

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 24 NOVEMBER 2014

COMMITTEE REPORTS

1. Report of the Standing Committee on Environmental Affairs and Development Planning and its entity CapeNature for the year ended 31 March 2014, dated 5 November 2014.

The Standing Committee on 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 2014, referred to it, reports as follows:

1. Introduction

As part of its oversight function, the Committee considered the Annual Reports of the Department of Environmental Affairs and Development Planning and its entity, CapeNature, on 24 October 2014. 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 2013/2014 financial year was advertised in various newspaper publications, inviting stakeholders and members of the public to attend and participate in the discussions.

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

Members of the Committee deliberated on Part A: General Information, Part B: Departmental Programme Performance and Part D: Human Resource Management of the

Department and Entity's Annual Report. Members of the public were also given an opportunity to pose questions or make inputs during the discussions.

2. Department of Environmental Affairs and Development Planning

2.1 Overview

The main focus of the Department is to protect the biodiversity in the Province in terms of ensuring sustainable economic growth as well as the sustainability of resources. The year under review presented an unqualified audit report with findings. The Department achieved 98.1% of programme expenditure on its budget. Of the 128 targets in the Department's Annual Performance Plan, 108 were achieved, 13 were partially achieved and only 7 were not achieved.

Key achievements during the year under review included the completion and implementation of the Accounting Officer's system for supply chain management. Two very important policy and legislation instruments were finalised. The promulgation of the Western Cape Land Use Planning Act (Act 3 of 2014) which replaced the Land Use Planning Ordinance was assented to by the Premier on 31 March 2014 and the Provincial Spatial Development Framework review was completed which included the Growth Potential Study of Towns and the Provincial Spatial Plan. The Department also released the 2013 State of the Environment Outlook Report.

The Western Cape Climate Change Strategy and action plan was finalised. The Department received a major intervention in terms of funding from National Treasury for the licensing of waste disposal sites. The enhancement and expansion of municipal support programmes across all functional components was also a key focus area.

2.2 Findings/Concerns

2.2.1 The Berg River improvement plan was implemented. Causes of river pollution include the municipality's sewerage plants that are not up to standard, informal settlements next to the river that do not have the necessary infrastructure and farmers who use the incorrect pesticides. The Oliphant's River and Breede River will be considered as part of the roll-out of this improvement plan to improve the quality of the water in these respective rivers.

2.2.2 The first Sustainable Settlement Innovation Summit was held in September 2013 and focused on waste minimisation. The Committee noted with concern that this was the first summit to be held on this matter.

2.2.3 The Department is in the process of developing a waste minimisation guideline for municipalities where some of the outcomes of the summit will be put into practice. A project is also planned for the next financial year that will focus on small business recyclers as well as the construction sector to determine how construction waste can be utilised.

2.2.4 The National Environmental Air Quality Act (Act 39 of 2004) requires that municipalities develop air quality management plans and also appoint a designated Air Quality Officer. Fourteen Municipalities have complied, 10 plans are in draft format and the rest have not been developed. The Department is working with Municipalities in facilitating this process.

- 2.2.5 Key outputs of the Built Environment Support Programme were the spatial development framework and the human settlement plans for municipalities. The Department assisted municipalities in the drafting of the spatial development plans and the Department of Rural Development and Land Reform assisted municipalities in drafting their human settlement plans.
- 2.2.6 The Department has underspent its budget by R2 607 million by not filling vacancies. However, the year under review portrayed capacity challenges related to unfunded posts on the fixed establishment. As a result, it will prove difficult to obtain additional funding from Treasury to address the staffing issue.
- 2.2.7 Section 24 G of the National Environmental Waste Management Act (Act 59 of 2008) provides for instances where people have commenced with activities that require environmental authorisation without getting the necessary authorisation in the first instance. These individuals then make an application, receive an administrative fine and thereafter the environmental assessment is undertaken.
- 2.2.8 Irregular expenditure relates to an amount of R5.5 million for possible irregularity for non-compliance with the procurement of travel management services. The matter is under investigation.
- 2.2.9 The Department has two focus areas: the one is to be facilitative of development and the second is to be a regulator. In the context of unsolicited bids in the field of renewable energy, the Department is not regarded as a power producer and therefore would not generate solicited bids.
- 2.2.10 The Department did not engage in any public private partnerships as defined in the Public Finance Management Act (Act 1 of 1999, as amended). However, they did build and strengthen relationships with stakeholders outside of the regulatory framework.
- 2.2.11 The Organisational organogram reflects an under-representivity of Africans in senior posts.
- 2.2.12 Target setting, except for demand driven targets, appears to be unrealistic.
- 2.2.13 Over the past four years the particular focus of legal challenges and the decisions made by the Minister or Department has been in the area of land use planning and a particular case often referred to in terms of the Constitution of the Republic of South Africa, 1996, is the Habitat Council matter that relates to the differentiation between what constitutes municipal planning and provincial planning. A focus area for litigation is therefore in the land use planning field. This has now been adequately addressed with the passing of the National Spatial Planning Land Use Management Act (Act 16 of 2013) and the Western Cape Land Use Management Act, 2014 (Act 3 of 2014).
- 2.2.14 The Western Cape Environmental Crime Forum is a body that performs criminal investigations relating to environmental offences. It is driven by the National Prosecuting Authority. The forum consists of the Department, the City of Cape Town, other municipalities, the Department of Water Affairs, the Department of Agriculture, Forestry and Fisheries and the South African Police Services. The

Department coordinates the prosecution of offences. In terms of the agreement between the South African Police Services and the National Department of Environmental Affairs, criminal offences relating to the environment are investigated by Environmental Management Inspectors commonly called the Green Scorpions.

- 2.2.15 The Environmental Management Frameworks (EMF's) for the Saldanha Bay and Drakenstein municipalities were not finalised due to the public participation process being extended because of changes in the Regulations. An EMF deals with listing activities in environmentally sensitive zones and it gives direction to environmental planning in a specific area. The current status quo is that these EMF's are now being finalised.
- 2.2.16 The estimated cost to conduct an EMF is R2.5million. The Sandveld project is co-funded by the Western Cape Department of Agriculture. The Sandveld EMF has a specific focus that deals with potato farming in the Sandveld area. This is a new tool. The first municipality in the country to use this tool was the City of Cape Town. The tool has provincial benefits in facilitating the delisting of certain environmental applications but it is also used as an information tool in the municipal spatial development framework.
- 2.2.17 Approval for the proposed coastal set-back lines as prescribed in the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) has been delineated but not approved. Approval is done on a district basis in collaboration with the local municipality and the district municipality. The methodology used to delineate coastal risk areas and suggested setback lines has been refined. Coastal properties are high value properties and when the public participation processes were conducted it was very emotional because of the ownership consideration.
- 2.2.18 The vacancy rate within the Department is high and Africans are under-represented in senior management posts. The Department is struggling to get applicants from the African race group and if they do, they are unable to retain scarce skill professionals because they are not able to pay market related salaries. Staff retention, especially the retention of young people, is a concern.

2.3 Recommendations/Actions

- 2.3.1 The Committee recommended that the Department:
 - 2.3.1.1 Keep the Committee informed of upcoming events relating to all departmental programmes.
 - 2.3.1.2 Take additional steps to ensure that the vacant positions to be filled are representative of race and gender.
 - 2.3.1.3 Reflect its participation in the Premier's Advancement of Youth Programme in terms of the learnerships being awarded to individuals.
 - 2.3.1.4 Provide the Committee with briefing documents on the relevant subject matters ahead of presenting to the Committee.

2.3.2 The Committee further agreed to, at a future date, invite the Department to brief the Committee on:

2.3.2.1 Programme 3: Compliance and Enforcement.

2.3.2.2 The Berg River Improvement Plan within the context of the Western Cape Sustainable Water Management Plan outlining the successes, challenges, constraints as well as future plans for roll-out.

2.3.2.3 The support offered to municipalities in terms of the development and implementation of their climate change adaptation plans and sustainable energy plans.

2.3.2.4 Waste management.

2.3.2.5 The benefits of the Environment Management Framework as an information tool in relation to the development of municipal spatial development frameworks.

2.3.2.5 The National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008) and its implication on coastal setback lines and in turn coastal properties.

2.3.2.6 Its approach and commitment in ensuring that a programme of transformation is in place that will ensure that the organogram is representative of race and gender by broadening its equitable representation.

2.4 Papers, Reports and Information requested by the Committee

The Committee requested that the Department, by 30 November 2014:

2.4.1 Submit a report on the awareness raising campaign that was held at the Jazz on the Rocks Festival.

2.4.2 Provide a list of the 11 locations where ambient air quality is monitored.

2.4.3 Provide the names of the seven municipalities that have not developed air quality management plans.

2.4.4 Provide the Committee with a written report on the irregular expenditure of R5.5 million under investigation that related to the travel contract.

2.4.5 Provide a schedule of the litigation cases as well as the outcomes and cost involved.

2.4.6 Submit the Supply Chain Management Help Desk Enquiry Management Framework.

2.4.7 Provide a report on the Environmental Crime Forum with specific reference to the nature of their engagements, who their stakeholders are, the kinds of issues and types of crimes they deal with.

- 2.4.8 Submit a list of the various funding streams in terms of job opportunities that are created through environmental programmes.
- 2.4.9 Explain how the statement made in their annual report relating to the population statistics provided by the 2011 census figures relate to the state of capacity within the Department in terms of the number of vacancies, the number of posts that were advertised, and the number of people who applied per race group, qualification, age and gender so that the Committee can correlate this information with the statement that was made.
- 2.4.10 Provide the Committee with the following information on consultants under the following headings: name, total remuneration, the nature of jobs as well as the historic disadvantaged individual status per consultant. These headings as well as the information pertaining to them should be included in the Annual Report.

3. CapeNature

3.1 Overview

CapeNature is mandated to take care of the biodiversity in the province which is of national and international importance. To execute this mandate they depend on a strong leadership team. The Entity has 32 performance indicators, completed 30 and partially achieved two. CapeNature is not complete without its staff complement. A rigorous performance development programme is in place which is monitored on a quarterly basis. The governance facet of CapeNature has improved and the Board executed their fiduciary duties through a system of six committees. What is key is the Risk Committee that deals with prevention of fraud and corruption and the ethical components thereof and the Audit Committee where the Entity implements every finding that was put forward by the Auditor-General from an external perspective and also internally from the Internal Audit Committee. CapeNature presented a qualified audit last year and this has subsequently changed to an unqualified audit. In the year under review the CapeNature Board made special effort to ensure that all control mechanisms, processes and procedures were in place to give the Board a level of assurance. Particular focus was placed on management, where control, reporting and reporting time-lines, compliance with legislation and weak policies were revisited. The statement of financial performance indicates that employee cost rose by 7.7% year on year in the year under review. All other operating expenses amounting to R126 million, 2% less than the previous year and this reflects very tight financial conditions under which CapeNature is operating. Under these conditions it is pleasing to note that acceptable levels of performance were achieved in relation to the predetermined objectives that were set.

3.2 Findings/Concerns

- 3.2.1 The fact that the Entity's budget was reduced by R13 million and the impact of this relates to the MTEF period 2014/2015 should not be reflected in the annual report for the year under review.
- 3.2.2 Land at the Hangklip property was valued at R4 million, R5.5.million less than the valuation in 2013. The depreciation in property value is due to the informal settlement that is situated on the boundary of this property.
- 3.2.3 Concerted efforts were made to reduce outstanding debt within the prescripts of

Treasury Regulations.

- 3.2.4 Roll over of funds were requested for the Extended Public Works Programme relating to conditional grants and tourism. The roll over funds were earmarked for upgrades to CapeNature facilities. This was not approved by Treasury as the application for roll over of funds was submitted late.
- 3.2.5 The Management Effectiveness Tracking Tool (METT) is a scoring method that is applied to the management of the nature reserves. METT's for the rest of the protected areas will be completed in the current financial year.
- 3.2.6 CapeNature initiated a process to rezone three marine protected areas, namely Betty's Bay, Goukamma and Robberg. The rezonation allows for different activities in a particular area. If an activity is changed it impacts on the rights that are already in place for that area and for this reason a public participation process is undertaken.
- 3.2.7 The access road in the Potberg area is in a bad condition and this impacts on the number of school excursions to this facility.
- 3.2.8 The farmworker programme aims to educate and empower staff working in stewardships sites. There is a link between the biodiversity stewardship programme and the sites that are declared as stewardship sites. As a result there is an incentive to provide the farmworkers on those properties with some upskilling to enable them to become employable in the biodiversity sector.
- 3.2.9 The feral pig is a European wild boar. Wild pigs were introduced to South Africa in the 1950's for the purpose of controlling invasive moth in pine plantations. These animals escaped from the plantations and cross bred with domestic pigs. This animal has been classified as 1 of the 100 most invasive species in the world. In order to control these animals, CapeNature has been experimenting with a number of methods, one of which is coral traps (kraal) passive traps where feed is placed out for the animal. The Entity is in the process of conducting a study on the eradication of feral pigs in the Kasteelberg/Porseleinberg area.
- 3.2.10 The Entity, in collaboration with the Predator Management Forum, has worked closely with farmers to curb the damage caused to their sheep and cattle by damage-causing animals. The Western Cape Predator Management Forum is a formal organisation that is assisting the Entity in drafting a protocol where methods used are acceptable, humane and ethical.
- 3.2.11 The Entity is in the process of developing a new employment equity plan.

3.3 Recommendations/Actions

- 3.3.1 The Committee agreed to undertake an oversight visit to the Driftsands, De Hoop and Cederberg Nature Reserves in February 2015.
- 3.3.2 The Committee requested to be informed of all upcoming events relating to the Entity.

- 3.3.3 The Committee requested to be notified of the outcome of the Entity's engagement with the Western Cape Education Department on the way forward in terms of the Potberg Environmental Education Centre in the De Hoop Nature Reserve.
- 3.3.4 The Committee recommended that the Entity familiarises itself with the Premier's Advancement of Youth Programme.
- 3.3.5 The Committee recommended that the approach followed in Buffeljagsbaai where a group of women harvested sour figs and produced a sour fig jam that is sold to shops in the Overberg area be encouraged and that communities support this initiative in order to ensure the sustainability of these type of ventures.

3.4 Papers, Reports and Information requested by the Committee

The Committee requested that the Entity, by 30 November 2014:

- 3.4.1 Provide the Committee with a detailed report on the Ebenhaezer land claim.
- 3.4.2 Submit a list of the schools who attended the Biodiversity Youth Conference and the medium used to advertise this event.
- 3.4.3 Submit a list of the animals that are classified as damage-causing.

4. Conclusion

The Committee notes its appreciation for the response of the Department of Environmental Affairs and Development Planning and CapeNature to the examination of the Annual Reports and wishes to thank the Minister, Head of Department, the Chief Executive Officer of CapeNature and Chairperson of the Board for their contributions and efforts in this regard.

The Committee requests that the House consider this report.

2. Report of the Standing Committee on Human Settlements on the 2013/2014 Annual Reports of the Department of Human Settlements and its entity the Western Cape Rental Housing Tribunal for the year ended 31 March 2014, dated 11 November 2014.

The Standing Committee on Human Settlements, having considered the Annual Reports of the Department of Human Settlements and its entity, the Western Cape Rental Housing Tribunal, for the year ended 31 March 2014, referred to it, reports as follows:

1. Introduction

As part of its oversight function, the Committee considered the Annual Reports of the Department of Human Settlements and its Entity the Western Cape Rental Housing Tribunal (hereinafter "the Tribunal") on 30 October 2014. 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 the Department.

The Annual Report Programme for the 2013/2014 financial year was advertised in the newspapers, inviting stakeholders and members of the public to attend and participate in the discussions.

The Annual Report of the Tribunal was the first item on the agenda.

2. Western Cape Rental Housing Tribunal

2.1 Overview

The Tribunal was established in 2001 in terms of Section 7 of the Rental Housing Act (Act 50 of 1999) (hereinafter “the Act”). The purpose of the Tribunal is to harmonise relationships between landlords and tenants in the rental housing sector. Disputes and unfair practices are resolved by informing landlords and tenants of their rights and obligations in terms of the Act and to make recommendations to relevant stakeholders pertaining to issues related to the rental housing sector.

Members of the Committee proceeded to a page by page analysis of the Tribunal’s Annual Report focusing on Part 1: General Information, Part 2: Human Resource Management and Part 3: Performance of the Tribunal.

2.2 Findings

- 2.2.1 The Tribunal registered 3 264 official complaints in comparison to the 2012/2013 financial year, where only 3 053 were registered. The lack of capacity resulted in a backlog of 353 cases, which was sent to the Tribunal for assessment.
- 2.2.2 Approximately 90% of official complaints received by the Tribunal are resolved by the case officers prior to being escalated further.
- 2.2.3 Additional staff have been employed to assist the Tribunal with its backlogged case load, which resulted in a notable increase in the resolution of cases.
- 2.2.4 The Tribunal has not been allocated its own budget, although limited revenue was granted to the Tribunal from the Head of Department of the Western Cape Department of Human Settlements and the Western Cape Provincial Legislature.
- 2.2.5 Magistrates’ offices have been approached to serve as a platform to create awareness and to market the Tribunal.
- 2.2.6 The utilization of internet, for the marketing of the Tribunal on the Departments’ website, has resulted in an increase of complaints from middle income earners who have access to internet facilities.
- 2.2.7 The Tribunal’s Annual Report did not contain a budgetary breakdown of all the expenditure for the financial year 2013/14.

2.3 Recommendations/Actions

The Committee recommended that:

- 2.3.1 It conducts an oversight visit to the Tribunal to ascertain the workings of the Tribunal.
- 2.3.2 The Department briefs the Committee on the functions of the Tribunal.

- 2.3.3 The Department provides a detailed budgetary breakdown of the funding allocated to the Tribunal for the 2013/14 financial year. A detailed budgetary breakdown should also be included in future Annual Reports.
- 2.3.4 The Department provides a detailed budgetary breakdown of the funding allocated to the Western Cape Housing Development Fund (hereinafter “the Fund”) for the 2013/14 financial year. A detailed budgetary breakdown should also be included in future Annual Reports. (Although the Standing Committee on Public Accounts did the oversight over the Housing Development Fund, the Standing Committee on Human Settlements requested the budgetary breakdown of the Fund because the Fund is a statutory body established under the Western Cape Development Act (Act 6 of 1999) and is a subsidiary of the Western Cape Provincial Government Department of Human Settlements. The mission of the Fund is to manage the Fund’s primary property portfolio which is provided as a social service. The Fund holds housing stock used to provide housing to the poor).
- 2.3.5 The Department investigates the excessive cost incurred by the Tribunal on phone calls.

2.4 Papers, Reports and Information requested by the Committee

- 2.4.1 As per 2.3.3 above, the Department should provide a detailed report on the budgetary breakdown of the funding allocated to the Tribunal for the financial year under review.
- 2.4.2 As per 2.3.4 above, the Department should provide a detailed report on the budgetary breakdown of the funding allocated to the Western Cape Housing Development Fund for the financial year under review.

3. Department of Human Settlements

3.1 Overview

The Department of Human Settlements committed itself to actualizing the concept of integrated and sustainable Human Settlements and to continue on its transversal management approach.

The Department guided by the National Development Plan 2030 and Cape Vision 2040, decided to focus on three areas in order to maximise the impact regarding the delivery of human settlements in order to deal with problems such as in-migration, bulk infrastructure and limited resources, through:

- The upgrading of informal settlements in order to provide basics services to all citizens.
- Strengthening partnership with the private sector in order to increase affordable houses for people earning above the free subsidy threshold.
- Paying more attention in the allocation of free subsidised state houses in order to prioritise the most deserving individuals.

The Western Cape Department of Human Settlements has-

- built 12 681 housing units against a target of 12 302;
- delivered 2 708 other housing opportunities against a target of 1 959; and
- delivered 2 528 serviced sites.

The Committee proceeded to a page by page analysis of the Department's Annual Report focusing on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management.

3.2 Findings

- 3.2.1 The Department received a clean audit for the year ending 31 March 2014, which is an accomplishment due to the capricious nature of the portfolio.
- 3.2.2 Delays in building houses are caused by land invasions, resistance and evictions. Examples are Joe Slovo and Boystown.
- 3.2.3 Bulk infrastructure shortages are due to sewage and water capacity problems.
- 3.2.4 The housing backlog is expected to increase due to budget cuts to the value of R200 million within the next 2 years.
- 3.2.5 People under the age of 40 cannot be "prioritised" as housing beneficiaries. Housing allocations are done on a first come, first served basis. This will ensure that elderly people who have been on the waiting list for a considerable amount of time are allocated a home. Exceptions to the housing allocation are made to provide for disabled people or child-headed households.
- 3.2.6 Different processes are utilized by the Department to deliver on its housing targets. Examples are the People's Housing Process (PHP), the Community Residential Upgrades (CRU), the Rental Housing and the Finance Linked Individual Subsidy Programme (FLISP). A decrease in the budget allocated resulted in fewer houses being built.
- 3.2.7 The Department, in consultation with the Auditor-General, redefined what a complete serviced site is. This flows from the qualification received over the past 3 years on the audit of predetermined objectives. It was agreed that a serviced site is a site that was completed and accepted by the municipality and connected to the sewage and water systems of the municipality. Due to the change of recognition of a serviced site the Department had to decrease the number of sites delivered during the year to be in line with the definition.
- 3.2.8 The City of Cape Town's delivery of sites is not recorded by the Department as it is done from funds (Urban Settlement Development Grant) that flows directly from the National Department of Human Settlements to the Metro.
- 3.2.9 Performance targets on the number of houses that are built during a financial year are measured on the available financial resources received for that financial year. This is in line with the approved business plans received from the municipalities.
- 3.2.10 Contractors, who meet the required tender criteria, as set out by the Department, are employed to build houses. The Department ensures that the correct procedures and processes are followed in obtaining these services.
- 3.2.11 Contracts have penalty clauses which penalises contractors who do not comply with the standard building requirements.

- 3.2.12 Contingency plans are made to recoup losses from bankrupt companies who do not comply with the required standards for the building of houses.
- 3.2.13 The Department considers houses that are suitable for human habitation as complete and houses that have defects are regarded as incomplete.
- 3.2.14 Individual housing subsidies are provided to beneficiaries to aide them in acquiring a house.
- 3.2.15 The Department aided all 24 Municipalities by cleaning the Housing Demand Database of all duplications and deceased persons, thereby ensuring a true reflection of beneficiaries.
- 3.2.16 In the Department there is a shortage of females and persons with disabilities in senior positions. Succession plans are being implemented where women are empowered with the necessary skills to obtain senior positions.
- 3.2.17 All contract posts are in the process of being filled by the Department which currently has a vacancy rate of 1.1%.
- 3.2.18 Remuneration is not on par with the private sector or the municipalities, thus resulting in skilled staff vacating the Department for higher paying positions.
- 3.2.19 The Department, in collaboration with the Sector Education and Training Authority (SETA), is in the process of endorsing three training programmes to uplift and skill unemployed youths.
- 3.2.20 A cause for concern for the Department is that houses are being sold without title deeds on a frequent basis by beneficiaries.
- 3.2.21 The Departments' Walk-in Centre records and deals with all complaints which are directed to the Department. The municipalities are made aware of the respective complaints directed at them and have to respond thereto in order for it to be resolved.
- 3.2.22 Municipalities are assisted and capacitated by the Department and budgetary contingency plans are set in place to ensure continued assistance.
- 3.2.23 The Department conducted two research projects which aid the Department with reducing costs, these are:
 - The City of Cape Town initiative to assist the GAP Market through discounted plot sales.
 - The Wonder Bag Research Report on an energy saving device used for cooking.
- 3.2.24 The Department developed two policies for the financial year under review namely:
 - The framework policy for the selection of housing beneficiaries in ownership based subsidy projects. This is to enhance the fairness and transparency in the selection of beneficiaries by defining set norms and standards.
 - The policy to improve title transfer in New Greenfields Subsidy Housing Projects. The central goal of the policy is to achieve timeous transfers of title deeds to housing beneficiaries in New Greenfields projects
- 3.2.25 Land evictions are only implemented where the law is breached and the correct process is followed to ensure compliance.
- 3.2.26 Erf 8448 in Gugulethu and Erf 2448 Mau-Mau in Nyanga has been reserved solely for backyarders' human settlement. Contingency plans have been set in place by the Department to ensure recourse for backyarders.

3.3 Inputs Received from members of the public

- 3.3.1 Mr T Budden, from Hemporium, addressed the Committee on the utilisation of hemp as a building product and as a viable alternative option for construction and job creation.
- 3.3.2 Ms L Webber, from the Mitchells Plain Advice Office, addressed the Committee on ownership of RDP homes and the need for the law to be amended, to ensure that after divorce the children remain in the house with the parent who has custody of the children.
- 3.3.3 Ms G Pakoe, from the Mitchell Plain Advise Office, addressed the Committee on the lack of funding for rental unit maintenance.
- 3.3.4 Mr N Mbiko, from the Nyanga Development Forum, addressed the Committee on the issuing of title deeds and the allocations of housing for backyarders and requested that the Committee conduct an oversight visit to Nyanga.

3.4 Recommendations/Actions

The Committee recommended that:

- 3.4.1 Mr T Budden briefs the Committee on the utilisation of hemp as an alternative building solution.
- 3.4.2 The Department and the City of Cape Town brief the Committee on their contingency plans to deal with land invasions and evictions.
- 3.4.3 The Department briefs the Committee on the process of how title deeds are allocated and on the current backlog in issuing title deeds.

4. Conclusion

The Chairperson thanked the Minister, Department and the Western Cape Rental Housing Tribunal for their preparation and responses to questions raised by the Committee members.

The Chairperson reiterated the Committees' appreciation for the Department's clean audit outcome for the year under review and that this shows the Department's commitment to good governance.

The Committee also extended a word of thanks to members of the public for their oral submissions and undertook that the Committee would follow up on matters raised.

The Committee requests that the House consider this report.

3. Report of the Standing Committee on Economic Opportunities, Tourism and Agriculture on the Annual Reports of the Department of Agriculture and its Entity, Cape Agency for Sustainable Integrated Development in Rural Areas (CASIDRA) for the year ended 31 March 2014, dated 12 November 2014.

The Standing Committee on Economic Opportunities, Tourism and Agriculture, having considered the Annual Reports of the Department of Agriculture and its Entity the Cape

Agency for Sustainable Integrated Development in Rural Areas (Casidra), for the year ended 31 March 2014, referred to it, reports as follows:

1. Introduction

The annual report programme for the 2013/2014 financial year was advertised in newspapers, inviting stakeholders and members of the public to attend and participate in the discussions.

Members of the Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department and its Entity. Members of the public were also given an opportunity to pose questions and make oral submissions.

2. Department of Agriculture

The Western Cape Department of Agriculture has a broad and extensive mandate to provide a wide range of development, research and support services to the agricultural community in the Western Cape.

The Department has a mission of unlocking the full potential of agriculture to enhance the economic, ecological and social wealth of all people of the Western Cape. The Department lives out this mission by encouraging sound stakeholder engagements; promoting the production of affordable, nutritious, safe and accessible food, fibre and agricultural products; ensuring sustainable management of natural resources; executing cutting edge and relevant research and technology development; developing, retaining and attracting skills and human capital; providing a competent and professional extension support service; enhancing market access for the entire agricultural sector; contributing towards alleviation of poverty and hunger and by ensuring transparent and effective governance.

The Department delivers a broad range of services by means of the following Programmes and Sub-programmes:

- *Programme 1:* Administration (Corporate Services, Financial Management, Communication Services)
- *Programme 2:* Sustainable Resource Management (Engineering Services, LandCare, Land Use Management, Disaster Risk Management)
- *Programme 3:* Farmer Support and Development (Farmer-settlement and Development, Extension and Advisory Services, Food Security, Casidra (Pty) Ltd)
- *Programme 4:* Veterinary Services (Animal Health, Export Control, Veterinary Public Health, Veterinary Laboratory Services)
- *Programme 5:* Research and Technology Development Services (Research, Technology Transfer Services, Infrastructure Support Services)
- *Programme 6:* Agricultural Economic Services (Agri-Business Support and Development, Macroeconomics Support)
- *Programme 7:* Structured Agricultural Education and Training (Higher Education and Training, Further Education and Training)
- *Programme 8:* Rural Development Coordination (Development Planning, Farm Worker Development)

Furthermore, the Department has the following strategic outcome-orientated goals:

- Support the provincial agricultural sector, in at least maintaining its export position for the next 5 years by growing its value added from R14.014 billion in 2009.
- Ensure that at least 60% of all agricultural land reform projects in the province are successful over the next 5 years.
- Support the sector (farmers and industries) in increasing agricultural production (primary provincial commodities) by at least 10% over the next 10 years.
- Optimise the sustainable utilisation of our natural resources through conservation methodologies to increase agricultural production.
- Increase agricultural economic opportunities in selected rural areas based on socio-economic needs over a 10-year period.

The Department's administrative office is located on the farm Elsenburg, near Stellenbosch, but also accommodates new and commercial farmers at research farms, Further Education and Training Centres, extension offices, state veterinary offices and animal health technicians situated throughout the Province.

It should be noted that the Department of Agriculture has for three consecutive years (2011, 2012 and 2013) been named by the Southern African Institute of Government Auditors (SAIGA) as the South African department with the Best Annual Report.

2.1 Recommendations

The Committee recommend that:

2.1.1 The Department briefs the Committee on the following -

- 2.1.1.1 Land Reform Empowerment Projects;
- 2.1.1.2 the Climate Change Framework and Implementation Plan;
- 2.1.1.3 market development initiatives focussed on identifying, developing and optimising new and existing export markets as well as the implementation of the Fetsa Tlala plan;
- 2.1.1.4 measures taken to broaden equitable representation across all occupational categories and levels; and
- 2.1.1.5 the roll-out of the Food and Nutrition Policy in the Western Cape.

2.1.2 The Department, together with Casidra, briefs the Committee on the Farm Worker Development programme and the Proactive Land Acquisition Strategy (PLAS).

2.2 Papers, Reports and Information requested by the Committee

The Department of Agriculture is requested to provide the Committee with a description of the types of short skill courses in each district, as referred to on page 45 of its Annual Report, as well as a historical/geographical breakdown of participants in each course during the period under review.

3. Cape Agency for Sustainable Integrated Development in Rural Areas (Casidra)

Casidra is the acronym widely used to refer to the Cape Agency for Sustainable Integrated Development in Rural Areas and serves as the official implementation agent for the Department of Agriculture and the Provincial Government of the Western Cape as a whole. Casidra is therefore responsible to plan and implement all development projects for the Western Cape Provincial Government.

Casidra is listed as a provincial business entity in terms of the Public Finance Management Act (Act 1 of 1999, as amended) and has a Board of Directors as accounting authority. Casidra is positioned under the Western Cape Department of Agriculture and reports directly to the Minister of Economic Opportunities, Mr A Winde.

The official mandate of Casidra is agricultural and economic development within a rural and land reform context and is supported by a mission to create opportunities for growth and development, to integrate service delivery for maximum impact, to mainstream sustainability and optimize resource use and to promote social cohesion and poverty alleviation in support of Provincial Strategic Objectives in rural areas.

Casidra strives towards this mission by the efficient management of projects aimed at –

- agricultural development and land reform;
- poverty alleviation and projects based on socio-economic needs;
- creating an enabling environment for business development and job creation; and
- transparent and effective governance.

To this extent, Casidra renders project management services to departments within the Western Cape Provincial Government, local authorities, businesses, non-governmental organisations, community based organisations, academic institutions and international assistance organisations.

3.1 Recommendations

The Committee recommended that the Department of Agriculture briefs the Committee on the following:

- 3.1.1 Food garden projects in various municipalities in each district, detailing the type of support given to each project; and
- 3.1.2 Joint-initiatives with other relevant Departments and non-governmental organisations (NGO's) aimed at supporting the children and dependants of farm workers.

3.2 Papers, Reports and Information requested by the Committee

The Committee requested that the Department provides it with a written overview of Departmental Equitable Share Projects (DESP).

The Committee requests that the House consider this report.

4. Report of the Standing Committee on Economic Opportunities, Tourism and Agriculture on the Annual Reports of the Department of Economic Development and Tourism and its Entities and its reporting entities, Western Cape Tourism, Trade and Investment Promotion Agency (WESGRO) and Liquor Authority for the year ended 31 March 2014, dated 12 November 2014.

The Standing Committee on Economic Opportunities, Tourism and Economic Development, having considered the Annual Reports of the Department of Economic Development and Tourism and its reporting Entities, the Western Cape Tourism, Trade and Investment Promotion Agency (Wesgro) and the Western Cape Liquor Authority, for the year ended 31 March 2014, referred to it, reports as follows:

1. Introduction

The annual report programme for the 2013/2014 financial year was advertised in newspapers, inviting stakeholders and members of the public to attend and participate in the discussions.

Members of the Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department and its Entities. Members of the public were also given an opportunity to pose questions and make oral submissions.

2. Department of Economic Development and Tourism

The Department of Economic Development and Tourism has a vision of a Western Cape that has a vibrant, innovative and sustainable economy, characterised by growth, employment and increasing equity, based on the principle of allowing all citizens to reach their full potential.

In striving towards this vision, the Department provides leadership to the Western Cape economy through a well-developed understanding of the economy, its ability to identify economic opportunities and potential and by means of contributing to key government priorities. By doing so, the Department acts as catalyst for the transformation of the economy and respond to the challenges and opportunities of the economic citizens to ultimately support government's objective of creating opportunities for business and citizens to grow the economy and employment. Furthermore, the Department facilitates and contributes to the provision of a predictable, competitive, equitable and responsible environment for investment, enterprise and trade.

The Strategic Outcome Orientated Goals of the Department are aligned to Provincial Strategic Objective One: *Creating opportunities for growth and jobs*. In line with its vision, the Department strives towards the ultimate goal of creating opportunities for businesses and private citizens. To achieve this goal, the Department focusses on five key areas namely, economic strategy and policy; enabling business environment; demand-led private sector driven support; infrastructure-led growth and decreased skills gap.

2.1 Papers, Reports and Information requested by the Committee

The Committee requested that the Department provides the Committee with the following:

- 2.1.1 A written report on the reasons for the exemptions and deviations received from National Treasury, as mentioned on page 20 of its Annual Report.
- 2.1.2 A written report on the actual/achieved targets for each objective of the Strategic Outcome Orientated Goals, as specified on page 23 of its Annual Report.
- 2.1.3 A description of the categories and types of businesses (37) that received financial assistance from the Department, as specified on page 51 of its Annual Report.
- 2.1.4 A list of the 22 businesses that were supported as part of the Provincial Growth Fund during the period under review, specifying which businesses are broad-based and the type of support provided to each business.
- 2.1.5 A written report on the implementation of the Participatory Appraisal of Competitive Advantage (PACA) and Genesis Local Economic Development (LED) Tools in various municipalities during the period under review.

3. Western Cape Tourism, Trade and Investment Promotion Agency (Wesgro)

Following its successful merger with Cape Town Routes Unlimited, Wesgro took ownership of a revised mandate of promoting tourism, trade and investment in Cape Town and the Western Cape.

Wesgro aims to position the Western Cape as a leading investment location by employing proposition-based recruitment strategies. This is done by marketing the region from a business perspective through benchmarking against competing investment locations. Wesgro is therefore responsible to promote and market Cape Town and the Western Cape as a tourism and business destination of choice to the international and domestic market.

To this extent, Wesgro is mandated to attract and retain foreign direct investment, grow exports, and market Cape Town and the Western Cape as a comparative business and leisure destination globally. In its effort to achieve these goals, Wesgro strives to align to the national and provincial priorities relating to economic growth, trade and investment promotion initiatives.

3.1 Findings

The Committee noted that in future Annual Reports, Wesgro ensures that the table relating to the reasons for staff leaving, reflects staff leaving as a percentage of the total staff complement.

3.2 Recommendations

The Committee recommended that in future –

- 3.2.1 the Minister of Economic Opportunities considers listing all national legislation that impact on the mandate of the Department and its Entities as part of section 7 on page 15 of Wesgro's Annual Report; and
- 3.2.2 the Ministry of Economic Opportunities, when filling vacancies on the Wesgro Board, takes into consideration the current under-representation of women and people with disabilities on the Board.

3.3 Papers, Reports and Information requested by the Committee

The Committee requested that:

- 3.3.1 The Department of Economic Development and Tourism provides the Committee with a list of broad-based projects that form part of the Western Cape Agriculture Development Initiative (WCADI).
- 3.3.2 Wesgro provides the Committee with the following:
 - 3.3.2.1 A full list of the 43 events which Wesgro financially supported in the year under review, as specified on page 95 of Wesgro's Annual Report.
 - 3.3.2.2 A breakdown of jobs created by means of both local and foreign investments, as specified on page 55 of Wesgro's Annual Report.
 - 3.3.2.3 A list of municipalities which Wesgro engaged with during the period under review on matters relating to tourism and investment.
 - 3.3.2.4 A retention plan to address the high staff turnover rate as well as a plan to fill the current number of vacancies.
 - 3.3.2.5 An updated consolidated list of each district tourism bureau, detailing the location of each office as well as the contact details of the Manager.
- 3.3.3 The performance indicator measuring *new investment projects attracted* should in future Wesgro Annual Reports differentiate between projects that have been attracted by means of (a) foreign and (b) local investments.

4. Western Cape Liquor Authority

The mandate of the Western Cape Liquor Authority is threefold – to regulate the responsible micro-manufacturing and retail sale of liquor by licence holders in the Western Cape; to facilitate the entry of new liquor licence holders in the Western Cape to reduce illegal liquor trading and to promote the responsible use of liquor in the Western Cape.

In fulfilment of this mandate, the Western Cape Liquor Authority has two strategic goals/objectives:

- *Improving compliance of the liquor authority:* Improving compliance of the liquor industry by issuing liquor licences and monitoring the conditions, in terms of licences issued for the micro-manufacturing and retail sale of liquor.
- *Reducing the negative socio-economic impact of liquor abuse:* Reducing the negative socio-economic impact of liquor abuse through regular education and awareness programmes within targeted communities and for liquor licence holders to promote responsible alcohol use and trade.

4.1 Findings

The Committee noted that in future Annual Reports, the Western Cape Liquor Authority Annual Reports ensures that the table relating to the reasons for staff leaving, reflects staff leaving as a percentage of the total staff complement.

4.2 Recommendations

The Committee recommended that the Western Cape Liquor Authority must be requested to –

- 4.2.1 brief the Committee on the different types of liquor licences;
- 4.2.2 brief the Committee on the Western Cape Government's Substance Abuse Strategy; and
- 4.2.3 re-asses the on-line licence application process as part of a plan of action to relieve the current backlog of licence applications.

4.3 Papers, Reports and Information requested by the Committee

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

- 4.3.1 A detailed description of liquor licences that were (a) revoked (7) and (b) suspended (5) as well as a description of each fine issued during the period under review.
- 4.3.2 A written report on the WCLA's educational/responsible substance use strategy, detailing the financial and funding particulars of this strategy/initiatives as well as an overview of the impact of these strategies on the community.
- 4.3.3 A written report on occasions, during the period under review, when the Board was scheduled to convene, but did not meet, detailing the reasons why the Board did not meet and the agenda for the particular meeting that did not take place.
- 4.3.4 A list and location of all establishments whose applications for liquor licences are currently being considered.
- 4.3.5 A list and location of the 1 609 new licences that were issued per region during the period under review.

The Committee requests that the House consider this report.

5. Report of the Standing Committee on Transport and Public Works on the 2013/14 Annual Reports of the Department of Transport and Public Works and its Entity Government Motor Transport for the year ended 31 March 2014, dated 5 November 2014.

The Standing Committee on Transport and Public Works, having considered the Annual Reports of the Department of Transport and Public Works and its trading entity, Government Motor Transport, for the year ended 31 March 2014, referred to it, reports as follows:

1. Introduction

As part of its oversight function, the Committee considered the Annual Reports of the Department of Transport and Public Works and its trading entity, Government Motor Transport, on 23 October 2014. 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 2013/2014 financial year was advertised in newspapers, inviting stakeholders and members of the public to attend and participate in the discussions.

Members of the Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department and its Trading Entity. Members of the public were also given an opportunity to pose questions and make oral submissions.

2. Department of Transport and Public Works

2.1 Overview

This Department is called upon to play a significant role in all aspects of service delivery to the people of the Western Cape.

The Department achieved an unqualified audit opinion for the year under review and obtained Productivity South Africa's most productive public entity award for its project backlog in which more than 21 000 transport operating licenses were cleared. A new organisational structure was introduced aimed at improving operational efficiency and this should place the Department in a position to deliver its services more effectively to its clients.

As part of the Department's regional focus on unlocking the potential of the Western Cape through infrastructure investment, a Western Cape Infrastructure Framework was developed. Furthermore 16 major road infrastructure projects were completed and a reduction in road maintenance backlog was evident.

South Africa's first non-metro integrated public transport system aimed at enhancing growth and mobility in George was adopted as a pilot project for roll-out to larger cities.

In response to the alarmingly high number of fatalities on our roads during the previous financial year, the Department embarked upon a campaign called 'It takes a second to save a life' that contributed to a 30% reduction in road deaths in the Province since 2009.

2.2 Findings/Concerns

2.2.1 The Department was commended for winning the floating trophy for being the overall best performing department for the Monitoring Performance Assessment Tool awards for 2013. The assessment of performance and monitoring is performed by the Department of Monitoring and Evaluation in the Presidency and the ranking process includes strategic leadership, governance, financial management and human resources.

2.2.2 In order to contribute to reducing fatalities for non-motorised modes of road transport, the safety of cyclists, pedestrians and in particular children, received key attention. There has been a significant increase in accidents involving children in the Western Cape. Loss of life on roads in the Western Cape amounted to approximately 18 000 people annually at a cost R308 billion. The 'Safely home' campaign was successfully embarked upon by the Department in 2010 resulting in a decrease in the number of road fatalities.

2.2.3 Many partnerships were formed with relevant stakeholders to ensure the safety of pedestrians, especially children. The Department of Education has embarked

upon a programme to capacitate school governing bodies as the safety of learners within the boundaries of the school grounds is their responsibility. Regarding safety outside the school grounds, the Department of Education, together with the Department, have programmes in place to educate, not only staff, but also learners about the dangers to and from school. The Department is also actively involved with the Red Cross Children's Hospital with the aim of learning about the impact of accidents concerning children in terms of the injuries that they sustain. Another stakeholder partnership is with the City of Cape Town's Metro Police who are responsible for policing in and around the city areas.

- 2.2.4 Surfaced road maintenance backlog was reduced by 16.2%. The National Minister of Transport has declared the state of roads in the country as follows: approximately 10% are in good condition, 30% are in fair condition and 60% are in a poor condition. In the Western Cape 89% of the roads are in a good to fair condition. Road maintenance is prioritised in terms of the number of kilometres travelled on the roads. The status quo of the roads in the Province is that 91% of kilometres travelled in this Province are on good roads and the remaining 9% relates largely to rural and gravel roads.
- 2.2.5 The electronic monitoring system was deployed for the tracking and monitoring of the subsidised bus services to ensure the improvement and efficiency of public transport services. Since the deployment of the system, the Department has been able to monitor between 90 and 94% of the kilometres travelled by the service provider.
- 2.2.6 The George Municipality's Integrated Public Transport Network System has received the support from the National Department of Transport. There is also an intergovernmental agreement and operator contract in place between the Department and the City of George to provide support to the roll-out and implementation of the system. The National Department of Transport has committed to the project through the public transport infrastructure grant and the public transport network operations grant. An amount of R600 million was allocated to the project during the medium term expenditure framework period. During the particular year under review an amount of R180 million was spent on the procurement of vehicles and buses. Provision was also made for the payment of compensation. The National Department of Transport provided an additional R95 million to assist in the procurement of buses. The Province has contributed approximately R40 million, most of which went towards infrastructure improvements in that area in order to support the implementation of the system. The intergovernmental and financial agreement commits the Department to support the project for a 12 year period.
- 2.6.7 Public transport in the Western Cape is paramount. The Department has a close working relationship with Metrorail. Approximately half of the people who commute into the city use private means. The rest uses public transport. Of those who use public transport 61% of them are rail commuters, approximately 621 000 people. Bus commuters are approximately 288 000 and the balance of the market share is about 18% and this relates to the taxi industry. There is a shortage of train sets in the Province. The Western Cape received some relief from the National Department of Transport as its market share nationally, relative to commuter traffic, currently stands at 32%. There is a commitment from the national government to provide the Province with 20 train sets by November 2015 and 20 locomotives from Spain by March 2015.
- 2.6.8 The Department is ensuring that there is alignment between the provincial and national spheres of government in terms of public transport and is cognisant of the impact of this on the local sphere's plans for integrated public transport in the

future.

- 2.2.9 The Department implemented two of the labour-based surfacing projects as part of its Expanded Public Works Programme, one in the Suurbraak area and the other in the Mossel Bay area. Labour-based projects are implemented with the aim of increasing employment opportunities.
- 2.2.10 Under-spending within the Department was mainly due to disputes relating to the ownership and valuation of buildings as well as the extent and value of provincial roads. The latter is a dispute relating to the City of Cape Town as invoices to the value of R42 million were submitted to the Department containing no clarification on the actual surveying of the provincial road. Uncertainty regarding the valuation method then arose. The Department together with Provincial Treasury and The City of Cape Town's valuation unit is engaging in an attempt to verify those invoices.
- 2.2.11 A contractor (Filcon) was appointed through an open bidding process for the upgrading of three schools that were in a poor condition. It was an open bid that was advertised in the Government Tender Bulletin, the I-tender website and in the register of projects from the Construction Industry Development Board. The contractor was appointed on the 13th of February 2013 on an 11 month contract period for a contract amount of R106 million. The contract was cancelled on 3 April 2014 due to non-performance. A new contractor is still to be appointed. The Limited Bidding in terms of Delegation 122 was recommended by the Bid Adjudication Committee on 20 October 2014 for one contractor only, namely Haw and Inglis Projects (Pty) Ltd.
- 2.2.12 The 19 vacancies within the Department are due to an organisational re-structure. Key positions have been advertised and the rest will be filled by following a staggered approach.
- 2.2.13 All category B municipalities in the Province have integrated development transport plans in place.
- 2.2.14 The Department purchased the York Park Building in George in order to reduce leasing requirements.
- 2.2.15 The condition assessments conducted on government buildings showed that 30% of these buildings are in a poor condition and regarded as high risk in terms of security, health and safety.
- 2.2.16 The Department does not appear to be monitoring to whom the main contractor is sub-contracting work and if these sub-contractors are from historically disadvantaged groups.
- 2.2.17 A financial model has been developed through which municipalities will be reimbursed by the Department for the functions they perform on its behalf. These include the registering and licensing of vehicles, driver's license testing and vehicle testing. A service level agreement will be compiled in this regard.
- 2.2.18 Scholar transport operations formed part of on-going operations targeting schools in the metro where scholars are being transported in conditions contrary to that contained in the National Land Transport Act (Act 5 of 2009). Children are left stranded when no alternative transport is provided. This is a challenge. Traffic services have an arrangement in place with the Department of Education when a taxi is impounded where alternative transport is arranged for the scholars.
- 2.2.19 No learnerships were registered on contracts within the Department.
- 2.2.20 Staff retention of young people is a concern.
- 2.2.21 Africans are underrepresented at senior management level.
- 2.2.22 Two foreign nationals were employed by the Department as architects.
- 2.2.23 The Committee noted that the current targets that are set for Historically Disadvantaged Individual's (HDI's) participation in road construction and road

maintenance are low.

2.3 Input received from the Public

Mr Mike Hofmeester, a member of the public, addressed the Committee on challenges he is experiencing and enquired from the Department when the planned 36 schools will be completed and if there are any subsidies available for taxi owners to become compliant. He also stated that there was no awareness raised in his community on the National Youth Service programmes that is available throughout the Province. There was also no consultation with the community on the integrated public transport plans and no public participation and education when new legislation is being considered.

2.4 Recommendations/Actions

2.4.1 The Committee recommended that the Department:

- 2.4.1.1 Re-assess the way in which it sets Annual Performance Plan targets that are not demand-driven in order for these targets to be more realistic.
- 2.4.1.2 Take additional steps to ensure that the vacant positions to be filled are representative of race and gender.
- 2.4.1.3 Considers increasing the targets relating to HDI contractors and embark on a transformation plan where these individuals are considered for future contracts or sub-contracts involving road construction and maintenance.
- 2.4.1.4 Briefs the Committee, at its first meeting in 2015, on the shortcomings and evolution of the transformation process in terms of widening the pool of suitably qualified people who can compete for employment opportunities, so that equitable representation is achieved.
- 2.4.1.5 Briefs the Committee on the condition assessments conducted on government buildings.
- 2.4.1.6 Liaise with Mr Hofmeester on the issues that he raised.

2.4.2 The Committee committed to visit the Department's Enquiry and Customer Relations Helpdesk.

2.5 Papers, Reports and Information requested by the Committee

The Committee requested that the Department, by 30 November 2014, provide the Committee with:

- 2.5.1 The transcripts of the deliberations of the Adjudication Committee that led to the contractor Filcon being awarded the tender for the upgrading of schools.
- 2.5.2 A response as to whether the official in the employ of the Western Cape Education Department, and who previously worked for Filcon, made a declaration in terms of this affiliation.
- 2.5.3 The amount paid on a monthly basis to the operating company relating to the tollgate at Chapman's Peak.
- 2.5.4 A list of the sub-contractors that are affiliated to the main contractors, as provided to the Committee in previous correspondence dated 25 August 2014, ref number 11/1/2/2/ Standing Committee on Transport and Public Works.
- 2.5.5 A list of the scholar transport operations conducted by the Department, City of Cape Town and Traffic Services for the year under review.

- 2.5.6 A list of the cases of fraud and corruption as well as the current status of these cases for the year under review.
- 2.5.7 The number of vacancies that were advertised as well as the number of people who applied for these vacancies, drawing a clear distinction between those applicants who have a matric certificate and those who have tertiary qualifications. The Department to indicate whether those who did not qualify for advertised vacancies are considered for future vacancies.
- 2.5.8 Its organogram.
- 2.5.9 The amount that was paid to Filcon relating to the contract to build schools.
- 2.5.10 The exact figure for the purchase of the York Park building in George.

3 Government Motor Transport

3.1 Overview

Government Motor Transport is a crucial component to the service delivery capacity of the many arms of government. It encompasses a wide range of functions and is the only trading entity within the Department of Transport and Public Works. It operates as an independent business unit responsible for vehicle fleet management services to provincial and national government as well as to other entities. The year under review portrayed a challenging economic environment and cross cutting initiatives in government that necessitated striving towards improvement of operational and financial performance in order to achieve greater value for clients.

3.2 Findings/Concerns

- 3.2.1 The Entity is moving to new premises in Rusper Street, Maitland, in order to bring all vehicle fleet management activities under one roof. Building construction is on track.
- 3.2.2 There has been a strong emphasis placed on the recovery of older debt. Interest is raised on outstanding debt if it is not paid within a prescribed period. There are large debts outstanding for national departments, namely the Department of Justice and Constitutional Development, the South African Defence Force and the Department of National Defence. In terms of the latter, services have been discontinued and engagements are underway with their Chief Financial Officer to recover the debt. In terms of the Department of Justice and Constitutional Development, fleet management services are still being provided as the vehicles are utilised by judges, whilst the debt is still in the process of being recovered. The Entity is in the process of consulting with these departments to resolve the outstanding debt issues.
- 3.2.3 Auctions are executed by a private company that is appointed through a competitive bidding process. All vehicles that reach the end of its life cycle is withdrawn through a process of evaluation by technical staff and then approved by a committee for withdrawal. The auction is advertised and held at the premises of the Entity under its control but managed by a private auctioneer. The sale of public property through auctions is an opportunity for economic empowerment. There are trends emerging to move away from physical auctions to that of electronic auctions.
- 3.2.4 The organogram structure portrays an under representation of gender and race. The structure is under review and the redesign will be completed by December 2014.
- 3.2.5 Learnership programmes are not being utilised.

3.3 Recommendations/Actions

- 3.3.1 The Committee recommended that Government Motor Transport should brief the Committee on the measures in place to broaden the pool of suitably qualified people who could compete for employment opportunities. This must be linked to the Entity's employment equity plan so that the gender and race imbalances are addressed. This briefing will form a part of the briefing of the Department of Transport and Public Works on the same issue that will take place at the first meeting of the Committee in 2015.
- 3.3.2 The Committee recommended that an oversight visit to the new premises of Government Motor Transport in Rusper Street, Maitland, be undertaken.

3.4 Papers, Reports and Information requested by the Committee

The Committee requested that Government Motor Transport, by 30 November 2014:

- 3.4.1 Provide the Committee with a breakdown of the categorisation of the 2 808 cases of accidents and losses. The breakdown should indicate the cases where there was loss of life and if gross negligence was involved as indicated on page 35 of the Annual Report of the Entity.
- 3.4.2 Submit the Entity's employment equity plan.
- 3.4.3 Provide the Committee with a list of service providers who provide training, the accreditation of this training and the value thereof to the employee in terms of capacity building.

3. Conclusion

The Committee notes its appreciation for the response of the Department of Transport and Public Works and Government Motor Transport to the examination of the Annual Reports and wishes to thank the Minister and Head of Department for their contributions and efforts in this regard.

The Committee requests that the House consider this report.

6. Report of the Standing Committee on Community Safety on the Annual Report of the Department of Community Safety, for the year ended 31 March 2014, dated 12 November 2014.

The Standing Committee on Community Safety, having considered the Annual Report of the Department of Community Safety referred to it for the year ended 31 March 2014, reports as follows:

1. Introduction

The Western Cape Provincial Parliament's Annual Report programme for the 2013/2014 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. Before proceeding to the consideration of the report of the Department of Community Safety, the Minister and the Head of Department were given an opportunity to make opening remarks.

Members of the Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual

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

2. Department of Community Safety

2.1 Overview

During the 2013/2014 financial year, the Department of Community Safety achieved a clean audit, its fifth consecutive clean audit. The Department was awarded for its performance in the Management Performance Assessment Tool (MPAT).

The Department has focused on the implementation phases of the Western Cape Community Safety Act (Act 3 of 2013). The challenges associated with the rolling out of the Act have influenced changes in the Department's profile as it moves into new areas of its oversight role. The anticipated recommendations of the Khayelitsha Commission of Inquiry have also caused the Department to consider its staffing profile and capacity.

The Department has also worked towards strengthening existing projects and partnerships with stakeholders. The Watching Briefs project has produced important information with regard to the effects of police performance on the court cases monitored. A total of 71 cases were removed from the court roll by the presiding magistrates or prosecutors due to insufficient services rendered by the South African Police Service. These findings were communicated to the office of the Provincial Police Commissioner.

The Department has continued to focus on the job placement of Chrysalis graduates; using the Youth Safety and Religion Programme during holidays especially to promote safety, as well as engaging communities on a local level through the Policing Needs and Priorities Programme.

During the 2013/2014 financial year, the Department addressed matters of safety and security of all Provincial buildings through the Beyond Safety Approach Project. In addition, the Department reported achievements of the road blocks employed over weekends as part of the Alcohol Blitz operations.

2.2 Findings

- 2.2.1 Through the Expanded Partnership Programme, the Department ensures proper payment processes of Community Police Forums so as to adhere to good and clean governance.
- 2.2.2 The Department is not wholly responsible for the safety of all provincial government buildings.
- 2.2.3 The Department's expenditure for the Khayelitsha Commission of Inquiry amounted to R6.495 million for the 2013/2014 financial year.
- 2.2.4 The Committee raised concerns regarding the impact that the transfer of the Provincial Traffic Program away from the Department of Community Safety to the Department of Transport and Public Works.
- 2.2.5 The Department has contingency safety plans in place to address the increase of mall robberies.
- 2.2.6 The Committee raised concerns about violence against women and children.
- 2.2.7 The Committee expressed a need for programmes related to awareness of and combatting violence against women and children other than the 16 Days of

Activism campaign as well as the Department's monitoring of the roll out of the Domestic Violence Act (Act 116 of 1998). The Department highlighted that there are victim support rooms as well as other support systems in place, such as the assistance rendered to victims by the Department of Social Development at police stations in particular, as well as several programmes aimed at the safety and upliftment of women and children.

- 2.2.8 The Watching Briefs Programme of the Department is an innovative and productive programme which assists in its mandate of police oversight.
- 2.2.9 The Committee also raised concerns about the level of understanding the public has of the distinction between the Department's role and that of the South African Police Service.
- 2.2.10 The Committee raised concerns regarding the level of SAPS Police Crime Intelligence in the Western Cape which could significantly impact on the levels of crime.
- 2.2.11 The Department acknowledged that the use of illegal firearms is serious.
- 2.2.12 The Committee further raised a concern about the low number of females employed in Senior Management Service (SMS) positions.
- 2.2.13 The Department explained its employment retention strategy.
- 2.2.14 The Department explained the legal framework created by the Western Cape Community Safety Act (Act 3 of 2013) in respect of the functionality of the Community Police Forums.

2.3 Submissions

- 2.3.1 Mr Mlandeli Mbiko, a member of the public, representing the Nyanga Development Forum, presented his concerns of the level of the Department's engagement with the Nyanga community as well as the programmes facilitated by the Department in the Nyanga community. He commended Minister Plato for taking a proactive stance and for the Minister's engagement with the community.
- 2.3.2 Mr Siphiwo Kakaza, a member of the public, representing the Nyanga Tourism Platform, expressed concerns regarding the level of service delivery, safety concerns and the hindrances to potential heritage sites within the Nyanga community.

2.4 Recommendations

The Committee recommended that:

- 2.4.1 The Department be congratulated on its outstanding audit outcomes as well as MPAT awards.
- 2.4.2 The Department should raise with the National Minister of Police that Police Crime Intelligence in the Western Cape is insufficient.
- 2.4.3 That the National Prosecuting Authority briefs the Committee on the Witness Protection Programme.

2.5 Papers, reports and information requested by the Committee

The Committee requested that the Department furnish it with the following information:

- 2.5.1 The staff establishment of the Khayelitsha Commission of Inquiry.
- 2.5.2 Documentation on the different roles and responsibilities of Community Police Forums, Neighbourhood Watches and Community Safety Forums as well as

information on the types of resources, in terms of training and equipment allocated to these structures.

- 2.5.3 A list of areas from which the 2013/2014 Chrysalis graduate learners originate.
- 2.5.4 A document with a list of the Department's partnerships with various organisations and institutions (such as Universities, NGOs etc).
- 2.5.5 A list of the organisations participating in the festive season programme as well as a list of the areas where "Youth and Religion for Safety" programmes are implemented. The Department must also provide a list of the 69 organisations with whom MOUs have been signed.
- 2.5.6 A list of all the partnerships the Department has with the Justice Cluster and Provincial Government.
- 2.5.7 Copies of the Annual Report of the Western Cape Government Safety and Security Managers Forum (WCGSSMF).
- 2.5.8 The requirements for employment on levels 9 to 12.
- 2.5.9 Information on the number of copies of the 2013/2014 Annual Report produced and associated costs.
- 2.5.10 The dates of upcoming Annual General Meetings of Community Police Forums.
- 2.5.11 The Committee requests information on the programmes offered at the Chrysalis Academy.

3. Conclusion

The Committee wishes to express its appreciation for the information provided by the Minister, officials of the Department of Community Safety and the members of the public.

7. Report of the Standing Committee on Cultural Affairs and Sport on the Annual Reports of the Department of Cultural Affairs and Sport, the Western Cape Cultural Commission, the Heritage Western Cape and the Western Cape Language Committee for the year ended 31 March 2014, dated 12 November 2014.

The Standing Committee on Cultural Affairs and Sport, having considered the Annual Reports of the Department of Cultural Affairs and Sport, the Western Cape Cultural Commission, the Heritage Western Cape and the Western Cape Language Committee for the year ended 31 March 2014 referred to it, reports as follows:

1. Introduction

The Annual Report programme for the 2013/2014 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. Before proceeding to the consideration of the report, the Minister and the Head of Department were given an opportunity to make opening remarks.

The Department and 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 inputs during the discussions.

2. Department of Cultural Affairs and Sport

2.1 Overview

The Department achieved a clean audit for the financial year 2013/2014. The Department also received various awards including, Best Project: Mass Participation award during the Expanded Public Works Programme (EPWP) Kamoso Awards event, A Public Service Commission Professional Ethics Award, awarded for being the second best run department in Strategic Management. Attaining these accolades has been aided by improved administrative efficiency and quality of governance.

The Department has seen gradual successes of its Mass Opportunity and Development (MOD) Programme. The outcomes of which are seen in helping youth harness their potential.

The Department focused on three sporting codes, namely, netball, chess and cycling. There has been significant development in these sporting codes.

The Department fully achieved all of its 116 performance indicators during the 2013/2014 financial year.

Another highlight of the year under review includes the approval of the new Museum Policy as well as a strong effort towards implementing the Initiation Framework. The Department has also entrenched the practice of transferring funding to various sport organisations.

The Department supported 110 clubs in 26 different codes through the Club Development Programme.

2.2 Findings

2.2.1 The Department filled the position of the Director in Archives and Records Management.

2.2.2 There are no planned targets included in the breakdown of the performance indicators in the Department's Annual Report 2013/2014.

2.2.3 The Department set targets lower for 2013/2014 than the targets achieved in the previous year of 2012/2013.

2.2.4 The Department has organised structures in place to ensure the facilitation of functional sports clubs.

2.2.5 The Department has met with municipalities to support sports councils on a local level.

2.2.6 The Department supports federations through development funding used for training, administration and coaching; supporting federations through the hosting of major events within the codes, as well as a stipend for sportspersons who achieved national colours.

2.2.7 The Department works closely with existing organisations such as local associations and structures within the community and has engaged with municipalities to promote sports, recreation and cultural activities.

2.2.8 The library connectivity project has been rolled out at 121 of the 149 libraries.

- 2.2.9 The Committee expressed concern about the Western Cape Archives and Records Service's use of media to engage and inform the public of its services.
- 2.2.10 The Committee raised concern regarding the Department's strategies to assist the public to improve their multilingual repertoire.
- 2.2.11 The Committee raised concern about the slow recruitment process and the effects thereof on the Department's functionality.
- 2.2.12 The Committee expressed concern that the Provincial Minister did not appoint board members to the Cango Caves Board.
- 2.2.13 The Committee expressed concerns regarding the expansion of the MOD programme into other activities related to arts, drama and culture.

2.3 Concerns

- 2.3.1 The Committee expressed concern regarding the Department's strategies to ensure that communities know about the support offered by the Department.
- 2.3.2 The Committee raised concern regarding the Department's strategies for engaging with and integrating the community in relation to sports and culture at a local level.
- 2.3.3 The Committee raised concern regarding the funding the Department receives from other departments to assist with the facilitation of the MOD programme.
- 2.3.4 The Committee expressed concern that communication structures informing communities of activities and facilities are not always effective.
- 2.3.5 The Committee expressed concern that the template used on pages 38 and 39 of the Department's Annual Report 2013/2014 are not clear and sufficient in terms of whether the Batho Pele principles are being correctly applied.
- 2.3.6 The Committee raised concern regarding the Department's strategies to assist the public to improve their multilingual repertoire.
- 2.3.7 The Committee raised concern that the slow recruitment process has a negative impact on the Department's efforts to fulfil its mandate.

2.4 Submissions

- 2.4.1 Mr Mandeli Mbiko, a member of the public, representing the Nyanga Development Forum, presented his concerns of the level of the Department's engagement with the Nyanga community as well as the programmes within the arts, cultural and sport sectors, being facilitated in Nyanga.

2.5 Recommendations

The Committee recommended that the Department:-

- 2.5.1 revisits the templates used in its Annual Report so as to provide better clarity and presentation of information.
- 2.5.2 includes the planned target so that deviations can be explained in their Annual Report.
- 2.5.3 prepares to accommodate the immergence of seSotho speaking persons into the province.

2.6 Papers, reports and information requested by the Committee

The Committee requested that the Department furnish the Committee with the following:

- 2.6.1 A written response to questions about its MOD Centre Funding Programme in respect of funding received from other Departments.
- 2.6.2 A full report on the status of the cycling, chess and netball revolutions.
- 2.6.3 Information on the breakdown of cycle lanes in different communities and the number of kilometres of these lanes per community.
- 2.6.4 A list of the names of the talented learners identified from sporting academies and supported by the Department, so that the Committee has a database for tracking the progress of these athletes, in respect of the chess, netball and cycling sporting codes.
- 2.6.5 A list of schools in the Western Cape that do not have national flags and flag poles.
- 2.6.6 A copy of the review of the public entities conducted by the Department of the Premier, via Price Waterhouse Coopers.
- 2.6.7 Information on when the term of office of the previous Board of the Cango Caves Museum expired.
- 2.6.8 A full report on whether the previous Minister of Cultural Affairs and Sport complied with Regulations in respect of the management of the Cango Caves Board.
- 2.6.9 A copy of the *Museums Ordinance (Ordinance 8 of 1975)*.
- 2.6.10 A list of new committee members of the Western Cape Sport Arbitration Forum.
- 2.6.11 The names of communities that form part of the Anti-gang Programme.
- 2.6.12 A copy of “a case for sport” research document.
- 2.6.13 A list of the names of the reference group that was established in respect of the Department’s Initiation Programme.
- 2.6.14 A list of the names of the six projects to promote multilingualism, redress past linguistic imbalances and to provide funding details for these projects as indicated on page 56 of the Department’s Annual Report.
- 2.6.15 An analysis of the planned targets and the actual targets for 2013/2014.
- 2.6.16 A list of the names of the seven events that staff participated in as indicated in sub-programme 3.3: Archives.
- 2.6.17 The names of talented athletes supported within the structured development programme by sport federations.
- 2.6.18 A list of additional staff indicating the directorates wherein they are located.

3. Western Cape Cultural Commission

3.1 Overview

The Minister of Cultural Affairs and Sport lifted the moratorium on registering new cultural councils. The current number of registered councils is 25, with an expectation of it being increased to 29. The funding allocation has been insufficient for the past three years. A maximum of R30 000 funding per council is possible but the allocated budget of R250 000 will not be sufficient, if all registered councils were to apply for funding.

The Department commissioned the Baxter Theatre and the Magnet Theatre to produce a drama titled ‘Passage’. This production challenged audiences to think critically about a variety of important social issues and to revisit any misconceptions they might have held relating to these matters.

The cultural facilities located in Koekenaap and Schoemanspoort are underutilised.

3.2 Findings and Concerns

- 3.2.1 Three members resigned from the Commission.
- 3.2.2 The Commission has the minimum number of 10 members on the Commission.
- 3.2.4 The Committee raised concerns regarding the lack of representivity of the Karoo, Overberg and West Coast on the Western Cape Cultural Commissions.
- 3.2.4 The Committee expressed concern regarding the duration of the moratorium that prevented registration of new Cultural Councils.
- 3.2.5 Workshops were held in Koekenaap to engage the community to gain feedback on why facilities were not used. Arts and culture activities are hosted at the facility to improve the user rate of the facility. In Schoemanspoort, a marketing presentation is used to educate NGOs and Schools on the facility.

3.3 Papers, reports and information requested by the Committee

- 3.3.1 The Committee requested that the Western Cape Cultural Commission furnish the Committee with the following:
 - (i) A list of the 25 registered Cultural Councils as well as the additional four Councils that will be registered.
 - (ii) A list of the seven community Cultural Councils that received funding for their respective cultural projects.

4. Heritage Western Cape

4.1 Overview

The 2013/2014 financial year brought to end the term of the third Council and the appointment of a new Council. The new Council reappointed existing committees on an interim basis so as to facilitate an easy transition period. There was a notable increase of nearly 60% in applications received and processed. The increase in applications had a negative impact on the workload of staff especially since staffing recruitment processes have been slow.

Heritage Western Cape opened an investment account as part of its plans to use an Information Management System, which will assist in the processing of applications. The volunteer programme was used to relieve the workload and has become more structured and organised.

4.2 Concerns

- 4.2.1 The Committee expressed its dissatisfaction that the officials of Heritage Western Cape were not available at the morning Committee slot to account for the contents of their Annual Report, but some made the effort to be at the meeting of the Public Accounts Committee in the evening.

4.3 Recommendations

The Committee recommended that:

- i. a communiqué be directed to the Department and Entity to indicate its discontentment that the officials of Heritage Western Cape were not present at the morning Committee slot.

5. Western Cape Language Committee

5.1 Overview

The Western Cape Language Committee has promoted Sign Language programmes and language and literacy in order to ensure equal status of the three official provincial languages.

A representative from the Sign Language community has joined the Language Committee. However, the member resigned during January 2014. The Language Committee has decided to partner the Project for the Study of Alternative Education in South Africa to promote multilingualism through the Nal'ibali project. The aim of the project is to promote children's potential through storytelling and reading in a language they understand.

5.2 Findings

- 5.2.1 A sample of 10 schools was taken to implement the introduction of an African Language.

5.3 Concerns

- 5.3.1 The Committee expressed concern that there seems to be a lack of vision to concretely implement indigenous languages within the Western Cape.
- 5.3.2 The Committee expressed concern there seems to be a lack of drive as well as several impediments that hinder sufficient implementation of education in indigenous languages.

5.4 Recommendations

The Committee recommended that:

- 5.4.1 a communiqué be directed to the Department and Entity to indicate its discontentment that the officials of the Western Cape Language Committee were not present at the morning Committee slot.

5.5 Papers, reports and information requested by the Committee

The Committee requested the following information:

- 5.5.1 That the Department furnish the list of the 10 Schools and the progress made regarding the implementation of the African language programme.
- 5.5.2 That the Entity provide the Committee with a copy of the Memorandum of Understanding between itself and the Department of Cultural Affairs and Sport.

6. Conclusion

The Committee wishes to express its appreciation for the information provided by the Minister, officials of the Department, entities and the members of the public.