



EASTERN CAPE PROVINCIAL LEGISLATURE

Member of the Provincial Legislature

Heinrich Müller, MPL

(Democratic Alliance Spokesperson on Agriculture)

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23 July 2025

To: Hon MEC X Nqatha
MEC for Roads and Transport
Eastern Cape Provincial Legislature
Bhisho

And To: Hon MEC Z Williams
MEC for Cooperative Governance and Traditional Affairs
Eastern Cape Provincial Legislature
Bhisho

Dear MEC X Nqatha and MEC Williams

RE: URGENT FOLLOW-UP ON THE MIDDELBURG WEIGHBRIDGE PROJECT AND THE UNRESOLVED PUBLIC NUISANCES AND SAFETY CONCERNS

The above matter, as well as my previous correspondence dated 21 January 2025, refers.

Despite raising serious concerns earlier this year regarding the dust hazards, deteriorating road conditions, and lack of project communication related to the Middelburg Weighbridge Project, we regret to inform you that the situation on the ground remains largely unchanged.

Residents of upper Meintjies Street continue to suffer under hazardous dust clouds. The water trucks previously used to mitigate this dust remain inactive, and no visible progress has been made regarding the promised road resurfacing. This persistent neglect poses an increasing health and safety risk to the community.

Further, there is an impact on businesses who are suffering due to the fact that motor vehicles cannot use this section of road.

It is also of grave concern that the local municipality has failed to provide residents or my office with any updates regarding project timelines or remedial action. The silence from the responsible authorities undermines public trust and raises questions about oversight and interdepartmental coordination.

In response to a member's statement which I delivered on this issue in April of this year the Hon MEC for Transport acknowledged that the project had failed and that the department would attend to it. It has been three months since then.

Finally, in providing responses to the Internal Question Paper IQP 11, Q308 of Session Two, a copy of which is attached hereto for convenience, it was stated that the 14 day Notice of Termination period for the contractor ended on 26 April 2025 and various further steps were highlighted, which I do not traverse here individually so as not to belabour this letter further, but which are included in the IQP response. After three months, it is imperative to know what progress has been made.

In light of the above, I kindly reiterate the following urgent requests:

1. For a full and up-to-date status report on the Middelburg Weighbridge Project;
2. Confirmation when the water trucks last operated, the reasons for their continued absence, and when they will be reinstated;
3. That you advise when the dirt road in upper Meintjies Street will be graded, repaired, and properly resurfaced;
4. That your respective offices advise us as to the reason for the delay in the scheduled resurfacing that was initially promised for January 2025;
5. That we be advised as to whether the municipality has formally reported progress or challenges to either department, and what support or intervention has been offered.

Residents deserve clarity, accountability, and urgent remedial action. I trust that both your departments will treat this matter with the seriousness it warrants.

I look forward to your written response at your earliest possible convenience.

Yours sincerely



HEINRICH MULLER, MPL

**Shadow MEC of Agriculture
Constituency Head: Eastern Cape Midlands**



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21 January 2025

Hon. MEC X Nqatha
MEC for Roads and Transport
Eastern Cape Provincial Legislature

Dear MEC X Nqatha

RE: MIDDELBURG WEIGHBRIDGE PROJECT – HAZARDS AND NUISANCES

The above matter and my previous letters refer.

The residents of upper Meintjies Street, Middelburg have been reporting that the upper part of the town is continually under clouds of dust which result from the works at the Weighbridge Project. We have been advised that the water trucks – which spray down the construction site and road, so preventing excess airborne dust – have not been seen running for some time.

Further, the dirt road has been ridden out and is becoming a hazard. Residents were promised that the road would be resurfaced in January 2025, but this has yet to occur.

We have been advised that the office of the mayor has also been seeking insight into the status of the project, and timeframes for the remedying of the above situations, but to no avail.

In light of the above may I kindly request of your offices:

1. That you provide me with a status update on the weighbridge project;
2. That you advise:
 - a. When the water trucks in question last ran;
 - b. Why they are currently not running or are not on site; and
 - c. What is being done to remedy the situation.
3. In addition, that you advise when the dirt path will be graded, and/or repaired and/or resurfaced;
4. Finally, that you advise why the resurfacing of the road has been delayed.

Kindly provide me with the above information as soon as possible so that the residents may be reassured. Further, kindly advise when the situation will be remedied.

Your time and consideration are greatly appreciated.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping, slanted strokes that form a stylized, somewhat abstract representation of the name Heinrich Muller.

HEINRICH MULLER, MPL

Shadow MEC of Sports, Recreation, Arts & Culture
Shadow MEC of Rural Development and Agrarian Reform
Constituency Head: Eastern Cape Midlands

Thursday, 17 April 2025]
 No. 11 - 2025] SECOND SESSION, SEVENTH LEGISLATURE

"Annexure B"

LEGISLATURE OF THE PROVINCE OF THE EASTERN CAPE

INTERNAL QUESTION PAPER

Note:

1. Questions for oral reply will be printed in full in the Question Paper for the day for which they have been set down for reply.
2. *Indicates a question for oral reply.

QUESTIONS FOR WRITTEN REPLY

THURSDAY, 17 APRIL 2025

308. Mr H Müller to ask the MEC responsible for Transport:

With reference to the urgent concerns reportedly raised regarding the on-going challenges surrounding the Middelburg Integrated Traffic Control Centre (commonly referred to as the "Weighbridge Project") and the cancellation of the appointed contractor:

- (1) (a) When does the 14-day termination notice period served to the contractor officially end

RESPONSE

The 14-day Notice of Termination period ended on the 26th April 2025.

and (b) what specific legal or administrative processes will follow immediately thereafter;

RESPONSE

Based on the response from the Contractor pertaining to what action was taken/ or intended to be taken to remedy the breaches, the Department will have to assess that and decide on the termination or non-termination based on how credible the response of the Contractor is.

- (2) what steps his Department anticipates will be taken towards ensuring that the termination of the current contract does not lead to further delays in the completion of the project;

RESPONSE

Once terminated, the Department will have to go to open tender for the completion of the project.

To expedite the process, the Department can appoint a competent contractor from its Framework database to complete the project in complete sections of the project that need to be completed urgently.

- (3) whether his Department has already initiated the processes to appoint a new contractor;

RESPONSE

No, the process has not yet started. The appointed Contractor's contract first needs to be terminated before the process can commence.

if so, what criteria will be applied to ensure compliance and prevent similar challenges in future;

RESPONSE

The criteria are detailed in the Contract Document to ascertain the eligibility and capacity of the Contractor. The CIDB grading also plays an important role.

- (4) what immediate safety measures has his Department planned to make Meintjies Street usable for public traffic during this transitional phase;

RESPONSE

The Department will appoint a Contractor from its approved Framework Contractor database to keep the road safe. In the interim, it is the obligation of the Contractor to keep the road safe until completion or termination.

- (5) whether there is a projected timeline for the full reopening of Meintjies Street;

RESPONSE

There is currently no timeline.

if so, how will this timeline be communicated to affected stakeholders;

RESPONSE

Once the timeline has been established, it will be communicated to the affected stakeholders through the project steering committee and IGR meetings convened by the municipality.

- (6) whether Meintjies Street can be temporarily reopened before the Easter weekend of 2025 to support local businesses and residents;

RESPONSE

Taken into account the status of the project, unfortunately, it will not be opened before and during Easter.

if so, what measures would need to be implemented for this temporary reopening;

RESPONSE

The road, unfortunately will not be open for the Easter period.

- (7) what are the financial implications of terminating the current contractor's contract, including penalties or costs incurred by his Department as a result;

RESPONSE

The financial implications will be determined once the Contract has been terminated. The department has the option of recalling the Contractor's Performance Guarantee.

- (8) how is his Department planning to engage with stakeholders, including local businesses and residents, regarding updates on progress with this project;

RESPONSE

Engagement with the community takes place through the Local Municipality on an ongoing basis.

- (9) whether his Department will commit to conducting an oversight visit to assess progress at the site;

RESPONSE

The Department conducts oversight, through its Project Manager, who visits the project monthly.

- (10) if so, what dates are being considered for such a visit;

RESPONSE

The Department conducts oversight, through its Project Manager, who visits the project monthly.

- (11) how does his Department intend to ensure that future contractors meet compliance standards and avoid similar delays experienced in this project;

RESPONSE

Contractors are appointed through a transparent and competitive tender process. Specific eligibility requirements need to be met by the tenderers to show their capacity to perform on the Contract.

It is unfortunate that at times some of these contractors do not perform due to a variety of reasons.

- (12) (a) what contingency plans has his Department put in place should further delays occur with this project

RESPONSE

Contractually, the department can't act until the termination of the Contract. Options after termination of the contract is to use its in_house maintenance teams in the interim to maintain the road.

- (13) And

(b) how will these plans mitigate negative impacts on local traffic and businesses;

RESPONSE

The road will be opened and kept safe for a period until a new appointment is made.

- (14) what measures has his Department implemented towards ensuring transparency and accountability in managing funds allocated for this project going forward;

RESPONSE

An open and transparent tender process and annual audits by the AGSA.

- (15) how does his Department plan to incorporate lessons learned from this project into future infrastructure initiatives to prevent similar challenges;

RESPONSE

The Department will post the completion/termination of the Contract, make an assessment and determine the reason for the failure of the Contractor and, if, required, include lessons learned into future tender documentation.

- (16) what specific support or compensation mechanisms has his Department considered for local businesses and residents affected by delays in this project;

RESPONSE

No specific support or compensation mechanisms are being considered at the moment.

- (17) how will innovation or technology be integrated into future phases of this project to ensure efficient delivery and monitoring of progress?

RESPONSE

Innovation and technology is incorporated in the design and the Department appoints Service Providers for the monitoring of progress.