

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 1

WEDNESDAY, 14 NOVEMBER 2017

PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:01.

The House Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.

NOTICES OF MOTION

Mr W F FABER: Hon House Chairperson, I hereby give notice that on the next sitting day of the Council, I shall move on behalf of the DA:

That the Council –

(1) notes that –

(a) Parliament finally began its enquiry on state capture;

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 2

- (b) it was reported that a group of ANC MPs were trying to pull the plug on the investigations by appealing to Luthuli house to stop the enquiry from going ahead;
- (c) it is clear that the ANC don't want South African public to understand how deep corrupt is entrenched in their party with the Gupta family with state capture;
- (d) it went so far that it was even discussed in an ANC parliamentary caucus to bring the enquiry to a halt;
- (2) condemns such action to try and protect corrupt politicians and hope that this enquiry get to root off all evil and if it found that politicians were involved in corruption, they must be criminally charged and prosecuted as any other citizen in South Africa; and
- (3) believes as the DA in a clean and transparent government for all the people of South Africa.

Agreed to.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 3

Ms T G MPAMBO-SIBHUKWANA: Hon House Chairperson, I hereby give notice that on the next sitting day of the Council, I shall move on behalf of the DA:

That the Council –

- (1) debates the ongoing deaths of patients due to criminal targeting of ambulances and ambulance drivers, which puts so many lives in jeopardy and discuss the solution in this regard.

Agreed to.

Mr G MICHALAKIS: Hon House Chairperson, I hereby give notice that on the next sitting day of the Council, I shall move on behalf of the DA:

That the Council –

- (1) debates the centenary of the Russian revolution and the spread of communism throughout the world causing the deaths of 65 million in the People's Republic of China, 20 million deaths in Soviet Union, 2 million in Cambodia, 2 million in

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 4

North Korea, 1,7 million in Ethiopia, 1,5 million in Afghanistan, 1 million in the Eastern block, 1 million in Vietnam, 150 000 in Latin America, 10 000 deaths resulting from actions of the international communist movement and communist parties not in power; and

- (2) that those who did not die under these regimes suffered famine, poverty and oppression on horrific scale and that it is beyond comprehension that anyone can look at the track record of communism over the past century and still be a supporter of such a backward ideology.

Agreed to.

Mr M KHAWULA: Hon House Chairperson, I hereby give notice that on the next sitting day of the Council, I shall move on behalf of the IFP:

That the Council –

- (1) debates the dismal performance of Bafana Bafana and its inability to qualify for the Fifa World Cup, in Russia in 2018;

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 5

- (2) notes that Bafana Bafana last qualified for the Fifa World Cup in 2010;
- (3) further notes that this was on the basis of South Africa being a host in that year;
- (4) also notes that on the return of South Africa to international sports, the 1996 team of Bafana Bafana and the 1995 team of the Springboks performed exceptionally;
- (5) these latest dismal failures of both the Springboks and Bafana Bafana can no longer be left unchallenged;
- (6) such a debate should never be interpreted as interference into sports activities by the government but should be treated as a concern into letting down the good name of our country, South Africa; and
- (7) such a debate should also aim at correcting whatever is wrong in the running of sports in South Africa, which contributes to all these miniature performances.

Agreed to.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 6

90TH BIRTHDAY OF ADVOCATE GEORGE BIZOS

(Draft Resolution)

Mr G MICHALAKIS: Chairperson, I move without notice:

That the Council -

- (1) notes that this week, is the worlds' renowned human rights lawyer, Advocate George Bizos 90th birthday;
- (2) further notes that Bizos, whose father was the mayor of Vasilitsi, Greece, came to South Africa as a refugee at the age of 13, amid a time when General Smuts was accused of allowing the vilgoed of Europe, as so many of our families were referred to, into South Africa;
- (3) also notes that Bizos defied all odds, learnt to speak English and Afrikaans and gained access to Wits Law Faculty;
- (4) further notes that over the course of his long career, he defended the Rivonia trialists, the Hani family, Morgan

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 7

Tsvangarai, Popo Molefe, Steve Biko, the Mandelas and many others;

- (5) also notes that he was fundamental in drafting our Constitution and opposing amnesty on behalf of many apartheid victims during The Truth and Reconciliation Commission, TRC process;
- (6) further notes that, asked whether he is Greek or South African, Mr Bizo's answer is both, stating that loving the one does not take away from the other, and quoting from the Constitution that "South Africa belongs to all who live in it";
- (7) finally, from one South African to another; [Chrónia Pollá kai sas Bizos efcharistó gia óla ósa échete káneí], Happy Birthday Mr Bizos and thank you for everything you have done.

Agreed to.

**EXECUTIVE MAYOR OF TSHWANE, SOLLY MSIMANGA, LAUNCHED A FORENSIC
INVESTIGATION INTO CORRUPTION**

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 8

(Draft Resolution)

Ms B A ENGELBRECHT: Madam Chair, on behalf of the DA, I hereby move without notice:

That this House -

- (1) congratulates the Executive Mayor of Tshwane, Solly Msimanga, for launching a full forensic investigation into corruption.;
- (2) notes that R15 million worth of corruption was uncovered within the Tshwane Metro Police Department, perpetrated by former ANC officials, before the DA assumed office in August 2016.;
- (3) further notes that this money was meant for procuring security systems for the city and the protection of our people, yet this never happened, despite the money having been spent;
- (4) lastly, the DA led multiparty administration will continue to ensure that residents' hard earned money will be used to

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 9

provide basic services, instead of landing into greedy politicians' pockets.

RELEASE OF THE HEHER COMMISSION REPORT BY PRESIDENT JACOB ZUMA

(Draft Resolution)

Ms L L ZWANE: House Chair, I hereby move without notice:

That the Council -

- (1) notes and welcome the release of the Heher Commission report by President Jacob Zuma, looking into the feasibility of fee-free higher education and training;
- (2) also notes that the much anticipated report was beginning to create a state of panic to some stakeholders as rumours about its leak began to spread and also creating anxiety;
- (3) further notes that the report contains some recommendations that would assist in the process to address the free higher education concerns, that include a few but not least, that funding for higher education be increased to 1% of the GDP, replacing the National Student

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 10

Financial Aid Scheme with an income-contingent loan, ICL, system in which students would repay their debt, based on their post-qualification salaries;

- (4) acknowledges that this is work in progress, so that the public can have an opportunity to study the report while the government continue with the processing thereof; and
- (5) notes different feelings and understanding of the contents of the report,
- (6) however, encourage all relevant stakeholders to work together in this regard. [Time expired.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Zwane your time has expired. Your motion will now become notice of a motion and will be printed in full in the next Order Paper.

**POLICEMEN AND WOMEN IN THE NORTHERN CAPE PROVINCE ARE UNCERTIFIED TO
CARRY FIREARMS**

(Draft Resolution)

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 11

Mr W F FABER: Hon Chair, on behalf of the DA, I hereby move without notice:

That the House -

- (1) notes that 170 policemen and women in the Northern Cape province are uncertified to carry firearms and more than 500 police officials in the province do not have competency certificates;
- (2) further notes that there are 3 500 uncertified police officers carrying firearms nationally, while approximately 11000 officers do not have competency certificates;
- (3) also notes that South African Police Service, SAPS has failed to train thousands of police officers and have allowed unfit officers to possess or use firearms;
- (4) further notes that the reality is that police officers are not trained properly; and
- (5) also notes that this does not only endanger the South African public but also the police officers themselves

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 12

since anyone carrying a firearm without licence faces up to 15 years imprisonment as well;

- (6) finally notes that it is time that SAPS transforms into a professional police service required to fight crime in order for South Africans to feel safe in their communities.

Agreed to.

**RESIGNATION OF MICHAEL SACHS AS HEAD OF THE NATIONAL TREASURY'S
BUDGET OFFICE**

(Draft Resolution)

Mr C J DE BEER: Hon Chairperson, I hereby move without notice:

That the Council -

- (1) notes with profound sadness that Michael Sachs resigned as Head of the National Treasury's Budget office last week;

- (2) also notes that Mr Sachs as an ANC blue blood is a product of Solomon Mahlangu College in Tanzania, the institute where

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 13

young people were trained to run what was then still a dream of a future democratic South Africa and;

(3) has worked at the ANC headquarters in various capacities that included commissioning detailed economics studies and coordinating the work of the party's economic transformation committee;

(4) further notes that he headed this very complex office consisting of many officials who work closely with national departments to ensure that policy mandates are effectively funded within the fiscal ceiling set by the Treasury since his previous incumbent, Kuben Naidoo, who left to first join the National Planning Commission and later became a deputy governor of the South African Reserve Bank;

(5) therefore we wish him well on his future endeavours.

Agreed to.

**SOUTH WEST AFRICAN PEOPLE'S ORGANISATION WON THE FIRST DEMOCRATIC
ELECTION IN 1989 IN NAMIBIA**

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 14

(Draft Resolution)

Ms N P KONI: Thank you Chairperson, I have been missing you. I rise on behalf of the EFF:

That the House-

- (1) notes that this week in 1989, the South West African People's Organisation won the first democratic election to take place in Namibia;
- (2) further notes that this was after years of colonial rule; first under Germany and under the apartheid government;
- (3) acknowledges that this was a historical moment as the indigenous people of Namibia were able to elect their leaders for the first time since colonialism;
- (4) further acknowledges that the South West African People's Organisation, SWAPO, won because the people of Namibia were aware of the role that the organisation had played in ensuring the liberation of the country and its people;

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 15

- (5) notes that while political freedom was exercised that day, economic freedom still remains a distant reality for many Namibians;
- (6) further notes that this requires a struggle to be continued for the attainment of economic freedom; and
- (7) We the current generation of fighters will fulfil this generational mission of economic freedom in our lifetime for Africa and the oppressed land. I thank you.

The HOUSE CHAIRPERSON (Ms M C Dikgale): In light of the objection, the motion may not be proceeded with ... [Interjections.] Order! Hon Koni. A motion without notice will now become a notice of a motion. [Interjections.] Order hon Koni! Order!

**NELSON MANDELA'S GIFT FROM THE GERMAN GOVERNMENT DURING HIS VISIT TO
BERLIN IN 1996**

Mr C HATTINGH: Hon Chair, on behalf of the DA, I hereby wish to move:

That the Council -

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 16

- (1) notes that a gift from the German government given to President Mandela during his visit to Berlin in 1996 is displayed about 200 metres from where we are today, at the top end of St Georges Mall;
- (2) also notes that it is a piece of the Berlin wall of which the 28 anniversary of the falling of this wall was celebrated on the 9 November last week;
- (3) further notes that the wall, brightly painted on the Western side and painted in whitish-grey on the Eastern side, to enhance the shooting of people wanting to escape from one of the most oppressive governance systems , communism, of which it was declared at the 2008 Prague Declaration on European Conscience and Communism that crimes committed under it, were crimes against humanity;
- (4) recognises the significance of the fall of the Berlin Wall as the symbol of the fall of international communism and the misery it brought to mankind.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 17

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mpambo-Sibhukwana, you are speaking to hon Hattingh and I am giving you attention. Are you now withdrawing?

Ms T G MPAMBO-SIBHUKWANA: No, I didn't raise my hand.

The HOUSE CHAIRPERSON (Ms M C Dikgale): You didn't raise your hand? Okay.

DETERIORATING WATER LEVELS IN THE WESTERN CAPE

(Draft Resolution)

Ms E PRINS: Chairperson, on behalf of the ANC, I hereby move without notice:

That the Council -

- (1) notes with concern that the water levels in the Western Cape are deteriorating as the summer is intensifying;
- (2) further notes that with the heat and wind, more decline going forward is expected, whilst on the other hand the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 18

communities are not fully on board with the measures to save water;

- (3) also notes that the City of Cape Town storage dam levels are currently at 36,8%, with only 26,8% of usable water remaining;
- (4) calls upon the provincial government and the City of Cape Town to fast-track the water projects intended to save the situation; and
- (5) further appeals to the people to use water sparingly more especially during this time of drought.

Agreed to.

**WESTERN CAPE DEPARTMENT OF HUMAN SETTLEMENTS WON THE BEST PERFORMING
PROVINCE OF THE YEAR**

(Draft Resolution)

Mr J J LONDT: On behalf of the DA, I hereby move without notice:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 19

That this House -

- (1) congratulate Western Cape MEC of Housing, Minister Bonginkosi Madikizela whose department, the Western Cape Department of Human Settlements, won the Best Performing Province of the Year in human settlements delivery at the National Govan Mbeki Awards ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Sorry hon Londt. Hon Faber, are you allowed to take pictures in the House? Please don't be out of order. Continue Sir.

Mr J J LONDT: Let me start that over Chairperson.

That this House -

- (1) congratulate the Western Cape MEC of Housing, Minister Bonginkosi Madikizela whose department, the Western Cape Department of Human Settlements, won the Best Performing Province of the Year in human settlements delivery at the National Govan Mbeki Awards on 09 November 2017;

- (2) further, notes that the department also won the best Social Housing Project Award;
- (3) welcomes the province's indication that it aims to deliver more housing opportunities such as the Belhar Gardens initiative to accommodate residents in the affordable gap market; and
- (4) encourages other provinces to follow the department's sterling example.

**CONSIDERATION OF REPORT OF THE SELECT COMMITTEE ON FINANCE ON THE
PROVINCIAL TREASURIES PRELIMINARY EXPENDITURE FOR THE 2016/17
FINANCIAL YEAR**

Mr C J DE BEER: Hon House Chairperson, hon members, the committee engage with the provincial treasuries on an annual basis to ensure fiscal sustainability and enhance its Oversight role over provinces. The Public Finance Management Act, PFMA, requires that provincial treasuries must among other things, exercise control over the implementation of the provincial budget and assist the provincial departments and entities in building capacity for efficient, effective and transparent financial management.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 21

The committee had five meetings with the Members of the Executive, MECs, of Finance from all nine provinces between 24 May and 28 June. The provinces presented their preliminary expenditure for the 2016-17 financial year. Provincial economic fortunes are generally linked to those of the national economy. Out of the nine provinces, Gauteng forms economic hub of South Africa contributing 33% of the national Gross Domestic Product, GDP, followed by KwaZulu-Natal with 16% and followed then by the Western Cape with 14,3%.

The committee's report features the economic growth in each province and what drives the provincial economies as well as the budget allocations and expenditure by provincial department in every province. Provinces in some cases also improved on their own revenue collection. Gauteng collected R5,7 billion, KwaZulu-Natal collected R3,1 billion, Western Cape collected R3 billion, Limpopo collected R2 billion and smallest province of Northern Cape collected R341 million. Total expenditure of the nine provinces amounted to R520,4 billion that equals 99,2%. An amount of R4,4 billion was returned to the National Treasury as unspent. Limpopo unspent by R1,2 billion. The committee report also captures the Auditor-General's audit performance on all the provincial departments in the nine provinces as well on public entities in provinces. Unauthorised irregular

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 22

wasteful and fruitless expenditure for provinces is also captured in the report.

The committee made the following observations:

The amount of unpaid invoices have increased to R26,4 billion for the 2016-17 financial year;

Noted that most provinces are faced with the medical and legal claims which are costing the provincial departments of health R56,3 billion. Accruals for departments of health tabled R13,9 billion out of the R56,3 billion;

Most provinces had concerns with the issue of equitable share formula and we were informed by the National Treasury that this will be addressed in the 2018 National Budget when that will be tabled in February next year;

Also challenges faced by the Limpopo Provincial government related to the loss of revenue due to the illegal mining of gold;

In the Free State provincial government there were issues related to the servicing of police vehicles in the Eastern Cape and delivery of

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 23

learner support materials by service provider residing in KwaZulu-Natal. I will come back to that in the recommendations.

A matter of concern is a big 244% or R10,7 billion in irregular expenditure incurred by KwaZulu-Natal between 2015 and 2017 financial years. Numerous contracts in the Department of Health had expired while the department was still using contracts on a month-to-month basis. I must say that there was intervention by the provincial Treasury in KwaZulu-Natal on this matter.

Also a concern was irregular expenditure by the Department of Health in the Northern Cape province which led to an accumulated amount of R5,8 billion which is equivalent to the total budget for 2017-18.

I am now going to the recommendations, they are 22 but I am not going to deal with each one of the 22 but only highlight a few. What is very pertinent is that monitoring and evaluation have to be strengthened in all provinces. Provinces should take into consideration the implications of the fiscal consolidation in developing and implementing their respective provincial Fiscal Frameworks. Careful application of good budget management principles will assist the provinces in managing spending and enhance the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 24

province credibility in own revenue forecasting and own revenue collection.

As recommended previously, the provinces should continue to effectively use the medium to long term growth and development strategies to grow economies of their cities and towns; realise value for money spent and improve revenue generation. Coega in Eastern Cape has started reaping the benefits of its Industrial Development Zone, IDZ, having received R11 billion investments from China.

Provincial treasury should also conduct effective fiscal oversight over entities to ensure good governance and financial management. The provincial departments of health will have to maximise revenue collection from patient fees. There is a trend of under collection of patient fees in most provinces. In order to further improve on fiscal position and effective budget implementation, the provinces should improve intergovernmental relations across all three spheres of government and with relevant stakeholders.

Provinces can learn from Gauteng province best practices and innovations that are ensuring administrative efficiencies; improving revenue collection; generating savings; eliminating irregular

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 25

expenditure and helping to avoid payment of legal fees and court cases. These include the biometrics system in the Department of Health and open tender system. Provincial treasuries have to crack down on unauthorised, irregular, wasteful and fruitless expenditure as this put extreme pressure on the fiscus.

House Chairperson, I hereby table this Report to the House for consideration. Thank you. [Appause.]

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON APPROPRIATIONS -
SUBMISSION OF THE FINANCIAL AND FISCAL COMMISSION ON THE DIVISION OF
REVENUE BILL FOR 2018 -19**

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 26

Mr C J DE BEER: House Chairperson, the Select Committee on Appropriations, having considered the submission of the Financial and Fiscal Commission on the Division of Revenue Bill 2018-19, tabled in terms of section 91 of the Intergovernmental Fiscal Relations Act, Act 97 of 1997 and referred to it, hereby reports that it has taken note of the contents of the submissions which will be incorporated in a committee's report on the 2018 Division of Revenue Bill.

Debate concluded.

Question put: That the Report be adopted

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF JOINT AD HOC COMMITTEE ON ETHICS AND
MEMBERS' INTERESTS DATED 30 AUGUST 2017**

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 27

Mr E M MLAMBO: Hon Chair, this is the report of the Joint Ad hoc Committee on Ethics and Members' Interests. On 13 September 2016, the National Assembly passed a resolution to establish the Joint Ad hoc Committee on Ethics and Members' Interests. On 20 September 2016, the National Council of Provinces passed a similar resolution. Both resolutions followed a judgment by the Western Cape High Court in the matter of *hon Mmusi Maimane and Another v Cochairpersons of the Joint Committee on Ethics and Members' Interests and Others*, Case No 4606/2016.

In terms of the court judgment, members of the Joint Committee on Ethics and Members' Interests who participated in the decision of the committee taken on 17 February 2016, were excluded to participate in the reconsideration of the matter. Regarding composition, the joint ad hoc committee consists of 14 members of the National Assembly who are as follows: eight from the ANC, three from the DA, one from the EFF and two from other parties; and nine members were from the National Council of Provinces.

The draft resolution directed the Joint Ad hoc Committee on Ethics and Members' Interests to reconsider the allegation of nondisclosure by the Leader of the Opposition, hon Mmusi Maimane. In terms of Joint Rule 32, the ad hoc committee was assigned to exercise powers

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 28

in terms of Joint Rule 124(1)(a); Joint Rule 124(1)(e); Joint Rule 125; Joint Rule 126 and Joint Rule 127.

Regarding the expiry of the mandate of the ad hoc committee, the draft resolutions instructed the ad hoc committee to report back to both Houses on 10 November 2016. A subsequent resolution was adopted by both Houses extending the deadline to 31 March 2017. On 10 May 2017, the National Assembly passed a resolution extending the deadline to 31 August 2017. The National Council of Provinces passed a similar resolution on 11 May 2017.

With regard to the meetings of the committee, on 02 November 2016, the meeting elected the cochairpersons. It also requested the acting registrar to compile a pack of all relevant documents. On 30 November 2016, the committee agreed that all documents exchanged between the registrar and hon Maimane before 29 October 2015 to be sorted and made available to the committee so that the process could start afresh. On 20 February 2017, the committee accepted supplementary documentation placed before it. On 02 March 2017, the committee agreed that clarification be sought from hon Maimane about his relationship with the people on the list of sponsors; a legal opinion be sought on the definition of nonparty source; and that the deadline be extended from 31 March 2017 to 31 May 2017.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 29

On 07 June 2017, the committee agreed that the acting registrar seek further clarity regarding where the donations were paid to and what the funding policy of the party is. On 30 August 2017, the committee met to consider, first, a response by hon Maimane; and second, to consider the draft report of the ad hoc committee. The report was unanimously agreed to.

In his response, hon Maimane responded advising that the money was paid to the campaign manager which is in consistent with the party rules. In its findings the committee found that the code is vague on the disclosure of the campaign funding. In the light of the vagueness of the code, the committee is not in a position to make a finding of nondisclosure in this case.

The committee is recommending that the code should be amended to clarify the regulations of the campaign funding. This is the report. Thank, Chair.

Debate concluded.

Question put: That the Report be adopted.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 30

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

DEBATE ON THE CONDITIONS FACING THE PEOPLE OF IMIZAMO YETHU

(Subject for Discussion)

Mr D L XIMBI: Chairperson, Deputy Minister and members of the House, good afternoon. This debate is on condition facing the people of Imizamo yethu. In opening this debate and looking into the living conditions in Imizamo Yethu, I wish to quote Oliver Tambo when he said:

We have a vision of a South Africa in which black and white shall live and work together as equals in conditions of peace and prosperity.

This is a very appropriate vision for Hout Bay. On 11 March, this year, a devastating fire broke out in Mandela Park, Imizamo Yethu, which left two people dead and several thousand people homeless.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 31

The City of Cape Town reported that 3 500 structures were destroyed and 15 000 people were displaced.

Fanned by dry weather and high winds, the fire was one of the worst shack fires in recent history in the Western Cape. However, it was neither the first nor will it be the last in Hout Bay if the present conditions prevail. Because of its location and the overcrowding, Imizamo Yethu is vulnerable to hazards like floods and fires.

It is not surprising that in July protests broke out in Imizamo Yethu. The people barricaded roads leading into Hout Bay and said they would not stop until Mayor Patricia de Lille, addressed them. The protesters had been living in a temporary accommodation on a sports field. Residents in the temporary relocation area were demanding better living conditions.

To understand the frustration people of Imizamo Yethu are experiencing, we need to look at the reality of the conditions in which they live. Imizamo Yethu is situated within a community consisting of both affluent and middle income citizens. The 18 hectares area supports 20 000 people with many of these living in cramped and squalid conditions with no plumbing, roads or any

discernible infrastructure for sustainable living. This is in sharp contrast to the affluence of residences in much of Hout Bay.

IsiXhosa:

Mhlalingapambili, ndingatsho ngokuphandle ukuba abantu base Imizamo yethu baphelelwe lithemba kurhulumente wase Ntshona Koloni ophantsi kolawulwo lwe DA. Ubungqina bobu u-Asanda Busakwe oneminyaka engama-27, ongomnye wabahlali awatshelwe yindlu. Uhlala kwezazindlu zexeshana, ukhubazekile kwaye uhamba ngesitulo, unabantwana aba 3. Le ndlu ahlala kuyo ayinawo umbane, amazinki agqobhokile, iyabanda, indlu yangasese yekhelwe phaya kude nalapho ahlala khona. Xa kusina imvula yena nabantwana bakhe bayanetha kunjalonje abakhuselekanga nakwizikoli. Uhlala kude nendlela eya kwizithuthi zikawonke-wonke. Kula ndlu ebeqale wahlala kuyo ebekufutshane nezithuthi yonke into ikufutshane kuye.

UPatricia De Lille, nongusodolophu waseNtshonba Koloni, wabathembisa abahlali emva kokuba kutshile ngoMatshi ukuba uza kubamba intlanganiso nabo. Uqale ukutyelela abahlali ngoJulayi ehamba nomfo ekuthiwa ngu-Christoffel Nissen obizwa ngokuba yi-provincial Human Rights Commissioner. Bafikela kwisikhululo samapolisa, wathetha ngomboko kwigcuntswana labantu ababelapho. Uthe akugqiba ukuthetha wabaleka ukuya

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 33

kukhwela emotweni engakhange anike nethuba lemibuzo koonoondaba nabahlali.

Urhulumente waseNtshona Koloni wenze izinto adume ngazo xa abahlali babeqhankqalaza bedinwe sisimo sentlalo abahlala kuso. Urhulumente wathumela amapolisa, ababethwa abantu baseHout bay. Kuloo mbodamo kwade kwasweleka umntu ogama linguSongezo Ndude. umphathiswa wezokuhlaliswa koluntu, umnumzana uMadikizela wabagrogriso abantu baseHout Bay ngokuthi uzakuba khupha eHoutbay ukuba abayeki ukulwa, ayokubakhela kude malunga namgama ongama-30. Loo nto yenza ukuba babenongquzulwano oluncinci nosodolophu Patricia de Lillie. Thina sasisazi ukuba lowo ngumdlalo wempuku nekati, akukho into ebilapho.

uAsanda kwintetho yakhe wathetha wathi:

Singabahlali balapha sidiniwe kukunganyaniseki kweCity of Cape Town phantsi kolawulo lwe-DA. Sathenjiswa ngezindlu kudala kodwa kunanamhlanje ezo zindlu asikazifumani.

English:

Almost 25 years into South Africa's democracy and 27 years the hon Mandela walked out of prison, Cape Town remains one of the most

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 34

racially divided cities. Of the city's, 1 million households according to census 2011, nearly 36% live below the poverty line of less than R3 500; 3,7% of the households do not have access to electricity for lighting; 8,8% have no access to sanitation on site and 232 027 households are registered as indigent, as defined by the City of Cape Town.

In 1994, we had an opportunity to reconstitute South Africa, redefine society and build a better future. Sadly, almost 25 years later, Cape Town remains divided into rich and poor and its community remains separated along racial lines black, white and coloured.

This debate, looking into the plight of the people of Imizamo Yethu, should go beyond lamentation and promises. It should lead to action to accelerate change.

I wish to end by paying tribute to ...

IsiXhosa:

... iSithwalandwe uDenis Goldberg, isinxiba mxhaka, igqala lamagqala ...

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 35

English:

... a resident of Hout Bay who has dedicated his life to achieving the vision of OR Tambo, which I mentioned at the start of this debate. Goldberg has devoted his life to creating a democratic and just South Africa, a place where all of its citizens, especially children, can hope for a better and more enriching future. We cannot achieve peace while the children of Imizamo Yethu and Hangberg remain in squalid conditions. The ANC commits itself to working for the vision of a nonracial, economically just and peaceful Hout Bay. Thank you Chairperson. [Applause.]

Ms T G MPAMBO-SIBHUKWANA: Hon Chairperson and hon Deputy Minister, the right to adequate standard of living is recognised as a human right in both our national and international law. This universal standard grants every person a minimum entitlement to food, clothing and housing at an adequate level. Article 25 of the Universal Declaration of Human Rights as well as section 26 read with section 10 of our Constitution place both an international and national constitutional obligation to not only recognise the right but also to ensure that sufficient measures are put into place to allow citizens to exercise these rights, especially the citizens of the Western Cape by the DA-led government.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 36

According to last year's Institute of Race Relations' survey, living standards in South Africa have shown a remarkable improvement over the past 20 years. However, we should not be led astray by all the statistics supporting this claim. Over these years there have been a number of crises and disasters that have been and continue being deserving of attention. Forming part of these problems is the most recent case of the Imizamo Yethu fire that happened on 11 and 12 March 2017.

During those two days, a large section of the informal settlement was devastated by fires that killed three people, destroyed 3 500 homes and displaced more than 15 000 inhabitants. Since then, community members showed general dissatisfaction with government that led to an additional problem of civil unrest. The month of August 2017 was plagued by various demonstrations and protests by Imizamo Yethu residents.

The main issues outlined were that of substandard quality or complete lack of certain basic essential services at the temporary placement areas. It has been reported that the rebuilding of the Imizamo Yethu settlement will take approximately two years. The first phase of this project was completed almost three months ago.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 37

After protracted negotiations with residents, the City of Cape Town agreed not to build in the area destroyed by fire until the city had finished 'reblocking', meaning to improve on the informal settlement's random layout. This would remove narrow alleys that allow fires to spread rapidly. It would also give residents more privacy, which is a constitutional right, and replace them with thoroughfares, which are broad enough to allow for the movement of fire engines and ambulances in between.

Furthermore, the Western Cape Province continues to monitor the demolition of illegally erected informal structures at the top end of Imizamo Yethu. It has also been reported that the total cost of rebuilding Imizamo Yethu may cost a total of R100 million. Although various NGOs and members of the public have made a difference in their assistance with contributions, it does not mean the government is relieved of its obligations to ensure that residents receive satisfactory housing and services.

It is also important to note that such services are not limited to ensuring buildings are built and functional but also ensuring the mental and emotional health of those who have lost both possessions and loved ones is being attended to. The removal of unlawful

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 38

structures, detailed programme planning and design, and civil contractor tender is already underway in Dontse Yakhe section.

Even though it is noted that on 15 August 2017 Hout Bay residents marched to Mayor De Lille's office, at the time she was in Hout Bay switching lights on in Imizamo Yethu. While most community leaders have been negotiating with the City of Cape Town in good faith, we need to be cognisant of those who have not and stand to gain from the situation as well as alleged acts of arson within the community. We cannot allow persons to take advantage of such a devastating situation.

While the City is already working towards finding solutions with the community, we cannot condone violence. So far the City has spent R6,75 million on the electrification project in Madiba Square to electrify 181 dwellings, of which 14% are new connections and the remainder of the households were a reinstatement ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, hon Mpambo-Sibhukwana. Please take a seat. Hon Koni, why are you standing?

Ms N P KONI: On a point of order, Chair.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 39

The HOUSE CHAIRPERSON (Ms M C Dikgale): What is the point of order?

Ms N P KONI: Can you please check with the member on the podium if she would gladly and respectfully take a question from me.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Oh, it is not a point of order; you want her to take a question. Are you ready hon Mpambo-Sibhukwana? [Interjections.] She is not ready. Continue!

Ms T G MPAMBO-SIBHUKWANA: Once the entire area has been electrified, the project will result in the electrification of more than 2 100 households, of which more than 80% will be new connections at a cost of R40 million. The City of Cape Town is further working day and night to deliver services such as water, sanitation, electricity, wider pathways and roads to the fire-affected areas.

Further, the City of Cape Town continues to be committed to ensuring transparent housing lists so that any person is able to view where they lay on the list. I wish to say that when such disasters occur – which we should remember are natural and do not occur through the fault of any else – then, according to the Housing Act, both provincial and national government are required to work together to

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 40

keep check and balances in order to fulfil the constitutional rights of those who have been dispossessed.

In this near future, we hope to see a speedy and transparent process of bringing back community members to a better, more functional community of Imizamo Yethu, in the Western Cape. I also wish to say to hon Ximbi ...

IsiXhosa:

... Tshomi yam ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Speak to the Chair!

Ms T G MPAMBO-SIBHUKWANA: Okay! I wish to say to you, hon Ximbi ...

IsiXhosa:

... asinakuthi urhulumente weNtshona Koloni akakhathali, uyakhathala. [Interjections.]

English:

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mpambo-Sibhukwana, please speak to the Chair. Do not address the hon member.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 41

Ms T G MPAMBO-SIBHUKWANA: Ooh, through you Chair, I wish to say to hon Ximbi ...

IsiXhosa:

... urhulumente weNtshona Koloni uyakhathala. Umlilo wenzeka ngempazamo kuzo zonke iindawo. Uyenzeka eGauteng, eMpuma Koloni nakuzo zonke ezinye iindawo, abantu baphulukane nobomi babo. Siyavelana nabantu baseHout Bay kwaye uza kuqhubekeka ekhathala urhulumente weNtshona Koloni. Yayikhona imililo phambi kowe-1994 kodwa akuzange kwaphela mililo xa kwakungena i-ANC elulawulweni. Ndifuna ukuyicacisa kwangoku le nto.

USodolophu uDe Lille uyile ebantwini wathetha nabo bamva. I-ANC inegumgedle layo elithubeleziwayo kwaye mayihlukane nokulahlekisa abantu ngokumane isiya phaya kuba siyakhathala thina ngabantu baseNtshona Koloni. Mhlali ngaphambili, ndinemizuzu emithandathu eshiyekileyo. Ndifuna ukuthi kubantu baseHout Bay, eMizamo Yethu ithemba liyaphilisa alibulali. [Time expired.] Enkosi.

Dr Y C VAWDA: Allow me first and foremost to acknowledge the presence of our supreme forces irrespective of whatever our perceptions might be. Hon House Chairperson and members, I greet you all.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 42

Hout Bay is one of the wealthiest suburbs in South Africa, and has one of the highest standards of living in the world. Sadly, alongside this wealth, opulence, luxury and excess, is poverty and suffering, like few places in the world, and these, 23 years into the new South Africa. Hon House Chair, a sad indictment, indeed.

Like all townships in South Africa, Imizamo Yethu has always been an extension of Apartheid and very little has been done, 23 years into the new South Africa to redress these conditions. These are pathetic conditions in which the people of South Africa are still living in.

In the townships of this country, black people have been forced and are still living in overcrowded conditions, with a lack of resources, space, services and with limited economic opportunities, social opportunity and living desperate lives, and these, 23 years into the new South Africa.

Despite this, the people of Imizamo Yethu, like many other places in this country are still managing to make a home and a community with the little they have at their disposal.

This came to an end in March, this year, when a fire ripped through Imizamo Yethu destroying thousands of homes and leaving tens of

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 43

thousands of people with nowhere to stay and with no possessions, resulting in the death of three people as well.

The response of the City of Cape Town to this tragedy showed how Apartheid still exists in this city to this day. The city moved all those who lost their homes to a temporary relocation area. Nine months after the fire, this temporary relocation area has become permanent with people still living there with no plan in place to house those who lost everything in the fire, this right under the noses of the governing party.

While conditions in Imizamo Yethu were bad, the conditions in the temporary relocation area are grossly unacceptable and can only be compared to a concentration camp similar to those set up by the City of Cape Town, like Blikkiesdorp.

When the people of Imizamo Yethu demanded dignity and an end to these inhumane conditions, they were met with rubber bullets, teargas and arrest by none other than the SAPS of this governing party, yet the people who waved the Apartheid flags and blocking traffic were allowed to go free.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 44

How can it be justified for a family of ten living in a one room, while down the road there 10 rooms housing one person. The DA government of the City of Cape Town does all these and the ANC government still allows them, 23 years into the new South Africa.

Somebody has just asked: What is the solution to the problems? Let us consider serious economic transformation in this country and that which many of you are calling radical economic transformation. Hon House Chair, I beg to argue that when we ask that the exploitation of strategic resources in this country should be equitably distributed to the people in this country, then, what we are asking for is not radical but only a sensible thing to do - sensible because it will restore dignity to the people in this country.

It will restore and ensure that the continuing spiral of civil unrests in this country will be arrested, ensure that the people of this country will begin to live lives that will be equitable and equal on all levels. In so doing, we will see how the conditions that we are experiencing in Imizamo Yethu and many other parts of this country will be arrested and reversed.

What we are saying and what we are asking for ... And I heard the hon Ximbi lament that the people of the Western Cape are getting

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 45

tired of the DA government. I beg to argue that the people of South Africa are getting tired of the ANC government and will vote against it in the near future. Thank you, House Chair. [Time expired.]

IsiZulu:

Mu M KHAWULA: Ngiyathokoza Sihlalo ohloniphekile, mhlonishwa iPhini likaNgqongqoshe,

English:

Imizamo Yethu conditions and other likewise unacceptable similar conditions in the country must be attended to. The IFP looks at the conditions at Imizamo Yethu as a microcosm of what is happening elsewhere in the country. Imizamo Yethu is characteristic of the conditions in Malukazi in eThekweni, Greenbushes in Nelson Mandela Bay, Duncan Village in Buffalo City, eMonti [East London] ...

IsiZulu:

... i-Sydenham in eThekweni, i-Barcelona e-Mdantsane nayo iyafana ne-Imizamo Yethu, i-Ramaphosa e-Nelson Mandela Bay iyafana ne-Imizamo Yethu. I-Effingham esigcemeni-34 [ward 34] eThekweni iyafana ne-Imizamo Yethu. I-Kliptown e-City of Johannesburg iyafana ne-Imizamo Yethu. E-Mpilisweni Ekurhuleni neThokoza Ekurhuleni bayafana

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 46

ne-Imizamo Yethu. uMasinenge laphaye e-Margate e-Ray Nkonyeni uyafana ne-Imizamo Yethu.

English:

The list hon Deputy Minister is endless. In the early hours of this last Sunday, informal settlements caught fire at eThekweni at Foreman Road in Clare Estate. Plus minus 1 000 homesteads burned to ashes. Plus minus 2 000 people were left homeless. The cause is believed ...

IsiZulu:

... kwawa ikhandlela livutha lashisa umjondolo owodwa kwasha yonke imijondolo. Ingane eneminyaka emibili yalahlekelwa yimpilo yayo kulokho kusha. Igembu leNkatha, IFP, lifisa ukuzwelana nomndenini wale ngane, sidlulisa amazwi ethu enduduzo emndenini. Abahlali base-Clare Estate balahlekelwa yizingubo zabo, balahlekelwa wukudla, balahlekelwa yifenisha, yimali, ama-ID, amakhadi asebhange [bank cards] nezinye izinto eziyizidingo zempilo ezibalulekile. Abafundi balahlekelwa yizincwadi zabo ezasha zaphela kuhlenganisa nabafundi baka-Grade 12 ababhalayo njengamanje. Mhlonishwa Sihlalo bengicabanga ukuthi namhlanje u-SA Local Government Association, Salga, uzosithumelela iMeya yase-Kapa [Cape Town] noma u-MMC (Member of the Mayoral Committee) Wezindawo Zokuhlaliswa Kwabantu [Human

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 47

Settlements] wase-Kapa. Kuyishwa ukuthi angibaboni la endlini ukuze bazosichazela ukuthi kwenzekani e-Imizamo Yethu.

English:

This shows the poor co-ordination of resources decisions at local government, provincial and national levels. There is just no co-ordination at all. Whilst playing politics, people are suffering. During the sitting of the National Council of Provinces, NCOP, of 9 May 2016, the hon Minister of Human Settlements made an executive undertaking pertaining to the restructuring of Imizamo Yethu, in this House, hon Chairperson. The NCOP has failed to make a follow-up to this effect. The department and the MEC have also both failed to make a follow-up to this effect.

What does this say? It says that there must be no finger pointing in matters like this one. The fact of the matter is that at some stage the ANC had been in control of the City of Cape Town. The ANC had been in control of the Western Cape at some stage. Now the DA is in control of the City of Cape Town. The DA is in control of the Western Cape Province and therefore for the pot to call the kettle black is not taking us anywhere whilst the suffering of the people is continuing. The IFP appeals to the powers that be in national, provincial government ...

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 48

IsiZulu:

... ukuthi ababambane ngezandla benze izimpilo zabantu zibengcono okwangempela.

English:

The IFP expects today that the ANC and the DA are going to take this matter seriously and today commit and make an undertaking to say to South Africa ...

IsiZulu:

... nizokwenzani ukuthuthukisa isimo zabahlali base-Imizamo yethu.

English:

That is what we expect today. Thanks.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much hon Khawula. The hon member Gaehler is on the list. Okay we pass.

Ms M WENGER (CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY): Chairperson, in March this year, the most terrible and tragic fire ripped through Imizamo Yethu in which three people were left dead and which displaced more than 2 000 families. It was possibly the worst fire the city has ever seen. The city officials, the ward

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 49

councillor and the mayoral committee were on site around the clock and the mayor and deputy mayor all working to assist fire victims. The city immediately responded by erecting temporary marquees and accommodated fire victims in community halls.

Fellow citizens of Cape Town came in their thousands to help those who were victims of the fire by donating food and clothing. The private sector came on board, Pick n Pay donated R50 000, the Red Cross additionally distributed 8 000 meals, 8 000 blankets, toiletries, baby packs and thousands mattresses. These were just a few amongst many other generous donations from the nongovernmental organisation, NGOs. Thula Thula set up a warehouse to organise and distribute the tons of donations from ordinary citizens from across the Metro and these donations continued to pour in weeks after the fire.

However, Chairperson, the tents were less than ideal because conditions were cramped and people had nowhere to store their belongings. Then, the city government then provided residents with starter kits in the form of 3x3m emergency structures, which are treated to be fire retardant and water proof.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 50

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Mthimunye, please don't drown the speaker.

Ms M WENGER: Thousands of displaced residents remain accommodated on the Hout Bay Sports Field and law enforcement has been present to ensure safety. The city further created jobs through the Expanded Public Works Programme for residents from Imizamo Yethu to help residents who requested assistance with dismantling and rebuilding. The provincial government provided mobile clinics and assisted fire victims with new medical cards. The reason why Imizamo Yethu residents are being accommodated on this sports field is so that the area that was damaged by fire can be super blocked. Super blocking is a new initiative of the City to provide better services in areas where density or other restrictive conditions do not allow for providing individual serviced sites. It is basically the creation of blocks separated by roads and pedestrian or service corridors, with electrification and communal taps and toilets provided in each block. Road access, electrification, firebreaks, and fire hydrants are put in place to prevent this kind of devastating fires that this community has seen. The super blocking is aimed at significantly reducing the risk of fire. As part of the city's plans, the super blocking include, improved and new roads in Imizamo Yethu and Dontse

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 51

Yakhe which will create better sanitation, improve safety from fire and increase access to water and flush toilets.

To date, the DA-run city has made progress and Madiba Square has already been re-blocked. Here homes have been rebuilt with fire retardant materials so that they will be safer from fire. In August, the City of Cape Town switched on electricity in the first part of the fire affected area in Madiba Square. In Madiba Square, a total budget of R6, 7 million was spent for the electrification of 181 dwellings. Once the entire area has been electrified, more than 2 000 households will have electricity. 80% of these will be new connections at a cost of R40 million. In terms of the electrification programme, with Madiba Square already completed, the city is working to achieve the electrification of pipe track below Road 5, the electrification of the shooting range and Dontse Yakhe. This is what DA governments are doing to improve the lives of people of Imizamu Yethu. What is the ANC national government doing to help ... [Interjections.]

Ms T WANA: Chairperson, can the speaker take a question?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 52

The HOUSE CHAIRPERSON (Ms M C Dikgale): Let me check with her first. Are you ready to take the question? Okay, for now she is not ready. Please, take your seat. Continue, hon member.

Ms M WENGER: What is the ANC national government doing to improve the living conditions of the people of Imizamo Yethu? Nevertheless, even before the fire in February this year, the City of Cape Town began a formal housing project which is due to be completed in the next three years. This housing project consists of houses and apartment blocks which will see up to 1000 housing opportunities in Petersen, Penzance and the Forestry. These will have tarred roads and sidewalks, a storm water system, water to each house, a sewerage system, an electricity network and street lights.

The bulk infrastructure is already going in. If you go to Imizamo Yethu you will see the sewerage pipes there as well as the large civil and building works putting them in as we speak. This is in addition to the super blocking. All being done by the DA government, but let me ask you again, what is the ANC national government doing in Imizamo Yethu? To date, the City has completed the improvement projects of nine out of the 14 roads in Imizamo Yethu. Nine roads were widened and surfaced. In addition, improved sanitation and street lights have been installed.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 53

Chairperson, yes there were protests in the middle of the year and these were sparked by the community's frustration at the slowness of the super blocking and the living conditions of the emergency displacement area on the sports field. The sports field is not zoned for residential usage, it is being used under the Disaster Declaration Act, and therefore it is difficult because no infrastructure can be put in. The reasons for the delays are partly as a result of the geotechnical nature of Imizamo Yethu as for those who have ever been there you will know that it is on a steep hill which is rocky and is densely populated.

It is also essential to ensure the safety of residents during the construction phases which caused postponements to make the necessary preparations. We must also be honest that part of the delay has also been as a result of friction within the Imizamo Yethu community itself and disputes within the community about community-based subcontracting. However, the irony is that the very protests hon Ximbi has referred to have been responsible for the halting of some of the works within the area because contractor's equipment and site offices were destroyed. These complicated matters, for example, the Madiba Square electrification programme took three months to complete, of which 15 days were lost due to unrest in the area. Nevertheless, all of that is now in the past the vast majority of

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 54

Imizamo Yethu is working with the City and want to see the project completed. The Imizamo Yethu leadership has issued a joint statement with the city government and are all working together to ensure the speedy completion of this project. They are aware that a project of this scale has never been undertaken before and is intended to improve the living conditions. In addition, the City of Cape Town has started preparing the site at Road 1 for water, electricity and sanitation services. Road 1 is the backbone of where all infrastructures for the surrounding super blocks ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, Order! hon members. hon member, please just wait. Honourable ee, no, don't take your seat, Mma. I want to request the two hon members that they should not forget about Rule 32. They are not allowed to drown the speaker, including you, hon Koni. Hon Dlamini! You and hon Smit, please, respect this Rule. Then, respect the hon member who is on the podium. Hon Dlamini! Do you want to go out? I am giving you a final warning. Continue the debate, hon member.

Ms M WENGER: Chairperson, the city has also hosted intensive workshops with community stakeholders from Imizamo Yethu and the broader Hout Bay community where updates have been given on the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 55

super blocking plan and its progress. The City has also trained and employed hundreds of home based carers to provide support and companionship to senior citizens. This programme takes service delivery directly to vulnerable senior. R2,5 million has been set aside to employ 205 carers. The city contracts the services of unemployed residents via the Expanded Public Works Programme for a period of two months, provides training and then deploys these carers to senior citizens in need across eight districts and one of the areas benefitting from this programme is Imizamo Yethu. Apart from providing companionship and performing basic tasks around the home for the elderly, the carers are also trained to identify signs of potential abuse and alert the relevant authorities. They also assist seniors to access medical care and other social services.

The city plans to then upgrade the sports field and complex into a family park which will include basketball, netball, soccer, rugby, skate boarding and a meeting hall which will benefit the community of Imizamo Yethu. The Western Cape government this year has started the improvement, upgrade and extension of the Silikamva High School which will allow learners to realize their potential and take advantage of opportunities. The city has installed new lights on the pathway from Hughenden to the police station on main road so that residents can walk safer when it is dark. The DA ward councillor has

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 56

installed brand new play equipments in Imizamo Yethu for the children to enjoy.

This is what DA governments are doing to try improving the living conditions of the people of Imizamo Yethu in general and specifically after the devastating fire. I would like to hear more on what the ANC national government is doing to improve living conditions there. Finally, Chair, I don't know where hon Ximbi got his wrong information, but let me correct some of it; the urban safety Report notes that Cape Town has the lowest level of poverty of any Metro, the lowest income inequality and the second lowest youth unemployment of any Metro. Again, the United Nations found that the City of Cape Town is the most equal City in South Africa as measured by the Gini coefficient. However, there are three cities in South Africa that top the list of the most unequal cities in the world, these are Buffalo City, eKuruleni and Johannesburg. I trust we will also table a debate on the terrible living conditions of the far too many South Africans ... [Inaudible.] us who experience similar problems. [Time expired.]

Sepedi:

Moh T K MAMPURU: Mohl Modulasetulo, ke kgopela go fa badudi ba kua Imizamo Yethu molaetša pele ke tšwela pele ka ngangišano. Afrika-

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 57

Borwa e ile ya welwa ke komelelo, lefase la lla ka moka tše o ka rego kgolomodumo e eme diferong tša bona. Ge pula e fetša go na, badudi ba Imizamo Yethu ga se ba boela go mmušo wa ANC ba re pula e a nele, re a leboga. Di a swana dilo tše kamoka. Akere gonabjale re tšea mašelang re a le nea, la boa le re mmušo wa ANC ga o dire selo; ga le hlokomele lena batho ba Imizamo Yethu. Theeletšang gore ANC e reng.

English:

The ANC, having tested the integrated human settlement, eg, N2 Gateway project in Joe Slovo informal settlement in Cape Town, Columbia in Durban, Cosmo City in Johannesburg and Lephalale in Limpopo, took a decision to move away from the concept of provision of housing to the creation of human settlements and therefore change of label and mandate.

Sepedi:

Motlatšatona, ke holofela gore ge o etla mo podiamong ye o tla re tlela ka dipalopalo tša go bontšha gore kgoro ya gago e agile dintlo tše kae ka botlalo. Re nyaka go tseba kudu ka tše o di agilego mo Kapa Bodikela. Ke maketše ge tšhišinyo ye nngwe e balwa mo, go bolelwa gore leloko sa komitiphethiši le thophile sefoka ka lebaka la gore ... Ga ke tsebe gore o thopa bjang sefoka ge batho ba rena ba

sa kgotsofale. E re ke le feng dipalopalo. Batho ba kua Imizamo Yethu ...

English:

... 91,6% ke Bathobaso. Re a hlaka rena gape mo go etilego pele batho ba bašweu; ba re bontšha moo diphala di nwago meetse. Bammala ke 3,7%, Maindia ke 0,2%, Makgowa ke 0,1%, ba bangwe ke 4,5%.

English:

Who is under attack here?

Sepedi:

Rena batho ba baso. Re nyaka naga ya rena ka lebaka la gore batho ba hloka mo ba ka dulago. Le tlile mo la re amoga lefase la rena ...

English:

We want our land back ...

Sepedi:

... gore batho ba rena ba dule gabotse. Modulasetulo o šetše a boletše ka taba ya hlokego ya meetse. Meetse ga a gona kua Imizamo Yethu.

English:

There is only a small amount of water. You talk about sanitation, which is dignity; they don't even have small toilets and sewerage ...

Sepedi:

... o ka se tsebe gore e mo kae ga naga.

English:

We want our people to be given back their dignity.

Sepedi:

Ka 2002 ba thušitše ke mokgatlo wo o sego wa mmušo, NGO, wa kua Ireland, wo o bitšwago Niall Mellon Township Trust, wa ba agela dintlo. Le se ke la makala. Ba se ke ba le botša maaka ba re dintlo tšeo le dulago ka gare ga tšona ke tša bona. Lebogang protšeke ye ya kago ya mengwako yeo e tšwago kua Ireland. Batho ba gaborena ba ...

MODULASETULO WA NGWAKO (Moh M C Dikgale): Mohl Mampuru, ke kgopela o dule fase. Nkane o eme ka maoto, mohl Smit?

English:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 60

Mr C F B SMIT: Hon House Chair, I would like to hear from you if it is parliamentary for the hon member to say that the previous member was lying?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Smit, I will come back to that one. Continue, hon Mampuru.

Sepedi:

E re ke se ke ka go senyetša sebaka, Modulasetulo, ke gomiše lentšu la gore o lahleditše "batho" ba Afrika-Borwa, ke re "babudi" ba Afrika-Borwa.

English:

The community of Imizamo Yethu and other informal settlements in the Western Cape province cannot continue to be marginalised and be perpetual victims of poor and inadequate responses to natural disasters. The South African Constitution of 1996 enshrines the right of everyone to have access to adequate housing and makes it incumbent upon the state to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. In response to this constitutional imperative, the ANC-led government has, in terms of the Housing Act

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 61

1997 of 1997 introduced a variety of programmes which provide the poor households access to adequate housing.

One of these programmes is the Comprehensive Plan for Sustainable Human Settlement commonly referred to as Breaking New Ground, approved in September 2004 by Cabinet, which shifts the focus to improving the quality of housing and housing environments by integrating communities and settlements. The plan also focuses on informal settlement upgrading to meet the Millennium Development Goals of the United Nations which are now called the Sustainable Development Goals, to improve the lives of people living in informal settlements.

Now, a million-rand question is: Are the people of Imizamo Yethu getting any joy from this programme? If one looks at the living conditions of this community, the answer is definitely in the negative. A follow-up question would thus be: Why is this so?

Sepedi:

Ga se a tla mo, mohl Madikizela; ke yena nkabe a re fa karabo gonabjale. Bjale re botšiša leloko la komitiphetiši, yoo re sa swanelago go mmotšiša.

English:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 62

To get a definite answer to this question, we must put a context to it. In July 2016, the University of Cape Town's African Centre for Cities' School of Architecture, Planning and Geomatics published a research paper titled *Informal Settlement Upgrading and Safety: Experiences from Cape Town, South Africa*. This paper concludes, among others, that life in informal settlements follows a particular logic and order which might not be apparent to outsiders, but makes perfect sense to those who occupy them. It argues that and I quote:

... limited understanding of the actual dynamics within informal settlements, the complex social and survival networks that characterise them and of the significant technical and social challenges in effecting housing and infrastructural development for them result in inappropriate interventions.

It further concludes that one-size-fits-all approach to informal settlement upgrading is not advisable. This is because it argues that the context is markedly different across informal areas and certain upgrading approaches might be more appropriate in certain contexts than others. One of the intention programmes applied by the City of Cape Town to the Imizamo Yethu situation is a reblocking called "super-blocking", a process which would see the city

rebuilding equal-sized shacks, a one-size-fits-all option that would definitely not be a happy solution for people with big families.

Sepedi:

Lena badudi ba Imizamo Yethu, le se ke la bapala ka "X"[leswao la go bouta], gobane "X" ge o bapala ka yona, "X" e tla bapala ka wena.

English:

Be careful! This is exactly the one-size-fits-all approach that the University of Cape Town research paper is warning against. There is no wonder that this was followed by protests after this announcement. One of the Imizamo Yethu protesters against this programme had this to say, and I quote: "Why is the city still building shacks in 2017? We've been watching our shacks burn for over 25 years, yet the city wants to build more. This shows that the city isn't really committed to building houses for the people."

One piece of advice that I can offer the City of Cape Town, free of charge, is that to ensure that fragile community survival networks are not compromised and to empower communities to take charge of their own settlements, beneficiary communities must be involved throughout the project cycle. All members of the community - those pro-programme and those against the programme, must be included.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 64

This is actually one of the basic tenets of democracy – public participation. I give this information free of charge. You can invite them; let them come. You should advise them to take charge and give their views and ideas; let them say what they want.

The government, the ANC-led government, has developed an Integrated Urban Development Framework, also known as IUDF. This is driven by Ministers of Local Government, Human Settlements, Water and Sanitation, Transport, Public Works and Treasury. This blueprint calls for the use of integrated planning as far as the use of rural and urban space is concerned by all spheres of government. It puts at the centre the importance of urban planning and design as well as related legislation and financial mechanism.

It also puts community involvement and public participation at the centre of this planning. Its view is to transform our cities, towns and villages through changed thinking that seeks to harness the potential of all our citizens more in particular the eradication of informal settlements. It does so making a point that informal settlement dwellers are at the centre of development. It is therefore so incomprehensible that the City of Cape Town is not following this logic.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 65

Perhaps the City forgets that living conditions and arrangements in South Africa still resembles those that pertained during apartheid and Hout Bay is one example where Coloured, White and Black people live in geographically separate areas. So it needs to be sensitive to these realities. Whilst it views these informal settlements as chaotic and a haven for crime, to the inhabitants they play an important role in the urban context.

They do not only provide a housing solution to poor urban residents, but also the intricate social networks which exist and support a range of livelihood strategies. The solution is therefore the construction of an integrated built environment that addresses the diverse needs of a community across a scope of domains including economics, health, employment, education, transport, etc.

This is why South Africa is a participant in Habitat, which is the United Nations Conference on Housing. At Habitat III held in October 2016, the New Urban Agenda for the next 20 years was finalised, whose objective is to create sustainable human settlements in cognisance of a rapidly urbanising world. Central to the New Urban Agenda is a strong desire to do things differently. It calls for us to leave no one behind.

It also calls on all of us to plan for migration in advance, that is why as South Africa we support Agenda 2030 for the Sustainable Development Goals, SDGs, - as it provides clear directives as to the way forward and have crucial policy implications for all urban actors. The specific urban goal, SDG 11 and its Target 11.1, are a clear call to address informality as well as endorsement of the fact that well-managed urbanisation can improve the lives of informal settlement dwellers.

We therefore need partnerships and co-operation of all stakeholders, especially all the spheres of government. The City of Cape Town should therefore be a team player in this project of dealing with informal settlements.

Sepedi:

A re ba leseng ka gore ba na le dihlogo tše thata. Re ka se ke ra ba kgona, efela molaetša wona o fihlile ditsebeng tša bona. Tšeang mašelang ao re le abelago ona - ga se a lena - le fetoleng maphelo a badudi ba mo Kapa Bodikela, kudukudu batho ba Imizamo Yethu ka ge lehono re bolela ka bona. Re tlile go le etela ka moo Imizamo Yethu, re nyaka go bona gore tše le di bolelago tša gore ramotse o tlile moo go hloma ditente, ke nnete naa. Kganthe ditente ke eng ge e se polastiki. Re bolela ka dilo tša kgonthe mo. Re nyaka setena le

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 67

samente le meetse gore batho ba rena ba be le dintlo tša kgonthe; ba fiwe dinotlelo ba notlolle menyako ya bona go swana le lena leloko la komitiphethiši. Mo o dulago gona o bolokegile, meetse a gona. O na le ...

English:

... everything that a human being requires. Do the same with the people of Imizamo Yethu. Our poor people are suffering. The last message I am giving them is, "Don't play with power, otherwise power will play with you." [Time expired.] Thank you.

Mr J J LONDT: Hon Chairperson, debates such as this one today are critical for improving the service delivery in communities that are living in conditions which are unacceptable. This debate could easily have been about thousands of other, similar communities across South Africa.

At the outset, I want to thank the hon Ximbi for raising a few very important points. I would also like the hon Ximbi to send all those points through to me, pass them on to the hon Wegner, so that we can take the matter up. We walk past one another on a daily basis, so if you have any questions, we are the governing party here and we are more than happy to take those up for you, as well.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 68

My biggest concern, however, is how members, especially some members from the ANC, can make sweeping statements without the necessary facts. Hon Ximbi, I know, although not too recently, you applied for DA membership but unfortunately, you weren't accepted. [Laughter.] So, that's probably why you have to sing for your supper. [Interjections.] So, hon Ximbi, sing, my friend, sing ... [Interjections.] ... not the hon member Singh!

Oh, there's one thing - hon Mampura ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, hon Londt! Please address the hon member through the Chairperson, and she is the hon Mampuru, not Mampura. [Interjections.] Hon Mampuru? Take your seat, hon Londt. Hon Mampuru, why are you standing?

Ms T K MAMPURU: Chairperson, she is Mampuru. The liberation fighter's name cannot be pronounced as Mampura. [Interjections.] He needs to be corrected.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mampuru, I have just corrected the surname. Please take your seat, Ma. The surname has been corrected. Hon Zwane, why are you standing?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 69

Ms L L ZWANE: Chairperson, I rise on a point of order: What is the relevance of the information being given by the speaker at the podium? I'm not sure if what he said about the hon Ximbi is factual. He is misleading South Africans by saying that the hon Ximbi applied for membership to the DA. That is not true. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you, hon Zwane. That is not a point of order. Continue, hon Londt.

Mr J J LONDT: Hon Mampuru, I apologise for the mispronunciation. I also want to thank you for raising the matter as to why MEC Bonginkosi Madikizela was not here. He only received notification of this debate very late. We raised that with the Multiparty Whips Forum and we did submit his apology. So, that is why we made an effort to have other members from the provincial legislature here.

However, I do want to say there is one thing that the hon Mampuru and the honourable member Madikizela have in common. You both won awards recently. The honourable Madikizela recently won the Govan Mbeki Housing Award for the best province. [Applause.] With your speech, you have just won the Mampara of the Week award, hon Mampuru. [Interjections.] [Laughter.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 70

Let us start with a few interesting statistics. Recently, an eNCA poll found that, in the Western Cape, hon Ximbi, 54% ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Londt, please address the hon members through the Chair.

Mr J J LONDT: Chairperson, I will do that.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much.

Mr J J LONDT: You keep on interrupting such a brilliant speech ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): No, no, no, no.

Mr J J LONDT: ... but I will do it through you.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Stick to the Rules. No one will disrupt. [Laughter.]

Mr J J LONDT: Hon Chairperson, let me tell you about your colleagues in the Western Cape. Hon Ximbi, 54% of the ANC members in this province think the DA is doing a good job. That is a good statistic, Chairperson, don't you agree?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 71

The hon Ximbi raises very ...

Ms T WANA: Chairperson, through you, can the hon Londt take a question? Then you can interpret for the hon Londt.

IsiXhosa:

Njengoko ndibona nani bantu baseMizamo Yethu ukuba ...

English:

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Wana, unfortunately, there is no interpretation at the podium.

Ms T WANA: There's no interpreting? Oh, I am sorry. Hon Londt, what is the current situation regarding the people of Imizamo Yethu having sustainable houses? Rather than talking to an individual who is here, I thought you were going to tell me what, currently, the department of ...

IsiXhosa:

... musa ukubuza phaya kuSihlalo.

English:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 72

Don't consult, Chairperson. Don't consult, Chairperson! The Chairperson has stipulated everything.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Wana, ask your question and take your seat when you have done. [Interjections.] Alright, then take your seat, Ma.

IsiXhosa:

Jonga, jonga [Uwele-wele]

English:

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Wana! Hon Wana! Hon Wana, you can't do that. Take your seat.

Ms T WANA: Alright.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Londt?

Mr J J LONDT: Hon Wana, every time you wake up and join the debate, it's wonderful. [Laughter.] Just before me, there was a speaker.

I've got the entire speech here from the hon Wenger. Now, I could read it again for you but unfortunately, I don't have enough time.

Now that you are finally awake, however, I will come and deliver the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 73

speech to you, so that you can actually read what you just asked about. So, hon Wana, please stay awake for the rest of the debate and listen to what I'm saying. [Interjections.] Alright. It was ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, hon Wana! Order, order! [Interjections.]

Mr J J LONDT: You see? The hon Wana is making such a noise, it's actually a good thing when she sleeps! [Laughter.]

There is a much-quoted quote used by the hon Nyambi, Tell no lies; claim no easy victories. However, there is also another part that is often left out: Mask no difficulties. Let me say this. We do not shy away from the massive difficulties that are facing us. [Time expired.]

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Thank you Chairperson of the NCOP and hon members. Allow me to ask the hon member of the DA who was speaking here, that when he spoke about 50% of ANC members that think that the DA is a good party, what population was he using? What population was he using, because it's a subjective fact? [Interjections.] Let me thank hon Ximbi for the debate that we are

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 74

having here today and the issues that you have raised in the debate.
[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber, you know you cannot debate from the floor. Please don't drown the speaker. Order hon member, order. This is the first warning to hon Faber. Continue hon member.

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: It is well known that a fire broke out on 11 March 2017 in the in the Imizamo Yethu informal settlement. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Order! Hon Deputy Minister, take your seat. The hon member is on the floor. Why are you standing hon Faber?

Mr W F FABER: Hon Chair, with due respect, if I get a warning I would like to know exactly why as I was heckling like all the other members were heckling.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber, please don't be out of order. Continue hon Deputy Minister.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 75

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: It is well known that a fire broke out on 11 March 2017 in the *Imizamo Yethu* informal settlement in Hout Bay in the Western Cape. [Interjections.] I'm not surprised why today ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Can the hon Hattingh and hon Dlamini allow the hon Minister to continue with the debate? Hon members, why are you doing this? Hon Smit? Hon Smit, you can't do that and you know very well that you can't do that. Allow the hon Minister to continue with the debate. [Interjections.] Hon Koni, you are not chairing, I am the one who is chairing here. Please respect me. [Interjections.] Hon Smit is on the ...

Mr C F B SMIT: Hon House Chair, I thought that you chased the hon Dlamini out because she left earlier and now she is back again ... for doing exactly what she did.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Huh uh, huh uh, hon Smit, please. Continue hon Deputy Minister.

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: A total of 2 117 families were affected by the fire and left homeless, with another 100 families left homeless after the fire that occurred on 14 April.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 76

In total, more than 15 000 people were displaced and an entire family was killed in that fire. The area was declared a local state of disaster by the National Disaster Management Centre, NDMC.

The Minister and I visited the Imizamo Yethu informal settlement in Hout Bay on 14 March to assess the damage caused by the fire blaze, to engage with community leaders and to provide support to the affected residents.

One of the key focus areas is to provide a solution to the disaster affected informal settlement and the identification of alternative land parcels that will be used to place people permanently, including the temporary relocation areas, TRAs.

In the engagement with the community, the most important undertaking we made was the fact that the community needed to work with government and will abide by the laws of government. We will work as three spheres of government in trying to find solutions to the terrible conditions that our people were finding themselves in at the time.

The plight of the residents of the Imizamo Yethu informal settlement in Hout Bay is a very sad one. It is surrounded by affluence and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 77

security. It is unfortunate that yearly there is a tragic loss of life, homes and possessions in this community, just adjacent to the opulent residential area of Hout Bay.

The national Department of Human Settlement's intervention in the Eden District Municipality in Knysna and Hout Bay's Imizamo Yethu was discussed at our Ministers and Members of Executive Council, MinMec, meetings and the Minister had meetings with the Member of the Executive Council, MEC, Bonginkosi Madikizela as well as the Mayor Patricia de Lille on the issue of housing and the fires in the Western Cape. These discussions included the present form and layout of the informal settlement which makes it very difficult to provide utility and emergency services when needed.

High densities and highly flammable shack materials significantly aid the rapid spread of fires and this hampers the effective response of emergency services, which often results in the tragic loss of life, homes and possessions.

Currently, we have a process that is termed reblocking Imizamo Yethu. The procedure of reblocking is being applied in the Imizamo Yethu informal settlement in order to alleviate density concerns. Reblocking is a process where shacks are reconstructed and

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 78

rearranged in an orderly manner to maximise open spaces. It allows for settlement areas to be realigned in clusters so that clear spaces can be used for emergency vehicles and for the benefit of the residents in the area.

Reblocking will assist with the following. It will reduce the risk of fire and its rapid spreading over large areas; it will improve the safety and security of residents; and it will reduce the negative impact of potential disasters and health hazards.

The City of Cape Town has also embarked on a survey of the household and physical demarcation of approximately 33 blocks affected by the fire. Thereafter, the households that previously occupied these blocks will be identified before issuing them with fire kits for the rebuilding of their structures.

The difficulty that faced us was two-fold. We had planned for the future and at the same time be responsive to the immediate desperate situation. We had to persuade the people to allow us to plan the settlement differently. They were eager to rebuild their shacks immediately. Half of them had young, school-going children. We prevailed on them and no sooner that we left, it rained.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 79

I tell you this to emphasise the fact that we need to find an appropriate space in the development of society, rethink our positions and take determined steps to do things differently. Yet, we should be aware that we will not always win the hearts and minds of our people, depending on the circumstances that we find ourselves in.

We may have the responsibility and a bird's-eye view of looking beyond the present but the present is always with us. We live with it and it judges us harshly. In short, whatever we do for the future, the urgent needs of the present should remain within our focus, especially in a province like this one which has high numbers of informal settlements, understandably because it sees the second highest in migration.

Last year in April we hosted the UN conference dealing with the issue of informal settlements and we demonstrated to the world what can be done to make the lives of people in informal settlements better, and eventually take them away from informality to decent houses.

The point that I want to make is that South Africa has become a beacon of hope and light in informal settlements solutions. We

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 80

should therefore ensure that we remain in our country and make sure that we make use of these ideas that we gain at these conferences for the benefit of our people.

The national Department of Human Settlements, together with the Housing Development Agency, HDA, provincial Department of Human Settlements in the Western Cape and the City of Cape Town were tasked to ensure the rollout of support to the community of Imizamo Yethu. The following is some of the progress that has been registered:

Firstly, the HDA is securing eight hectares of land made up of four adjacent pieces of land along the Hout Bay Main Road that will yield approximately 1 400 Breaking New Ground, BNG, units and *Community Residential Units*;

Secondly, the high value land portions are being procured at a price of R41,5 million;

Thirdly, negotiations with all four landowners were finalised by the HAD;

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 81

Fourthly, preliminary studies, geotechnical and detailed designs have been done;

Fifthly, an amount of R100 million has been set aside to procure land for Imizamo Yethu that, as I said, includes TRAs; and

Finally, there are approximately 300 units. They are three by three. They have been erected at the sports site, the Disa site, depot site and angle site. These are still in progress.

Undertakings have been made to the community of Hout Bay as to how it will happen, going forward. We do not want to renege on our promises and we plan for the area to ensure that there is no repeat of fires as previously.

Allow me to mention that the City of Cape Town is a serial culprit in not being able to spend the grants allocated to the city, specifically with reference to the Urban Developments Settlement Grant. [Interjections.] Listen! Over the last four financial years, the following has happened – rollovers within the City of Cape Town of R70 million in 2012-13; R66 million in 2013-14; R286 million in 2014-15; and R160 million in 2015-16. The city has unspent funds of

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 82

approximately R108 million for this year which is the 2016-17 financial year. [Interjections.]

However, R55,5 million was approved so that the city can use it for these situations in Hout Bay. The city has refunded R18,5 to the Receiver of Revenue. [Interjections.]

So it is clear that the City of Cape Town does not really care about the plight of our people. With unprecedented urbanisation at an annual rate of 2,4% we cannot have a situation where the City of Cape Town council's housing projects are delayed and millions spent for housing projects are carried over year after year. These include Imizamo Yethu, Macassar, Belhar and Atlantis.

To quote the ANC's Peter Gabriel during the debate on the city council's adjustments for 2015-16, "Every rand not spent is delaying services to our people." [Applause.] [Interjections.]

Mr D L XIMBI: You tell us something that we didn't know but we suspected that the City of Cape Town cares about rich people, not about poor people. We are in a city that is divided into two: where there are poor people and rich people. If you can go to Hout Bay and pass Imizamo Yethu, you can see big houses in the mountain. If a

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 83

pipe bursts there, it is attended to very quickly; come to Imizamo Yethu...

IsiXhosa:

...kuthatha iminyaka ukuvalwa kompompi kuthiwe imali ayikho.

English:

Today they take grants back to where they come from...

IsiXhosa:

Bathatha amalahle bawabuyisela eNewcastle. Umama uMphambo-Shibhukwana, umhlobo...

English:

...she said tenders are on the way, always on the way...

IsiXhosa:

...asifuni ziniki-maxabiso ezisendleleni...

English:

...we want to change people's lives. Always ... [Interjection.]

Mr W F FABER: Chairperson, I would like to know if the hon member would take a question.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 84

The HOUSE CHAIRPERSON (Ms M C Dikgale): Are you ready to take a question ... [Interjections.] ... hon members, you are not hon Ximbi.

Mr D L XIMBI: No Chairperson. Dr Vanda [Interjection.] Vaunda, Vawda [Interjections.] Vawda [Interjections.] hon Dr Vawda [Interjection.]

Ms N P KONI: Chairperson, it seems like hon Ximbi is doing this deliberately now. Dr Vawda is not new in this House, and because it is an EFF member's surname he has to be dramatic about it and I trusted him being a pastor, as he is, please, he must withdraw this surname. It's hon Dr Vawda. Say it, say it.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Koni, hon Koni, please take your seat, take your seat. [Interjection.] But he rectified the surname, he did. Continue with the debate, hon Ximbi.
[Interjections.]

Mr D L XIMBI: Hon Dr Vawda. He's mixing things here; he tried to talk about the people of Imizamo Yethu and also tried to put everything against the ANC.

IsiXhosa:

Udibanisa amanzi ne-oli. Oomhla saphatha ke thina siyabazi. Ndiya kongena ukuyithetha into eyakhe yathethwa ngumakhulu wam xa sasisithi sifuna ukwakha umzi. NdiliMpondo ke mna. Wayibeka nje mhlophe umakhulu ukuba ukwakha umzi ayikokuvula nje usuze. Kuyasetyenzwa xa kusakhiwa umzi. Oomhla saphatha aba bamane belilisela ngomhla abayakuze baphathe ngawo bezigwagwisa ngokuba baya kwenza le na leya. [Kwahlekwa.]

English:

You cannot open an organisation with anger. Put good policies. The President was here last week; he said you must be an alternative government ... [Interjection.]

Setswana:

Moh N P KONI: Ke kopa gore motl Ximbi a se ke a bua ...

English:

... on behalf of the EFF. He's not an EFF member, he's never been and he will never be, no [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): No, hon Koni, hon Koni, hon Koni [Interjection.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 86

Ms N P KONI: How EFF started [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Koni, I'm not going to allow you to do that [Interjection.] Hon Koni, hon Koni, hon Koni, hon Koni, hon Koni, take your seat [Interjection.] Why are you doing this hon Koni? [Interjection.] Why are you doing this? [Interjection.] Hon Koni why are doing what you're doing? Hon Koni, please go out [Interjection.] Take your seat then.

Mr D L XIMBI: [Interjections.] [Laughter.] Hon Chairperson, I'm also worried about hon Khawula, but he speaks well because he mentioned that the mayors and MECs are supposed to be here to answer questions. He's not here unfortunately.

The chairperson from the Western Cape, hon Wenger, the [Interjections.] [Laughter.] I'm laughing because it's difficult for them to pronounce Ximbi; either they say Zimbi or iXimbi [Laughter.] but when it comes to pronouncing their words, they say wawawawawa, no [Laughter.]

I'm worried, madam, when you said after the fire destroyed Hout Bay, Shoprite, Pick 'n Pay and other companies gave the people of Hout Bay food. Gone are those days of giving people food when there's a

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 87

problem. [Applause.] Those people do not need food; they're here to work, they have money to buy food; the only thing that they need are houses, shelter to stay. Don't talk about giving food

[Interjections.] I know, even when they're campaigning, the DA will give the people a lot of millie meal and food. Gone are those days. People are not hungry. We are here...we fought for this country...we're in this country, we need our land, we need to build shacks on our land. [Interjections.] Instead, the DA does not want to give land to the people, they sold the land to the so-called bourgeois' or upper classes [Interjections.] no, we need the land; we need to build houses for our people.

Thank you hon Mampuru, you did well, thank you very much for telling the country that DA is just making noise; we gave them a chance to rule the Western Cape [Interjections.] as a result no ... whenever they are they will say go to the Western Cape. [Interjections.]

For instance, we found that hon Madikizela received a reward.

[Interjections.] I know that, why? If you go to the Auditor-General, you'll find out that the Western Cape gets unqualified audit reports. But, can you balance the it: unqualified audit report and what is exactly happening in the Western Cape? One day I asked the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 88

Auditor-General that when they fly to and land at Cape Town, you start from Crossroads, Nyanga, Gugulethu, Site C in Khayelitsha...

IsiXhosa:

...uye kungena e-Imizamo Yethu, ngamatyotyombe nje odwa.

English:

There is a place called eNyunwyini, it is an old place but their report is unqualified audit report [Interjection.]

Ms T G MPAMBO-SIBHUKWANA: House Chair, can the member tell this House [Interjections.] Can the member tell this House that ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, hon members, order, order. [Interjections.] No one will hear you. Hon member, please allow me to speak to you. You know that we need to ascertain with the member first... [Interjection.]

Ms T G MPAMBO-SIBHUKWANA: I didn't know... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): If ever he is ready to take a question... [Interjection.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 89

Ms T G MPAMBO-SIBHUKWANA: Can the member take a question?

[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Yes. Thank you very much. Let's check with the member. [Interjections.] No, you are not hon Ximbi. Hon member, are you ready to take a question?

Mr D L XIMBI: I'm not ready, hon Chair.

The HOUSE CHAIRPERSON (Ms M C Dikgale): He is not ready; please take your seat ma'am. Thank you very much.

Mr D L XIMBI: You know, hon Chairperson... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Ximbi, please take your seat. Hon Smit?

Mr C F B SMIT: Hon House Chair, with all due respect, I want us - in the House - to sustain the quorum of the House. Can I...

[Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order. Hon members, I cannot even hear what he is saying. He's protected, so please allow him to

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 90

say what he wants to say. I'm going to call out your names if you don't listen. Hon Smit! [Interjections.] Hon Faber?

Mr W F FABER: Hon House Chair, there is something that is really concerning. When a member is talking out of order and the microphone is being switched off without being given notice, that is problematic in the House. If you don't give a notice to the member that your microphone will be switched off; it can't just be switched off and you're being cut off during that. If we can just address that point, please hon House Chair. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay. Hon Smit, I'm happy that you understand the rules and you know she cannot just stand up and address the House or ask a question without permission; you know very well. That is why at the end she listened to the Chair and followed the correct procedure of asking a question. Don't worry about the mic. If you listen to me I won't switch your mic off. If you don't listen to me I will definitely switch the mic off.

Are you now debating, hon Smit?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 91

Mr C F B SMIT: I'm just on a point of clarity, hon House Chair. What is your judgement about the cut off of the microphone without any notice?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay. I'll notify you next time. Thank you very much.

Mr D L XIMBI: As I said that the Auditor-General always says that the City of Cape Town gets unqualified audit reports. I was a clerk before, we used to cook the books [Laughter.] [Interjections.] [Applause.] We used to... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order. Hon Ximbi, please take your seat. No, members, hon members. Hon Ximbi, hon Ximbi, please take your seat. [Interjections.] The hon [Interjections.] Order, order, hon Stock, order. The hon [Interjections.] Hon members, hon members, hon members, hon members, hon Khawula, please listen to the Chair. [Interjections.] Hon members, I see the two hon members are standing, can I firstly recognise hon Faber then I'll come back to you, hon Sibhukwana. [Interjections.] Why are you standing, hon... hon Stock, hon Stock, hon Hattingh [Interjections.] hon Stock, hon Stock, please let's have order in the House. You

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 92

can't do that, hon Mthethwa. I have recognised hon Faber. You're on the floor, sir. Order, hon members.

Mr W F FABER: Hon Chair, just on a point of clarity that the hon Ximbi just admitted to cooking books [Interjections.] I just want to know if that is on Hansard, that he just admitted that he cooked books? [Laughter.] [Interjections.] Because that seems to be a normal trade for ANC MPs.

Ms N P KONI: [Inaudible.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, hon Faber. Thank you very much. That's what he said. [Laughter.] [Interjections.] Hon Ximbi, take your seat. [Interjections.] Hon Mpambo-Sibhukwana. You're recognised hon Khawula, but not now, after hon Mpambo-Sibhukwana. [Interjections.]

Ms T G MPAMBO-SIBHUKWANA: Thank you for the opportunity, hon Chair. Hon Ximbi, is that the reason you are in the ANC, because you're a criminal? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mpambo, do you want to ask a question to the hon member? [Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 93

Ms T G MPAMBO-SIBHUKWANA: Yes. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Do you want him to respond to your question?

Ms T G MPAMBO-SIBHUKWANA: I'm asking a question, I'm honestly asking a question... [Interjection.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Okay, let's check. Let's ascertain if ever he's ready to take a question. [Interjections.]

Ms T G MPAMBO-SIBHUKWANA: Is he ready to take my question?
[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber, I did not recognise you, please take your seat. Respect your hon member. She respected you when you were speaking. Please take your seat.
[Interjections.] Take your seat, take your seat, take your seat.
[Interjections.] You can't do that, hon members. Hon Ximbi, are you ready to take hon Sibhukwana's question?

Mr D L XIMBI: No, no, no, not now Chair.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 94

The HOUSE CHAIRPERSON (Ms M C Dikgale): He is not ready, hon Mpambo-Sibhukwana. I did not recognise you hon Koni, I recognised hon Mthethwa, take your seat. Hon Mthethwa!

Mr J M MTHETHWA: Hon Chairperson, I rise [Interjection.] on a point of order [Interjection.] that the hon member cannot say we were cooking the books [Interjections.] Can you withdraw that one? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Point of sustained, hon member. Indeed, we don't cook books. Hon Ximbi, are you going to withdraw that? [Interjections.]

Mr D L XIMBI: Yes, Chair. But Chair, let me explain because they just come ... I didn't finish... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): You said you were cooking the books.

Mr D L XIMBI: No, no, no [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): That is why there's this noise.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 95

Mr D L XIMBI: Okay, I withdraw that I cooked the books. Thank you very much. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, thank very much. Take your seat. Hon Koni, why are you on your feet? [Interjections.] Hon Hattingh! Hon Hattingh, please allow the hon member to say whatever ... order, hon Hattingh.

Ms N P KONI: Chairperson, according to your ruling with regard to the remarks that were made by hon Ximbi on the podium, you are wrong, you cannot impose what ... [Interjection.] ... you cannot impose those things, you and hon Mthethwa. Hon Ximbi is speaking the truth about the things that he did, you were not there. Maybe you know but you were not there.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, we asked him and he withdrew. And now he wants to ... [Interjection.]

Ms N P KONI: He was forced to withdraw. He did not withdraw unconditionally; he was forced to withdraw by you and hon Mthethwa because he knows that he will be reported in the secret NEC meetings that are sitting. [Interjections.] So, the hon member is terrified, that is why he withdrew unconditionally so, because he knows that he

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 96

will be reported in the secret NEC meetings that are sitting.

[Interjections.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Koni, hon Koni, hon Koni, please take your seat. No one forced the hon member to withdraw.

He rose on a point of order and I asked him [Interjections.] order, hon members. Hon Hattingh is on the floor. [Interjections.] Hon Hattingh!

Mr C HATTINGH: Hon Chair, my plea is for you ... [Interjections.] ... this is a point of order. My plea is for you to be consistent. When anyone of us gets up and do what hon Mthethwa has done you say that's a point of debate, that's not a point of order. In his case, you endorsed what he said and actually forced the speaker to withdraw, this is so bias. [Interjections.] You are actually breaking down... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Then you are out of order hon Hattingh.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 97

Mr C HATTIGNH: I am? You are out of order, not me [Interjections.]
You are out of order.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Take your seat. You are totally out of order. [Interjections.] The hon member rose on point of order and that was a point of order. Now, can I ask the hon members to take their seats so that we can continue? [Interjections.] Let's continue with the debate. [Interjections.]

Okay, if you insist hon Mthimunya, let me start with hon Vawda because he stood up before you. However, hon members I'm requesting you to ensure that we close this issue and then continue with the debate. Hon Vawda!

Dr Y C VAWDA: Chairperson [Interjections.] the issue regarding the statement that has just been made by the hon Ximbi [Interjections.] no, no, no, no, let's understand something hon Chair... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Vawda, with due respect, I have ruled on the matter. [Interjections.] I have ruled on the matter, hon Vawda. Unless if you are standing on a new point of order!

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 98

Dr Y C VAWDA: Yes, I am standing on the issue. You cannot rule because he did not say anything that ... he did not behave or state anything unparliamentary. What he did was to acknowledge that he is corrupted. That is what he has done. He made a blatant acknowledgement that he is a corrupt individual. And we cannot allow him to continue on the podium, he should be asked to leave the podium as well as to leave the House. He can't be asked to withdraw when he has made a blatant [Interjection.] thank you, Chairperson.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Vawda, thank you very much. Point taken hon Vawda. Can we please continue? Your point is 100% taken. Continue hon Ximbi. [Interjections.]

Mr D L XIMBI: Chairperson, let me put it like this [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Ximbi, please continue with the debate.

Mr D L XIMBI: When I was in the City of Cape Town [Interjections.] When I was in the City of Cape Town ... I know that the balance of unqualified audit reports cannot be picked up, because the books are cooked by the Western Cape government. [Interjections.] I know that you can balance what happens on the ground and what happens

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 99

[Interjections.] they cook the books. That's why they come up with unqualified audit reports, they cook the books.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Ximbi! Order hon member, order, order, order. Hon Ximbi, hon Ximbi, actually you are totally out of order. [Interjections.] Can you please refrain from doing that and withdraw what you just said. [Interjections.]

Mr D L XIMBI: Okay, thank you. I refrain. I'm doing that.
Chairperson ... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Withdraw, withdraw, hon Ximbi. [Interjections.] No, I'm still waiting for him; I want to hear him first. Take your seat, take your seat. [Interjections.] No, no, no, I will give you a chance.

Mr D L XIMBI: Hon Londt claimed that I also applied for a DA post,

IsiXhosa:

Lulwimi etywaleni olo.

English:

I told her leader, Hellen Zille, that I will never be a rented *darkie*.

IsiXhosa:

Andisokuze ndithengise ngabantu bakuthi.

English:

I told her. You can go to the City of Cape Town ... I will never [Interjections.] So, I never applied for a DA post [Interjections.] but, what I can tell you... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Ximbi, please take your seat sir. Hon Koni, you cannot debate from the floor.

[Interjections.] Why are you standing? [Interjections.] Okay. Hon Faber take your seat. Hon Koni! [Interjections.]

Ms N P KONI: Chairperson... [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Zwane, she is on the floor.

Ms N P KONI: Chairperson, hon Ximbi just made a statement that he was part the smaller skeletons that were happening within the

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 101

Western Cape Province... [Interjection.] No, I'm going to your point; I'm going to your ruling. [Interjection.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Sorry, hon Koni; no, no, no, sorry; the hon member was standing, so I wanted to protect you. Continue, now he has taken the seat.

Ms N P KONI: He wanted to beat me? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): No, no, no, hon Faber was on his feet so I wanted to protect you because it's your time to speak.

Ms N P KONI: Okay, Chair. It's for the second time that you impose yourself on hon Ximbi about the statements that he's making that he was part of the crooks of this province while he was still a member of the DA. Now, he's admitting to cooking the books whilst he was still in the DA. What you're doing here, Chairperson, is wrong because now you want the hon member on the podium to lie. He is now speaking of his previous life which he was leading within the DA. So, please Chairperson, allow the member to give us this information because it might be useful going forward. Thank you.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 102

The HOUSE CHAIRPERSON (Ms M C Dikgale): I gave him a go-ahead. You are actually disturbing the speaker. [Interjections.] Yes. The speaker must continue with the debate. Actually we need to ensure that we close this topic. Hon Faber, it's your chance.

Mr W F FABER: Hon Chair, on my first question to you, I wanted clarity on... and I'm sorry if it has caused a disturbance throughout the House. But it is now quite clear that hon Ximbi cooked his application for the DA as well. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Continue... that is not a point of order. Continue hon Ximbi. Hon Ximbi please continue.

Mr D L XIMBI: Chairperson...

IsiXhosa:

...eyona ngxaki sinayo, yeyokuba...

English:

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, hon Ximbi, we have only second and hon Khawula wants to say something.

IsiXhosa:

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 103

Yhoo, abantu baseHout Bay...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Khawula wants to say something, please. Hon Ximbi! Hon Khawula. Take your seat.

[Interjections.] Yes, one second.

Mr M KHAWULA: At last, Chairperson. Hon Chairperson, on a point of order. This is very serious. We are here talking about a Chapter 9 institution of the country. Is it parliamentary for a member to cast aspersion to the Chapter 9 institution of this country and not apologise? [Interjections.] The office of the Auditor-General. It is very serious, Chairperson. I want you to take it as it comes; as serious as it is.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you, hon Khawula. Let me go and check, I'll come back with a ruling. Hon Ximbi, you are left with one second.

IsiXhosa:

Mnu D L XIMBI: Ndiyabulela Sihlalo, abantu baseHout Bay badiniwe yiDA engakwaziyo ukuthatha izigqibo. Xa ithe yenza izigqibo iphinde kwayona ingaziphumezi. Ngoku abantu baseHout Bay balapha baze kumamela ukuba kuthiwani na ngabo. Bebecinga ukuba baza kufika

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 104

ekhona uMphathiswa wesebe ephondweni okanye uSodolophu. Babalekile kuba bebesazi ukuba siza kubaxelela ukuba balungise ukuhlala kungenjalo siyalithatha kwakhona eli phondo kwaye aniphindi nivotele abantu abanje. Abantu abasenocalu-calulo; ababeka abantu abatyeBILEYO ngapha, babeke abantu abalambayo ngaphaya bakugqiba bangabakhathaleli ngokubazisela iinkonzo.

English:

Thank you very much, Chairperson. [Applause.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much. Hon members, order, order. Hon Ximbi, no.

Hon members, that concludes the debate and the business of the day. I would like to take this opportunity and thank the hon Deputy Minister in absentia and our special delegates from the Western Cape Legislature for availing themselves into this House.

You were very good from the beginning but at the end of the day you destroyed everything. But anyhow, have a good evening and God bless you. You are requested until we leave the House.

Debate concluded.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 NOVEMBER 2017

Page: 105

The Council adjourned at 16:23.

UNREVISED HANSARD