

MINUTES OF PROCEEDINGS

OF THE

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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THURSDAY, 15 NOVEMBER 2018

1. The House met at 14:15.
 2. The Speaker took the Chair and read the prayer.
 3. [14:17] The Chief Whip moved: That, notwithstanding the provisions of Rule 198, precedence be given to the Subject for discussion and thereafter the First Order of the Day.
Agreed to.
 4. [14:18] The Chief Whip of the Majority Party moved: That, in terms of section 62(5) of the national Constitution, read with section 2(3) of the National Council of Provinces (Permanent Delegates Vacancies) Act, Act 17 of 1997, Dr Dion Travers George be appointed as a permanent delegate to the National Council of Provinces.
Agreed to.
 5. [14:21] The House discussed the following subject in the name of hon. Mr M G E Wiley:
The latest crime statistics and the impact thereof on the Western Cape.
Mr S G Tyatyam, having disregarded the authority of the Chair, was ordered to leave the Chamber for the remainder of the day's sitting.
Debate concluded.
 6. [15:48] FIRST ORDER
Consideration and finalisation of the *Western Cape Provincial School Education Amendment Bill* [B 1B–2018] (Minister of Education).
Debate concluded.
- BUSINESS SUSPENDED AT 16:55 AND RESUMED AT 17:10
- Question put:
- Division demanded.
- The House divided:
- Ayes – 23: Botha, L J; Bredell, A W; Fritz, A T; Grant, D A C; Hinana, N E; Joseph, D; Kivedo, B D; Mackenzie, R D; Marais, A J D; Maseko, L M; Maree, O H; Mbombo, N; Mitchell, D G; Mnqasela, M; Meyer, I H; Philander, W F;

Pretorius, P J C; Schäfer, B A; Schäfer, D A; Simmers, T A; Wenger, M M; Wiley, M G E; Winde, A R.

Noes – 14: Beerwinkel, C F; Christians, F C; Dijana, T M; Dugmore, C M; Dyantyi, Q R; Gillion, M N; Gopie, D; Joseph, B D; Lekker, P Z; Magaxa, K E; Makeleni, P; Nkondlo, N D; Olivier, R T; Uys, P.

Question agreed to.

Bill finalised.

7. [17:25] Interpellations.
8. [17:54] Questions.
9. [19:15] Statements by Members.
10. [19:39] Notices of Motion.
11. [19:41] Ms M N Gillion moved without notice: That the House notes that Rev Chris Wessels, retired Moravian Church minister, anti-apartheid icon and ex-political prisoner, died on Tuesday at the age of 83; notes further that those who worked closely with him hailed him as an honest man who believed in justice and righteousness in all spheres of life, and that his whole life was dedicated to the upliftment of the poor and marginalised, as well as building a better society and dismantling the evil system of apartheid; commends his contribution to the struggle against apartheid and for justice; and conveys sincere condolences to his wife, family, friends, and the community of Genadendal.

Agreed to

12. Mr T A Simmers moved without notice: That the House congratulates Honourable Beverley Schäfer on her new appointment as Western Cape Minister of Economic Opportunities, Tourism and Agriculture, and that it has no doubt that our province is in good hands under her leadership; and this House looks forward to working with her in future.

Agreed to.

13. Ms N D Nkondlo moved without notice: That the House notes the cold-blooded double murder of Luyanda Mbele, ANC ward councillor, Mzwandile Mathenjwa, his cousin, who were gunned down in Wallacedene in October; further notes that Mbele was a solid community leader and grounded councillor in that area, a transport activist who, on many occasions, acted as mediator between opposing factions of taxi associations; and conveys its deepest condolences to his family, friends and comrades.

Agreed to.

14. Mr R D Mackenzie moved without notice: That the House notes the untimely death of Theodore Yach, famous open-water swimmer, on 17 October 2018; notes that having completed more than one hundred swims between Robben Island and Cape Town, Mr Yach was South Africa's most accomplished ultra-cold and open-water swimmer; and extends its condolences to Mr Yach's family and friends.

Agreed to.

15. Ms L J Botha moved without notice: That the House congratulates the respective award winners of the Western Cape Government Health Cecilia Makiwane Awards, which took place last week Friday, 9 November, at Kirstenbosch; and notes that the

selection criteria included living up to the nurses' pledge and nursing ethics, going beyond the call of duty, having a positive attitude towards patients and colleagues, contributing to effective management and being part of a multi-disciplinary health care team.

- (a) The winner was Noluthando Tibini, a clinical nurse practitioner at the Ruyterwacht Community Day Centre, who is referred to as "Ma Tibini" by her patients; also notes that she volunteers her services at a soup kitchen, is a member of the neighbourhood watch, facilitates basic first aid training for members of her community and supports the local orphanage; notes that the runner-up was Felicity du Plessis, operational nursing manager at the Lady Michaelis Community Day Centre, where she provides and manages the optometry services of the entire metropolitan area and conducts Meibomian cyst removals at the facility.
- (b) The second runner-up was Hester Blignaut, operational nursing manager at the Villiersdorp Clinic, where she conducts regular outreaches into the community, which has improved the clinic's performance as well as HAST programmes, undertakes screenings for the Integrated Management of Childhood Illnesses, conducts Chronic Disease Management and achieves other health outcomes.
- (c) The awards honour, celebrate and value nurses for their selfless dedication to the nursing profession and the exceptional work they do in their lives through making a lasting difference in their patients' lives and contributing to the improvement of their communities' wellbeing.

Agreed to.

- 16. Mr N E Hinana moved without notice: That the House welcomes the deployment finally of the Rail Enforcement Unit on our trains, and believes that this Unit must ensure the protection of all rail infrastructure and the safety of all at commuters.

Agreed to.

- 17. Mr M G E Wiley moved without notice: That, in the light of the 100th commemoration of Armistice Day, the House remembers all South Africans who had fallen in conflict while fighting for their beliefs.

Agreed to.

- 18. Ms D Gopie moved without notice: That the House notes with concern the passing on of Danile "Tank" Landingwe, struggle veteran, former political prisoner and Cape Town member of the mayoral committee, on 8 November; notes that his interment will take place this Saturday; and conveys sincere condolences to his family, friends and comrades.

Agreed to.

- 19. Mr D G Mitchell moved without notice: That the House commemorates World Orphan Day, which takes place annually on 12 November 2018, highlighting the need for all of society to work better together to raise and support orphaned children; and notes that, as society, we can help orphaned children by volunteering at our local Child and Youth Care Centre, fostering or even adopting children.

Agreed to.

20. Ms L J Botha moved without notice: That the House welcomes the launch of the Early Childhood Development Bond in Cape Town, which uses an innovative financing mechanism; notes that the public- private sector coalition project is managed by the intermediary partnership of mothers -2-mothers and Volta Capital, and works closely with their implementing partner, the Western Cape Foundation for Community Work (FWC).

The transaction is led by the Western Cape Department of Social Development in a matched funding arrangement with ApexHi Charitable Trust and is supported by a coalition of investors.

Over a three-year period, the project will seek to improve the cognitive and socio emotional development outcomes of more than 2 000 children in the low-income communities of Atlantis and Delft in the Western Cape.

Agreed to.

21. Mr R D Mackenzie moved without notice: That the House thanks and commends the Japanese NGO known as the South African Primary Education Support Initiative or SAPESI, Ocean Network Express (ONE) Pty Ltd that, in collaboration with the Western Cape Department of Education, donated over 23 000 English children's books for mobile libraries.

Agreed to.

22. Mr R D Mackenzie moved without notice: That the House congratulates Benni McCarthy, head coach of the Cape Town City Football Club for earning UEFA's professional coaching licence, the highest recognised qualification in football in the world; further notes that the former Bafana Bafana striker is the only South African coach in the Premier Soccer League (PSL) to hold this qualification; and wishes him all the best in his pursuit for glory with soccer enthusiasts.

Agreed to.

23. Mr R D Mackenzie moved without notice: That the House congratulates Capetonian Yanga Sebetwa from Delft for reaching the final of the 14th season of Idols South Africa; notes that the current idol and season 13 winner, Paxton Fielies, is also from Cape Town; and wishes Yanga all the best as the whole Western Cape is behind her.

Agreed to.

24. Ms T M Dijana moved without notice: That the House notes and welcomes the announcement that policing in the Western Cape will get a boost with 1 070 additional officers who will be deployed in this financial year; notes further that a commitment has been made to boost the Anti-gang Unit in the future; and applauds the Minister of Police and the leadership of the SAPS for all their interventions in the province.

Agreed to.

25. Mr R D Mackenzie moved without notice: That the House congratulates Tashreeq Matthews, 18-year-old former Ajax Cape Town starlet from Hanover Park, for making his competitive debut for the Bundesliga's Borussia Dortmund Football Club just hours after signing his contract with the German giants.

Agreed to.

26. Ms L M Maseko moved without notice: That the House condemns in the strongest possible terms the recklessness of smokers who throw their cigarette butts into the road; notes that this behaviour is one of the causes of the runaway fires which continue to take the innocent lives of so many; further notes that such acts of selfishness should not be allowed to cause this unnecessary loss of life; and call on cigarette smokers to stop burning down our province.

Agreed to.

27. Mr T R Olivier moved without notice: That the House notes that nine people have died and more than 1 500 were displaced as wildfires engulfed vast areas of the Garden Route in the past month; notes further that the horrific fires are occurring again after the devastating fires of last year, also notes that the fires started on 20 October in the Vermaaklikheid area, before spreading; lauds all the firefighters; and conveys condolences to the families of the deceased as well as to the family Nico Heyns (65), the pilot who had died after his Huey helicopter of Working on Fire crashed during fire-fighting efforts in Knysna.

Agreed to.

28. Ms T M Dijana moved without notice: That the House notes that the water situation in the Karoo remains critical, especially in Beaufort West, where surface water levels are less than 20% on average, notes further that because the Gamka Dam has been empty for years, the Karoo has long depended on underground water and treated waste water for survival; and calls on the provincial government to intervene as the boreholes supplying the region have begun to run dry.

Agreed to.

29. Ms T M Dijana moved without notice: That the House notes that Jonathan Isaacs (62) from Sunbird Park, Kuils River, received the exorbitant water bill of R1,8 million from the City of Cape Town in August; notes further that the pensioner's water bill is usually between R300 and R400 a month and that he almost had a heart attack when he was told it was that; and calls for an urgent investigation into exorbitant water bills in the City that are regularly incorrect water bills and calls on the City to scrap all the incorrect water bills and write back the compounded interest.

Agreed to.

30. Ms T M Dijana moved without notice: That the House joins hands with millions of people in the Western Cape in welcoming and celebrating the launch of the Anti-gang Unit; notes further that the launch of the unit will play a central role in weakening the capacity of gangs to operate and put a halt to activities such as the production and sale of drugs, while reducing illegal firearms and the high incidence of gang-related murders; and commends President Cyril Ramaphosa and Bheki Cele, Minister of Police, for listening to the people and bringing in this unit.

Agreed to.

31. Ms T M Dijana moved without notice: That the House notes the passing on of Nokhanyo Mtalana (30), who was gunned down in Nyanga on 8 November while she was driving home from a prayer service; notes further that Nokhanyo was an active member of the ANC and that she was shot six times by the gunmen; conveys condolences to her family and parents; and calls on the police to speed up the investigation into the murder.

Agreed to.

32. Ms T M Dijana moved without notice: That the House notes and welcomes the arrest of cores of suspects by the Anti-gang Unit in Philippi since its inception; notes further that the suspects were arrested in possession of unlicensed firearms and ammunition and drugs valued at millions of rands; and lauds the work of this Unit.

Agreed to.

33. [20:15] SECOND ORDER

Consideration of Report of the Standing Committee on Transport and Public Works on the *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 38D–2015] (NCOP), dated 25 September 2018 (See Announcements, Tablings and Committee Reports, No 67, dated 25 September 2018, p 260) (Ratification of final mandate).

Debate concluded.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP not to support the Bill was ratified.

34. [20:19] THIRD ORDER

Consideration of Report of the Standing Committee on Local Government on the *Traditional Leadership and Governance Framework Amendment Bill* [B 8D–2017] (NCOP), dated 28 September 2018 (See Announcements, Tablings and Committee Reports, No 72, dated 2 October 2018, p 270) (Ratification of final mandate).

Debate concluded.

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

35. [20:21] FOURTH ORDER

Consideration of Report of the Standing Committee on Community Development on the *National Health Laboratory Service Amendment Bill* [B 15D–2017] (NCOP), dated 18 October 2018 (See Announcements, Tablings and Committee Reports, No 77, dated 24 October 2018, p 290) (Ratification of final mandate).

Debate concluded.

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

36. The House adjourned at 20:25.

Dr G A LAWRENCE
Secretary to Provincial Parliament