

Provincial legislature must be empowered to play a stronger, more direct oversight role over KZN municipalities

(The following debate was delivered during a Sitting of the KwaZulu-Natal Legislature held today)

The KwaZulu-Natal (KZN) Cooperative Governance and Traditional Affairs (CoGTA) Portfolio Committee's achievement of its Annual Performance Plan (APP) targets for the financial year 2025/2026 reflects commendable progress and a stark institutional reality: that oversight of local government in our province - and across South Africa - remains one of the most difficult responsibilities entrusted to any legislature.

The Democratic Alliance (DA) acknowledges the positive work captured. The Portfolio Committee has demonstrated dedication in pursuing its mandate through a structured Annual Oversight Plan (AOP), conducting oversight visits, engaging stakeholders, analysing reports, and holding empowerment workshops to strengthen members' capacity.

Particularly noteworthy is the Portfolio Committee's commitment to Section 132 hearings. These hearings, conducted in municipalities such as Endumeni, Umzinyathi, Nongoma, uMdoni and uMzumbi, have allowed the committee to interrogate municipal performance, assess turnaround strategies, and evaluate support provided by CoGTA and Provincial Treasury.

This is no small achievement. It reflects a willingness to go beyond passive oversight and actively engage with the realities on the ground. It is therefore entirely appropriate that we commend the Chairperson for ensuring that these hearings are prioritised and implemented. In a governance environment often characterised by weak accountability, this insistence on direct engagement is both necessary and admirable.

While the report records progress, it also reveals a deeper and more troubling truth: the structural limitations that undermine effective oversight of municipalities themselves.

The Constitution establishes a framework in which municipalities are autonomous spheres of government, not simply administrative arms of provinces. While this autonomy is essential for democratic local governance, it has inadvertently created a gap in accountability. Provincial legislatures, including this committee, are mandated to oversee the provincial executive - specifically the CoGTA department - but not

municipalities directly in a robust and enforceable manner. Yet it is at municipal level where service delivery either succeeds or fails.

This report highlights the committee's efforts to engage municipalities - through oversight visits, MIG expenditure monitoring, disaster management inspections and stakeholder engagements. But it also points to the limitations of these efforts. For example, planned Section 132 hearings in key municipalities such as eThekweni and uMshini could not proceed due to time constraints and capacity limitations. This is not a reflection of a lack of will. It is a reflection of systemic incapacity.

One committee, with limited time and resources, cannot effectively oversee dozens of municipalities - each with its own financial, governance, and service delivery challenges. And yet, the constitutional framework effectively restricts deeper, enforceable oversight of municipalities to national structures, particularly the national CoGTA Portfolio Committee. This creates a fundamental flaw.

The national committee, no matter how diligent, cannot realistically oversee every municipality across the country. As noted in the report, even during national proceedings where 18 municipalities presented, significant issues emerged that had not been previously identified at provincial level. That alone demonstrates the scale of the problem. South Africa has more than 250 municipalities. It is simply impractical and impossible for a single national committee to exercise meaningful, continuous oversight over all of them.

The result is a gap in which accountability becomes diffuse, inconsistent, and, at times, ineffective. And it is within this gap that communities suffer.

If KZN's Government of Provincial Unity (GPU) - of which the DA is a solid partner - is serious about improving governance and service delivery at local level, this constitutional limitation must be directly confronted. Provincial legislatures must be empowered to play a stronger, more direct oversight role over municipalities. This includes the ability to summon municipal officials, interrogate their performance, and hold them directly accountable - not only through the CoGTA department, but in their own right.

At present, the committee may engage municipalities, conduct visits, and make recommendations - but it cannot enforce accountability with the same authority it exercises over the provincial department. This must change. A constitutional amendment is required - one that clarifies and strengthens the oversight role of provincial legislatures over local government. Such a reform would not undermine municipal autonomy; instead, it would reinforce accountability, transparency and

responsiveness. It would ensure that when municipalities fail - whether through financial mismanagement, poor infrastructure delivery, or weak governance - there is a clear, accessible line of accountability at provincial level.

This is not about centralising power. It is about closing the accountability gap. It is about ensuring that oversight is exercised where it is most effective: closer to the communities affected, with a deeper understanding of local conditions, and with the capacity for sustained engagement.

The CoGTA Portfolio Committee's efforts must now be matched with institutional reform. KZN's GPU must advocate for a constitutional framework that aligns authority with responsibility - one that empowers provincial legislatures to fulfil their oversight role fully and effectively. In doing so, this committee will be strengthened, local government will be strengthened and ultimately service delivery to KZN's people will be strengthened.

This report is not only a record of performance. It is a call to action. A call to close the accountability gap. A call to reform our oversight system. And a call to ensure that no municipality operates without meaningful, effective scrutiny.