

REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS, ROADS AND TRANSPORT; COMMUNITY SAFETY, SECURITY AND LIAISON ON AN OVERSIGHT VISIT DURING THE TAKING LEGISLATURE TO THE PEOPLE HOSTED IN THE MKHONDO LOCAL MUNICIPALITY ON 27 FEBRUARY – 02 MARCH 2012

1. INTRODUCTION

The Constitution of the Republic of South Africa Act 108 of 1996, section 114(2) provides a Provincial Legislature with powers to conduct oversight over the provincial executive and other organs of state. In terms of Section 133(3) (b) of the Constitution, Members of the Executive Council are required to provide the Legislature with full and regular reports concerning matters under their control.

In terms of rule 120 read with rule 124 of the Rules and Orders of the Mpumalanga Provincial Legislature (the Legislature), the Portfolio Committee on Public Works, Roads and Transport and Community Safety, Security and Liaison (the Committee), has a responsibility to conduct oversight over the Department of Public Works; Roads and Transport (the Department). The Committee has in accordance with the rules undertaken oversight on respective portfolio departments. A site visit was conducted on projects and a public hearing held with the public.

The site visits and public hearing conducted were a mechanism to understand and ascertain the Committee with service delivery projects of the department in the Mkhondo Municipal area.

2. METHOD OF WORK

The Committee planned its site visits to focus on **Inqubeko Secondary School** and **Piet Retief Hospital**. Invitation letters were sent in advance to MECs, HODs, senior departmental management of the Department of Public Works Roads and Transport, Department of Education and the Department of Health, the political leadership of Mkhondo Local Municipality, the relevant Member(s) of the Mayoral Committee and key stakeholders in the targeted projects.

The site visits were undertaken on 29 February 2012 and public hearings held 01 March 2012. The MECs and leadership of Mkhondo Local Municipality responded to issues raised during the public hearing.

3. GENERAL OBSERVATIONS

The following observations were made:

- The Legislature worked closely with the ward Councillors, CDWs and other relevant stakeholders to mobilize community members to attend all sessions of the event;

- A maximum capacity of participants attended the sessions between 29 February 2012 and 2 March 2012;
- Community members were provided with information regarding services rendered by departments during the whole week of the event.

4. SITE VISIT TO PROJECTS

4.1 Inqubeko Secondary School

A visit was conducted at Inqubeko Secondary School to verify progress made in the construction of the school. The school principal, officials of the Department of Public Works, Roads and Transport and Department of Education, contractor and consultants made a presentation to the Committee.

The presentation indicated that the department appointed Mpfumelelo Business enterprise to construct the school at a price amounting R43 890 428.00. The project commenced on 12 January 2011 and was expected to be completed by 12 January 2012. The project could not be completed on time and a revised date of 27 February 2012 was agreed upon.

It was indicated to the Committee that the scope of work for the project cover the following;

- 28 Classrooms
- Administration block
- 40 toilets
- Laboratory
- Computer centre
- Library
- Kitchen
- Hall
- Fencing
- Water and electricity infrastructure
- Sports ground and parking

The progress towards the project until the date of the oversight visit was as follows:

- Physical progress was 97%;
- 28 Classrooms, 40 toilets, computer centre, library, fencing, water and electricity and parking were reported to have been completed on 6 February 2012;
- The administration block, laboratory, kitchen and hall were reported to have been completed on 16 February 2012;
- It was envisaged that the sports field was to be completed on 13 March 2012.

The Contractor reported that 342 local people were employed during the construction of the project. The project could not be completed on time due to the following challenges;

- labourers were working at a slow pace in an attempt to stretch their employment period ,
- theft of building material,
- Heavy rain and,
- late payment of the contractor by the client department

The principal gave a comprehensive report on the school profile, functionality of the school, availability of physical and human resources, availability of stationery and text books and general challenges experienced by the school.

The delegation undertook a tour on the school visited the project and observed that the project is indeed well constructed.

Findings

1. The sports ground was not complete;
2. The Contractor was a woman and had delivered a satisfying project from the physical observation by the Committee.

Recommendations

1. The Department of Public Works, Roads and Transport and the Department of Education must ensure that the school is completed on the revised date.

4.2. Piet Retief Hospital

The CEO of the hospital reported numerous challenges existing in the day to day running of the hospital and the general maintenance of the hospital. The following challenges were highlighted;

- There was insufficient parking space at the hospital and no parking facilities for disabled persons;
- Ambulances are unable to access the Casualty Ward;
- Facility doors are inadequate to effectively control the spreading of infection;
- The hospital was partly built on a wetland which causes structural damage;
- Poor electricity wiring in the hospital; for instance, if one of the wall heaters was switched off all the others are switched on;
- There was no emergency exit at the admission area and the medical ward;
- Insufficient ablution facilities in wards;
- There was a constant shortage of beds at the hospital;
- Patient alarms are out of order;
- A metal staircase leading from the boiler to the hospital that was erected without management permission already led to few patient fatalities;
- Structural damages existing in the surgical ward for the past four years;
- A manhole in front of the main kitchen has been unattended for the past year;
- The boiler room needs serious attention and has a negative impact on the day to day activities of the hospital.

The CEO further indicated that the following matters have a direct impact on the health aspect of the patients and the services delivered in general:

a) **Theatre environment**

The theatre entry points are not user friendly for surgeons. The current positioning of equipment does not allow for a 100% sterile environment to effectively control the spread of infection.

The maternity dressing area was not user friendly and does not have separate facility for male and female surgeons to change into theatre clothing.

b) **Poor planning of the hospital**

The existing hospital mortuary and incinerator are opposite the kitchen; and in most of the wards the staff kitchens are next to the toilets.

c) **Maintenance of the hospital**

The standard of maintenance provided to the hospital is of poor quality and maintenance is not done on a regular basis. Although there is a maintenance plan in existence it lacks actual time frames for maintenance and no budget is allocated to the plan.

There is insufficient budget for the maintenance of the existing facilities and there is a need for a full assessment to quantify the costs of the existing backlog and to engage with the Department of Public Works, Roads and Transport on a way forward.

d) **Regular communication between stakeholders**

There is a breakdown in communication channels between the hospital and the Departments of Health and Public Works, Roads and Transport which has a negative effect on the operation of the hospital.

Findings

1. The Department of Public Works, Roads and Transport was requested during the oversight visit to provide the Committee with a comprehensive report capturing all the relevant information relating to the construction of the hospital; to also include information on the EIA and master plan. The documentation is necessary to determine whether there were inaccuracies in the initial planning process of the hospital. The information has not been received at the time when the report was considered by the Committee.
2. The poor planning and lack of budget attached to the maintenance plan for existing facilities was a matter of concern.

3. There was a breakdown in the communication channels between the hospital and the Departments of Health and Public Works, Roads and Transport which has a detrimental effect on the operation of the hospital.
4. There was a need to seal the windows of the Kitchen on the side of the mortuary

Recommendations

1. The Department of Public Works, Roads and Transport together with the Department of Health must submit to the Committee a detailed plan on how they will correct the challenges at the hospital;
2. A full assessment must be prepared by the Department of Public Works, Roads and Transport to quantify the costs of the existing backlog on maintenance at the hospital; and a plan on the way forward must also be provided;
3. Regular meetings on infrastructure must be held between the hospital and the Departments of Health and Public Works, Roads and Transport;
4. The Department of Public Works, Roads and Transport must construct an access road in front of the Casualty Ward for Ambulances;
5. The Department of Public Works, Roads and Transport must seal the windows of the hospital kitchen on the side of the Mortuary.

4.2.1. M2 Mortuary

The Department of Public Works, Roads and Transport presented a report on progress made in the construction of the new forensic M2 Mortuary at the Piet Retief Hospital.

The construction was commissioned on 21 November 2011 at the cost of R20 123 422.00, through the Department of Public Works, Roads and Transport. The contractor was expected to complete the project by 22 October 2012.

The main contractor appointed a specialised service provider for the demolition of the existing asbestos structure in preparation to commence with the construction of the M2 Mortuary.

Progress to Date

- Physical progress was 10%
- Expenditure to date was 8.44%
- Time spent on project to date was 25%

- Two local persons employed to date; as well as the expert sub-contractor to demolish the existing asbestos structure consisting of 15 persons from outside of Mpumalanga.

Project Delays

The lack of communication between the contractor and the Hospital CEO led to initial delays in the project; however, it was reported that the matter has been resolved.

The submission of incorrect drawings by the Civil and Structural Engineers to the contractor resulted in the Department of Public Works, Roads and Transport terminating the services of the Civil and Structural Engineers. The department was in the process of appointing new Civil and Structural Engineers.

The project was also delayed for a week since local community members felt excluded from the process of demolition of the existing asbestos structure. It was explained to the community that an expert company was needed to deal with the demolition of the structure since it can be hazardous due to the presence of the asbestos.

Initial consultation process

The CEO for the Piet Retief Hospital reported that the mortuary was not being constructed on the best suited site on the property; and that the consultation process could have been more transparent.

The Department of Public Works, Roads and Transport indicated that the consultation process took place prior to the appointment of the current CEO of the hospital; and maintained that the construction site was the best suited area for the construction of the mortuary.

Findings

1. Communication channels are poor between the hospital, the Departments of Health and Department of Public Works, Roads and Transport;
2. The project was progressing slowly.

Recommendations

1. Regular meetings must be held between the hospital and the Departments of Health and Public Works, Roads and Transport;
2. The Department of Public Works, Roads and Transport ensure that the contractor complete the Mortuary at Piet Retief Hospital on time.

5. PUBLIC HEARING

The public hearing was conducted as a joint event for both the Economic and Social Clusters at the Mandla Magudulela Stadium on 01 March 2012 from 09h00

to 13h00. Members of the public from eThandakukhanya, Thuthukani, Amsterdam and the surrounding rural areas and farms attended the hearing.

The session was chaired by Hon VV Windvoël and Hon RM Mtsweni. The Chairpersons outlined the purpose of the Legislature's visit to the Mkhondo Municipality. He indicated that it was to foster service delivery that would improve the lives of the people of Mkhondo.

The following are some issues/challenges raised during the public hearing:

1.1. PUBLIC WORKS, ROADS AND TRANSPORT ISSUES

The following were the challenges raised by the public:

- Poor condition of roads in Gert Sibande district, especially potholes.
- There were no access roads at Mabona Village and Ward 16,
- There was no access road at KwaNgema due to a dam next to the road that requires engineering.

The MEC for the Department of Public Works, Roads and Transport emphasised in his response that the poor conditions of the roads and potholes are caused by the coal-carrying trucks that supply coal to Eskom. There were high rate of accidents and deaths on the R23 road.

The MEC undertook to recommend that the Department of Public Works, Roads and Transport must approach SANRAL and the National Department of Transport to speed up the project of building of the wall or bridge on the R23.

The MEC indicated that engineers will be sent to KwaNgema to assess the road next to the dam and determine if a bridge can be constructed using internal capacity.

1.2. SAFETY AND SECURITY ISSUES

The following were the challenges raised by the public:

- Instances where farmers abuse and assault workers were still existing,
- The police were not attending to reports made by farm workers of abuse and assault by farmers,

The MEC for the Department of Safety, Security and Liaison emphasised in his response that everything possible was being done to prevent the abuse of farm workers. Complainants were encouraged to formally report cases and cooperate with the police when the cases of abuse and assault are investigated. The MEC indicated that a complaint cannot be followed-up without the assistance of the relevant parties to the case.

The MEC requested that the specific case number of the docket be submitted to his Office so that the matter can be investigated without delay.

- Protesters are being assaulted and arrested by the police during protests.

The MEC emphasised that residents have the right to demonstrate their dissatisfaction on matters in terms of the regulations of the formal permit issued for the specific protest.

The MEC requested residents that feel that they are unnecessarily assaulted and arrested during a legal protest to lay a charge at the SAPS Mkhondo or to contact the MEC's office for assistance.

6. CONCLUSION

The Chairperson of the Committee, Hon JL Mahlangu, would like to thank all members of the Committee, the Chairpersons and Members of the various Portfolio Committees of the Legislature, Members of the Executive and their Administration at both provincial and municipal levels, the support staff of the Mpumalanga Legislature for their participation and rigorous work done during this important outreach to the community of Mkhondo, enhancing the oversight role of the Legislature.

Unless otherwise stated, all Departments should provide progress reports on all issues raised to the relevant Portfolio Committees on 31 May 2013.

HON JL MAHLANGU

DATE

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