - 4.1.2 Invite the Provincial Treasury, National Treasury and the Auditor-General of South Africa to brief the Committee on how they will assist businesses and entrepreneurs, in terms of procurement, to submit relevant documentation, digitally, so that they do not have to submit hardcopies to departments;
 - 4.1.3 Invite the Provincial Treasury to brief the Committee on the proposed dispute mechanism on wasteful and irregular expenditure as proposed by the Provincial Treasury; and

- 4.1.4 Invite the Western Cape Gambling and Racing Board to brief the Committee on the various sectors in the gambling industry and the compliance requirements for each of those sectors. Thereafter, the Committee will determine whether to undertake an oversight visit in respect of the industry and decide which sectors they would like to oversee.
- 4.2 The Committee REQUESTED that the Provincial Treasury, submits, by 24 February 2021:
 - 4.2.1 The submission the Provincial Treasury made, with the Western Cape Government, on the Draft Public Procurement Bill, 2020;
 - 4.2.2 A copy of the “Overview of Provincial and Municipal Infrastructure, 2020” booklet; and
 - 4.2.3 The Kannaland Municipality’s Council documents on the Innovasure Energy Project and all other relevant documents and communicate, including the letter of demand to cessate, from the relevant departments involved in this project, that were submitted to Kannaland Municipality on this matter.
- 4.3 The Committee FURTHER REQUESTED that the Provincial Treasury, submits to the Committee:
 - 4.3.1 On a quarterly basis, the reports on the challenges experienced by the Laingsburg, Beaufort West and Knysna Municipalities, and the manner in which these challenges were addressed by the Provincial Treasury; and
 - 4.3.2 The Service Delivery and Budget Implementation Plan reviews/evaluations, as and when they are published.
- 4.4 The Committee FURTHER REQUESTED that the Minister provide the Committee with a report, by 24 February 2021, on whether the Western Cape Gambling and Racing Board would be better suited to report to the Provincial Treasury or the Department of Economic Development and Tourism, given the different mandates of both departments.
- 4.5 The Committee RECOMMENDED that the Minister and Provincial Treasury consider, for the next financial year’s Annual Report, separating the statistics for the number of queries for the Walk-in Centre in terms of the general support provided for persons and small businesses, and the problems/challenges encountered.
- 4.6 The Committee FURTHER RECOMMENDED that the Minister and Provincial Treasury consider ways in which to reduce the number of queries at the Walk-in Centre without compromising the assistance/support provided to persons and small businesses dealing with red tape challenges, and without compromising the support given to local government and other departments.

5. Conclusion

The Chairperson thanked the Minister, Provincial Treasury and the Board for their preparation and responses to questions raised by the Committee members, and for their hard work and dedication during a difficult year. The Chairperson further congratulated the Provincial Treasury for its seventh consecutive clean audit and for achieving the Silver Award for “Best Ethics Department” at the Provincial Service Excellence Awards.

3. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY, CULTURAL AFFAIRS AND SPORT ON THE 2019/20 ANNUAL REPORTS OF THE DEPARTMENT OF COMMUNITY SAFETY AND THE WESTERN CAPE LIQUOR AUTHORITY.

The Standing Committee on Community Safety, Cultural Affairs and Sport having deliberated on the 2019/20 Annual Reports of the Department of Community Safety (the Department) and the Western Cape Liquor Authority (WCLA), for the year ended 31 March 2020, reports as follows:

Introduction

The Western Cape Provincial Parliament's Annual Report programme for the 2019/20 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on the Annual Reports of the Department of Community Safety and the Western Cape Liquor Authority on 10 December 2020 as part of its oversight function. The Minister, the Head of Department and the Acting Chief Executive Officer of the WCLA were given an opportunity to make opening remarks.

The Department and WCLA were examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report.

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There were no submissions.

1. Western Cape Liquor Authority's Annual Report

Overview

During the year under review the Western Cape Liquor Authority has enhanced its automated Licence Management and Tracking System that has helped to streamline the processing and consideration of applications. There has been a marked decline in the number of incomplete applications received, due largely to the assistance given to applicants on the processes. However, the costs of advertising for liquor licence applications continues to be a concern.

The WCLA has improved the use of its social media platforms to expand its communication platform. This has allowed for better networking with various partners in promoting the WCLA core business and public reach.

The WCLA achieved an unqualified audit opinion with no findings. In terms of the alcohol related harms outlined in Alcohol Harms Reduction White Paper, the WCLA has taken a strategic lead and therefore require effective capacitation in order to reap optimal results.

1.1 Key points from the discussion on the Western Cape Liquor Authority's 2019/20 Annual Report

1.1.1 The position of the WCLA's Chief Executive Officer (CEO) has been vacant for nearly two years. The WCLA however indicated that following re-advertising, and an increased grading of the CEO position, interviews for the position are expected to be conducted in January 2021.

- 1.1.2 The WCLA launched a pilot project to assist liquor licence applicants with their applications. The WCLA also has a contact centre to assist applicants, especially small business owners, with understanding and completing application forms, other key documentation, as well as providing updates on the status of applications.
- 1.1.3 The Liquor Licence Tribunal, in line with the Western Cape Liquor Act, 2008 (Act 4 of 2008) imposed sanctions, and/or issued hefty fines to non-compliant licensees. During 2019/20, 344 cases of non-compliance were referred to the WCLA's prosecutor, of which 220 were referred to the Liquor Licensing Tribunal (LLT) for consideration.
- 1.1.4 The WCLA reported that there continues to be a significant number of illegal outlets in especially informal settlements, and that the challenges of zoning requirements in such areas, continue to hinder the regulation of these outlets. However, pursuing the route of upstream prosecution is an arduous but viable option to combat the illegal outlet concerns.
- 1.1.5 Some of the keys transgressions included, the on-premises storage and sale of more than 150 litres of alcohol, after hour trading, the off-premises sale of alcohol by on-consumption outlets, and, the inefficient record keeping of alcohol sales by on-consumption outlets. Other common transgressions by specifically on-consumption outlets included lack of control and security measures, allowing children in restricted areas or the premises.
- 1.1.6 In its efforts to become self-sustainable, the WCLA has over the years, steadily increased the liquor licensing fees and also implement projects and measures to curtail the lapsing of liquor licences.
- 1.1.7 The WCLA is developing a fee structure that is based either on the type of liquor licence or the volume of alcohol sold. However, any implementation will be dependent on the amendments to the Western Cape Liquor Act, 2008, (Act 4 of 2008).
- 1.1.8 The WCLA has forged partnerships with other government departments and linked structures such as Community Police Forums (CPFs) and Neighbourhood Watches (NHWs), as well as academic institutions, Non-Governmental Organisations (not funded by the liquor industry) and liquor industry related organisations.

2. Department of Community Safety

Overview

The Department of Community Safety embarked on a repurposing and realignment process to become a more service delivery based department. The Department has conducted extensive internal consultative workshops as part of its repositioning objectives. The Department is also the co-lead, along with the Department of Health, in the safety focus areas, namely jobs, well-being and safety.

2.1 Key points from the discussion on the 2019/20 Annual Report

- 2.1.1 The five year contract of the previous Head of Department, Mr GA Morris, expired at the end of March 2020. His contract was subsequently extended until the end of June 2020. At the start of July 2020, Adv Y Pillay was appointed as the Acting Head of Department and subsequently appointed as permanent Head of Department in early December 2020.
- 2.1.2 The Law Enforcement Advancement Project (LEAP) allocates 100 officers to the five key areas. These areas are Hanover Park, Nyanga, Khayelitsha, Bishop Lavis and Delft. Five new areas have been identified for further rollout of the LEAP. These areas are Mfuleni, Kraaifontein, Mitchells Plain, Harare and Gugulethu. All these areas are

linked to crime statistics ratings where the identified locations are listed amongst the hotspot areas for serious crime, particularly murder offenses. These deployments form part of the Western Cape Safety Plan.

- 2.1.3 Although each identified area usually has an allocation of 100 LEAP officers, there have been instances where officers were redeployed to assist when any of these areas experience marked increases in violent crimes.
- 2.1.4 Area based teams are expected to commence deployment during December 2020 to the five hotspot areas. Through this monitoring mechanism, the Department will be able to identify evidence based and data led interventions for violence prevention methodologies.
- 2.1.5 Only 455 or the 500 LEAP officers were approved as being fire arm compliant during 2019/20.
- 2.1.6 The Department reported that re-accreditation of NHWs occur every two years. There were 338 NHWs for 2019/20 financial year. Accreditation processes are often hindered by the submission of incomplete documentation.
- 2.1.7 The Department provided an update on the amendments to the Western Cape Community Safety Act, 2013 (Act 3 of 2013). Currently, the amendments have been sent for regulating impact assessment.
- 2.1.8 The Department reported on the incapacity leave taken by its personnel for the 2019/20 financial year. There were two employees in particular who experienced serious and lengthy illnesses which led to the marked number of days used for sick leave.
- 2.1.9 The Department's Annual Report reflected low promotion percentages for its staff.
- 2.1.10 In terms of oversight through the Court Watching Briefs, the Department looks at the systemic inefficiencies that lead to cases being struck off the court roll. The Department subsequently provides recommendations to the Provincial Police Commissioner to enhance the overall systems and professionalism of the South African Police Service.

3 Requests for information

The Committee requested that the Western Cape Liquor Authority provides the following information:-

- 3.1 Details of the policy decision that sets out the criteria for the types of partnerships that the Western Cape Liquor Authority forms with external stakeholders.
- 3.2 A list of outlets that were fined or had their licences revoked during the 2019/20 financial year. The information should include the nature of the offenses, the names of the outlets and the locations of these outlets.
- 3.3 The number of enforcement interventions and operations conducted in Sea Point, Camps Bay, Clifton and surrounding areas, for the 2019/20 financial year.

The Committee requested that the Department of Community Safety provides the following information:-

- 3.4 A breakdown of the 1388 work opportunities created through partnerships.
- 3.5 A breakdown of the partnerships with whom Chrysalis Graduates were afforded work placements.
- 3.6 An explanation of the Department's tracking and monitoring mechanisms of Chrysalis Graduates. Indicate the methodology that guides this monitoring tool.
- 3.7 Copies of the District Municipalities safety plans.
- 3.8 The list of schools where School Resource Officers were deployed.
- 3.9 Details on the nature and causes of the injury on duty cases.

4. REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE ANNUAL REPORT OF THE WESTERN CAPE EDUCATION DEPARTMENT FOR THE 2019/20 FINANCIAL YEAR.

The Standing Committee on Education having deliberated on the Annual Report of the Western Cape Education Department for the year ended 31 March 2020, reports as follows:

1. Introduction

Annual reports are key instruments for departments to report on performance measured against performance targets and budgets as outlined in the strategic plans and annual performance plans of departments. The Standing Committee on Education deliberated on the Annual Report of the Western Cape Education Department (hereinafter WCED or Department) on 7 December 2020 as part of its oversight function.

The Western Cape Provincial Parliament's Annual Report Programme for the 2019/20 financial year was publicised in newspapers. Stakeholders and members of the public were invited to attend and participate in the discussions. Before proceeding to the deliberations on the Annual Report, the Minister and the Head of Department were given the opportunity to make opening remarks.

The Department was examined on:

Part A: General Information;
Part B: Performance Information; and
Part D: Human Resources Management.

Members of the public were also allowed to pose questions and to give input during the discussions. Mr M Mbiko of the Nyanga Tourism Platform was the only member of public that submit a written submission on the Annual Report of the WCED.

2. Overview

The Minister of Education, Hon D Schäfer, together with the Head of the Department, Mr B Schreuder, provided an overview of the successes and challenges faced by the WCED during the 2019/20 financial year. The WCED is dedicated in providing quality education for every child in every classroom and in every school in the Western Cape.

During the period under review, the WCED has continued with the basics and added a focus on expanding and offering technical and vocational subjects. The Department further expanded its emphasis from STEM to STEAMAC – Science, Technology, Engineering, Arts, Maths, Agriculture and Coding, and Computational Skills. During its Strategic Plan for 2020-2025, the WCED identified the following performance areas for education in the Western Cape:

- (i) Improvement in learner performance in Grades 3, 6, 9 and 12;
- (ii) Improving the learner retention rate from Grade 10 to 12;
- (iii) Ensuring that learners have access to technical, agricultural, Vocational and Skills subjects to fully participate the economy; and
- (iv) Ensuring that schools are safe and more secure places of learning.

3. Key points from the discussion on the Annual Report of the Department

- 3.1. The Minister informed the Committee that the Department was faced with increasing fiscal constraints.
- 3.2. The Minister also reported that given the impact of the COVID-19 pandemic on the WCED's budget, she was concerned about its impact on the WCED's plans for the years ahead.
- 3.3. The WCED's Systemic Tests provided the most objective picture possible of learner performance in languages and mathematics, giving the Department the opportunity to assess whether it can improve the quality of the system in the Province.
- 3.4. The WCED indicated that it will continue to focus on the early literacy and numeracy to improve performance in all subjects and launched the Reading Strategy in March 2020.
- 3.5. The WCED's National Senior Certificate (NSC) pass rate increased from 81.5% in 2018 to 82.3% in 2019. The Quintile 1-3 schools achieved an increase in the Matric pass rate, with Quintile 1 schools by 1.5% increase, in Quintile 2 schools by 5.8 % increase, and in Quintile 3 schools by 1.9 % increase.
- 3.6. The retention of learners from Grade 10 to Grade 12 is a key indicator of a well-functioning education system according to the WCED. The Department reported a retention rate of 64.3%, the highest in the country.

4. Public comments

Mr M Mbiko of the Nyanga Tourism Platform was afforded the opportunity to submit a written input on the Annual Report of the WCED. The Minister of Education and the Head of Department were provided with the written submission for a response.

5. Information requested

The Committee requested that the WCED provides the following information:

- 5.1. A list of the number of learners that entered the Western Cape from other provinces from 2014 to 2020.
- 5.2. A list of the number of new schools and additional classrooms built from 2014 to 2020.
- 5.3. A breakdown of the number of rural schools that do not have MOD programmes (Mass participation, Opportunity and access, and Development).
- 5.4. A breakdown of the number of independent schools that received a subsidy during the 2019/20 financial year.
- 5.6. A report on the details pertaining to the 62 staff members who went for "correctional counselling" under Table 3.12.2: Misconduct and disciplinary hearings finalised from 1 April 2019 to 31 March 2020.
- 5.7. A report on the 85 cases withdrawn due to misconduct and disciplinary hearings finalised and the reasons.
- 5.8. A report on the 83 staff members who were "dismissed/ascendancy, if they are educators, have they been replaced, if not, why not and the reasons. If such employee members are not educators, then which employees.

6. Conclusion

The Committee expressed its appreciation for the information provided by the Minister, the Head of Department, and the officials of the Western Cape Education Department and the members of the public. The Committee further wants to thank the manner in which the

meeting was conducted, was of a high standard and the Committee thanked everyone who participated.

The Committee paid a special tribute to the Head of the Department, Mr B Schreuder, whose term at the WCED would be ending in March 2021. The outstanding work that he has done over the years is shown in the output of the work of the WCED.

5. REPORT OF THE STANDING COMMITTEE ON SOCIAL DEVELOPMENT ON THE ANNUAL REPORT OF THE DEPARTMENT OF SOCIAL DEVELOPMENT FOR THE 2019/20 FINANCIAL YEAR.

The Standing Committee on Social Development, having deliberated on the Annual Report of the Department of Social Development for the year ended 31 March 2020, reports as follows:

1. Introduction

The Western Cape Provincial Parliament's Annual Report Programme for the 2019/20 financial year was published in newspapers inviting stakeholders and members of the public to attend and participate in the discussions.

The Standing Committee on Social Development (the Committee) deliberated on the Annual Report of the Department of Social Development on 10 December 2020, as part of its oversight function. The Minister and the Head of Department were given an opportunity to make opening remarks.

The Department was examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report.

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There were no submissions.

2. Key points from the discussion on the Annual Report of the Department

- 2.1 The Department informed the Committee that the advent of COVID-19 and the budget cuts resulting from the lockdown's impact on the economy and government revenue required the Department to reconsider both its service priorities and the way it delivers services.
- 2.2 The Department reported that it has begun to transform its working environment specifically concerning its administrative processes. Remote working from home would be prioritised and has already commenced.
- 2.3 The Department informed the Committee that it is in the process of developing a quality assurance system that enables Non-Profit Organisations (NPOs) to provide online evidence of its policies and practices.
- 2.4 All statutory services will continue including the Department's child protection services, residential care facilities, and probation services.
- 2.5 The humanitarian relief through the Community Nutrition and Development Centres (CNDs) and targeted feeding sites would continue with the additional resources allocated to it under the disaster declaration to support food security alongside larger safety net providers such as the South African Social Security Agency (SASSA) and school feeding schemes.

- 2.6 The Department reported that it has established a Gender-Based Violence (GBV) desk in the Ministry to strengthen its approach to fighting the scourge of GBV in the province.
- 2.7 The GBV prevention training will be integrated into parent education and training programmes as well as substance abuse prevention, treatment and rehabilitation programmes run at all DSD CYCCs.
- 2.8 The Department reported that the awareness created by the #EnoughisEnough campaign contributed to the increased number of victims of sexual offenses and domestic violence accessing psychosocial support during the period under review.
- 2.9 The Department provided additional beds and emergency beds in shelters for victims of crime and violence.
- 2.10 During the financial year under review, the Department offered services to address domestic and gender-based violence, family counselling and mediation, and drug treatment to strengthen families' resilience to violence.
- 2.11 The Department would be working in partnership with other government departments to identify, assess, and refer youth at risk, who live in violent communities' for specialised interventions to strengthen the resilience of youth at risk.
- 2.12 The expansion of child protection programmes included the recruitment, screening, and training of additional volunteers for the Eye-on-the-Child programme in Masiphumelele and Ocean View and the consolidation and extension of the integrated Isibindi Programme from eight to ten sites.
- 2.13 The Department reported that there was an increased need for the expansion and operationalisation of the GBV facilities and the provision of Personal Protective Equipment (PPE) for residential and partial care facilities.
- 2.14 It was reported that the Early Childhood Development (ECD) support and the school readiness pilot projects reported positive outcomes including substantial improvement in the developmental milestones of the 1 368 participating children.
- 2.15 The Department reported that four specially adapted 16-seater vehicles were purchased during the financial year under review for the Persons with Disabilities programme. The vehicles were intended to ensure the safe transportation of children with intellectual disabilities to and from their special day-care centres.
- 2.16 During the 2019/20 financial year, more than 22 000 young people were part of the youth development programmes funded by the Department and two additional Youth Cafés were funded in Uniondale and Riversdale bringing the total number of Youth Cafés in the Province to 13.
- 2.17 The Department completed the bid process for the Sanitary Dignity Project and taken delivery of sanitary pads for girls in grades 4 – 12 in identified schools where high rates of girl learner absenteeism were identified.
- 2.18 The Department spent 96.74% of its R239.828 million budget, the unspent R7.816 million relates to underspending in Compensation of Employees (CoE) due to not finding suitable candidates in the recruitment process, internal promotions and staff exits and, the underspending on social work graduate earmarked funding due to a high number of exits from the programme.
- 2.19 During the 2019/20 financial year, the Department facilitated various training and development opportunities for staff members. The Department allocated 37 new bursaries to staff members in specialised fields where skills deficits existed namely, probation services, addiction care, child and family studies, as well as forensic and clinical social work.
- 2.20 The Committee was informed that the NPO Management System commenced during the financial year under review and consisted of the provision of training to seven sub-programmes on the implementation of the finance modules as well as the application and registration modules of the system.

3. Information requested

The Committee requested that the Department provides it with the following information by Monday 1 February 2020:

- 3.1 A copy of the Department's Child Murder Reduction Plan.
- 3.2 A copy of the Western Cape Government Prevention and Early Intervention Strategy for Children and Families in the province.
- 3.3 List of Municipalities that have a Memorandum of Understanding (MOU) with the Department on the Provincial Drug Strategy.
- 3.4 A copy of the MOU between the Department and the Municipalities in the Province on the Provincial Drug Strategy.
- 3.5 Detailed information on the effectiveness of the Local Drug Action Committees, Gender and GBV Forums in various municipalities, how often these committees and forums meet, and how the impact of these structures in various communities is measured.
- 3.6 A report on the accountability processes of these structures; how the Department measures the effectiveness of the Local Drug Action Committees, Gender and GBV Forums in various municipalities, and how the decisions of these structures are communicated to the Department and back to the communities.

4. Conclusion

The Chairperson thanked the Members of the Committee, the Minister, the Head of Department and all the officials of the Department for their preparation and responses to the questions posed by the Committee.

6. REPORT OF THE STANDING COMMITTEE ON HUMAN SETTLEMENTS ON THE ANNUAL REPORTS OF THE DEPARTMENT OF HUMAN SETTLEMENTS AND ITS ENTITY THE WESTERN CAPE RENTAL HOUSING TRIBUNAL FOR THE 2019/20 FINANCIAL YEAR.

The Standing Committee on Human Settlements, having deliberated on the Annual Reports of the Department of Human Settlements and its Entity the Western Cape Rental Housing Tribunal for the 2019/20 financial year, reports as follows:

1. Introduction

The Annual Reports of the Department of Human Settlements (the Department) and the Western Cape Rental Housing Tribunal (the Tribunal) for the financial year ended 31 March 2020 were tabled on 27 November 2020.

As part of its oversight function, the Standing Committee on Human Settlements (the Committee) considered the Annual Reports of the Department and the Tribunal on 11 December 2020. Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their strategic plans and annual performance plans. In addition hereto, it accounts for the success of each programme that was implemented.

Standing Rule 111(1)(a) of the Western Cape Provincial Parliament provides the standing committees with the mandate to consider departmental Annual Reports submitted in accordance with the Public Finance Management Act, 1999 (Act 1 of 1999).

The Annual Report Programme for the 2019/20 financial year was advertised in newspapers to invite stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management.

2. Western Cape Rental Housing Tribunal

- 2.1 The Committee, having received the referral of the 2019/20 Annual Report of the Western Cape Rental Housing Tribunal as required in terms of section 12(3) of the Rental Housing Act, 1999 (Act, 50 of 1999), proceeded to discuss the Report.
- 2.2 The Committee afforded the Tribunal management the opportunity to provide input on the Report by briefing it on the following:

2.2.1 Backlogged cases

The Tribunal recorded approximately 700 backlogged cases for the 2019/20 financial year. The backlog was attributed to the influx of Communicare complaints. Tribunal members as well as the Tribunal staff mediate on cases referred to the Tribunal for consideration to minimise the backlog. Specific delegations were provided to staff by the Tribunal to close cases thereby reducing the number of open cases.

2.2.2 Communicare complaints

The Tribunal received 775 complaints from Communicare tenants. Numerous engagements were held with tenants over a period of two years. Special concessions were made to deal solely with Communicare related complaints on Mondays. The Department concluded 22 mediation sessions with Communicare groups and tenants. The Tribunal reported that it finalised 411 Communicare cases stemming from the 775 cases originally received. The remaining 307 cases will be finalised through hearings.

2.2.3 Warrants of execution

The Committee was concerned that the Department did not provide a detailed description on where the money listed under warrants of execution in the Annual Report was derived from. The Department advised that the funds retrieved from the execution of a judgement was viewed to be a saving and that the saving was tallied and listed as the overall saving under warrants of execution. The Committee requested that the Department list exactly how the saving was obtained thereby providing a record of the savings that were made.

2.2.4 Virtual hearings

During the lockdown period the Tribunal made the transition to work on a virtual platform. Connectivity problems and access to internet facilities proved to be challenging. The Tribunal advised that the virtual concept needs to be reviewed to provide better connectivity as well as a safe environment to lodge and report disputes. This would provide a holistic approach to reach and service a broader community.

3. Department of Human Settlements

The Minister for Human Settlements and the Head of Department was afforded the opportunity to provide introductory remarks of the key issues of the Report.

The Department spent 100% of its budget for the year under review. The following matters were discussed.

3.1 Title deeds

Concern was raised regarding the title deed backlog that still existed. The Department indicated that 42 000 title deeds have been handed over and that a backlog of 58 000 was still pending. Funding was made available by the Department for the current title deed backlog with the retraction of the special allocation. The Department has engaged with seven municipalities with the highest title deed backlog to ascertain the challenges in order to find a means of dealing with the backlog. Legal issues are construed to be the main reason for the remaining backlog which will have to be resolved through arbitration. The Department is in the process of setting mechanisms in place to deal with these challenges.

3.2 Policy and research

Research papers for the 2020 financial year were prepared by the Department pertaining to the outcome of deferred housing ownerships. Challenges pertaining to the acquisition of a house through the rent to buy option was construed to be a high risk option, as support for the scheme could be withdrawn, which would result in a loss of investment. The Finance Linked Individual Subsidy Programme (FLISP) option was recommended as a safer option as the beneficiary would be recognised at the deeds office as the beneficiary of the property. Bank funding approval is crucial for beneficiaries to qualify for FLISP subsidy.

3.3 De Novo Integrated Human Settlement Project

The De Novo Integrated Housing Project consists of two phases and occupies two portions of farm 727 in Joostenberg Vlakte. The Farm is owned by the Western Cape Provincial Department of Transport and Public Works. Phase 1 is in the implementation phase and will consist of the upgrading of 14 units and a total of 72 structures are in the process of being renovated. Development rights for the development of 300 housing opportunities and a possible agricultural village is under review for Phase 2. A project steering committee was established and the power of attorney for the development of the sites were obtained from the Department of Public Works as the land owners of the site and the facilities. All planning and approvals are to be finalised by March 2021.

3.4 Illegal sale of Reconstruction and Development Programme (RDP) Houses

The continued illegal sale of RDP Houses was brought to the attention of the Department. Beneficiaries were informed that RDP Houses may not be sold prior to the lapse of an eight year period and that if sold, beneficiaries would not receive the full benefit of the long term investment. Special consensus would have to be acquired to sell an RDP house. Beneficiaries would have to seek approval from the Department for this concession. No legislation has been drafted to prohibit the sale of RDP houses.

3.5 Private partnership and investment

The Department advised that as part of its investment into private partnerships, its focus is on employer assisted housing with mutual sustainable benefits. Partners are required to share in the expenses pertaining to property development. Partners are required to complete a private partnership agreement which contains the details of their responsibility towards the project.

3.6 Woman and youth in construction

Municipalities under the Local Economic Development (LED) unit compiled a database for contractors to register and submit tender documents for any and all housing projects made available by the Department. The Department advised that in most instances women and youth headed companies were not registered due to key documents which were not submitted. This creates an exclusion which prohibits them from registering on the LED database. Training programmes will be provided to assist, support and educate women and youth from 1 April 2021.

4. Recommendations

4.1 The Committee having considered the input provided by the Department REQUESTED that the Department provide it with:

- 4.1.1 A report that provides a detailed breakdown of the amount depicted in the Annual Report under warrants of execution, which depicts the totals provided for each judgement. (This should provide more clarity regarding where the money was derived from);
- 4.1.2 A report on the number of hearings attended by Tribunal members and the remuneration they received;
- 4.1.3 A schedule with the category of cases heard by the Tribunal as well as an age analysis of the cases;
- 4.1.4 A report on the status of the De Novo Integrated Human Settlement Project in Stellenbosch;
- 4.1.5 A report on the pre and post 1994 outstanding backlogged title deeds; and
- 4.1.6 The Department's action plan for title deed restoration pertaining to properties located on the National Department of Transport and Public Works land that have not been transferred to municipalities.

4.2 The Committee RECOMMENDED that:

- 4.2.1 The Local Government Human Settlements offices be incorporated as an additional access point to obtain assistance when lodging Rental Housing Tribunal complaints; and
- 4.2.2 The organogram in the Tribunal's Annual Report depict photographs of the appointed staff members.

4.3 The Committee RESOLVED that:

- 4.3.1 Member Lili provide the Department with detailed questions as requested in the Annual Report meeting to ensure that the Department provides him with a comprehensive response; and
- 4.2.2 It revisit the issue on the backlog and the transfer of title deeds as part of its oversight mandate.

5. Conclusion

The Chairperson thanked the Members of the Committee, the Minister, the Head of Department and all the officials of the Department for their preparation and responses to the questions raised by the Committee. Members thanked the Chairperson for the leadership role, the staff for the support and wished everyone a blessed festive season.

7. REPORT OF THE STANDING COMMITTEE ON AGRICULTURE, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING, DATED 2 FEBRUARY 2021, ON THE 2019/2020 ANNUAL REPORTS OF THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING, AND ITS ENTITY CAPE NATURE, FOR THE YEAR ENDED 31 MARCH 2020.

The Standing Committee on Agriculture, Environmental Affairs and Development Planning, having considered the Annual Reports of the Department of Environmental Affairs and Development Planning and its Entity, CapeNature, for the year ended 31 March 2020, referred to it, reports as follows:

1. Introduction

Section 113(3)(b) of the Constitution requires that “Members of the Executive Council of a province must provide the legislature with full and regular reports concerning matters under their control.” Section 65 of the Public Finance Management Act, 1999 (Act 1 of 1999) requires the Minister of each Department and public entity to table an annual report in the legislature within six months of the end of each financial year.

As part of its oversight function, the Standing Committee on Agriculture, Environmental Affairs and Development Planning (the Committee) considered the Annual Reports of the Department of Environmental Affairs and Development Planning (the Department) and its Entity, CapeNature, on 8 December 2020.

Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their Strategic Plans and Annual Performance Plans.

The Annual Report Programme for the 2019/2020 financial year was advertised in various newspapers, inviting stakeholders and members of the public to participate in the discussions.

The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the respective Annual Reports.

2. Department of Environmental Affairs and Development Planning

Overview

The underfunding of the Department has had a long term effect as key programmes were delayed. Challenges were many and, in addition to the budgetary constraints, included global challenges such as climate change and the impact of the COVID-19 pandemic. Illegal activities in the environmental sector and the increasing destruction of natural resources continued to be a concern.

Key highlights for the year under review included the Department being awarded the Bronze Award by the Department of Public Service and Administration in the National Batho Pele Excellence awards for provincial and national departments.

The Department also completed the Provincial Spatial Planning Performance Management and Evaluation Report that focused on three growth regions, namely, the Cape Town Metropolitan, the West Coast and the Southern Cape functional regions. The Western Cape

State of the Environment Outlook Report was published and the Department was the first province to develop an Annual State of Waste Management Report. Further highlights included the Western Cape Provincial Biodiversity Strategy and Action Plan Review, the implementation of the Coastal Management Programme and Estuary Management Programme and the compilation of municipal support and capacity building strategies.

The Department obtained a clean audit for the year under review. It achieved 98,4% of its programme expenditure on its allocated budget. In terms of its annual performance targets, the Department set 47 performance indicators across seven programmes, of which 44 targets were achieved, two targets were partially achieved and one target was not achieved, mainly due to demand driven indicators.

3. CapeNature

Overview

CapeNature continued to strengthen good governance and achieved good results in the past financial year. This resulted in another unqualified audit for the fifth consecutive year. The Entity set 17 performance indicators distributed through four programmes and achieved 100% of its predetermined objectives for the fourth consecutive year. The year of reporting marked the final year of the Entity's five year strategic plan which commenced in 2015.

Highlights included the extension of the conservation estate that comprised the total hectares of land surface area of the Western Cape managed by CapeNature, to over a million hectares. In terms of social investments, the Entity has generated 1 568 work opportunities against a target of 1 000 and managed to employ full time equivalents from communities in close proximity to the reserves which are aligned with the poverty nodes.

The Youth Environmental Services Programme provided a R20 million injection of funding into the province over the past 2 years and allowed youth to participate in capacity building and job creation programmes. The tourism revenue generated by the Entity exceeded the set target. Total revenue generated amounted to R396 million for the period under review. In this regard, R314 million was received from the Department through Provincial Treasury and the remaining funds were generated from other funders. Own revenue streams included licenses and permits as well as interest received and these exceeded projections, with tourism activities being the biggest contributor.

CapeNature achieved 99% of its programme expenditure on its allocated budget. The under-expenditure was due to delays in capital infrastructure projects.

4. Resolutions/Actions

The Committee REQUESTED that the Department and CapeNature, by 19 February 2021, provide it with feedback on the additional responsibility that is placed on the Department and the Entity by new and amended legislation at a national level, with specific reference to waste management.

5. Conclusion

The Committee congratulated the Department and CapeNature on sterling working under difficult circumstances and was satisfied that the predetermined objectives for the 2019/20 financial year were adequately achieved and that it was accurately reported.

The Committee noted its appreciation for the responses of the Department of Environmental Affairs and Development Planning and CapeNature to the scrutiny of the Annual Reports and thanked the Minister, Head of Department, Chairperson of the CapeNature Board, Chief Executive Officer and officials for their contributions and efforts in this regard.

8. REPORT OF THE STANDING COMMITTEE ON TRANSPORT AND PUBLIC WORKS ON THE ANNUAL REPORTS OF THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS AND GOVERNMENT MOTOR TRANSPORT (GMT) FOR THE 2019/20 FINANCIAL YEAR, DATED 7 DECEMBER 2020.

The Standing Committee on Transport and Public Works, having deliberated on the Annual Reports of the Department of Transport and Public Works and Government Motor Transport (GMT) for the 2019/20 financial year, reports as follows:

1. Introduction

The Annual Reports of the Department of Transport and Public Works (the Department) and Government Motor Transport (GMT) for the financial year ended 31 March 2020 were tabled on 23 and 27 November 2020 respectively in accordance with section 65(1)(a) of the Public Finance Management Act, 1999 (Act 1 of 1999), as amended.

As part of its oversight function, the Standing Committee on Transport and Public Works (the Committee) considered the Annual Reports of the Department and GMT on 7 December 2020. Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their strategic plans and annual performance plans. In addition hereto, it accounts for the success of each programme that was implemented.

Standing Rule 111(1)(a) of the Western Cape Provincial Parliament provides standing committees with the mandate to consider departmental annual reports submitted in accordance with the Public Finance Management Act, 1999 (Act 1 of 1999).

The Annual Report Programme for the 2019/20 financial year was advertised in newspapers to invite stakeholders and members of the public to attend and participate in the discussions.

The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management, after which the Chairperson afforded an opportunity to the public to ask questions to the Department.

2. Overview

The Minister and the Head of Department made introductory remarks highlighting that the Department has achieved a clean audit report for eight consecutive years and managed to spend 99,9% of its budget. GMT obtained an unqualified audit with no findings for eight consecutive years thus continuing with the positive trend of the past years.

The Committee proceeded to engage with the Department by asking questions on Parts A, B and D of the Annual Report. All questions were satisfactorily answered and the Committee is satisfied that the Department achieved its predetermined objectives for the 2019/20 financial year and that it was accurately reported on.

3. Information requested

The Committee REQUESTED that the Department, by 26 February 2021, submits:

- 3.1 A progress report on the Founders' Garden Artscape Project;
- 3.2 A copy of the Department's five year Employment Equity Plan;
- 3.3 A copy of the Sakhizwe Status Report with regard to technical skills development at municipalities; and
- 3.4 Information on the two types of contractors, namely panel contractors and framework contractors.

4. Resolution

The Committee RESOLVED that the Department:

- 4.1 Be invited at a future date to brief the Committee on the incentivized Blue Dot system.

5. Recommendation

The Committee RECOMMEND that the Department:

- 5.1 In table 3.4.3 of its Annual Report, consider the category "Inefficiency" as an indicator not only as a need for disciplinary processes but also to identify skills development needs; and

6. Conclusion

The Chairperson thanked the Members of the Committee, the Minister, the Head of Department and all the officials of the Department for their preparation and responses to the questions raised by the Committee.

9. REPORT OF THE STANDING COMMITTEE ON AGRICULTURE, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING, DATED 2 FEBRUARY 2021, ON THE 2019/20 ANNUAL REPORTS OF THE DEPARTMENT OF AGRICULTURE, AND ITS ENTITY CASIDRA, FOR THE YEAR ENDED 31 MARCH 2020.

The Standing Committee on Agriculture, Environmental Affairs and Development Planning, having considered the Annual Reports of the Department of Agriculture and its Entity, Casidra, for the year ended 31 March 2020, referred to it, reports as follows:

1. Introduction

Section 113(3)(b) of the Constitution requires that "Members of the Executive Council of a province must provide the legislature with full and regular reports concerning matters under their control." Section 65 of the Public Finance Management Act, 1999 (Act 1 of 1999) requires the Minister of each department and public entity to table an annual report in the legislature within six months of the end of each financial year.

As part of its oversight function, the Standing Committee on Agriculture, Environmental Affairs and Development Planning (the Committee) considered the Annual Reports of the Department of Agriculture (the Department) and its Entity, Casidra, on 4 December 2020.

Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their Strategic Plans and Annual Performance Plans.

The Annual Report Programme for the 2019/2020 financial year was advertised in various newspapers, inviting stakeholders and members of the public to participate in the discussions.

The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the respective Annual Reports.

2. Department of Agriculture

2.1 Overview

The Department experienced some relief in terms of the challenges associated to the drought due to good rainfall which caused parts of the agricultural sector to slowly emerge out of the drought. The remnants of the drought in certain areas such as the Matzikama and Karoo districts were still evident as the prolonged drought conditions had a compounded impact on the veld and the availability of water for irrigation.

The Committee took cognisance of the continued attacks on farming communities and the impact of COVID-19 on the local agricultural economy.

Highlights for the year included the Elsenburg Agricultural Training Institute receiving accreditation by the Council of Higher Education for a new Diploma in Agriculture that saw an increased percentage of students from designated groups registering for the course. The Department also undertook a study to ascertain the impact of the fourth industrial revolution on the agricultural sector and this highlighted a number of opportunities of which drone technology was an example.

The audit outcome of the Department remained qualified as a result of a long standing matter of a technical nature. The Western Cape High Court exonerated the stance taken by Department and the matter has now been taken to the supreme court of appeal by the Auditor-General.

2.2 Key finding and concern

The Brandvlei Dam is situated on the Lower Brandvlei River in the Western Cape, approximately 15 km south of Worcester and the inlet to the dam is the Holsloot River. The Department submitted a proposal for funding to the Department of Water Affairs (DWS) to raise the current canal by 30cm. This would allow an additional amount of water to be diverted during the winter months for storage which would bring a significant additional area under irrigation. As the DWS owns the Brandvlei Dam and associated infrastructure, they are the lead agency responsible for the design and construction of the infrastructure.

Due to an undertaking by the national Minister of Water and Sanitation that her department would undertake the construction work, the R20 million budgeted by the Department for this project was surrendered to the Provincial Revenue Fund for COVID-19 related expenditure.

The Committee was concerned about the continued delays in respect of this beneficial project but was pleased that the Department indicated willingness to pursue this matter with the DWS. The Ministry of Agriculture has been in regular contact with the DWS and reported that a budget has been made available by the DWS for the project. The Department further reported that a construction company was appointed to do the work as part of another bigger project in the area in order to reduce site establishment overheads.

2.3 Resolutions

The Committee RESOLVED that it would:

- 2.3.1 Undertake an oversight visit to the Holsloot Mapping Project and the Brandvlei Dam Project early in 2021 to see progress made and to investigate what is envisaged for the two projects; and
- 2.3.2 Monitor progress in respect of the Brandvlei Dam Project on an ongoing basis.

3. Casidra

3.1 Overview

Casidra is the implementing agent for the Department and achieved an unqualified audit for the year under review. The Entity was a key role player in the implementation of government funded projects and played an important role in the implementation of the Comprehensive Agricultural Support Programme (CASP) funded projects which supported the development of a substantial number of new farmers entering the agricultural sector in the Western Cape.

One of the key highlights was the successful transfer of the Anhalt farm to the Haarlem community. The Entity aims to see the same process taking place for the Amalienstein and Waaikraal farms in years to come.

3.2 Key findings and concerns

- 3.2.1 Project Khulisa was launched in 2014 and was aimed at accelerating growth and jobs in the Province's most competitive sectors, which includes tourism. The Project aimed to increase awareness of the Western Cape in key markets and sectors, to improve accessibility to Cape Town and the regions, and to boost the attractiveness of the regions through competitive offerings. The Committee was concerned with the slow implementation of this project.
- 3.2.2 The Committee also expressed concern in terms of the capacity constraints and challenges facing the Entity as noted in the Chief Executive Officer's overview.
- 3.2.3 The Entity explored the possibility of new partnerships with other government departments and entities to increase its revenue base and modify its funding model by way of Unemployment Insurance Funding in respect of its skills' development programmes to address youth unemployment. Other types of support provided to women and youth in agriculture was not evident in the annual report. Of concern to the Committee was that this was noted as "not applicable" with no planned targets in the Strategic Plan 2020-2025 of the Entity.

3.3 Information requested

The Committee REQUESTED that Casidra, by 19 February 2021, provides it with:

- 3.3.1 A report stating the reasons for the slow implementation of project Khulisa;
- 3.3.2 A report on the capacity constraints and challenges facing the Entity and plans to improve these capacity constraints;
- 3.3.3 An indication of the extent of the support given to women and youth in agriculture; and
- 3.3.4 Information on the targets for all sub-programmes where the term “not applicable” was used in its Strategic Plan 2020-2025.

4. Conclusion

The Committee congratulated the Department and Casidra on sterling working under difficult circumstances and was satisfied that the predetermined objectives for the 2019/20 financial year was adequately achieved and that it was accurately reported.

The Committee noted its appreciation for the responses of the Department of Agriculture and Casidra to the scrutiny of the Annual Reports and thanked the Minister, Head of Department and officials for their contributions and efforts in this regard.

10. REPORT OF THE STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM ON THE ANNUAL REPORTS OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM AND ITS ENTITIES; WESTERN CAPE TOURISM, TRADE AND INVESTMENT PROMOTION AGENCY (WESGRO) AND SALDANHA BAY INDUSTRIAL DEVELOPMENT ZONE LICENCING COMPANY (SOC) LTD FOR THE YEAR ENDED 31 MARCH 2020, DATED 3 FEBRUARY 2021.

1. Introduction

The Annual Report programme for the 2019/20 financial year was advertised in newspapers, inviting stakeholders and members of the public to attend and participate in the discussions.

Members of the Standing Committee on Finance, Economic Opportunities and Tourism deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department of Economic Development and Tourism and its entities: Western Cape Tourism, Trade and Investment Promotion Agency and Saldanha Bay Industrial Development Zone Licencing Company (SOC) Ltd, on 10 December 2020.

Members of the public were also given an opportunity to pose questions and make oral submissions.

2. Overview

The Committee considered the Annual Reports of the Department of Economic Development and Tourism (the Department) and its Entities; Western Cape Tourism, Trade and Investment Promotion Agency (Wesgro) and Saldanha Bay Industrial Development Zone Licencing Company (SOC) Ltd (SBIDZ).

Before proceeding to the consideration of the Annual Reports, the Minister, the Head of Department, the respective Chief Executive Officers and Chairpersons of the Entities were given an opportunity to make opening remarks.

In the year under review, the Department received its third consecutive clean audit. The SBIDZ received its fifth consecutive clean audit as well, while Wesgro regressed from a clean audit to an unqualified audit with findings in contracts and procurement.

The Committee received one electronic submission from Mr M Mbiko on behalf of the Nyanga Tourism Platform, which the Committee tabled and requested the Department and Entities to respond to.

3. Deliberations on 2019/20 Annual Reports

3.1 Western Cape Tourism, Trade and Investment Promotion Agency: Findings/Concerns

- 3.1.1 The 2019/20 financial year started with a crippling drought, which affected the Province, then the financial year ended with the start of the COVID-19 pandemic and the country-wide lockdown, as well as an international lockdown. This meant that Wesgro had to change almost every aspect of its mode of operation, moving to online platforms to disseminate information about measures and support mechanisms to counter the pandemic and to propagate virtual missions for trade and investment for film and tourism. Much work was done to collaborate with tourism entities to prepare for the emergence from the lockdown.
- 3.1.2 The representation of women on Wesgro's Board seemed to be lacking, which was a concern. Wesgro confirmed that it was in the process of finalising the appointment of two board members, which would address the concerns raised. This information would be forwarded to the Committee once the appointments were finalised.
- 3.1.3 Similarly to point 3.1.2, the Minister and Wesgro Board were in the process of finalising the discussion on the reconsideration of remuneration for the Chief Executive Office. This would be resolved shortly, and the Committee would be informed of the decisions made.

3.2 Saldanha Bay Industrial Development Zone Licencing Company (SOC) Ltd: Findings/Concerns

- 3.2.1 It was noted that in the Saldanha Bay Industrial Development Zone Licencing Company SOC Ltd (SBIDZ), there were many five-year fixed term contracts for employees, which was concerning. The SBIDZ explained that retaining the concept of fixed term contracts was a deliberate decision made when the SBIDZ was initiated given the unstable funding environment that the SBIDZ was faced with. The contracts were three-year fixed term contracts, initially, but these were changed to five-year contracts when the SBIDZ Board reviewed the policy. The SBIDZ is currently in the process of reviewing its Human Resource Management Policy Framework, however, it was likely that the SBIDZ would retain the fixed term contract principle because of the uncertainty in the Entity's revenue streams, and in order to manage the Entity's resource operations in line with that.
- 3.2.2 The SBIDZ, as well as any other Industrial Development Zone (IDZ) in the country, has been greatly impacted by the COVID-19 pandemic. The SBIDZ has had to meet with some of its tenants who have asked for rental reprieves, which the SBIDZ has negotiated in respect of rental deferment plans. The SBIDZ, like all other IDZ's, has had to meet with all its tenants to understand how the pandemic has affected them on a health and economic level. Fortunately, none of the businesses located within the SBIDZ have gone into liquidation.

- 3.2.3 The SBIDZ has the necessary human and knowledge capital to advance its business plan and strategic objectives, however, the Entity requires the financial and policy capital to get through this difficult period and make their objectives a reality.
- 3.2.4 The majority of the SBIDZ's funding has come from the Department of Trade, Industry and Competition (DTIC) and the Special Economic Zone (SEZ) Fund. The SEZ Fund received a budget cut in the first Adjustments Appropriation. There seemed to be a second budget cut in the current Adjustments Appropriation. This meant that it would be difficult for any SEZ to receive additional funding from the SEZ Fund going forward. The SEZs have discussed this and have been looking at alternative funding mechanisms. The SEZ Fund has formed part of the incentive package offered to businesses to join the IDZ. Now, without the funding, the IDZs will have to find other mechanisms to fulfil those incentives previously provided to attract and retain these businesses, without causing the IDZs any undue risks. This will be considered in the SBIDZ's funding model going forward.

3.3 Department of Economic Development and Tourism: Findings/Concerns

- 3.3.1 The 2019/20 financial year was a challenging year for the Department of Economic Development and Tourism (the Department) even before the COVID-19 pandemic took hold of the country. This was due to low business confidence, the country's Gross Domestic Product (GDP) continued to decline, a few sovereign debt payment outlooks were downgraded, and the country's overall growth seemed to be pedestrian. The COVID-19 pandemic hit South Africa in March 2020, however, it had already affected countries in other parts of the world starting in October/November 2019. This was a significant challenge with global trends and global supply chains being disrupted. With the second wave of the pandemic in progress, it seems the recovery will be longer and slower, however, there will be areas of the economy that will improve.
- 3.3.2 There did not seem to be a coherent and deliberate response to having a township economy strategy, or support for Small, Medium and Micro-sized Enterprises (SMMEs) and Local Economic Development (LED). There did not seem to be conversations between the Department, the Department of Local Government and municipalities around LED and support for SMMEs. One of the biggest challenges for small businesses in townships was the lack of proper business infrastructure. Many of the Pick 'n Pay Spaza Shop initiatives were located in old municipal-owned buildings that were dilapidated. This meant that the Department has not fully understood the realities of a township environment. The Department also needed to consult informal traders in respect of trading zones and other related matters. For example, Khayelitsha is one of the largest townships in the Province, however, they have been declared a "no trading zone" by the City of Cape Town.

4. Submission from the Nyanga Tourism Platform

- 4.1.1 Mr Mlandeli Mbiko, representing the Nyanga Tourism Platform (NTP), submitted comments to the Committee, for the deliberations on the 2019/20 Annual Reports of the Department of Economic Development and Tourism and its Entities.
- 4.1.2 The submission lists a number of Western Cape Government departments, which the NTP requests specific information from, and assistance with certain projects within the Nyanga area.
- 4.1.3 The submission was not discussed in depth but the Chairperson instructed the Department and Entities to peruse the submission and submit its responses to Mr Mbiko, through the Committee.

- 4.1.4 The Committee also discussed holding a joint meeting with relevant departments to assist Mr Mbiko with his queries.

5. Resolutions/Actions

- 5.1 The Committee RESOLVED the following:

- 5.1.1 To forward the Nyanga Tourism Platform's (NTPs) submission to the Department of Economic Development, Wesgro and Saldanha Bay IDZ so that they may respond to matters raised by Mr M Mbiko on behalf of the NTP, if any, in writing through the Committee;
- 5.1.2 To undertake a joint meeting with the Standing Committees on Premier and Constitutional Matters and Local Government to discuss the matters raised by the NTP in its submission; and
- 5.1.3 To undertake a visit to the Cape Agulhas Booster Project as part of the Service Delivery Cluster Visit Week.
- 5.2 The Committee REQUESTED that Wesgro provide the Committee with the relevant communicate once the appointments to Wesgro's Board are finalised.
- 5.3 The Committee REQUESTED that the Saldanha Bay IDZ Licencing Company provide the Committee with the following, by 24 February 2021:
- 5.3.1 The documents/booklets that the Entity has created that provides information around processes for the South African Revenue Service and the Department of Home Affairs;
- 5.3.2 An electronic copy of the "A Global, African, South African and Western Cape Oil & Gas, and Marine Fabrication & Repair Situation Analysis" as mentioned by the Entity during the discussions with the Committee; and
- 5.3.3 A copy of the Entity's Human Resource Management Policy once it is reviewed, and a brief report on why the Entity has retained fixed five-year contracts, if this has not changed during the review.

6 Conclusion

The Chairperson thanked the Minister, Department and its Entities for their preparation and responses to questions raised by the Committee members, and for their hard work and dedication during a very difficult year.

11. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY, CULTURAL AFFAIRS AND SPORT ON THE 2019/20 ANNUAL REPORTS OF THE DEPARTMENT OF CULTURAL AFFAIRS AND SPORT, HERITAGE WESTERN CAPE, THE WESTERN CAPE LANGUAGE COMMITTEE AND THE WESTERN CAPE CULTURAL COMMISSION.

The Standing Committee on Community Safety, Cultural Affairs and Sport having deliberated on the 2019/20 Annual Reports of the Department of Cultural Affairs and Sport, Heritage Western Cape, the Western Cape Language Committee, and the Western Cape Cultural Commission, for the year ended 31 March 2020 reports as follows:

Introduction

The Western Cape Provincial Parliament's Annual Report programme for the 2019/20 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on the Annual Reports of the Department of Cultural Affairs and Sport (the Department), Heritage Western Cape (HWC), the Western Cape Language Committee (WCLC), and the Western Cape Cultural Commission (WCCC) on 4 December 2020 as part of its oversight function. The Minister and the Head of Department were given an opportunity to make opening remarks.

The Department and its Entities were examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report.

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There were no submissions.

1. Department of Cultural Affairs and Sport

Overview

The Department of Cultural Affairs and Sport, led by Minister A Marais and departmental Head, Mr B Walters, reported that it achieved 101 of its 105 targets during the year under review. The Department achieved an 8th successive clean audit. The Department commenced its Legacy Project in preparation for the 2023 Netball World Cup set to be hosted in the Western Cape. The Department also supported 129 sport federations, 31 museums and 378 library centres. The Department provided support to 64 cultural organisations. The Department, in partnership with various agencies within the province, launched the Archaeological and Paleontological Heritage Tourism Route.

Key points from the discussion on the 2019/20 Annual Reports

- 1.2 The Western Cape Cultural Commission (WCCC) reported that concerted efforts were made to install alarm systems and implement other security features at various cultural facilities. These measures were undertaken in light of several instances of vandalism, property damage and burglary at the cultural facilities. Additionally, the Department of Cultural Affairs and Sport employed 30 persons via the Expanded Public Works Programme as security personnel at the cultural facilities.
- 1.3 The Department of Cultural And Sport uses a shared business model to assist entities with staff seconded to perform executive duties for the entities. The entities are the WCCC, the Western Cape Language Committee (WCLC) and the Heritage Western Cape.
- 1.4 The Department of Cultural Affairs and Sport achieved 101 of its 105 target indicators.
- 1.5 The reasons for non-achievement of four target indicators varied from (a) researchers not requesting the projected number of archive documents largely due to the elevator being non-functional most of the 2019/20 financial year, (b) two instances of the completion certificates for libraries not being finalised within the 2019/20 final year and (c) one instance of the number of reports achieved due largely to a difference of interpretation between the Department and the Auditor General on what constitutes a report.

- 1.6 The Department reported on break-ins at various libraries; however, the items stolen and/or damaged were insured.
- 1.7 The Department reported that a multipurpose shared facility is being earmarked for the Central Karoo District Municipality. This much needed facility will considerably minimise the cost of transporting learners to and from trials and tournaments based in the Garden Route District Municipality.
- 1.8 The Department of Cultural Affairs and Sport reported on an investigation into sexual harassment that involved a current senior staff member and an intern. The intern is no longer employed at the Department as the term of the person's contract has expired.

2. Requests for information

The Committee requested the Department of Cultural Affairs and Sport to provide the following information:

- 2.1 Details of any planned roadshows by the Heritage Western Cape for 2021, when such details are finalised.
- 2.2 A detailed report on the processes followed to investigate the sexual harassment case referred to in the Department's 2019/20 Annual Report. The report should include all the processes followed, the outcome of the investigative process, the complete timeline, including when the matter was reported; when the investigation commenced and when it ended.

12. REPORT OF THE STANDING COMMITTEE ON LOCAL GOVERNMENT ON THE ANNUAL REPORT OF THE DEPARTMENT OF LOCAL GOVERNMENT FOR THE 2019/20 FINANCIAL YEAR DATED 7 DECEMBER 2020.

The Standing Committee on Local Government, having deliberated on the Annual Report of the Department of Local Government for the 2019/20 financial year, reports as follows:

1. Introduction

The Annual Report of the Department of Local Government (the Department) for the financial year ended 31 March 2020 was tabled on 27 November 2020 in accordance with section 65(1)(a) of the Public Finance Management Act, 1999 (Act 1 of 1999), as amended.

As part of its oversight function, the Standing Committee on Local Government (the Committee) deliberated on the Annual Report of the Department on 7 December 2020. Annual reports are the key instruments for departments to report on performance measured against their performance targets and budgets as outlined in their strategic plans and annual performance plans. In addition hereto, it accounts for the success of each programme that was implemented.

Standing Rule 111(1)(a) of the Western Cape Provincial Parliament provides standing committees with the mandate to consider departmental annual reports submitted in accordance with the Public Finance Management Act, 1999 (Act 1 of 1999).

The Annual Report Programme for the 2019/20 financial year was advertised in newspapers to invite stakeholders and members of the public to attend and participate in the discussions.

The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management, after which the Chairperson afforded an opportunity to the public to ask questions to the Department.

2. Overview

The Minister and the Head of Department made introductory remarks highlighting that the Department obtained a clean audit for the year under review thus continuing on the positive trend of the past years. The Department also achieved 94% of the targets set in its 2019/20 Annual Performance Plan whilst 6% was partially achieved.

The Committee proceeded to engage with the Department by asking questions on Parts A, B and D of the Annual Report. All questions were satisfactorily answered and the Committee is satisfied that the Department achieved its predetermined objectives for the 2019/20 financial year and that it was accurately reported on.

3. Information requested

The Committee REQUESTED that the Department, by 26 February 2021, submits a list of all:

- 3.1 Municipal Public Accounts Committees (MPACs) in the Western Cape indicating when they were established, the number of meetings held to date, the number of training sessions attended by members of the Committee; and composition of the various MPACs; and
- 3.2 Thusong Centres in the Western Cape and the government services provided by these centres.

4. Resolutions

The Committee RESOLVED to, in the future:

- 4.1 Invite the Department to brief it on the operations of the MPACs and to meet with the various MPACs; and
- 4.2 Visit identified Thusong Centres to view the services and operations of these centres and their accessibility to the communities.

5. Conclusion

The Chairperson thanked the Members of the Committee, the Minister, the Head of Department and all the officials of the Department for their preparation and responses to the questions raised by the Committee.