**2. Report of the Portfolio Committee on Water and Sanitation on an Oversight Visit to the North West, Free State and Gauteng Provinces, from 13 – 17 August 2018, Dated 21 November 2018**

1. **INTRODUCTION**
	1. The Constitution of the Republic of South Africa, 1996 states that Parliament has the power to conduct oversight of all organs of state, including those at national, provincial and local government level. This report serves to provide an account of the oversight visit conducted by the Portfolio Committee on Water and Sanitation (hereinafter the Portfolio Committee) to the North West, Free State and Gauteng Provinces from 13 – 17 August 2018.
	2. The delegation on this oversight comprised Members of Parliament and Support Staff, and this constituted:
		1. **Members**

**African National Congress**

Mr M Johnson – Chairperson: Portfolio Committee on Water and Sanitation

 Mr D Mnguni – Whip: Portfolio Committee on Water and Sanitation

 Ms K Bilankulu-Makgabane

 Ms H Kekana

**Democratic Alliance**

Mr LJ Basson

 Ms C Visser

**Economic Freedom Fighters**

 Ms MS Khawula

**Inkatha Freedom Party**

Mr RN Cebekhulu

* + 1. **Staff**

Ms M Solomons (Committee Secretary)

Ms S Dawood (Content Advisor)

Mr T Manungufala (Researcher)

Ms NB Twala (Committee Assistant).

1. **OBJECTIVES OF THE OVERSIGHT VISIT**

The Portfolio Committee on Water and Sanitation undertook joint oversight between 13 – 17 August 2018 to the North West and Free State Province, with the Portfolio Committee on Basic Education (North West) and Standing Committee (Free State) on Appropriations. The objectives of each of the oversight visits are detailed in the section below:

**2.1 Joint oversight of the Portfolio Committee on Basic Education on Maintenance and Infrastructure in the Water and Sanitation Sectors within the Identified Areas**

The Portfolio Committee undertook joint oversight with the Portfolio Committee on Basic Education from 13 to 14 August 2018 to the Dr Ruth Segomotsi Mompati Education District, North West. Part of the oversight focused on the maintenance and water and sanitation infrastructure at schools. The above issue emanated after Members of Parliament received and responded to the petition received from the community and consumers of the Naledi Municipality in the town of Vryburg, which falls under the jurisdiction of the Dr Ruth Segemotsi Mompati District Municipality. The petition noted the following concerns:

* Complete collapse of the Naledi Waste Water Treatment Plant due to the failure to maintain infrastructure; and
* Unacceptable effluent levels, which are polluting the Kleinharts and Harts Rivers.

The Portfolio Committee therefore conducted an oversight visit to the Naledi Waste Water Treatment Plan to investigate the condition of the plant, as well as interventions by the Naledi Local Municipality in addressing these concerns.

**2.2 Oversight interaction between the Portfolio Committee and the Standing Committee on Appropriations**

The Portfolio Committee received an invitation on 11 July 2018 from the Standing Committee on Appropriations to conduct joint oversight to the Free State Province from 15 – 16 August 2018 to ascertain progress/status in respect to the provision of sanitation services and the bucket eradication programme. The purpose of the oversight was the following:

* To ascertain whether the targets contained in the Medium-Term Strategic Framework relating to increasing the percentage of households with access to a functional sanitation service from 84 per cent in 2013 to 90 per cent by 2019; and
* To verify the extent and percentage of the elimination of bucket toilets in identified areas in the Mangauang and Thabo Mofutsanyane District Municipalities, Free State; and
* To provide a focus on the Regional Bulk Infrastructure Grant toward the Bucket Eradication Programme.

**2.3 Follow-up Oversight Visit to the Gauteng Province, 17 August 2018**

On 17 August 2018, the Portfolio Committee conducted a follow-up oversight visit to the Gauteng Province to determine the progress made with regard to addressing sewage spills into streams and the Vaal River. These challenges emanated from problems related to the dysfunctional Sebokeng Waste Water Treatment Works.

1. **SUBSTANTIVE INFORMATION ON THE JOINT OVERSIGHT WITH THE PORTFOLIO COMMITTEE ON BASIC EDUCATION TO THE DR RUTH SEGOMOTSI MOMPATI EDUCATION DISTRICT, 13 – 14 AUGUST 2018**

The focus of the joint oversight visit with the Portfolio Committee on Basic Education was on the state and resultant maintenance, of school infrastructure in respect of the provision of water and sanitation. The Department of Basic Education provided an overview of the way in which officials quantified the physical school infrastructure backlogs in North West Province. The areas that needed urgent attention to ensure compliance with the Schools Infrastructure Norms and Standards. The Norms and Standards programme is a national Department of Basic Education policy guideline, which covers the norms and standards allocations to schools. These norms and standards include the following:

* The regulations set out how new schools should be built, as well as how existing schools should be upgraded and maintained;
* Minimum universal design standards are set out, which apply to all structures within the school. Schools for learners with special education needs must comply with standards relating to the nature of the specialised support programme at the school; and
* For the purposes of identifying the site of a school, schools must be located to ensure easy access to roads, sewage lines and other basic services. They must not be located too close to bottle stores and shebeens, railway stations, and other inappropriate structures and buildings.

In relation to water and sanitation provision to schools, officials from the Department of Basic Education noted that there is a healthy working relationship between the provincial Departments of Education and Water and Sanitation. A steering committee was established to discuss projects and plans in respect of water and sanitation issues in the province. The interaction with schools resulted in the Departments providing technical support and advice on how budgets, projects and plans could be utilised. The Department of Basic Education also argued that they had discouraged the use of urinals in schools that used excessive water as the operations and maintenance of urinals was too costly. The Department was of the view that there is a move toward dry sanitation for identified schools; and this would be advanced with the use of new technologies, that of using enzymes and chemicals.

1. **SITE VISIT TO THE NALEDI LOCAL MUNICIPALITY TO OVERSEE THE NALEDI WASTE WATER TREATMENT PLANT, NORTH WEST PROVINCE ON 13 AUGUST 2018**

**4.1 Background**

The Naledi Local Municipality in Vryburg, in the North West Province, had appointed an independent company to manage and address issues at the waste water treatment plant in 2013. The bid of Moedi Consulting Engineers (Pty) Ltd to manage the operations and maintenance of the Vryburg (Naledi) Waste Water Treatment Works was accepted in 2013 and the project ran from 2013 – 2017.

In further deliberations on the situation of water supply in the Vryburg area, the provincial Department of Water and Sanitation noted that the area relies on groundwater for about 50 per cent of its primary water demand. The rest of required water is supplied by the Pudimoe Treatment Works, via the newly upgraded Pudimoe-Vryburg pipeline.

The provincial Department of Water and Sanitation noted that the current Vryburg Waste Water Treatment Works has a capacity of 6 megalitres per day. The Department noted with great concern the fact that the plant is highly neglected; and that issues of poor operation and maintenance of the works was previously noted during numerous site inspection conducted by the Department. Overall, the Dr. RS Mompati’s wastewater business practices as a water service authority is in a critical condition, which requires urgent municipal and provincial local government intervention.

**4.2 Challenges related to bulk water supply shortfalls within the Dr Ruth Segomotsi Mompati District Municipality**

The bulk water supply shortfalls within the Dr Ruth Segomotsi Mompati Distict, especially in the Greater Taung and Naledi Local Municipalities resulted in plans to augment the regional bulk water supply scheme to the Naledi and Greater Taung Local Municipalities. The district municipality is the water service authority, whilst local municipalities serve as the water service providers. Sedibeng Water Board conducts maintenance and operations of some water schemes.

The Department of Water and Sanitation noted that it had issued a letter on non-compliance, in terms of Section 19 and 22 of the National Water Act, 1998 (to operations and maintenance standards of the Waste Water Treatment Plant) at the Dr. Ruth Segomotsi Mompati District Municipality. It was reported that the contractor is currently busy with the construction of the new Waste Water Treatment Works; and it is hoped that this will alleviate pressure on the current situation. The Department recommended that the existing WWTW must still be fully functional until the new works have been commissioned.

**4.3 Overview of local projects within the Taung/Naledi Bulk Water Supply – under the jurisdiction of the Dr Ruth Segomotsi Mompati District Municipality**

The projects falling within the Regional Bulk Infrastructure Grant are constructed in phases. This includes the Taung/Naledi bulk water supply and the Bloemhof bulk water supply project. The Taung Bulk Water Supply Project receives water from Taung Dam; whilst Bloemhof receives its water supply from the lower Vaal Dam.

The Taung/Naledi bulk water supply project costed an approximate R800 million, and will provide 186 139 people with an assured supply of potable water with a projected population of 217 429 in year 2030. The project comprises of the following components:

* Abstraction works from Taung dam and bulk pipelines;
* Upgrading of Water Treatment Works (Pudimoe & Taung);
* Bulk pipeline & pump stations from Pudimoe to Vryburg;
* Reservoirs; and
* Bulk supply network to South East villages of Taung.

**4.3.1 Progress in respect of the Taung/ Naledi bulk water supply scheme**

It was reported that Phase 1 was completed in April 2012. Phase 2A civil works is at 100%. Challenges were experienced in terms of Phase 2B as the purification plant is currently at 99% completion. Challenges were experienced in respect of a six-month delay on Phase 2C & Phase 2 D; as a result of issues raised by the Traditional Authorities (specifically, the Bathaping Baqa Phuduhucwana Traditional Council in Taung).

**4.4 Observations by the Members of the Portfolio Committee on Water and Sanitation on the Waste Water Treatment Works in North West**

* The Portfolio Committee noted that the overall state of the waste water treatment works is poor. There is no effective treatment of the wastewater to any level near the required minimum standards as per the prescripts of the Water Use Authorization policy. Furthermore, this further indicates that the WWTP is not fulfilling Green Drop requirements as prescribed by the Department of Water and Sanitation. The works look abandoned, and both manual and mechanical screens were not in working condition; and full of debris or obstructions;
* Furthermore, there are no measuring records of the flow at the works to determine the hydraulic and organic loadings received at the works. In addition, no grit removal is taking place at the works; and the discharge channel is blocked, with effluent currently being disposed into a sludge lagoon. In respect of human resource capacity, there are no process controllers. Documentation pertaining to classification certificate, maintenance and repairs’ logbook were unavailable.
1. **JOINT OVERSIGHT TO THE FREE STATE PROVINCE WITH THE STANDING COMMITTEE ON APPROPRIATION ON THE BUCKET ERADICATION PROGRAMME, 15 – 16 AUGUST 2018**

**5.1 Overview of Engagements between the Portfolio Committee on Water and Sanitation and the Standing Committee on Appropriations**

The Portfolio Committee, along with the Standing Committee on Appropriations received presentations from the Department of Water and Sanitation, on water and sanitation issues within the Mangaung Metropolitan Municipality (the following local municipalities fall within the jurisdiction of the Mangaung Metropolitan Municipality – Setsoto; Clocolan; Marquard and Senekal Local Municipalities). Inputs were also received from the Water Research Commission on 15 August 2018.

In respect of assistance to local municipalities within the Metropolitan Municipality, the Department of Water and Sanitation is responsible for implementing the Bucket Eradication Programme at the Setsoto Local Municipality; whilst the Mangaung Metropolitan Municipality is responsible for the remaining local municipalities, such as Clocolan; Marquard and Senekal Local Municipalities.

The Mangaung Metropolitan Municipality, on the other hand receives funds through the Urban Settlements Development Grant to eradicate buckets and Ventilated Improved Pit Latrine (VIP) toilets. The Regional Bulk Infrastructure (RBIG) was allocated R14.8 billion over the Medium-Term Expenditure Framework (MTEF) period to support the completion of the bucket eradication programme in formal residential areas. The said municipality received R742.826 million through the Urban Settlements Development Grant for the 2018/19 financial year.

The Mangaung Metro reported that it had spent a total of R310.851 million on phases 1 and 2 on the bucket/VIP eradication between 2009 and 2014. It reported that 23 122 buckets/VIPs were eradicated from 2009 to 2018. It was projected that 4 212 VIPs would be eradicated in the 2018/19 financial year. The municipality reported that phase 3 commenced in 2015, and 9 646 buckets/VIPs were eradicated, to date. The expenditure on phase 3.1 for the period 2015 to 2018 was R839.904 million. The expenditure on phase 3.2 for the period 2018 to date was R10.209 million. Phase 3 would provide a total of 58 650 sites with waterborne sanitation and the municipality needed a budget of R4.1 billion for waterborne connections, R1 billion for bulk sanitation, and R1 billion for bulk water augmentation.

**5.4 Committee Observations on the Bucket Eradication Programme (Identified Projects in the Free State Province)**

Proper sanitation means dignity for the citizens. This, however, does not permeate the commitment and work ethic of the national or provincial Department of Water and Sanitation, where it is shown that poor planning has led to top structures being erected before bulk infrastructure has been installed. The projects not finalised due to incomplete bulk infrastructure and/or incomplete internal reticulation within Free State include Reitz, Petrus Steyn, Arlington, Senekal, Clocolan, and Ficksburg. Top structures which have been complete but not functional due to lack of bulk infrastructure are being vandalised and would result in delays of fully eradicating buckets within the province. Furthermore, this would result in fruitless and wasteful expenditure.

The total expenditure to date on the Bucket Eradication Programme in Free State is R1.363 billion. Cost escalations were experienced within the province due to hard rock on some project sites as well as the non-payment of contractors by the national Department of Water and Sanitation, which resulted in delays. The Department of Water and Sanitation has however assured the Portfolio Committee that irrespective of the reported challenges experienced, the projects under the Bucket Eradication Programme in Free State would be finalised by the end of March 2019.

The effectiveness of current integrated planning forums within the province was a major cause for concern. The Department of Water and Sanitation submitted that joint meetings were held between the Free State Provincial Treasury, Department of Cooperative Governance, Department of Human Settlements, Bloem Water, Mangaung Metropolitan Municipality, Free State Premier’s Office (establishment of a forum) to address the challenges. The Portfolio Committee, however argued that the forum was clearly not effective and that there was a lack of collaboration with research and evidence from the Water Research Council.

A total of 58 650 sites to be provided with waterborne sanitation as part of phase 3 in the Mangaung Metropolitan Municipality. The current backlog stands at 57270 for formalized areas in the municipality. Furthermore, there is an estimated backlog of 200 sites under the Thaba Nchu Trust which are rural villages. The backlog has been increasing due to the formalization of informal settlements and the amalgamation of Mangaung with the old Naledi Municipality and Soutpan which was part of the Masilonyana Municipality.

The main challenge within the Mangaung Metropolitan Municipality was VIP toilets (57 859 units), totalling 97.6% of the overall backlog; while buckets only constituted of 2.4% (1411 units) of the backlog. The municipality has found it difficult to prioritise buckets due to community unrest. Furthermore, communities have generally rejected alternative technologies on sanitation.

**5.5 Input by the Water Research Commission (WRC)**

The Water Research Commission, presented the findings of its study concluded in 2012 to assess the efficacy of the Bucket Eradication Programme (BEP). The study evaluated BEPs extent of compliance with sanitation policy principles, and to assess the programme’s impact on the quality of life of beneficiary communities.

The key findings of the study included the following:

* Whilst the sanitation policy principle of ensuring access to basic sanitation service is considered a right. No provision was made for the special sanitation needs of the physically disabled, frail and other vulnerable groups;
* The Health and Hygiene Education and User Education programmes were neglected. This has resulted in regular blockages of household toilets due to use of inappropriate materials for anal cleansing and foreign materials in toilets;
* The study found that only one of the five municipalities engaged beneficiary households in the selection of sanitation technology option. This resulted in in unhappiness within communities and the net effect was the vandalisation of water and sanitation infrastructure by communities;
* The decision to replace buckets with waterborne sanitation system was not based on a thorough assessment of affordability of the higher level of service for municipalities and beneficiary households. Concerns were raised regarding the long-term sustainability of the waterborne sanitation system; and
* The environmental sustainability as it relates to the capacity of water supply infrastructure and wastewater treatment before the decision was taken to replace buckets with waterborne sanitation also raised major concerns with Members of the Portfolio Committee.

**6. OVERSIGHT VISIT TO THE GAUTENG PROVINCE, 17 AUGUST 2018**

**6.1 Follow-up oversight visit emanating from the 2015 oversight report of the previous Portfolio Committee on Water and Sanitation to the Gauteng Province**

The Portfolio Committee conducted a follow up oversight visit to the Gauteng Province on the 17 August 2018; and focused specifically on the Emfuleni Local Municipality. The Portfolio Committee met with the following stakeholders, namely:

* Department of Water and Sanitation;
* Rand Water Board;
* National Treasury;
* Gauteng Provincial Department of Cooperative Governance and Traditional Affairs;
* National Department of Cooperative Governance and Traditional Affairs;
* Sedibeng District Municipality; and
* Emfuleni Local Municipality.

**6.2 Sedibeng Regional Sewer Scheme**

The Gauteng Provincial Department of Cooperative Governance, led by the Member of Executive Council (MEC) Mr U Moiloa briefed the Committee. The presentation noted the history behind the project, which dated back to 2007 whereby R53 million was allocated for this project under the Provincial Appropriation Bill. The Gauteng Provincial Department of Cooperative Governance and Traditional Affairs noted that one of the key challenges relate to delays in the implementation of Module 6 of the Sebokeng Regional Waste Water Treatment Works. The Department of Water and Sanitation was expected to provide funding for the 2018/19 financial year but these funds were not budgeted for by the Department. This resulted in work stoppages over a period of six months resulting in losses amounting to R89 million.

**6.2.1 Cost Estimate for the entire Sedibeng Regional Sanitation Scheme Project**

The cost estimate to implement the **overall SRSS** is estimated at about R 4.31 billion (excluding VAT) and tabulated in table below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Item No**  | **Name of the Catchment**  | **Estimated Budget** **Sanitation Works (ZAR)**  | **for**  |
| **1**  | **Sebokeng WWTW**  | **R 1 533 243 783.00**  |  |
| **2**  | **Vanderbijlpark (Rietspruit WWTW)**  | **R 1 248 477 769.00**  |  |
| **3**  | **Vereeniging (Leeuwkuil WWTW)**  | **R 977 351 814.00**  |  |
| **4**  | **Meyerton WWTW**  | **R 300 730 107.00**  |  |
| **5**  | **WCWDM for above catchments**  | **R 250 470 000.00**  |  |
|  | **Total**  | **R 4 310 273 474.00**  |  |

**6.2.2 Proposals by the Gauteng Department of Cooperative Governance and Traditional Affairs**

The Gauteng Provincial Department of Cooperative Governance and Traditional Affairs proposed the following:

* Budget availability by the Department of Water and Sanitation – Module 7 rolled out with appropriate budget without delays or stopping;
* Management of project; and
* Completion of module 6 and capacitation of district.

To address the challenges within this project, the Department of Water and Sanitation came on board and decided to use its implementing agent, Rand Water to assist the Emfuleni Local Municipality. However, officials from the Emfuleni Local Municipality were left out of this process.

**6.3 Input on the Sebokeng Waste Water Treatments Work by the provincial Department of Water and Sanitation**

The Department reported that the Sebokeng Waste Water Treatment Works currently receives more than 50 per cent of its licensed design capacity of 100 Ml/d. The project needs to be upgraded to accommodate the current increased flow; and for future growth in population and development. It is also expected to address sanitation backlogs. Rand Water was appointed as the implementing agent in September 2013 in terms of an infrastructure funding agreement between Emfuleni Local Municipality and the Department of Water Sanitation.

**6.4 Work undertaken by the Emfuleni Local Municipality, Gauteng Province**

The Emfuleni Local Municipality is a Category B municipality situated in the Sedibeng District in the Gauteng Province. It is the westernmost local municipality of the district, which covers the entire southern area of the Gauteng Province, extending along a 120km axis from east to west.  The Vaal River forms the southern boundary. Emfuleni shares boundaries with the City of Johannesburg Metro to the north, Metsimaholo in the Free State to the south, Midvaal to the east, and Rand West City and JB Marks (in the North West Province) to the west.

Emfuleni Local Municipality was managing the sewer spillage project until the appointment of Rand Water as the Implementation Agents by the Department of Water and Sanitation in 2014. The Implementation Protocol (IP) agreement was then signed by the multiple parties including Rand Water, Department of Water and Sanitation, Emfuleni Local Municipality, the national and provincial departments of Cooperative Governance and Traditional Affairs. The project is now fully managed by Rand Water; and service providers appointed by the municipalities after being subjected to due diligence by Rand Water; were ceded to the water board for implementation and management.

It was reported that the Emfuleni Local Municipality was placed under administration in terms of Schedule 139 b of the Constitution. This was welcomed by the Municipality as it was noted that institutional weaknesses as well as lack of skills resource capacity were key challenges facing the local municipality. It was further noted that this would assist the municipality in respect of its resource mobilisation to deal with the challenges and enable the municipality to have sufficient resources to deal with the spillages. The municipality reported that outages by Eskom which affects power to pump stations further exacerbate existing challenges.

**6.5 Portfolio Committee Observations on Presentations by Gauteng Province**

Members of the Portfolio Committee on Water and Sanitation raised key concerns related to the following, namely:

* Concerns were raised regarding the high costs per pump station as well as the fact that the Emfuleni Local Municipality had not submitted its business plans to the Department of Water and Sanitation to enable it to reprioritise its funding;
* Members further raised concerns regarding the high costs per megalitre, in this project, which amounted to approximately R11 million per megalitre. Members argued that innovative technologies exist to greatly reduce the high capital and operational costs associated with the construction of waste water treatment works;
* Concerns were raised regarding the litigations costing R89 million in losses, which resulted in work stoppages. The Portfolio Committee urged all role-players to find solutions outside of the Courts on this issue; and
* Members raised concerns regarding the continued contamination of the Vaal River system which is of national and provincial strategic significance.

**7. Recommendations**

The Portfolio Committee stressed the importance of systematically monitoring and evaluating the following key recommendations:

7.1 The Department of Water and Sanitation creates monitoring mechanisms and risks assessment strategies to monitor the systematic implementation and expenditure, in respect of the Regional Bulk Infrastructure Grant (RBIG), Municipal Infrastructure Grant (MIG), and the Water Operating Subsidy Grant (WOSG), and other water and sanitation related grants.

7.2 Collaborative engagement through the Intergovernmental Relations Framework, between National Treasury, Departments of Cooperative Governance and Traditional Affairs, Water and Sanitation be undertaken to work out a strategy or plan to address the debt owed by municipalities.

**Report to be considered.**