# 7. Report OF THE Portfolio Committee on Public Works on a follow-up Oversight Visit to the eastern cape, DATED 23 October 2018

The Portfolio Committee on Public Works, having undertaken an oversight visit to the Eastern Cape from 13 to 17 August 2018, reports as follows:

**INTRODUCTION:**

**The Mandate of the Portfolio Committee on Public Works**

The Committee does oversight over the programmatic deliverables of the Department of Public Works (DPW) and its entities to implement the policies made by the Minister of Public Works as per the mandate of the DPW.

**The Mandate of the Department of Public Works**

The DPW is the custodian and manager of all national governments’ immovable assets. This includes the acquisition, maintenance and disposal of such assets. The DPW is further responsible for the determination of accommodation requirements, and rendering expert built environment services to client departments.

The DPW has a regulatory function over the construction and build environment. It exercises a property management, maintenance and trading function in respect of government immovable properties. While in the past, the DPW acted as regulator as well as property manager of government immovable assets, from 2012 the department has been undergoing a turnaround strategy. As part of this turnaround strategy, the function of property management, maintenance and trading has been devolved to the Property Management Trading Entity (PMTE). As custodian of vast immovable assets of government, there is substantial opportunity to generate income. The PMTE is responsible for this aspect of the public works function. This aspect has lagged behind for many years due to the incompleteness of the Government Immovable Asset Register (GIAR) that is managed by the DPW[[1]](#footnote-1) as regulator and custodian department at the national level.

**The national DPW regulates and coordinates public works across national, provincial and local government sphere**

The national DPW is a coordinating department that performs the planning and construction of infrastructure, and the maintenance of state property across the three spheres of government. Infrastructure forms the spine around which the provision of social services revolves. Infrastructure is a catalyst for new development and future economic growth in previously under-developed nodes in larger urban towns and cities as well as smaller rural towns and villages.

Key to the development of infrastructure in under-developed nodes situated across the three mandated spheres of government is the coordination of construction and built environment professional services. It is a fact, that we often do not state upfront, that the coordination of professional services across the three mandated spheres of government (municipal, provincial and national) lie at the heart of successfully managed, on-time-within-budget-completed, construction and maintenance projects.

It is important to note the process along which these construction and maintenance infrastructure projects take place across the three spheres of government. We further emphasise that where these projects take place, they form nodes where client departments at municipal, provincial and national spheres merge as employment creators in the construction and built environment, and as catalyst for business through the provision of construction material.

The process usually starts with client departments that identify the need for buildings and infrastructure. They approach the DPW and its service provision entities, and avail funds for projects from the capital expenditure (CAPEX) portion of their budgets. This enables the DPW’s built environment professional team (architects, quantity surveyors, engineers, designers, project managers) to engage with client departments and municipal councils to ensure that the Spatial Planning and Land Use Management Act (SPLUMA) regulations are adhered to, and environmental impact assessment (EIA), and other planning regulations are strictly followed.

 The projects that follow these procedures take place within municipal areas. As such, they often form part of the Spatial and Infrastructure Development Frameworks and plans of the relevant municipality. It should be noted that all affected departments at national, provincial and municipal spheres have to work together to ensure that needs that give rise to projects fall within the legislative frameworks of affected municipalities, provinces and national departments. The nature of this intergovernmental interplay between officials and service providers across the three spheres of government is a space of practice that reside within the sector of public works.

Over the years, anecdotal reports have appeared in print and media reports on this space being fraught with profit-driven exercises. Such reports include allegations of power plays between construction companies, small contractors, and companies that sold building material. Government authorities, specifically the Department of Public Works, and its entities have featured often as main players in these practices. Unfortunately, evidence of collusive practices, the escalation of project cost, weak control over on-time completion of projects (that inevitably lead to cost escalation and applications for variation orders) appear more often than not in visits to construction sites and in reports that were made to the Portfolio Committee since 2014.

The detail within this report is indeed one that captures the intergovernmental interplay between departments in the sector. The visit that we report on is a follow-up on matters that emerged from the visit that took place from 11 to 15 September 2017. To ensure that we address weaknesses and failures noted, the National Assembly Portfolio Committee on Public Works undertook this visit with its counterparts in the Eastern Cape Provincial Legislature, and the Municipalities of Ingquza Hill, King Sabata Dalindyebo, Mbashe, Raymond Mhlaba and Buffalo City Metropolitan Municipality. Matters discussed in the report that relate to the deliverables of the Provincial Department of Roads and Public Works, and the municipalities are discussed because the projects visited are of an intergovernmental nature. In spite of this, the focus remains, and the recommendations address the mandate of the Portfolio Committee on Public Works over the Minister of Public Works to whom the national Department of Public Works and its implementing agencies report.

**An unwavering focus on strengthening the mandate of the national Department of Public Works**

As a follow-up visit, the main focus was on specific weaknesses on which recommendations were made during September 2017. The oversight visit was undertaken to ensure that the property maintenance and built environment and construction project management responsibilities of the Department of Public Works was performed as per the recommendations of the previous visit.

The Committee visited specific maintenance and construction projects situated in a number of Eastern Cape Municipalities. A number of projects related to the mandated responsibilities of provincial Departments of Roads and Public Works and National Client Departments such as Health, and Justice and Correctional Services. This does not mean that the Committee’s oversight focus drifted uncontrollably into the spheres of other national and provincial departments, and municipalities. The focus remained unwaveringly on strengthening the intergovernmental coordination that DPW must perform to get projects completed on time and within budget. The visit to projects in the municipal spheres further focused on the need in rural areas for development hubs such as small harbours that should be catalysts of future economic activity and employment creation.

**1. ST ELIZABETH HOSPITAL RESOURCE CENTRE**

Presentations were received from the Local Municipality of Ingquza Hill, and the Small Harbour and State Coastal Property Development programme (SHSCD), the Provincial Department of Roads and Public Works.

**Matters that emerged:**

1.1. The Small Harbours and State Coastal Development Unit (SHSCDU) within the DPW’s Property Management and Trading Entity (PMTE), with the Ingquza Hill Local Municipality provided presentations on the development of new small harbours along the 42km coastline. In its presentation, the SHSCDU stated that they had identified three priority ports for development (Port St. John’s, Port Edward and Port Nolloth) however, Port Grosvenor was utilised as a flash project to attract investors during the investor conference, which was held by the Department of Public Works in July 2018.

1.2. The Ingquza Hill Municipality presented the status of the municipality and its challenges in terms of unemployment rate, particularly the high youth unemployment rate which (at the time of the visit) was reported to be at 60,9 %. The municipality requested the Committee’s assistance to source investors to assist with further economic development. The Municipality shared the following plans to develop the area:

1.2.1. The improvement of the existing camping lodges at the Port Grosvenor heritage site (Msikaba and Mtentu Lodges);

1.2.2. The development of the small harbour at the Grosvenor site;

1.2.3. Several viewing decks at the site;

1.2.4. A Canoe manufacturing and servicing business;

1.2.5. Fish Farming at Mbotyi in collaboration with the Department of Agriculture Forestry and Fisheries (DAFF);

1.2.6. A boat-launching site;

1.2.7. The marketing of the 7720 hectare Mkambathi coastal reserve that has open grasslands, with indigenous swamp forests, and flanked by the forested ravines of the Msikaba and Mtentu rivers, and the vulture rehabilitation project.

1.2.8. With the Department of Basic Education and the SA Maritime Association, the addition of Maritime Studies to Mxhume High School where lessons related to maritime skills development (swimming, diving, and fishing) would be taught as a firm foundation for future entrepreneurship.

1.3. The Port St. John’s Local Municipality presented projects that the municipality prioritised, which would be driven to unlock economic development, provide extensive job opportunities and Small Micro and Medium Enterprises (SMMEs), with an intention to implement such projects in collaboration with other relevant departments. The identified projects were as follows:

1.3.1. Port St. John’s Sewer

1.3.2. Shopping Complex

1.3.3. Office precinct

1.3.4. Small Craft Harbour and Waterfront development

1.3.5. Airstrip upgrade

1.3.6. Fruit cluster

1.3.7. Ocean Economy Development (Aquaculture, Fish Factory)

1.3.8. ICT Broadband

1.3.9. Street High Mast Projects

1.3.10. Agripark

1.4. The Port St. John’s Development Agency reported that the designs and plans for the development would be done by the end of November 2018, the issue of the land ownership would be cleared and the feasibility study would be conducted between August 2018 and January 2019.

1.5. The Committee stressed that the development of the future small harbour site at Port Grosvenor must be preceded by the improvement of, or the construction of an access road to the site that would lead to immediate improvements of human settlement as it would significantly improve access to all the schools along the road.

1.6. That the construction of, and improvement of the access road had to include its own scoping exercise and that proper Environmental Impact Assessment (EIA) studies had to be done before site clearance works take place with the utmost urgency to ensure that possible areas along the road that may contain endangered fauna and flora is not destroyed.

1.7. Information on who owned the land or held rights to land and resources along the access road and at the site of Port Grosvenor had to be collected from the relevant stakeholders. These may include national Departments of Rural Development and Land Reform, Environmental Affairs, Agriculture Forestry and Fisheries, the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism, and the Eastern Cape Department of Roads and Public Works and other possible stakeholders.

1.8. In response to assertions by the provincial DPW, and the local municipal view that the site clearance works had to take place as part of and possibly prior to the EIA, the Committee further stressed that the scoping exercise had to be preceded by a thorough EIA prior to undertaking any site clearance work. Members also stressed that stakeholder engagement on land and environmental rights and land ownership had to take place as part of the scoping exercise.

**2. MTHATHA REGIONAL COURT**

**Background**

* The current Magistrates court building was unsuitable for the provision of judicial services to the population of Mthatha. The project to provide a proper building started in 2001. The project was changed multiple times and objectives deviated substantially from the original project scope.
* In 2007, a new objective to provide an additional + 2,500 m2 for accommodation became part of the project. After engaging with the municipality, it was found that due to town planning regulations, the additional accommodation had to be omitted and that only repairs and renovations with full disability access, upgrading of all the cells and courtrooms to the latest norms and standards, could be implemented. The size and design of the building, with the town planning regulations meant that the current building was not suitable for the purposes that the client department had to serve to the community of Mthatha.
* The Department of Public Works appointed Coega Development Corporation (CDC) with effect from 21 October 2015 as the Implementing Agent to assist with the technical expertise to accelerate the delivery of the project to do renovations and repairs to the Mthatha Magistrates Offices.
* Due to the urgency of the need to do repairs to the water supply, plumbing and electrical system of the building, it was decided to use a phased approach to the project, as the availability of space for the additional accommodation was difficult to solve.
* Phase one would thus be the repairs to the water supply, plumbing, electrical services and finding adequate secure parking for magistrates and court personnel. The estimated project cost was stated as R6 million on a report dated May 2017. CDC stated that R2.6 million was available for the work to be done on the building. At the time of the oversight visit, the total budget for repairs to the water supply, plumbing, electrical services and finding adequate secure parking space, was reported to be R1 119 312.42. The project was scheduled to be completed in March 2018.
* The long-term plan was to find a piece of land on which to establish a judicial precinct. The provincial Department and the municipality presented plans for the precinct that would allow sufficient access to the public.
* The new precinct would be shared by the South African Police Services (SAPS) and held the potential of fitting into the DPW plans to establish Social Service Precincts in rural towns.

**Matters that emerged:**

2.1. In October 2017, soon after the Portfolio Committee’s visit to the site, a fire broke out in the Registry that held the Court Records, and caused substantial damage to Court A.

2.2. This underscored the Committee’s fear that the building was dangerously unsuitable the provision of justice in the regional sphere.

2.3. The budgeted funds for the renovations project had to be used to deal with the emergency created by the fire.

2.4. The Committee found that the funds that were moved to the emergency project was well used to fix the damage done to Court A and the registry. However, the building remained dangerous, as all the courts were unsuitable.

2.5. Coega Development Corporation (CDC) was making incremental, useful changes to ensure that the building could be used. Amongst others, a new parking area was innovatively created at a side entrance to ensure that presiding officers and state prosecutors had a separate parking space.

2.6. In spite of the incremental steps taken by the CDC, the building remained largely unsuitable for the function of providing judicial services.

2.7. The Committee urged that the CDC and the Contractor had to ensure that the time lost due to the fire (the project had to be completed by March 2018) meant that urgent steps had to be taken to ensure that the need for a judicial precinct is satisfied.

2.8. At the briefing prior to the site visit at the King Sabata Dalindyebo Municipal Offices, the Committee heard that a site to construct a Judicial Precinct had been identified.

2.9. The challenge was that the Provincial Department of Roads and Public Works stated that they did not have a budget for the construction of the precinct.

2.10. The reality is that the client department had to avail the funds for the project from the capital Expenditure portion of its budget.

**3. THE MTHATHA HIGH COURT**

**Background**

* The project scope was to renovate the building and improve security measures.
* At the time of the visit, the cost of the project was projected to be R135 million.

**Matters that emerged:**

3.1. The Committee was pleased to find that the High Court was in the completing phase of the renovation project.

3.2. The Committee visited several offices of judges that were near-completion.

3.3. The Committee emphasised that the manners in which the CDC, the main contractor, and lower graded sub-contractors worked together, must be emulated at other projects.

3.4. The project manager and representative of the main contractor emphasised that it did not mean that there were no problems, but that in spite of differences, each component worked together to iron out problems and ensure delivery.

3.5. It was further noted that lower graded contractors and the main contractor made an effort to ensure that women, youth and the disabled were employed in the renovation project.

**4. THE GRINVILLE HOUSING ESTATE**

**Background**

* The Grinville village comprised 30 establishments in total. 17 are family houses and 13 are single quarters. The houses were in prefabricated form and were built in the 1980s.
* A delegation of four Grinville residents each presented their case before the Committee.
* Former and current employees of the Department of Health occupied the houses. The occupancy period varied from 1986 to the late 2000s.
* In 2016, the residents wrote to the provincial Department of Public Works, requesting approval to buy the properties. Property valuers were sent in response to their request and the properties were in fact valued at different amounts based on the size of the land and state of the properties. There was no follow-up on the process since the evaluation of the properties.
* The tenants have been faced with a challenge where they were not allowed to make alterations nor maintain the properties despite having resided there for long periods of time. They also raised the issue of a lack of municipal services rendered to them with the provincial Department of Public Works.
* In 2017, the tenants received eviction letters from the provincial Department of Public Works, Roads and Transport.
* Recently, there were disputes between self-acclaimed chiefs who wanted to illegally occupy the land and the current residents of Grinville.

**Matters that emerged:**

4.1. There were inconsistencies in terms of the terms and conditions of living in the village as some tenants were paying rental in an amount of R2400.00 per month while some did not pay any rental at all.

4.2. The Committee felt strongly that the eviction process had to be put on hold until all issue pertaining to property ownership were ironed out with the residents.

4.3. Correspondence and supporting documents were submitted to the Committee.

4.4. The Minister of Public Works to address the matter urgently in the Minister’s meeting with the Members of the Executive Council (MEC) (referred to as the MINMEC). Further, that the specific matter that the Portfolio Committee investigated at Grinville be discussed with the Eastern Cape MEC responsible for Public Works, Roads and Transport with the provincial MEC on Health to investigate and resolve the contentious housing matters of Department of Health employees was reported to the Committee as dating back to 1986 and the late 2000.

**5. CENTULI CLINIC**

**Background**

* Centuli Clinic is situated 60,5 kilometres from Idutywa, 139 kilometres from Mthatha in the Eastern Cape.
* The Department of Health (DoH) was the client department.
* The project to build a clinic for the community started in 2015 and had an estimated cost of R11 million.
* At completion the actual expenditure was R9, 1 million.
* 151 jobs were created and the main building of the clinic, as well as accommodation facilities for nursing staff were completed. The statistics of jobs created per category were 48 male, 35 female, 65 youth and 2 people with disabilities.
* The buildings were already completed in November 2016 and the clinic could have been delivering health services to the community of Centuli about ten months ago.
* Payments were not made to the contractor, which resulted in the Contractor incurring a lot of debt that caused the contractor to be listed by SARS as non-compliant. The contractor did not hand the keys over to the DoH and the Community. About R1 million remains owed to the contractor.
* In spite of reports that the contractor did not install electricity, the Committee found that electricity worked in both the main clinic as well as in the nurses accommodation facility.
* The DoH stated that the standard staff compliment for a new clinic was five, which comprised two professional nurses, one staff nurse, one general assistant, and one property guard. If the need arose, more staff would generally be appointed.
* At the time of its first visit in 2017, the Committee found state of the art equipment, including cabinets, medical equipment, wheel chairs, gurneys, drip stands, and scales were already present in the building. The Committee was astounded that where the need for health services were most needed, a fully furnished clinic was not used.

**Matters that emerged:**

5.1. On arrival at the site, the Committee was pleased that the Centuli Clinic was providing health services to the rural community of Centuli. The clinic had been in operation since 06 August 2018 and it would operate for 8 hours a day during the week and weekends.

5.2. At the time of the oversight visit during September 2017, the recruitment and procurement process was underway by the DoH. The committee was disappointed that the process was yet to be concluded, as the nursing staff component remained incomplete for the optimal functioning of the clinic. This was in spite of the announcement that R1,1 million was allocated for health service resources by the client department.

5.3. In spite of its initial excitement, the Committee was disappointed to further hear that the matter of fully handing over the clinic was still hampered by the contentious matter of the contractor not being paid.

5.4. The Committee instructed that before its departure from East London on Friday, 17 August 2018, the relevant Departments had to provide a fully detailed report on these outstanding matters.

5.5. The Committee heard that importantly, the Centuli Clinic would be one of the first clinics in the area to provide services in line with the new National Health Insurance (NHI) policy of the National Department of Health.

**6. PROJECT SITE - REGRAVELLING OF THE ROAD THAT LINK N2 TO R61 VIA CLARKEBURY.**

**Background**

* In 2016, the community drew up a petition, and sent a request to the Eastern Cape Department of Roads and Public Works (ECDRPW) for the regravelling of the road.
* The project cut across two District Municipalities, namely the Amathole and Chris Hani. At the time of the Committee’s visit, two different contractors were doing the resurfacing of the road and blading of the bridge. As the work was started late August 2017, there was no expenditure to show to date.
* The project value for the short term regravelling of the road was reported as R10 million and the long-term resurfacing for the purpose of tarring would be R24 million.
* The project to regravel the road would last 8 months (August 2017 – March 2018).
* Twenty-six jobs were created on the Amathole District Municipality side while 15 were created on the Chris Hani District Municipality side. This means that 41 jobs were created.
* The T34 Steering Committee (Steercom) requested that the 8 km to Clarkebury that had since been excluded from the initial plan be include in the scope of works.
* After leaving the Centuli Clinic, the Committee entered the road from the R61 side and drove the full 42km towards the N2.
* It stopped halfway to engage the Project Manager and the civil engineering consultant of the provincial Department of Roads (a component of the provincial Department of Roads and Public Works).

**Matters that emerged:**

6.1. Having driven the whole road, the Committee found anomalies between the R61 entrance sector, the middle section, and the N2 section with each providing a better or worse driving experience.

6.2. The civil engineer provided a variety of reasons for the anomalies. It had to be kept in mind that the N2 section and R61 sections fell under different municipal jurisdictions and that different contractors were working on each section. He stated that the anomalies also had to do with the material used when stone aggregate was crushed, that some sections deteriorated earlier than others as the sections were completed at different times, that the different contractors followed different operational processes.

6.3. The Committee stated that there was a need for the project manager and civil engineering consultant to ensure that all contracted companies, follow the same technical procedure to ensure that the whole road have similar qualities.

6.4. The Committee also raised the need for oversight over the project by the provincial Department over the budgeted project to ensure that value for money was obtained at the end of the project.

6.5. The project manager further informed the Committee that it was busy with a feasibility study to possibly tar the road.

**7. WESTBANK CORRECTIONAL CENTRE, EAST LONDON**

**Background**

* The Correctional Service Centre management reported that the approved accommodation figure was a total of 1,652 inmates. At the time of the visit, it housed 2,666 offenders. The prison was therefore overpopulated by 61,3%[[2]](#footnote-2).
* There was a plan to build a 500-bed facility onsite but due to non-clearance, another site was identified by the Town Planning Unit within the Department of Public Works at the Military Base in East London.
* The challenge currently faced by the Department of Correctional Services (DCS) is that the number of personnel is not sufficient to support the overcrowded centre. As a means to curb the challenge, the DCS embarked on a recruitment campaign on which 81 vacancies were advertised. The new recruits would have to undergo a 12 months learnership programme, which comprises of three months theoretical training in college and 9 months practical training in the Centre.

**Matters that emerged:**

7.1. The Westbank Correctional Centre was one of 300 facilities that the DPW’s PMTE had identified for repair and maintenance.

7.2. Due to lack of adequate funding, the DPW submitted a funding proposal to the National Treasury.

7.3. In terms of progress, the DPW reported that the project was past the procurement stage. A contractor that was recommended as the possible service provider was still undergoing security vetting as per the Central Procurement Office of the National Treasury. No consultants were used during the recommendation process with the PMTE using of its own technical built environment personnel (Quantity Surveyors, Architects, and Designers).

7.4. The Committee was dissatisfied with the lack of progress. It urged the Department of Public Works, the PMTE, the Central Procurement Office at National Treasury, and the Department of Justice and Correctional Service to urgently speed up the pace at which the project was being implemented. It urges the departments to collaboratively ensure that it is managed as per the relevant legislative framework and that the project is completed on-time and within budget.

**8. SAKHULULEKA SECONDARY SCHOOL**

**Background**

* The Eastern Cape Department of Roads and Public Works listed the project with reference code SCMU5-15/16-0091 for “Alterations and Additions to Sakhululeka Senior Secondary School” in Fort Beaufort in the tender publication dated 2 June 2015.
* At the Raymond Mhlaba Municipal Chambers in Alice, the School Governing Body, the principal and Deputy Principal reported that the matters that they shared with the Committee remained outstanding.
* They stated that they could report that the construction had been concluded but that the outstanding matters continue to hamper the optimal functioning of the school.

**Matters that emerged:**

8.1. The outstanding matters of the school hall, as well as the School Governing Body and School Management Team’s preference of positioning the hall closer to the front rather than at the rear of the administration block would have to be considered. The Department of Public Works presented a letter, dated 26 October 2017, instructing the provincial Department of Education to include the school hall as part of the project but not as part of the current contract.

8.2. There was a need for the Department of Public Works to discuss with the Department of Education and explore any option to utilise the remaining amount so that Coega Development Corporation could erect the Clear View Fencing (also known as Clearvu and Clearvu Invisible Wall in the construction sector) before closing the financial account of the project.

8.3. A mechanism to ensure access to the first floor in order to accommodate people with disabilities.

8.4. The provincial Department of Education had to investigate of the removal of the temporary structure, as the structure was purchased for permanent usage by the Department of Education and fell within the R53 million approved for the overall project. The removal and sale of the temporary structure was therefore deemed illegal and an investigation was highly recommended.

**9. RECOMMENDATIONS**

Upon consideration of the information provided and careful consideration of matters emanating from the site visits, the Committee recommended that the Minister of Public Works:

9.1. Instruct the Department to have a working session with the Committee pertaining all issues related to the development of small harbours in the Eastern Cape.

9.2. Instruct the PMTE to liaise with the Port St John’s Municipality for a formal land requisition for the waterfront development to be processed to the Department by 30 November 2018.

9.3. Instruct the Department to liaise with the Department of Correctional Services so that a progress report is sent to the Committee by no later than 30 November 2018.

9.5. Instruct the Department to liaise with the provincial Department of Public Works, Roads and Transport to urgently intervene into the eviction letters that the residents at Grinville reportedly received to ensure that it does not lead to unnecessary strife on the part of the residents.

9.6. Discuss the specific matter that the Portfolio Committee looked into at Grinville be discussed with the Eastern Cape MEC responsible for Public Works, Roads and Transport with the objective of resolving the challenges experienced by employees of the Department of Health who live in public works property.

9.7. Liaise with the Department of Public Works, roads and Transport so that the final account for the Sakhululeka Senior Secondary School project is not closed until all issues, including the building of the planned school hall, erection of Clearvu fencing, and removal of the temporary structure are resolved.

9.8. Instruct the PMTE that the development of the planned proclaimed small harbour site at Port Grosvenor is undertaken with urgency. It must be preceded by the improvement of, and the construction of an access road to the site that would lead to immediate improvements of human settlement as it would significantly improve access to all the schools along the road.

9.9. Instruct the PMTE to facilitate and coordinate an interdepartmental study to gather information on who owned the land or held rights to land and resources along the access road and at the planned site of the Port Grosvenor small harbour had to be collected from the relevant stakeholders. These may include national Departments of Rural Development and Land Reform, Environmental Affairs, Agriculture Forestry and Fisheries, the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism, and the Eastern Cape Department of Roads and Public Works and other possible stakeholders.

9.10. Instruct the PMTE to liaise and work with the Central Procurement Office at National Treasury, and the Department of Justice and Correctional Service to urgently speed up the pace at which the maintenance project at the Westbank Correctional Centre was being implemented.

**Report to be considered.**

1. Section 4 of the Government Immovable Asset Management Act (No 19 of 2007), makes the Minister of Public Works the custodian of all “immovable assets that vest in the national government, except in cases where custodial functions were assigned to other Ministers by virtue of legislation before the commencement of this Act;” The GIAMA states that the establishment and management of the GIAR across the three spheres of government is the responsibility of the DPW as custodian department. [↑](#footnote-ref-1)
2. During the visit in 2017, the Committee heard that the approved accommodation figure was 2278 and the total prisoners kept in that financial year was 3969. This means the prison was overpopulated by 74,2 %. The difference of 12,9% overpopulation between the two financial years can be ascribed to the approved accommodation figure having changed from 2278 to 1652 between the two years. At the time of reporting, it was unclear what information and formula is used to arrive at the accommodation figures. It is not clear why this total has been changed between the two financial years. In spite of the information provided, this manner of presenting information does not assist as the reason for the fluctuation in overpopulation remains unclear. [↑](#footnote-ref-2)