

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 26 APRIL 2024

### COMMITTEE REPORTS

- 1. Report of the Standing Committee on Infrastructure on its oversight visit to the Garden Route to observe the infrastructure in the area, as follows:**

Delegation

The delegation consisted of the following members:

De Villiers, P  
Kama, M  
Klaas, T  
Maseko, LM (Chairperson)  
Murray, C  
Sileku, I

The following staff attended the oversight visit:

Cloete, L; Senior Procedural Officer  
Jones, S; Procedural Officer  
Naidoo, W; Security and Facilities  
Barends, A; Driver

#### **1. Introduction**

The 2023/24 strategic objectives of the WCPP linked to the Speaker's priorities that have an impact on committees are as follows:

Priority 1: Building a credible WCPP; and  
Priority 3: strengthening the core business.

The Standing Committee on Infrastructure, as part of its oversight mandate, conducted an oversight visit to the Garden Route from 18 to 19 September 2023. The Committee's visit commenced with a visit to the Maalgate Bridge Widening in George, followed by a visit

to the Gwaiing Road and Metro Grounds BNG and FLISP Housing Project. The visit concluded with a briefing at the George Council Chambers with a briefing on the upgrading of the infrastructure. The visit continued the following day with a briefing by the Department and a visit to the Bartolomeu Diaz Museum and the Louie Fourie Road infrastructure in Mossel Bay.

## **2. George oversight visit**

### **2.1 Overview and background**

The Committee was received by the following persons from the George Municipality: Ald. L van Wyk, Executive Mayor; Dr M Gratz, George Municipal Manager; Mr J Koegelenberg, Director: Civil Engineering; Ms L Waring, Director: Human Settlements and Planning; Mr B Petrus, Mayoral Committee Member; and Mr B Johnson, Civil Engineer. Persons in attendance from the Garden Route District Municipality are Mr C Roelf, Construction Manager, and Mr S Zambezi, Occupational Health, and Safety Officer.

From the Department of Infrastructure was Mr R Arendse, Chief Engineer; Mr X Smuts, District Roads Engineer; Mr W Moolman, Production Engineer: Roads Infrastructure; Ms M van Wyngaardt, Acting Chief Director: Roads Departmental Operations; Mr N Adriaanse, Director: Public Information and Stakeholder Relations; Mr G Conradie, Construction Project Manager Production; Ms C Nieuwoudt, Project leader for the Diaz Museum project Mr J Bakker, Head of Communications and Mr R Ryklief, Departmental Communications.

This report highlights the findings, key issues discussed and recommendations stemming from the oversight visit.

### **2.2 Maalgate Bridge widening in George**

The Department of Infrastructure (the Department) is reconstructing and widening the Maalgate Bridge (the bridge) to a three-span arch bridge. The existing road structure and pavement layers would be widened to include a shoulder on each lane. Once completed, the bridge would have a dual carriageway with a 3.2 m lane width and 2.0 m shoulder on each side. Upgrading, the bridge, according to the Department, would reduce the high accident risk experienced in the area.

The Maalgate Bridge was constructed in 1938 on the R102 near George. It was built and designed with concrete arches and spandrel walls and spans the Maalgate River. The Maalgate River is also known as the Whirlpool River. The bridge serves as an alternative route between Mossel Bay and George.

The bridge, because of its arches and geographical location, has become a tourist attraction site for the locals and visitors to the region. The Department, for this reason, decided to keep the original structure of the bridge intact. Any construction work on the bridge would not detract from the look and feel of the original structure.

Mamlambo Construction (Pty) Ltd, was appointed by the Department of Transport and Public Works: Roads Branch on 8 February 2021 to undertake the upgrading of the bridge. The contract with Mamlambo Construction (Pty) Ltd, was terminated on 2 June 2022 due to abandonment of the contract. The contract was later awarded to Leek Construction CC, the second-ranked highest bidder to complete the work at the original tendered rates. Leek Construction CC was appointed on 9 September 2022 following a limited Bid process. The replacement contractor commenced construction on 16 September 2022. Approximately 60 work opportunities were provided throughout the project. The

construction work of the bridge was slower than anticipated. The slow construction work was attributed to the supplier's reluctance to provide resources without upfront payment. Assurances were provided to the suppliers by the Department, and the necessary supplies were provided. The completion of the bridge was scheduled for November 2023. The Department advised that the construction of the bridge would not hinder the traffic from passing through the area during the festive period. Stop-and-go traffic controls would also be implemented to regulate the traffic.

### 2.3 Gwaiing Road upgrade

The upgrading of the Gwaiing Road (DR1618), was authorised by the Western Cape Department of Transport and Public Works. The Cost to upgrade the road amounted to R67 million. The upgrade included the construction of the roadbed of 6,8 m cement and bitumen mixes that are flexible to provide structural strength and ideal for commercial agricultural transport. Stormwater network on the road, would be upgraded with 27 pipe crossings, that would contain concrete headwalls to ensure effective stormwater management. Stormwater drainage channels in the area, would also be upgraded. The Garden Route District Municipality advised that approximately 44 job opportunities for Expanded Public Works Programme (EPWP) workers, were created during the construction phase, of the project. The Gwaiing Road, once completed, would be an important link that would connect businesses from the airport to businesses in the Blanco region. This would be essential for farmers who want to transport their products to the market or the airport for export.

### 2.4 Metro Grounds BNG and FLISP Housing Project in George

The Metro Grounds Breaking New Ground (BNG) and Finance Linked Subsidy Programme (FLISP) Housing Project in George forms part of the Ministerial Priority Projects. A budget of approximately R166 644 404,00 was allocated for the project. Ruwaccon Construction was appointed in February 2022 to construct 236 BNG units and 200 FLISP units for the Metro Grounds Housing Project as follows:

The Breaking New Ground units were split into three different categories as follows:

- 93 Double storey housing units;
- 130 Single storey housing units; and
- 13 Disabled housing units.

The Finance Linked Subsidy Programme units were split into two different categories as follows:

- 145 Single storey units; and
- 55 Double storey units.

Approximately 195 serviced sites, were set aside for non-qualifiers and future affordable housing. The 200 FLISP units, were converted into BNG units as part of the Department's strategy to prevent vandalism. A decision was taken by the Department, to move beneficiaries into the units as soon as they were completed. This was to ensure that the rightful beneficiary takes ownership. Bond approval, according to the Department, would be a lengthy process whereby affordability for a bond still had to be determined. This process would ensure that no security was necessary to ensure that the property was not vandalised or illegally occupied.

Fencing was placed around the construction area to ensure the safety of residents who might wander onto the construction site. Drainage facilities were implemented to channel

stormwater away from the houses. The Committee raised concern regarding the drainage facilities that might not be adequate to prevent flooding in some of the lower lying units.

The Department confirmed the employment of 16 local enterprises and that 172 work opportunities were created for Expanded Public Work Programme employment on the project. Mentorship and training opportunities were provided to persons employed on the project.

### **3. Mossel Bay oversight visit**

#### **3.1 Overview and background**

The Standing Committee on Infrastructure conducted an oversight visit to the Bartolomeu Diaz Museum and the Louie Fourie Road infrastructure. After the oversight visits the Committee received a briefing by the Mossel Bay Municipality on the upgrading of the respective infrastructures.

The Committee was received by the following persons, Ald. C Bayman, the Executive Mayor of Mossel Bay; Mr C Puren the Municipal Manager, Mr D Naidoo, Director: Infrastructure Services; Mr J Cox, Senior Manager: Roads, Transport and Stormwater; Mrs E Nel, Director: Community Services; Ald. N Booisen, Mayoral Committee Member: Community Services; and Cllr. A Dellemijn. Persons in attendance from the Department of Infrastructure was Mr W Moolman, Production Engineer: Roads Infrastructure; Ms M van Wyngaardt, Acting Chief Director: Roads Departmental Operations; Mr N Adriaanse, Director: Public Information and Stakeholder Relations; Mr G Conradie, Construction Project Manager Production; Ms C Nieuwoudt, Project leader for the Diaz Museum project, Mr J Bakker, Head of Communications and Mr R Ryklief, Departmental Communications. The SMME's who attended the meeting were Mr M Mabatho, Ms Z Ciliba, Chairperson of All Women in Business; and Ms N August-Nogqala, All Women in Business.

This report highlights the findings, key issues discussed and recommendations stemming from the oversight visit.

#### **3.2 Diaz Museum fire compliance upgrades**

The Diaz Museum consists of three buildings and a cluster of houses that were grouped around the original water source that was utilised by early Portuguese and Dutch sailors. The precinct also consists of open gardens and a lawn amphitheatre.

In 1979, Mr Gawie Fanagan was appointed to convert the museum precinct and stone buildings to be compliant with the relevant building and fire regulations at the time. Compliance with the building and fire regulations of the existing precinct was once again required to ensure public and visitor safety. The refurbishment and maintenance of the museum complex had to comply with the latest standards and regulations. The original tender amount budgeted for the upgrading project amounted to R24 073 335,93. The projected amount includes Value Added Tax and excludes professional fees. The revised construction cost amounted to R36 305 545,60. The revised cost included value added tax and fees. Concern was raised regarding the revised cost for the fire upgrades. The Committee also questioned the lack of alternate energy source upgrades.

The contract to upgrade the fire compliance of the Diaz Museum was awarded to GVK Siya Zamaaw on 7 October 2023. A project team consisting of Quantity Surveyors, Architects, Heritage Consultants, Engineers, Mechanical, Civil and Electrical engineers were appointed to work on the Museums. Approximately 40 menial job opportunities were

made available per month for local labourers. The expected completion date for the project was scheduled for 5 September 2023 and later extended to 11 September 2023. Certain sections of the Diaz Museum were closed to the public and exhibits were moved temporarily to allow for the completion of the fire upgrades. Visitors were only provided access to designated areas. Safety officers were deployed to ensure that visitors remained within the demarcated areas while visiting the museum.

3.2.1 The following upgrades were implemented at the Museum:

- 3.2.1.1 Lower fire escape routes were constructed at the Shell Museum;
- 3.2.1.2 Installation of new storage areas and new fire detection systems;
- 3.2.1.3 Refurbishment of finishes;
- 3.2.1.4 Repair of the delaminating plaster at the Granary Building;
- 3.2.1.5 Upgrading of fire detection, electrical reticulation and intumescent protection to combustible ceiling elements;
- 3.2.3.6 Installation of fire detection, fire doors; and
- 3.2.3.7 A sprinkler system over the Caravel and smoke fans were installed.

### 3.3 Louis Fourie Road upgrade

Construction of the Louis Fourie Road in Mossel Bay commenced on 28 July 2022. The expected completion date for the project is 31 October 2025. A budget of R490 million was made available for the project. Entsha-Henra was the local construction company employed to upgrade the Louis Fourie Road infrastructure. The Construction work entailed the construction of a new on-and off-ramp at the N2 at Vyfbrakkefontein Road. The exit off the N2 at the Langeberg Mall would be changed into a circle to facilitate and ease traffic flow. New streetlights and traffic signals would also be implemented on Louis Fourie Road. A pedestrian sidewalk from the Waboom Road intersection to Sonskynvallei, with a distance of 900 m, would also be built for pedestrians to cross the road. Underground services, e.g. sewer lines and cables would be relocated and replaced. Bridges would be replaced or widened and double lanes in both directions would be implemented.

During the meeting, the Committee was joined by disgruntled Small, Medium and Micro Enterprise (SMME) business owners and the All Women in Business Owners (AWB). The SMMEs made Oral submissions. They informed the Committee that tender opportunities were only given to big businesses. The Department refuted the claims, stating that tender applications were open, transparent and in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). They advised that all tender documents have to comply with the relevant requirements for the project or be deemed non-compliant. Training opportunities were made available to local enterprises to assist them with relevant forms to ensure compliance.

3.3.1 The training opportunities included the following:

- Legislative and compliance requirements;
- Business and finance management;
- Human resources and labour relationship management;
- Site management;
- Tenders and procurement; and
- Construction Industry Development Board registrations and upgrading requirements.

The AWB and the SMMEs requested that the Committee return to Mossel Bay to investigate the tender allocation processes to ensure a fair and transparent tender allocation process.

The Department raised concerns regarding the delay by PRASA who have not granted access approval for the Department to finalise its projects.

South African legislation has, in accordance with the Constitution, attempted to promulgate laws that facilitate social cohesion within communities by connecting them legally to their land.

#### **4. Resolutions/Actions**

4.1 The Committee REQUESTED that the Department provide it with:

4.1.1 The Enhanced Service Site Strategy;

4.1.2 The Department's flow diagram that tracks the responsibilities for each unit dealing with a project;

4.1.3 A detailed breakdown on the costs for the Bartolomeu Diaz museums upgrade; and

4.1.4 The reasons for not including alternate energy resources into the specifications for the upgrade of the Bartolomeu Diaz museum.

4.2 The Committee RECOMMENDED that the Department investigates and considers the possibility of replicating the model used at the university for housing opportunities to other satellite campuses of the University of the Western Cape, as well as other universities in the province.

4.3 The Committee RESOLVED, and just for noting for the Department, that the Committee will conduct a follow-up visit to Mossel Bay to reconvene the discussion with the Mossel Bay SMME's and the Mossel Bay Municipality regarding the allocation of contracts and training programmes on how to apply for contracts.

#### **5. Acknowledgements**

The Chairperson expressed appreciation to the Members, the Mossel Bay Municipality, the George Municipality, the Garden Route District Municipality, ward councillors, officials from the Department of Infrastructure and members of the public for their participation in the meetings and oversight visits.

## **2. Report of the Standing Committee on Infrastructure on its oversight visits to the West Coast District to observe:**

- Flood disaster infrastructure; and
- Flood damaged road infrastructure.

### **Flood disaster oversight visits commenced on 10 July 2023 in the in the Cederberg Municipality in the West Coast District:**

The delegation consisted of the following members:

Maseko, LM (Chairperson)

Marran, P (ANC)

Sileku, I (DA)

#### **Apologies**

De Villiers, P (GOOD)

Murray, C (DA)

Klaas, T (EFF)

**The delegation who attended the flood disaster oversight visits on 28 and 29 August 2023 consisted of the following Members:**

De Villiers, P  
Klaas, T  
Marran, P  
Maseko, LM (Chairperson)  
Murray, C  
Sileku, I

**The following staff attended the oversight visit:**

Cloete, L; Senior Procedural Officer  
Jones, S; Procedural Officer  
Naidoo, W; Security and Facilities  
Barends, A; Driver

### **1. Introduction**

The 2023/24 Strategic Objectives of the WCPP linked to the Speakers' Priorities which impact on committees are as follows:

Priority 1: Building a credible WCPP; and  
Priority 3: strengthening the core business.

The Standing Committee on Infrastructure, as part of its oversight mandate, conducted urgent oversight visits on 10 July 2023, 28 and 29 August 2023 to observe the flood damage to infrastructure in the West Coast. The Committee observed the damaged infrastructure in Citrusdal, Clanwilliam, Matzikama and Bergrivier respectively after which a briefing was held on the extent of the disaster and the budgetary requirements to rehabilitate the road infrastructure.

### **2. West Coast, Cederberg Municipality (Citrusdal, Algeria, Paleishuwel and Clanwilliam) Oversight Visit**

The purpose of the oversight visit to Citrusdal was to assess the flood damage to the road infrastructure commencing with the main road in Citrusdal, and then proceeding to Uitkyk Pass, DR2184 in the Cederberg region, Algeria, Paleishuwel and finally concluding the visit with a site visit to the MR310DR1487 in Clanwilliam.

### **3. Overview**

The Committee was met by the Cederberg Municipality's Mayor, Mr R Richards; the Municipal Manager, Mr G Matthyse; the Speaker, Mr J Hayes; Mr J van der Hoven, Portfolio Chair: Support Services, Ms L Venter; Ward Councillors for Citrusdal and Clanwilliam, Mr A Scheepers; Ms L Venter; Mr M Heins and the Ward Councillor for Citrusdal and Clanwilliam Mr F Kamfer. The Committee also met with the West Coast District Municipality Mayor, Mr R Strydom and the Matzikama Municipality Head of Department: Technical Services, Mr E Delpont; the Manager: Electrical, Mr R September; the Manager: Civils, Mr J Kotze; the Chief Financial Officer, Mr N Smit and the Acting Head of Department: Support Services, Mr A Titus. The Department of Infrastructure officials who were present were the Head of Communications Mr J Bakker; the Acting Chief Director: Regional Road Services and the Head of Roads: West Coast District Municipality, Ms D van der Westhuizen.

This report highlights the challenges, findings, key issues discussed and recommendations stemming from the oversight visits.

#### **4. Findings during the guided oversight visits**

Heavy rainfall and flooding caused damages to road infrastructure across the Western Cape province. Disaster crews were deployed to respond to the flood damage caused by excessive rain to the affected disaster areas. The West Coast District was one of the areas that were greatly affected by the flooding. The Cederberg Municipality reported that the sites located downstream from the reservoirs and rivers were inaccessible when the rivers overflowed. The flooding resulted in the displacement of some of the communities. The most affected communities were those who reside in informal settlements.

Landslides in mountainous areas occurred due to soil saturation caused by the heavy rain as was the case in the Algeria Cape Nature Reserve. The flood damage to the road infrastructure in the nature reserve resulted in a negative impact for the tourism season as the area was inaccessible to visitors.

During the walk-about of the flood damaged infrastructure the Committee was able to observe Mr Andrew Brand's vehicle that was trapped at Paleisheuvel Road in Citrusdal due to unstable road conditions. The Committee was informed that the vehicle was one of many that was trapped at Paleisheuvel Road. Communities who resided in Elandsfontein in Cederberg were cut off due to the inaccessibility of Paleisheuvel Road.

Citrus farms next to the Olifants River were negatively affected as flood water washed away a substantial number of citrus trees due to be harvested.

During the oversight visit the Committee was able to observe the reconstruction of the road connecting Citrusdal to the N7, that washed away when the Olifants River Valley flooded. The Committee was informed that the repair for 1km of the road could amount to approximately R10 million.

The Clanwilliam Municipality advised the Committee that a full damage assessment was still underway, and that the extent of the damage was yet to be determined.

#### **5. Key issues discussed**

- 5.1 Mandatory evacuation orders for flood-prone areas were conducted. Residents affected by the floods, were relocated to the Rivier View Sports Hall in Rivier View and the Eendrag Community Hall in Wuppertal for temporary shelter.
- 5.2 Disruptions were experienced to electricity supply, water infrastructure, sewerage systems and telecommunication services. The South African Defence Force (SANDF) was requested to airlift Eskom maintenance teams into the Citrusdal area to restore the power and to assess the damage to the power infrastructure. The Municipality reported that Citrusdal was without electricity for a period of three days, Clanwilliam for a period of two days and Elandskloof was without electricity for a period of eight days.
- 5.3 Gift of the Givers, the Municipality, the SANDF, the West Coast Disaster Risk Management unit, the Cederberg Fire Protection Association and non-governmental organisations provided food parcels and blankets to areas that were inaccessible by vehicles.
- 5.4 Humanitarian aid was provided by three helicopters, specialised four-wheel drive vehicles and boats to some areas around Citrusdal that were cut off, as many people



who resided close to the river indicated that they had lost their belongings in the flood.

- 5.5 The Citrusdal Non-Governmental Organisations and the Checkers soup kitchen provided soup to the affected communities. Asla, Liners, Malmesbury NGOs, Saldanha Bay municipality, Elandskloof farming communities, Wuppertal outposts, and Lambert's Bay Foods donated food parcels to affected communities.
- 5.6 The damage to the citrus fruit harvest due to the floods, also had a negative impact on the farm workers' income, job creation and fruit exports.
- 5.7 A disaster report was submitted at a Special Council meeting at the Cederberg Municipality. The council resolved to have the area declared as a disaster area by the National Disaster Management Centre and the Provincial Disaster Management Centre.

## **6. Resolutions/Actions**

6.1 The Committee RESOLVED to:

- 6.1.1 Draft correspondence to the National Department of Water and Sanitation requesting that the Department assists the Clanwilliam Municipality with the clearing of rivers beds in the area;
- 6.1.2 Invite the national Department of Water and Sanitation to brief it on the application process for emergency funding by municipalities, the policy prescripts for accessing rolled-over emergency funding and the manner in which monitoring of the rolled-over funds are done; and
- 6.1.3 Conduct an oversight visit to the Matzikama, Cederberg and Aurora regions to observe the flood-damaged infrastructure.

6.2 The Committee REQUESTED that the:

- 6.2.1 Clanwilliam Municipality provide the Committee with a detailed breakdown of the emergency funds applied for by the Municipality to assist the municipality; and
- 6.2.2 Department of Infrastructure provide it with a detailed report on the application process for emergency funding.

## **7. West Coast oversight visit to Matzikama and Bergrivier**

The Standing Committee on Infrastructure, as part of its oversight mandate, conducted an oversight visit on Monday 28 August 2023 and Tuesday 29 August 2023 to Matzikama and Bergrivier in the West Coast respectively, to observe flood damaged infrastructure in the areas. The visit was followed by a briefing at the Matzikama and Bergrivier municipalities.

### **7.1 Overview**

The Committee was received by the following persons in Matzikama Mr J van der Hoven, Mayor; Ms A Job, Executive Deputy Mayor; Mr L Phillips, Acting Municipal Manager; Cllr. S Cornelissen, Mayoral Committee Member; Cllr. C Boks, Mayoral Committee Member; Cllr. C White, Mayoral Committee Member; Mr N Jonker, Acting Director: Technical Services; Mr R Saul, Acting Director: Community Services; Mr E Alfred, Director: Financial Services; Ms M Lakay, Secretary; Mr C Le Fleur, Councillor; Mr J Koopman, Councillor; Ms D Witbooi, Councillor; Mr J Muller, Councillor; Mr S Tshabalala, Councillor; Mr A Sindyamba, Speaker; Mr C van Der Westhuizen, Councillor; Mr R Lakay, Chairperson; Mr R Whites, Manager Technical Services; and Ms

D Wessels, Acting Director: Development and Planning. The officials of the District Municipalities, Mr D Joubert, Municipal Manager; and Mr K Louw, the Speaker attended the meeting as well. The officials of the Department of Infrastructure, Mr R Rykklieff, Departmental Communication; Mr W Moolman, Infrastructure Roads Engineer; Mr A November, Acting Director: Roads Programme Services and Ms R Tiry, Director: Regional Human Settlements Support, West Coast also joined the Committee. The members of the public in attendance as follows: Mr R Killian, Mr G Cronje and Mr S Coetzee.

## 7.2 Key issues discussed

During the oversight visit of the Troe-Troe Bridge, the Committee was able to observe the repairs made to the bridge and engage with members of the public regarding their input into the restoration of the bridge. The Committee was also able to observe the single pipeline that was temporarily installed on the sidewalk of the Troe-Troe bridge. The temporarily installed pipeline was fitted to fill the reservoir and supply the distribution network with water. The guided tour concluded with a visit to the Mangaung informal settlement.

## 7.3 Troe-Troe Bridge in Vanrhynsdorp

The Troe-Troe Bridge is one of the main entry points to Vanrhynsdorp where residents gain access to their place of businesses and homes. Due to the recent flooding in the area the Troe Troe river burst its banks, this resulted in major structural damage to the Troe-Troe Bridge and the pipeline in the watercourse.

Farmers were cut off from the market due to the damaged bridge and tourists were deterred from staying in the area due to the water shortage and road conditions. Businesses that relied on tourism were negatively affected as tourism is their main source of income. The alternate dirt road leading into Vanrhynsdorp was also affected by the flood and was not favourable to be used by any type of vehicle. Locals continued to utilise the bridge, not observing the dangers of its hazardous condition.

Several businesses, organisations and members of the public collaborated with the municipality to repair the damaged infrastructure. Mr Deon Williams, the Technical Manager of Vanrhynsdorp and his team, the Vredendal Irrigation, PR Civils and the Vanrhynsdorp Community Forum collaborated to supply construction equipment and other resources to repair the damage to the bridge and part of the road infrastructure.

The Committee was informed that systems must be implemented to clear the riverbeds from the invasive plant species. It was encouraged that indigenous plants should be planted on the riverbank to ensure that the river does not veer from its course.

## 7.4 Damage to the main pump line and reticulation pipeline in Vanrhynsdorp

Damage was caused to both the main pump line and the main reticulation pipeline in Vanrhynsdorp, due to the flooding in the area. It was not possible to repair the pipeline in the watercourse as the flood water had not subsided. Businesses in the area and the Matzikama Municipality constructed a single temporary pipeline with a dual function to pump water into the reservoir, as there was a dire need for water in the area. An emergency pipe was temporarily placed on the sidewalk of the Troe-Troe Bridge as a temporary measure to repair the pipeline. The Committee was informed that the pipe would be connected to the bottom of the bridge to circumvent vandalism and future flood damage.

## 7.5 Water Services Infrastructure in Vanrhynsdorp

Vanrhynsdorp was without water for approximately a week due to the flood that washed away parts of the town's main water supply line. Aging infrastructure and a damaged water pipe aggravated the water shortage supply. The Matzikama Municipality was forced to ration water supplies to residents and approximately 33 000 residents and 17 towns were affected by the water shortage. The Vredendal and Vanrhynsdorp schools, clinics, hospitals, Early Childhood Development centres and the general community were all affected by the water shortages. Bottles of drinking water were delivered to schools, clinics, and residents in the area. The Committee was informed that two 30 000 liter tanker trucks filled the Vanrhynsdorp reservoir, and an additional truck was used to distribute water to the members of the community.

The project was projected to be completed over the next three years and would upgrade the town's water network. The funds formed part of the Water Services Infrastructure Grant to upgrade the water network services. The Municipality reported that the first phase of the project had already commenced and would be finalised by December 2023.

#### 7.6 Mangaung Informal Settlement in Vredendal

During the oversight visit to the Mangaung Informal Settlement, it became apparent that environmental and infrastructural issues existed. The area was waterlogged with stagnant putrid water which resulted in a foul odour permeating the air. Members were concerned that the putrid water would pose health problems for the community should the situation be left unattended. Further concern was raised regarding an electrical box that was situated in the putrid water which could be hazardous for the area.

#### 7.7 Pothole fixing in the West Coast

The municipality reported that all the town's road infrastructure had potholes. Funding is required to continue with the upgrading of the main roads. Businesses in the area collaborated with the municipality to fix the road infrastructure.

### **8. West Coast District Bergrivier and Matzikama Oversight Visits**

The Standing Committee on Infrastructure conducted oversight visits to Bergrivier and Matzikama in the West Coast on 28 August 2023 and 29 August 2023, to observe the flood damage to infrastructure in the area. The Committee received briefings that informed of the damages to the infrastructure and the associated cost for the repairs.

#### 8.1 Overview

The Committee was received by the Mr M Wessels, Deputy Mayor; Mr R Swarts, Speaker; Mr J Pedro, Traffic Services; Mr R Stander, Manager: Project Management and Building Control; Mr A du Plooy, Councillor; Mr A de Vries, Councillor; Mr J Daniels, Councillor of the Bergrivier Municipality. An official of the Department of Infrastructure, Mr R Rykklieff, of the Communications department also attended the meeting as well.

#### 8.2 Observations and concerns

The Bergrivier Municipality informed the Committee that they were experiencing flooding in all three of its major towns. The annual rainfall of 30-40mm of rain would cause major flooding in the area. This is due to the aged historical storm water infrastructure that requires upgrading. The cost to upgrade the storm water system would amount to R80 million. Storm water pipes were installed which channeled the storm water to the bottom of the town, but this resulted in flooding of the lower lying areas.

Challenges were reported regarding the management of the roads in the Bergrivier area with the limited budget.

### 8.3 Goedverwacht and Wittewater Moravian Mission villages in Bergrivier

The Goedverwacht Moravian Mission village is located on private land within a predominantly agricultural area. The village was established in 1889 as a Moravian Mission station. The farm is owned by the Moravian Church of South Africa and is held in trust by the Minister of Land Affairs for the benefit of the residents under the Rural Areas Act, 1987 (Act 9 of 1987). The community has not been bound by any spatial planning act or land use ordinance in the past and, as a result, had limited government assistance with planned development. These circumstances have resulted in the village growing and developing informally in the Bergrivier Municipality. The village currently has six original thatched roof houses of which one was destroyed. The cost to repair the thatched roof is too expensive for the residents and therefore, the houses were left in disrepair.

Currently there is no legal system for registering individuals right to land that is based on shared use in a community. To establish individual rights, the land must be proclaimed as a township. The land should be formally surveyed and subdivided into individual land parcels before being registered at the deed's office. South African legislation has, in accordance with the Constitution, attempted to promulgate laws that facilitate social cohesion within communities by connecting them legally to their land.

There was no drinkable water for the community of Goedverwacht, this is due to the aging water and bulk infrastructure. The municipality in accordance with the Water Services Act, 1997 (Act 108 of 1997), provides drinking water to the private Moravian towns Goedverwacht and Wittewater, at cost on request. All the households in the area have access to minimum water. All indigent households receive the first 6 kl of water at no cost, thereafter a minimum tariff is charged.

The road infrastructure in Goedverwacht and Wittewater is severely damaged. The communities must walk to clinics and schools due to the damaged roads being impassable for vehicles to travel on. The municipality is not able to address the road infrastructure issues as the Municipal Finance Management Act, 2003 (Act 56 of 2003), does not allow the municipality to work on private roads.

### 8.4 Porterville Voortrekker road and potholes on the road between Piketberg and Velddrif

The Bergrivier municipality informed the Committee regarding the deteriorating conditions of roads in the area. Voortrekker Road in Porterville is a provincial road that requires urgent upgrading. The municipality advised that no funds are available to upgrade the road infrastructure, and requests for assistance by the Department were futile.

Concern was raised, regarding damage to the bridge and road infrastructure caused by heavy-duty trucks that access the road between Piketberg and Velddrif. The trucks are from the Kathu mines in the Northern Cape. Truck drivers in the area utilise the detour via Piketberg and the Velddrif road to avoid the weighbridge. The increased volume on the road infrastructure has placed extra pressure on the road surface. The increased traffic has resulted in damage to the road surface. The design of the road does not accommodate for the increased weight and volume of the trucks. The municipality advised that the cost to upgrade 60 km of the road would amount to R36 million, and the cost to upgrade the bridge would amount to R150 million.

The Committee was informed that the high volume of heavy-duty trucks could increase as the mines in Kathu would increase their production. Residents in Bergrivier complained about the noise pollution and the damage to their property caused by the increase of trucks that accesses the area 24 hours of the day.

The Committee advised the municipality to approach the companies whose trucks are utilising the B-roads between Piketberg and Velddrif and request that they provide funding as well for the upgrading of the road. It was recommended that upgrades to the weighbridge, should be done to regulate the traffic on the B-roads. A recommendation for the use of the rails system was recommended to use as an alternative means of transportation for the mining industry to transport the mine's cargo.

South African legislation has, in accordance with the Constitution, attempted to promulgate laws that facilitate social cohesion within communities by connecting them legally to their land.

## **9. Resolutions/Actions**

9.1 The Committee REQUESTED that:

9.1.1 The Bergrivier Municipality provides it with a full impact report of the damage in the area caused by the flooding; and

9.1.2 The Department assists the Municipality with finding alternative solutions to fix the roads in Goedverwacht and Witte Water.

9.2 The Committee RESOLVED to conduct an oversight visit to Witte Water and Goedverwacht Moravian towns and invite the West Coast District Municipality to assist with the challenges in the area.

## **10. Acknowledgements**

The Committee expressed its appreciation to the Members, the Clanwilliam Municipality, a the Matzikama Municipality, the Bergrivier Municipality, ward councillors, officials from the Department of Infrastructure and members of the public for their participation in the meeting and oversight visit.

### **3. Annual Committee Report of the Standing Committee on the Premier and Constitutional Matters for the 2023/24 financial year, as follows:**

The Committee comprised of the following members:

#### **Democratic Alliance**

Baartman, D

Fry, C (Chairperson)

Pretorius, G

#### **African National Congress**

Dugmore, CM

#### **Economic Freedom Fighters**

Klaas, T

#### **Alternate members**

Bosman, G (DA)

Lekker, P (ANC)

Cassiem, A (EFF)

Plato, D (DA) (until 12 February)  
Poole, CJ (DA) (from 8 March 2024)

## 1. Introduction

The mandate of the Committee was to:

- 1.1 Maintain oversight over the executive member and the Department concerning the way in which they perform their responsibilities, including the implementation of legislation, and to hold them accountable.
- 1.2 Consider and report on legislation, other matters and the annual reports referred to it by the Speaker.

In fulfillment of its mandate the Committee:

- 1.2.1 Facilitated public participation and involvement in the legislative and other processes of the Committee.
- 1.2.2 Conducted its business in a fair, open and transparent manner.
- 1.2.3 Promoted cooperative governance.
- 1.2.4 Reported regularly to the House.

## 2. Reporting department and entities

- 2.1 Department of the Premier

## 3. Overview of Committee's activities

Number of Committee Meetings	16 (this includes public hearings)
Number of Public Hearings	8
Number of International Study Tours	0
Number of Oversight Visits	0
Number of Provincial Bills considered	2
Number of Committee Bills considered	1
Number of NCOP Bills considered	0
Workshops/conferences attended	0
Cluster A Visit Week participation	0

## 4. Key activities

The primary focus of the Committee during this period was on legislative matters, with particular emphasis on the Constitution of the Western Cape Amendment Bill (Determination of Number of Members) [B6 - 2023].

### **Activities Related to Constitution of the Western Cape Amendment Bill (Determination of Number of Members) [B6 - 2023]:**

The Committee dedicated considerable attention to the Constitution of the Western Cape Amendment Bill (Determination of Number of Members) [B6 - 2023] during this period:

**28 July:** Received a briefing on the Bill and considered the draft Committee Programme for the hearings.

**25 August, 1 September, 15 September, 22 September, 18 October:** Conducted public hearings on the Bill across various locations which included George, Saldanha, Cape Town, Paarl and Hermanus.

**22 November:** Deliberated on submissions received, determined the way forward and adopted the Draft Committee Report.

During the 22 November session, the Committee deliberated on the received submissions, discussing various viewpoints and implications for proposed amendments. A proposal for the amendment to increase elected Members from 42 to 48 and omit a proposal limiting members based on the population. The amendment was supported by a majority, resulting in revisions to the bill, reflected in the final Draft Committee Report.

### **Independent Electoral Commission (IEC) Briefings:**

The Committee engaged in regular briefings with the IEC.

April: Received a briefing on readiness for the 2024 Provincial Elections.

November: Further briefing on the 2024 Provincial Elections.

March 2024: Briefing on the status update on the preparedness for the 2024 Provincial Elections.

The Committee consistently engaged with the IEC to ensure thorough preparation and oversight of the electoral process leading up to the 2024 Provincial Elections.

### **Other Relevant Activities:**

In addition to the focus on the Constitution of the Western Cape Amendment Bill and IEC briefings, the Committee participated in various other activities:

In May, the Committee convened for a briefing by the Department of the Premier, Department of Environmental Affairs and Development Planning, and Local Government on the Constitution of the Western Cape First Amendment Bill [B 1 -2021]. During this session, the Department of Environmental Affairs and Development Planning provided insights into climate change and adaptation plans, while the Department of Local Government elaborated on the 15-year integrated drought and water response plan. These briefings were aimed at fostering a deeper understanding of environmental protection strategies.

The focus of the Constitution of the Western Cape First Amendment Bill [B 1 -2021] revolved around the proposed establishment of the Commissioner for the environment. During deliberations, the Committee expressed that the existing policies and legislation adequately safeguard the environment. It was resolved that the proposed role and function of the Commissioner for the Environment in the Constitution of the Western Cape would potentially duplicate efforts and lead to resource wastage, considering the robust legislative framework already in place.

In June, the Committee received a briefing by the Department of the Premier on policy priorities.

In September, the Committee received a briefing by Member Marais on the Western Cape Peoples Bill [B4 - 2023].

In October, the Committee held discussions and a public hearing on the 2022/23 Annual Report for the Department of the Premier, adopting the report with recommendations in November.

November: The Committee considered Vote 1 for the Department of the Premier in the Schedule to the Western Cape Adjustments Appropriation Bill [B7-2023], held a public hearing and adopted the Committee Report on the matter.

To finalise the budget, in March 2024, the Committee considered Vote 1: Premier, held a public hearing and adopted the draft Committee Report on the Western Cape Appropriation Bill [B1-2024].

## **5. Legislation**

In the 2022/23 financial year, the Committee dealt with the following legislation:

### **5.1 Committee Bills**

5.1.1 Constitution of the Western Cape Amendment Bill (Determination of Number of Members) [B6 - 2023].

### **5.2 Provincial Bills**

5.2.1 Western Cape Adjustments Appropriation Bill [B7-2023]; and

5.2.2 Western Cape Appropriation Bill [B1-2024].

### **5.3 NCOP Bills (Section 76)**

5.3.1 No NCOP bills were referred to the Committee.

## **6. Facilitation of Public Involvement and Participation**

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held eight public hearings. Two in considering Provincial Money Bills, five hearings on the Constitution of the Western Cape Amendment Bill (Determination of Number of Members) [B6 - 2023] and one considering the 2022/23 Annual Report for the Department of the Premier.

## **7. Financial particulars**

The Committee's original budget was R180 667. The actual expenditure for the 2023/24 financial year was R327 665 against an adjusted budget allocation of R285 920 resulting in an over expenditure of R49 411.