

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 27 JULY 2017

COMMITTEE REPORTS

- 1. Report of the Standing Committee on Human Settlements on its oversight visit to the Bluedowns/Eerste River Military Veterans Housing Project and the Belhar Gardens Social Housing Project, as follows:**

Delegation

The delegation consisted of the following members:

Maseko, LM (DA) (Chairperson and leader of the delegation)
Davids, SW (ANC)
Dijana, TM (ANC)
Hinana, NE (DA)
Joseph, BD (EFF)
Mackenzie, R (DA)

The following staff attended the oversight visit:

Jones, S (Committee Co-ordinator)

- 1. Introduction**

The Standing Committee on Human Settlements embarked on an oversight visit to the Blue Downs/Eerste River Military Veterans Housing Project and the Belhar Social Housing Project.

- 2. Overview**

The Committee departed from the Legislature building at 07:00 am on 9 June 2017. The visit commenced with a walk-about of the Blue Downs/Eerste River Military Veterans Housing Project followed by a visit and walk-about of the Belhar Social

Housing Project. Representatives of the Department of Human Settlements accompanied the Committee on the walk-about of the housing projects.

A Committee meeting was held at the Western Cape Provincial Legislature in Committee Room 1, after the oversight visit at 10:00. Representatives of the Department of Human Settlements were in attendance.

3. Blue Downs/Eerste River Military Veterans Housing Project

The Department of Human Settlements embarked on a housing project for military veterans in March 2016, to provide housing units to eligible military veterans.

The Project was initiated with a Memorandum of Understanding between the Department of Military Veterans and the National Department of Human Settlements in February 2012. The Implementation Plan was adopted between the Department of Military Veterans and the Western Cape Department of Human Settlements in November 2014. This outlined the specifications and the basis upon which the parties would co-operate in the provision of housing units for military veterans.

The Housing Project would consist of 259 units in Blue Downs and Eerste River. The Project would accommodate 75 residential units; of which 73 would be 50m² military veteran housing units and two would be 43m² double storey Breaking New Ground (BNG) housing units.

The construction design was conducted by the Department of Human Settlements' internal architects. The military veterans units were built according to specification. E.g. Each unit should have two bedrooms, one bathroom, an open plan kitchen and a carport. A total of 34 families have already taken occupation of the units.

3.1 Findings and observations

- 3.1.1 Some of the Military Housing units were free standing and others were semi-detached. The units were all built according to conventional methods and complied with the agreed upon standards and specifications as set out above.
- 3.1.2 The Unit accessed by the Committee contained ceilings and tiles throughout. It was fitted with kitchen cupboards, a two plate stove hob, sink, and solar water heater with hot and cold taps.
- 3.1.3 The units were fully plastered and painted. Each unit received a fence and a carport.
- 3.1.4 A basic prepaid electrical meter was installed in the unit.
- 3.1.5 One contractor was employed with approximately 6 sub-contractors.
- 3.1.6 Construction of the units progressed at a much slower pace than anticipated due to the contractor's inadequate technical, administrative and managerial capabilities to implement the project in the allocated time frames.
- 3.1.7 Other contributing factors which caused delays in the project was the community unrest, due to labour related issues and the adverse weather and ground conditions.
- 3.1.8 A total of 475 military veteran beneficiaries were identified by the Department of Military Veterans for a housing opportunity.
- 3.1.9 The Department of Human Settlements has already approved 127 military veterans for housing opportunities.
- 3.1.10 The Housing Demand Database must still be updated with the details of military veterans.

- 3.1.11 The only other current project which specifically caters for Military veterans is the Highbury Housing Project.
- 3.1.12 The Highbury Housing Project will accommodate 100 military veterans.
- 3.1.13 The only other current housing project which would incorporate military veterans are the Witzenberg, Ceres, Bella Vista Housing Project. Only a total of 15 housing units will be made available to military veterans from the 309 units that will be constructed.

4. Belhar Gardens Social Housing Project

Construction on the Belhar Gardens Social Housing Project commenced on 15 January 2015 and was finalised on 31 March 2017. It has a total of 629 units and forms part of the larger Integrated Belhar development. A budget of R207 526 773 was approved for the Project. An amount of R131 545 000 was spent on the entire Project.

Madulammoho Housing Association is a Section 21 company (none profit organisation). It oversees the 629 units at Belhar Gardens, which comprises of bachelor flats, single bedroom flats and two bedroom flats. The company sees to the day to day operations of the complex and conducts monthly inspections of the units. Madulammoho is not planning to construct more housing opportunities in Belhar for the next two years. Madulammoho is a Sesotho word for communities living together despite diversity.

4.1 Findings and observations

- 4.1.1 Belhar Gardens Social Housing units are mainly targeted for persons earning a salary between R2 800 and R3 500 per month.
- 4.1.2 The secondary targets are persons with a monthly income of R5 200 and R7 500. Preference is given to people who are registered on the City of Cape Town's Housing Demand Database. All beneficiaries on the City of Cape Town's Housing Demand Database are South African citizens.
- 4.1.3 Persons who own a property or have previously owned property, land or an IRDP house are not allowed to rent at Belhar Gardens.
- 4.1.4 Hot water is provided through a centralised heat pump system and not a geyser. The tenants are all charged a basic fee of R60 for the service.
- 4.1.5 The heat pump provides the housing units with a 60 percent saving on electricity.
- 4.1.6 All units are fitted with a standard pre-paid meter and each tenant is provided with 50 units of electricity upon receipt of the unit.
- 4.1.7 Madulammoho provides all new tenants with three workshops. The first workshop provides information on the social housing Rental Estate. The second workshop provides information on how to complete a rental application. The third and final workshop provides information on the lease terms and conditions. The agreement is signed within two weeks of being accepted.
- 4.1.8 Provision has been made for people with disability with some units designed to be wheelchair friendly. Ground floor units are reserved for the elderly and families with small children.
- 4.1.9 The complex has 24-hour security on site, the property is fenced with clear view fencing. Access is controlled with a turnstile, which is equipped with biometric fingerprint technology. Each unit also comes standard with a maxidor security gate and DSTV connectivity.

2. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON AN OVERSIGHT VISIT TO THE MILNERTON POLICE STATION CONDUCTED ON 22 FEBRUARY 2017

The Standing Committee on Community Safety, having conducted an oversight visit to the Milnerton Police Station on 22 February 2017, reports as follows:

The Committee as part of its oversight mandate and in complying with the Committee Programme, resolved to undertake an oversight visit to the Milnerton Police Station, hereafter Milnerton South African Police Service (SAPS). The Committee undertook this visit in order to gain a better understanding of the functions, successes and challenges of the Police Station.

The Delegation

The delegation of the Standing Committee on Community Safety included the following Members:

Ms MM Wenger (DA) (Chairperson and leader of the delegation)
 Mr FC Christians (ACDP)
 Ms TM Dijana (ANC)
 Ms PZ Lekker (ANC)
 Mr DG Mitchell (DA)

The following parliamentary official accompanied the delegation:

Mr W Matthews, Committee Co-ordinator

Apology

An apology was rendered on behalf of Mr BD Kivedo (DA).

See Annexure A for a list of persons in attendance.

1. Welcome

There were brief introductions by all present. The Chairperson provided a context for the visit. The Station Commander, Brigadier BM Stander, led the presentation.

2 Presentation by Police Station

2.1 Key findings pertaining to the geographical policing area

The Milnerton SAPS polices four sectors which spans 28km². Sector 2 includes Dunoon and Killarney Gardens. Sector 3 consists of Milnerton, Milnerton Ridge, Lagoon Beach, Woodbridge Island, Sunset Beach, Brooklyn and Rugby. Areas in Sector 4 include Sanddrift, Summer Greens, Century City and Tijgerhof. Sector 5 consists of Joe Slovo, Phoenix and Montague Gardens. There is no Sector One following the reduction of the precinct from five to four sectors.

Brig Stander stated that the population, based on Census 2011 figures, is approximately 88 529 with a current estimation of 94 482. There are 18 schools in the precinct and 12 informal settlements. In terms of public transport points, there are three taxi ranks.

Each sector is patrolled 24/7 with an allocation of at least one vehicle per sector per shift. He added that most of the Station's resources are often allocated to the Dunoon and Joe Slovo areas.

2.2 Key findings pertaining to Domestic Violence related crimes and Victim Support

According to Brig Stander, Domestic Violence related cases account for as much as 30% of the overall crimes in the Milnerton precinct. The Milnerton SAPS conducted 299 awareness campaigns during 2016 with approximately 10 campaigns scheduled before the end of March 2017. The awareness campaigns address issues related to domestic violence projects, crime against women and children, substance abuse, sexual offences, community safety and school safety. Brig Stander reported that all 18 schools in the precinct are linked to the Milnerton SAPS. He added however, that the partnerships with all these schools need more consistency.

There is one volunteer and one social worker on duty during office times. The Station's victim support database contains 20 trained volunteers, who are on 24 hour standby. The current social worker will be leaving to Woodstock SAPS station; however there should be a replacement. An organisation known as Community Intervention Centre provides assistance to victims who have experienced traumatic and crisis situations. The support includes home visits to those affected by traumatic experiences, and the services are available to areas in the Milnerton precinct.

2.3 Key findings pertaining to Drug and Gang related crimes

Brig Stander reported that the hotspot areas for drug related crimes are Brooklyn, Joe Slovo and Dunoon. In order to combat the crime in these areas, the Milnerton SAPS has partnerships with various religious structures, most notably churches, as well as with Neighbourhood Watches (NHWs). Over weekends, SAPS officers are assigned to assist NHWs that patrol in these areas, particularly Dunoon, given that it is a densely populated area.

Crimes linked to foreign nationals are more common in the Brooklyn and Rugby areas. Brig Stander stated that there needs to be better law enforcement of by-laws in respect of dealing with derelict buildings as these buildings are often hotspot areas for various criminal activities.

According to Col A Els of the SAPS Crime Intelligence division, conviction rates for alleged offenders of drug related crimes are generally high. However, several cases are dismissed where the alleged perpetrators are not found in possession of drugs and as a result they are not convicted.

Brig Stander reported that there are not enough registered crime informants for especially hotspot areas in the precinct as the members of the public generally fear for their safety.

2.4 Key findings pertaining to Staffing Structure

The Milnerton SAPS has a total of 264 granted posts of which 233 are currently filled. The Visible Policing (VISPOL) unit has 133 of the 136 granted posts filled, the Detection unit has 49 of the 66 granted posts filled and the support staff has 53 of the

66 granted posts filled. Figure 1 below reflects the staffing structure since 2010 until January 2017. The Station Commander holds the rank of Brigadier whereas the VISPOL Commander, the Detection Commander and the Support Head, are all Colonels. Brig Stander reported that the 10 students based at the station might be re-allocated to other stations.

	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
	JAN						
VISPOL	129	117	118	105	101	111	131
DETECTIVES	48	47	47	48	44	39	49
SUPPORT	47	44	49	47	48	51	53
TOTALS	224	208	214	200	193	201	233

Figure 1 Milnerton SAPS Staffing Structure as at January 2017

The number of officers deployed to other areas is not determined by the Milnerton SAPS but by its line function. Presently 28 officers from the Station are on duty arrangements at other stations or units. In terms of vehicle fleet, there are 18 allocated to the VISPOL Unit and 22 to the Detection Unit. The number for vehicles booked in for maintenance and repair fluctuates. In terms of police reservists, there have been no new applications. None of the seven reservists currently registered at the Station are active.

3. The Department of Community Safety input

Mr L Brown represented the Department of Community Safety and reported on the Milnerton SAPS' compliance to the Domestic Violence Act register, also referred to as the DVA. He stated that during public engagement in the precinct in September 2016, domestic violence related crime was highlighted as very problematic. He also indicated that following an audit of the Milnerton SAPS on its DVA compliance, it was found that the Station was compliant. He added that there is a need for the Community Police Forum (CPF) to build sustainable partnerships with relevant role players. He stated though that this need for sustainable partnerships is not unique to the Milnerton precinct but a pervasive need for CPFs.

4. Community Police Forum input

The Chairperson of Milnerton CPF, Ms L Lippert, reported that the CPF is compliant with the Expanded Partnership Programme (EPP). She stated that there are some difficulties though in submitting the online spreadsheets. Ms Lippert informed the Committee that due to most resources being allocated to the Dunoon and Joe Slovo areas, there is a lack of VISPOL officers in other areas across the precinct.

5. Inspection of the Police Station

The Committee inspected the holding cells, the Victim Support Room as well as the Community Service Centre.

6. Acknowledgements

The Chairperson thanked Brig Stander, his staff, Ms Lippert of the Milnerton CPF and Mr Brown of the Department of Community Safety, for their respective input during the oversight visit.

3. Oversight Visit Report by Standing Committee on Community Safety to the office of the Western Cape Liquor Authority conducted on 1 March 2017.

The Standing Committee on Community Safety, having conducted an oversight visit to the office of the Western Cape Liquor Authority on 1 March 2017, reports as follows:

The Committee as part of its oversight mandate and complying with the Committee Programme, resolved to undertake an oversight visit to the Western Cape Liquor Authority, hereafter the WCLA. The Committee undertook this visit in order to gain a better understanding of the functions, successes and challenges of the WCLA.

The Delegation

The delegation of the Standing Committee on Community Safety included the following Members:

Ms MM Wenger (DA) (Chairperson and leader of the delegation)
 Mr BD Kivedo (DA)
 Ms TM Dijana (ANC)
 Ms PZ Lekker (ANC)

The following parliamentary official accompanied the delegation:

Mr W Matthews, Committee Co-ordinator

Apology

Apologies were rendered on behalf of Mr FC Christians (ACDP) and Mr DG Mitchell (DA).

1. Welcome

There were brief introductions by all present. The Chairperson provided a context for the visit. The presentation was led by the Chairperson of the Board, Mr M Jones and the Chief Executive Officer, Dr L Mdunyelwa.

2 Presentation by the Western Cape Liquor Authority

2.1 Key findings pertaining to the Challenges

The WCLA reported that it faces several challenges linked largely to the negative health and social impact of alcohol use as well as the harmful effects of the illegal liquor trade. The WCLA estimated that there are close to 24 000 illegal liquor outlets. In order to address the high volume of illegal liquor outlets, an out-of-court process has

been launched whereby fines are issued to non-compliant traders. This settlement agreement approach to non-compliance has been launched to reduce the number of illegal outlets, and the subsequent health and social impact of harmful alcohol use. The Liquor Licencing Tribunal determines whether or not the suggested settlement fee is appropriate and whether or not a settlement fee will be granted. The settlement fee approach is based on an admission of guilt by licensees who have contravened the liquor licencing regulations. This settlement fee approach will assist to reduce the number of trials in relation to the contravention of liquor licences. There are also significant financial implications as a result of illegal alcohol trade, to the Province's economy.

2.2 Key findings pertaining to Successes

The successes include the development of new branding for the WCLA. Dr Mdunyelwa added that the WCLA is exploring online platforms to further assist clients with communication and doing business with the WCLA. There are efforts to develop an online case management system that will, among other features, allow online liquor licence applications. Dr Mdunyelwa stated that, in collaboration with the Department of Trade and Industry, the WCLA will become the first Provincial Liquor Authority to offer online liquor licence applications.

The WCLA's Compliance team embarks on joint enforcement operations, conducted on a regular basis throughout the province, in conjunction with the South African Police Service (SAPS) and other law enforcement agencies.

A specialised security paper with special security features, in the form of a Quick Response (QR) Code, is now incorporated into the liquor license certificate and is a means used by WCLA to prevent fraudulent licences. Only authentic licences and renewal certificates are issued to all valid liquor licence holders.

Dr Mdunyelwa added that the WCLA provided extensive inputs in the drafting of the amendments to the Regulations related to the amendment of the Western Cape Liquor Act (Act 4 of 2008), hereafter the Act.

He added that the WCLA successfully completed its Organisational Development (OD) process and the report on the OD is still to be considered and implemented. Mr Jones stated that a fee structure will be introduced to reinforce the WCLA's financial sustainability, and so support any OD changes.

2.3 Key findings pertaining to Criteria for granting a liquor licenses

The WCLA informed the Committee of the criteria used for granting liquor licences. Three key considerations include: the Person, the Premises and the Public Interest. Also referred to as the 3 Ps, these criteria are linked to the Act, specifically Sections 35, 34(1)(c) and 34(1)(a) respectively. Briefly, the applicant's character, the suitability of the premises to be used in relation to the type of liquor licence for which the application is intended, as well as whether or not the issuing of a liquor licence will be in the interest of the public, are all considered when an application is received. The granting of liquor licences is facilitated without prejudice. There are several criteria that effectively disqualify an applicant. These criteria are set out in S35 of the Act.

2.4 Key findings pertaining to Volume of applications received

The volume of applications received for 2016/2017, during the first three quarters, totalled 3448 applications. During the first quarter 883 applications were received and 1259 and 1306 applications during the following two quarters. The higher volume during quarter two and quarter three were expected, given that these periods led up to and included the busy festive season. Despite several checks and balances, there are still instances where incomplete applications are submitted. Applicants are responsible to check that their application process is completed. The majority of appeals are withdrawn based on the fact that often applicants lodge a request for reasons for their applications being rejected as well as an appeal, simultaneously.

The approval of new applications for liquor licenses can take up to four to six months from the date of lodgement to the date of approval. This timeline is outlined in the Act. The publication of an application in the Government Gazette and relevant local newspaper within 30 days of lodgement, the relevant municipal comments and the submission of the Designated Liquor Officer report within the 35 days of lodgement, as well as any objections against or representations in support of application that needs to be submitted within 28 days of publication of the application, are all factors that influence the procession and consideration of an application.

Section 68 of the Act makes provision for all decisions made by the Liquor Licensing Tribunal can be taken on review or appeal. Decisions taken by the Presiding Officer and Deputy Presiding Officer currently cannot be appealed or taken on review. The Act has however been amended to rectify the position and will come into effect once the Amended Regulations is signed off by the Minister.

A total of 80 appeal notices were lodged with the WCLA since the establishment of the Authority.

The following is a breakdown of the outcomes of these appeal notices:

• Appeal dismissed	10
• Appeal upheld	12
• Matters referred back to Tribunal	9
• Appeals withdrawn	40
• Matters settled	3
• Appeals pending	6

2.5 Key findings pertaining to Concept Regulations

The WCLA has amended definitions as well as some documentation and forms for the application process, has provided clarity on notices to be displayed, increasing the record keeping for invoices to be kept five years at the premises for investigation purposes, as well as several other administrative changes to enhance the WCLA's overall functionality.

3. Tour of the office

The Committee proceeded to a guided tour of the WCLA's office. The Committee interacted with some staff during the walk about of the office, taking a keen interest

into the day-to-day duties of the employees, such as the inspectors, registry clerk as well as other support staff.

4. Acknowledgements

The Chairperson thanked Dr Mdunyelwa, Mr Jones, the WCLA officials as well the officials from the Department of Community Safety. She emphasised the Committee's gratitude for the valuable input given by the WCLA and the departmental officials. Mr Jones also thanked the Committee as well as the departmental officials.

5. Request for information

The Committee REQUESTED, that a report on the cases that were sent for appeal to the Liquor Licencing Tribunal, as well as the outcomes of these appeals, be provided to the Committee.

4. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON AN OVERSIGHT VISIT TO THE WALKING BUS PROJECT TO ROOSENDAL PRIMARY SCHOOL IN DELFT CONDUCTED ON 26 APRIL 2017

The Standing Committee on Community Safety, having conducted an oversight visit to the Roosendal Primary School Walking Bus Project in Delft on 26 April 2017, reports as follows:

The Committee as part of its oversight mandate and in complying with the Committee Programme, resolved to undertake an oversight visit to the Roosendal Primary School Walking Bus Project in Delft. The Committee undertook this visit in order to gain first-hand experience of the successes and challenges of the Walking Bus Project. This is a project of the Department of Community Safety.

The Delegation

The delegation of the Standing Committee on Community Safety included the following Members:

Ms MM Wenger (DA) (Chairperson and leader of the delegation)
 Mr FC Christians (ACDP)
 Ms PZ Lekker (ANC)
 Mr DG Mitchell (DA)

The following parliamentary official accompanied the delegation:

Mr W Matthews, Committee Co-ordinator

Apology

An apology was rendered on behalf of Mr BD Kivedo (DA).

1. Inspection of the Walking Bus

The Committee observed, participated in and engaged with volunteers of the Walking Bus. The Walking Bus for Roosendal Primary School is part of a larger Walking Bus

Project that links up with other Walking Busses facilitated in the Delft precinct and the volunteers are connected via WhatsApp groups. The Walking Bus is therefore interconnected with other Walking Busses in the area to ensure a safe corridor for learners of the schools situated in the area. The Department of Community Safety was also represented at the inspection and engaged with the Committee.

The Committee thereafter returned to the Western Cape Provincial Parliament's Legislature building for a briefing by the Department of Community Safety on the Walking Bus Project as a whole.

2. Briefing by the Department of Community Safety

The Chairperson led a moment of silence in memory of the South African Police Service officers who have lost their lives in the line of duty.

The presentation on behalf of the Department was led by Ms J Andrews.

The purpose of the Walking Bus Project (WBP) assists with creating a safe environment for learners to walk to and from their respective schools. Volunteers are active in assisting with ensuring that learners are disciplined to and from school. Volunteers are also active in addressing the truancy levels.

Volunteers are provided with necessary attire, including reflective bibs, whistles and are all armed with panic alarm buttons. There are WhatsApp group chats to ensure that volunteers are kept updated especially about security concerns and/or incidents. Ms Andrews reported that the SAPS responds swiftly to any safety concerns reported via these WhatsApp chat groups.

Ms Andrews stated that the Department is considering incorporating the WBP into the Neighbourhood Watch (NHW) structures. This linkage could assist with the sustainability of the WBP by looking at a funding module linked whereby Walking Busses are aligned to the relevant NHW. Sustainability and budget constraints were highlighted as two key challenges for the WBP.

There is a ministerial task team that conducts spot checks done on the WBP, and has follow-up sessions at weekly meetings.

The Department advertised for calls for the rollout of the WBP. Areas are identified based on the areas' needs, and public participation processes following the advertising. Community members sign up at the information sessions held as part of the public participation processes. At these sessions, the routes are determined by the community. The Department scans the areas and suggested routes prior to allocating the rollout. These sessions also serve as a screening process for the Department to verify the persons volunteering to participate in the WBP as community members can themselves act as reference for volunteers applying for recruitment. In order to maintain a database, reference numbers and badges are given to all volunteers. The Department reported that accreditation criteria for volunteers are still being discussed.

Volunteers receive training in conflict resolution as well as first aid. The first aid boxes are stored at the schools.

3. Recommendations

The Committee recommended that:-

The Department of Community Safety informs the Committee of planned rollouts of the Walking Busses, and invite the Committee to the launches of these Walking Busses.

4. Request for information

The Committee requested the Department of Community Safety to provide a copy of the schedule for Walking Bus launch dates.

5. Resolution

The Committee RESOLVED:

- 5.1 To return to check on the progress of Roosendal Primary Walking Bus.