

**OVERSIGHT VISIT REPORT OF THE PORTFOLIO COMMITTEE ON HUMAN SETTLEMENTS, CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS CONDUCTED AT EMPUMELELWENI INFORMAL SETTLEMENT PROJECT, AT EMALAHLENI LOCAL MUNICIPALITY - DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (COGTA) 14 – 15 MARCH 2018**

**1. INTRODUCTION**

The Portfolio Committee on Human Settlements, Co-operative Governance and Traditional Affairs (the Committee) conducted oversight visits over the Department of Co-operative Governance and Traditional Affairs as mandated by Section 114 of the Constitution of the Republic of South Africa, (Act 108 of 1996), to oversee the performance of the Department and hold it accountable through various measures.

The Taking Legislature to the People (TLP) project took place at eMalahleni Local Municipality from 12 – 16 March 2018.

**2. PURPOSE OF THE SITE VISIT AND A PUBLIC HEARING**

- ❖ The purpose of the site visit was to assess the provision of services by the Department to Empumelelweni Informal Settlement Project and to assess the impact of failure to provide water in this area.
  
- ❖ To obtain the views from the eMalahleni Local Municipality community on the provision of the basic service delivery.

### 3. METHOD OF WORK

In preparation for the TLP, the Portfolio Committee after the approval of the Legislature programme informed the Department about the TLP and oversight visits to be conducted on 14 and 15 March 2018. The Committee then met on 14 and 15 March 2018 with the Department of Co-operative Governance and Traditional Affairs. Other stakeholders invited were South African Local Government Association (SALGA), the Executive Mayor for eMalahleni Local Municipality (Local Councillors), House of Traditional Leaders (HTL), Public Service Commission (PSC), Auditor General's Office, Provincial Treasury and Community Development Workers (CDWs).

### 4. OBSERVATIONS

- ❖ The Acting MEC for Department of Co-operative Governance and Traditional Affairs, Mr VR Shongwe tendered an apology due to other commitments.
- ❖ The HOD, Mr TP Nyoni and his Senior Officials were in attendance during the oversight visit and the public hearing.
- ❖ The construction of internal sewer for Empumelelweni phase 1 is behind schedule due to hard rock and underground water; the sub-contractors' issues where rates of the sub-contractors were higher than the one that the main contractor bid for.
- ❖ The Committee noted that the Empumeleweni Infrastructure Project is done in different phases which comprises of the Constructions of internal sewer and Internal Roads.
- ❖ The Committee noted the delay in finalizing the safety file with the project of the Construction of Engineering Services-Phase 2 Link and Bulk Sanitation which is situated within Siyanqoba Housing Development in Klarinet.

- ❖ The Committee commends the Department for the work opportunities created through the Empumelelweni Infrastructure Projects.

## **5. PRESENTATION BY THE DEPARTMENT ON EMPUMELELWENI INFRASTRUCTURE PROJECT - (EMALAHLENI LOCAL MUNICIPALITY)**

### **5.1. Background on eMpumelelweni Infrastructure Project**

The Empumelelweni Infrastructure Project has never been serviced with bulk water and sanitation when it was proclaimed as the new township within Emalahleni Local Municipality. The households of Empumelelweni do not have water and sanitation and the municipality has embarked on the installation of the sanitation network.

The Committee was informed that through the research report that the internal sewer network will cover 700 households. The project started on 09/06/2017 and the end date will be on 12/09/2018. The project has created work opportunities for sixteen (16) people. The main Service Provider is in the process of appointing sub-contractors. The research report also indicated the shallow pit-latrines that the households have built for themselves without the help/assistance of the Municipality. The research report also indicated that there is a shallow pit that poses a serious health hazard for the communities especially the children. The communities also raised concerns about the Municipality not supplying them with the modern VIP toilets whilst they are still waiting for the completion of the installation of bulk water and sanitation network. The Community also raised that the municipality bills them unreasonable fees yet they do not have water and sanitation.

**The status quo on the Empumelweni Infrastructure Project is as follows:**

<b>ACTIVITIES</b>	<b>PROGRESS</b>
Project Name	Construction of internal sewers for Empumelweni Phase 1
Project Scope	The work comprises of the construction of 160mm; 200mm and 315mm diameter pipes, manholes and stand connections
Project registration number	MIG/MP1170/SW/13/15
Project location	Empumelweni
Project Type	Internal Sewer Reticulation
Total project cost	R 32, 565, 022, 02
Municipal Infrastructure Grant (MIG) Funds	R 32, 565, 022, 02
Current Budget	R 9 000 000. 00
Amount spent in current f/y 2017/18	R 5 684 194. 38
Actual start date	09 June 2017
Appointment of Consultants	January 2016
Date of site establishment	09 June 2017
Actual/projected end date	02 October 2018
Physical progress on work done	Construction 34%: A total of 9 161m of 21 771 pipes have been installed
No of Job opportunities created	Currently 17 laborers are on site, 16 more will be hired as soon as sub-contractors start with manholes
Challenges experienced	The contract is behind schedule due to hard rock, underground water and sub-contractor issues where rates of the sub-contractor were higher than the one that the main contractor bid for.
Interventions	The contractor has been given instruction to submit a recovery plan, the sub-contractor issue was resolved. The contractor decided to accept the rates of the sub-contractor; more sub-contractors will be appointed for the construction of manholes.

## Construction of Internal Roads in Empumelelweni Phase 1

ACTIVITIES	PROGRESS
Project Scope	The upgrading of existing gravel roads to surfaced routes, complete with associated stormwater infrastructure and road furniture in Empumelelweni, approximately 1,7km of 6m wide roads and 2km of stormwater infrastructure.
Project registration number	MIG/MP1062/R/11/14
Project location	Empumelelweni
Project Type	Roads and Stormwater
Total project cost	R 14, 396, 619, 63
Municipal Infrastructure Grant (MIG) Funds	R 14, 396, 619, 63
Current Budget	R 8 000 000. 00
Amount spent in current f/y 2017/18	R 1 964 592. 25
Actual start date	15 November 2017
Appointment of Consultants	21 December 2017
Date of site establishment	06 December 2017
Actual/projected end date	30 November 2018
Physical progress on work done	Construction 35%: The overall progress is ahead of schedule, the contractor is currently busy with the construction of layer works and installation of storm water pipes, name board.
No of Job opportunities created	Currently, 22 laborers are on site, 10 more will be hired as soon as contractor starts with installation of kerbs
Challenges experienced	None
Interventions	To keep to the pace and maintain good relation with community

**Klarinet: Construction of Engineering Services – Phase 2 Link and Bulk Sanitation Siyanqoba Housing Development**

ACTIVITIES	PROGRESS
Project Scope	Construction of 700 mm Pine Ridge outfall sewer up to the regional Siyanqoba sewer pumping station. A portion of this sewer will be integral ductile material on elevated concrete pedestals crossing a wetland section (2,900m long)
Project registration number	MIG/MP1558/S/15/19
Project location	Siyanqoba
Project Type	Sanitation Reticulation
Total project cost	R 193 583 294.02
Municipal Infrastructure Grant (MIG) Funds	R 69, 689, 986, 00
Current Budget	R 8 000 000. 00
Amount spent in current f/y 2017/18	R 0
Actual start date	01 February 2018
Appointment of Consultants	2016
Date of site establishment	14 February 2018
Actual/projected end date	22 July 2018
Physical progress on work done	Site Establishment is done; site clearance excavation has commenced. Medicals are approved and PPE's have been issued.
No of Job opportunities created	Currently, 19 laborers are hired; more people will be hired depending on the work load as the project progresses.
Challenges experienced	Delays in finalising the safety file
Interventions	The safety file has been approved on 09 March 2018. The contractor has been given instructions to deploy labourers on site on 12 March 2018.

## **6. COMMENTS MADE BY THE COMMITTEE**

### **6.1. EMPUMELELWENI PROJECT**

The Committee noted that the Empumelelweni Infrastructure Project is progressing well even though there are challenges and that the Department is able to address some of the challenges.

The Committee wanted to know does the Department take almost a year to commence on any of their project even though the appointment of consultants is done earlier; for an example the presentation provided to the Portfolio Committee indicates that the appointment for consultants for the construction of Internal roads in Empumelelweni Phase 1 was done on 21 December 2016 but the actual start date of the project was on 15 November 2017. The Department responded by indicating that the main key task for the consultants was to design for the project which needs a lot of time so that quality work is done prior to the construction of a particular project.

## **7. Findings made by the Committee on Empumelelweni Infrastructure Project**

After thorough interaction with the Department, the committee found that:

- a) The construction of the internal sewer commenced on 09 June 2017 and is behind schedule due to hard rock and underground water.
- b) The contractor for the construction of internal sewer has been given an instruction to submit a recovery plan.
- c) There are delays in finalising the safety file of the Construction of Engineering Services Phase 2 Link and Bulk Sanitation in Siyanqoba Housing Development;

- d) The households dug their own shallow pit latrine without the help of the municipality or the Department of CoGTA;

## **8. Recommendations made by the Committee on Empumelelweni Infrastructure Project**

After the findings, the committee recommended that the department must:

- a) Urgently intervene and assist with the challenges with regards to the hard rock and underground water. A detailed progress report to be submitted by 31 May 2018.
- b) Ensure that the contractor implements the approved recovery plan with improved monitoring and evaluation and a detailed progress report to be submitted by 31 May 2018.
- c) Ensure that the safety file matter is urgently attended too. A progress report to be submitted by 31 May 2018.
- d) Ensure that it provides VIP Toilets where there are shallow pit latrine to prevent risks or danger that might ensue. A progress report to be submitted by 31 May 2018.

## **9. PUBLIC HEARINGS**

The public hearing was held at Sy Mthimunye Stadium (eMalahleni) and the comments were as follows;

- ❖ The communities' main major challenge is the shortage of water; and there is no free water supply;
- ❖ There is challenge of electricity and meter boxes within Vosman community
- ❖ The municipality charging unreasonable fees for rates



- ❖ There is poor road infrastructure;
- ❖ Youth empowerment is needed at eMalahleni Local Municipality;
- ❖ There are allegations of nepotism in the municipality.
- ❖ No feedback given to applicants for RDP houses;
- ❖ Allocation of houses to rightful beneficiaries sometimes is not done;
- ❖ Poor Management of beneficiary list;
- ❖ There are no job opportunities with the eMalahleni Local Municipality

### **9.1. Recommendations on a public hearing**

The Committee recommends that the Department of Co-operative Governance and Traditional Affairs must attend to issues raised at the public hearing. The committee also noted that the Department dealt with petitions and each matter as it was raised and attended to at the stadium. A comprehensive progress report must be submitted by 31 May 2018.

***The Chairperson requests the House to adopt the Committee Report with the findings and its recommendations. The Department must submit a detailed progress report to the Portfolio Committee on or before 31 May 2018.***

## 10. CONCLUSION

The Chairperson wishes to thank the Hon. Members of the Committee for their participation and contributions during the deliberations on the TLP site visits and public hearing. The Chairperson further extends her appreciation to the Acting MEC, Mr VR Shongwe, HOD, Mr TP Nyoni and his Senior Officials of the Department of Co-operative Governance and Traditional Affairs, the Mayor of eMalahleni Local Municipality, Ms L Ntshalintshali, District Mayor and Speaker of Nkangala District, representatives of House of Traditional Leaders (HTL) South African Local Government Association (SALGA), representatives of Auditor General's Office, CDWs, Contractors as well as the Councillors and officials of eMalahleni Local Municipality for supporting the programme of the Committee.

Lastly, she also wishes to thank the Legislature support staff for supporting the Committee during the TLP.



HON. P NGOBENI

**CHAIRPERSON: PORTFOLIO COMMITTEE ON  
HUMAN SETTLEMENTS AND CO-OPERATIVE GOVERNANCE &  
TRADITIONAL AFFAIRS**

18/04/2018

DATE