

**REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS, ROADS AND
TRANSPORT; COMMUNITY SAFETY, SECURITY AND LIAISON
TLP OVERSIGHT VISITS TO LEKWA LOCAL MUNICIPALITY 12-16 SEPTEMBER
2016 (PWRT)**

1. INTRODUCTION

The Mpumalanga Provincial Legislature (the Legislature) has a responsibility in terms of Section 118 of the Constitution of the Republic of South Africa, Act 108 of 1996, (the Constitution) to facilitate public involvement in its legislative and other processes. In terms of Section 133 (3) (b) of the Constitution, Members of the Executive Council of a province must provide the Legislature with full and regular reports concerning matters under their control. Section 115 (a) and (b) of the Constitution empowers the Legislature to (a) "summon any person to appear before it to give evidence on oath or affirmation, or to produce documents" and sub-section (b) states that "the Legislature or any of its Committees may require any person or provincial institution to report to it".

Rule 131 of the Rules and Orders of the Mpumalanga Provincial Legislature (the Rules) gives Portfolio Committees the mandate to oversee the performance of the departments and to hold the Executive Authority accountable for the delivery of core mandated services. Therefore, the Portfolio Committee on Public Works, Roads and Transport; Community Safety, Security and Liaison (the Committee) regularly conducts public hearings and oversight visits to projects of the Department of Public Works, Roads and Transport (the department) and other projects; in the various municipalities of the Province.

2. OBJECTIVES OF THE VISITS

- a) The following objectives shaped the oversight visits to the projects of the department:**

Sakhile Stadium. Subsequently, the Committee met on 13 October 2016 to consider the draft report.

4. OVERSIGHT ON GOVERNMENT FUNDED PROJECTS

Invitations were sent to the MEC and the HOD of the department. The MEC, Ms SJ Manzini and HOD Mr Mohlasedi submitted a verbal apology and indicated that they will not be able to accompany the Committee on the oversight visit to Khunjuliwe High School, due to EXCO meeting held on the same day. However, the MEC and the HOD were present on the day of the public hearings. The Senior Officials of the department accompanied the Committee to the project. Invitations were also sent to the Lekwa Local Municipality. The Chief Whip of the Council and Ward Councilors accompanied the Committee on all the oversight visits undertaken.

4.1. P30/3 Road between Thuthuka Power Station and Standerton

Background

The project started on 12 January 2015 and was completed on 20 May 2016; which is four (4) months earlier than the targeted completion date of 12 October 2016.

- **Contract Information**

Project Expenditure

Expenditure to date (R'000)	R 184 299.00
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- **Labour Statistics**

A total of 102 personnel were involved on site, of which 24 were adults and 76 were youth. There were no disabled persons employed for the project.

- **SMME Involvement**

A total of R 535 902.00 has been spent to date on local SMME's who are suppliers or sub-contractors according to information provided by department.

4.3 The Committee deliberated with the Department of Public Works, Roads and Transport on the following issues:

1. The committee noted that maintenance of roads is still a huge challenge in the department. The Committee wanted to know if the department had a maintenance plan in place to guarantee the 20 years life span of the road.
2. The committee noted that the road does not have proper signage
3. The committee also highlighted that, during the Pre TLP oversight visit, it was noted that there was no proper water drainage system on that road.

In response:

- The department admitted that the road P30/3 has uneven sections (bumps) which might pose a danger to road users. Further, they indicated that the road is under retentions and discussions were held with contractor to resolve the matter.
- The department indicated that they have a budget of **R2. Billion** for the maintenance of roads, of which almost 75% is allocated to both Gert Sibande and Nkangala districts.
- The MEC acknowledged the concern raised by the Committee regarding non-maintenance of roads. She also indicated that in as much as there is backlog in terms of roads infrastructure in the department, the current budget will be focusing on maintaining the existing roads. She further reassured that roads that will be built going forward will be maintained accordingly.

4.4 Finding

The Committee made the following findings in respect to the P30/3 Road:

1. Road maintenance remains a huge challenge for the department.
2. The road does not have a proper signage.
3. The road does not have a proper water drainage system.
4. The road is shows signs of unevenness and has a lot of bumpers.

1. Submit the approved specification and plans for the rectification of defects. They must include the list of all proposals of the rectifications by the constructor as well as the approved feasibility study report by the 02 September 2016.

Response:

The department attached a detailed report on structural cracks to the existing school building at Khunjuliwe Secondary School as annexure A of the responses to findings raised by the Portfolio Committee during to the Pre- TLP visit.

2. Recover cost incurred from the prior consultant, engineer and contractors.

Response:

The department indicated that legal processes are currently underway to recover costs from the defaulting service provider.

3. The department must apply consequence management to all the people/officials who were involved in the construction of the school (both the first demolished building and the current building with defects). Furthermore, the department needs to come up with a new permanent solution for the challenges faced by the school.

Response:

The department indicated that the matter is currently being investigated to determine the relevant consequence management that is required. A progress report will be submitted to the Committee once the investigation is concluded.

5.3 The Committee deliberated with the Department of Public Works, Roads and Transport. The following issues were noted:

- a. There is no certainty that the structural defects on the school will not recur after the remedial work has been completed.

5.3.2 Recommendations

The following are the recommendations made by the Committee:

1. The department must install proper water drainage system that will ensure that the infrastructure is not damaged by water, as presented by the department.
2. The department must do a cost effective exercise to find a better solution to the defects rectification.
3. The department must develop a maintenance plan for the school and ensure that the plan is properly implemented, in order to ensure that the lifespan of the school infrastructure is long, as well as to avoid further unnecessary expenditure on the building.

6. PUBLIC HEARINGS

The public hearing was conducted jointly by the Economic and Social Transformation Clusters in Sakhile Stadium. The following issues were raised during the public hearing, in respect to Public Works, Roads and Transport:

1. **Ward 14:** Ms Bawinile Kubheka indicated that she and others received learnerships from the Department of Public Works, Roads and Transport from 2010 to 2016, where they were promised that Certificates will be issued after 5 years of learnership services; however, the Certificates have not been issued thus far.
2. **Ward 7:** A complain was raised that the department does not give employment to the youth in the ward.

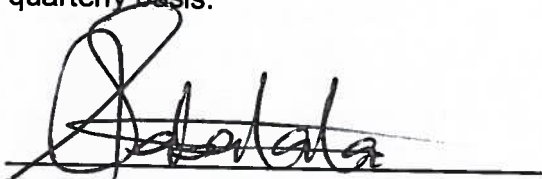
7. Stakeholder Engagement

Various Stakeholder engagements were held on 15 September 2016, in order to provide stakeholders and opportunity to raise issues of concern regarding their sector. The following are issues raised by different stakeholders:

8. CONCLUSION

The Chairperson of the Portfolio Committee, Hon. GC Shabalala extends her appreciation to Members of the Committee, Executive Mayor, Speaker and all Councillors of the Lekwa Local Municipality, departmental officials, all stakeholders and the support staff of the Legislature for their participation during this oversight visit to the communities of the Lekwa Local Municipality, in enhancing the oversight role of the Legislature. The Portfolio Committee tables this report to the House for adoption with its recommendations.

Unless otherwise stated, the department should provide progress reports on all issues raised to the Portfolio Committee by 30 November 2016 and thereafter on a quarterly basis.



HON. GC SHABALALA (MPL)

18/10/2016

DATE

**CHAIRPERSON: PORTFOLIO COMMITTEE ON
PUBLIC WORKS, ROADS AND TRANSPORT;
COMMUNITY SAFETY, SECURITY AND LIAISON**