

**TO : HON.SPEAKER**

**FROM : MEC: DEDEAT**

**DATE : 29 JANUARY 2026**

**SUBJECT : WRITTEN RESPONSES: LEGISLATURE INTERNAL QUESTION PAPER 47 SECOND SESSION**

Written responses in respect of the Legislature Internal Question Paper 47 are outlined below.

**1440. Dr V Knoetze to ask the MEC responsible for Economic Development, Environmental Affairs, and Tourism:**

*Noting ongoing concerns regarding the safety, functionality, and regulatory compliance of buildings occupied by the department and its regional offices, and recognising the importance of ensuring safe working environments for staff:*

QUESTIONS	RESPONSES
(1) What provincial and leased buildings currently utilised by her Department have been identified as not fully compliant with occupational health and safety legislation, including the (a) specific areas of non-compliance at each site, (b) dates on which these issues were first noted, and (c) officials or units responsible for oversight of compliance in each building;	(1)(a) <b>Buildings with non-compliance issues</b> Based on the Q2 2025-2026 comprehensive occupational health and safety assessment (July-September 2025), the following buildings have been identified as not fully compliant with OHS legislation: 1. <b>O.R. Tambo District Office (Botha Sigcawu Building)</b> <ul style="list-style-type: none"><li>Severe unresolved maintenance problems necessitating remote work arrangements.</li><li>Security breaches requiring urgent upgrades (included in new contract from 1 January 2026).</li><li>Need to install more cameras as per the specification.</li><li>Building condition deemed unsafe for occupation.</li><li>Water storage tanks still awaiting DPWI procurement.</li><li>No fire drills are possible due to building condition, and non-coordination of drills by DPWI.</li></ul> 2. <b>Alfred Nzo District Office</b>

QUESTIONS	RESPONSES
	<ul style="list-style-type: none"> <li>• Working remotely due to non-compliance with safety matters.</li> <li>• Storm damage to roof requiring structural repairs.</li> <li>• Building assessment partially complete as of September 2025.</li> <li>• Unsuitable wheelchair path due to paving and overgrown grass.</li> <li>• Building deemed uninhabitable.</li> <li>• No fire drills conducted due to non-occupation.</li> </ul> <p>3. <b>Head Office - severe unresolved maintenance problems</b></p> <ul style="list-style-type: none"> <li>• Severe unresolved maintenance problems.</li> <li>• Only ERF 5000 has water storage tank; Chungwa building still awaiting DPWI procurement.</li> <li>• Leakages over main entrance at Chungwa preventing security equipment installation.</li> <li>• Reported defects not addressed promptly by DPWI.</li> </ul> <p>4. <b>Sarah Barta District Office</b></p> <ul style="list-style-type: none"> <li>• Non-availability of lifts restricts accessibility.</li> <li>• Constant water leaks and poor plumbing infrastructure.</li> <li>• Significant OHS non-compliance issues.</li> <li>• Fire drill date must be set (pending DPWI coordination).</li> </ul> <p>5. <b>Joe Gqabi District Office - severe unresolved maintenance problems</b></p> <ul style="list-style-type: none"> <li>• Unresolved maintenance problems (28 faulty office lights, 25 non-functional air conditioners, 18 damaged carpets, 19 broken door handles).</li> <li>• Inspections conducted but remedial actions not implemented by DPWI.</li> <li>• Shared building requiring DPWI coordination for fire drills.</li> </ul> <p>6. <b>Chris Hani District Office - good progress</b></p> <ul style="list-style-type: none"> <li>• Good progress in Q2 2025 according to our latest assessment.</li> <li>• Water supply improved with installed water tanks.</li> <li>• Non-functional lifts restricting accessibility.</li> <li>• No fire drills were held.</li> <li>• Active SHE representatives and EHW committee.</li> </ul> <p>7. <b>Amathole District Office - nearly 100% compliance</b></p> <ul style="list-style-type: none"> <li>• Nearly 100% compliance with OHS guidelines.</li> <li>• Made good progress in Q2 2025.</li> <li>• Successfully conducted fire drill in Q2 (only office to achieve this).</li> <li>• Outstanding fire extinguisher servicing.</li> <li>• Lacks lift for second floor access.</li> </ul> <p><b>(b) Dates issues first noted</b> The systematic pattern of non-compliance has been documented through:</p>

QUESTIONS	RESPONSES
	<ul style="list-style-type: none"> <li>• Q2 2025-2026 Comprehensive OHS Assessment (July-September 2025).</li> <li>• Q1 2025-2026 Comprehensive OHS Assessment (April-June 2025).</li> <li>• IRFA Section 41(2) formal correspondence issued to DPWI on 28 August 2025.</li> <li>• Follow-up IRFA notice issued on 27 October 2025.</li> <li>• DPWI inadequate response received on 5 November 2025.</li> </ul> <p><b>(c) Officials and units responsible for oversight</b></p> <ul style="list-style-type: none"> <li>• Head of Department: Ultimate responsibility under Section 16 of the OHS Act with non-delegable liability.</li> <li>• Regional Managers: Operational oversight for district offices.</li> <li>• Safety, Health and Environmental (SHE) Representatives: Facility-level compliance monitoring and reporting.</li> <li>• Employee Health and Wellness (EHW) Committees: Quarterly compliance assessments and intervention planning.</li> </ul>
<p>(2) What (a) considerations informed the continued occupation or allocation of buildings that are not yet fully compliant and (b) due-diligence or risk-assessment processes were undertaken prior to occupation or lease renewal;</p>	<p><b>(2)(a) Considerations for continued occupation</b> As of Q2 2025, the Department has made the decision to cease occupation of the most critically non-compliant buildings. O.R. Tambo and Alfred Nzo District Offices are now operating remotely due to non-compliance with safety matters.</p> <p>For buildings that remain occupied, the considerations include:</p> <ul style="list-style-type: none"> <li>• Essential service delivery requirements: Departments must maintain critical government services, including economic development functions, environmental compliance, and public services.</li> <li>• Progressive compliance strategy: Buildings showing good progress (Amathole, Chris Hani) continue occupation with enhanced monitoring.</li> </ul> <p><b>(b) Due diligence and risk assessment processes</b> Comprehensive risk assessment protocols implemented include:</p> <ul style="list-style-type: none"> <li>• Professional OHS assessments: Procurement underway for independent OHS assessments.</li> <li>• Quarterly compliance reviews: Q2 2025 assessment conducted, revealing the current status across all facilities.</li> <li>• Emergency Evacuation Decisions: Evidence-based decisions to implement remote work for high-risk facilities (O.R. Tambo, Alfred Nzo).</li> </ul>

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<p>(3) What health, safety or structural risks has her Department identified for staff working in these buildings, including matters related to fire safety, electrical systems, access control, emergency readiness, water quality, structural integrity, ventilation or hygiene;</p>	<ul style="list-style-type: none"> <li>• DPWI Engagement Through IRFA: Formal correspondence through IRFA procedures with inadequate response received November 2025.</li> </ul> <p>(3) Q2 assessments have identified critical concerns that necessitated evacuation of two facilities:</p> <p><b>a) Fire safety risks</b></p> <ul style="list-style-type: none"> <li>• Only Amathole District Office conducted fire drills in Q2 2025</li> <li>• Alfred Nzo and O.R. Tambo cannot conduct drills due to the building condition</li> <li>• Sarah Baartman and Joe Gqabi fire drill dates must be set with DPWI coordination</li> <li>• Non-functional fire detectors in multiple buildings</li> <li>• Inadequate fire prevention and response measures across locations</li> </ul> <p><b>b) Electrical system hazards</b></p> <ul style="list-style-type: none"> <li>• Joe Gqabi: 28 faulty office lights creating unsafe working conditions</li> <li>• General widespread problems with faulty electrical systems and damaged infrastructure</li> <li>• General non-compliance with electrical safety certificates</li> </ul> <p><b>c) Access control and security risks</b></p> <ul style="list-style-type: none"> <li>• O.R. Tambo: Security breaches requiring urgent upgrades (this site has been included in a new security contract from 1 January 2026). Additional security cameras will also be installed.</li> <li>• DPWI coordination challenges in shared buildings</li> <li>• Chungwa House (Head Office): Roof leakages preventing security equipment installation</li> </ul> <p><b>d) Emergency readiness deficiencies</b></p> <ul style="list-style-type: none"> <li>• Emergency first aid kit procurement underway as of Q2 2025</li> <li>• Poor emergency preparedness across multiple locations for various reasons</li> </ul> <p><b>e) Water quality and supply issues</b></p> <ul style="list-style-type: none"> <li>• Head Office: Only ERF 5000 has water storage tanks</li> <li>• Chungwa House (Head Office) and O.R. Tambo: Still awaiting DPWI to procure water storage tanks</li> <li>• Sarah Baartman: Constant water leaks and poor plumbing infrastructure</li> <li>• Alfred Nzo: Intermittent water supply due to electricity outages</li> </ul> <p><b>f) Structural integrity concerns</b></p> <ul style="list-style-type: none"> <li>• Alfred Nzo storm damage to the roof. Building repairs incomplete</li> <li>• Chungwa House (Head Office): Leakages over the main entrance (reception area)</li> </ul>

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	<ul style="list-style-type: none"> <li>• Unresponsiveness from DPWI in addressing reported structural defects</li> </ul> <p><b>g) Ventilation and air quality issues</b></p> <ul style="list-style-type: none"> <li>• Joe Gqabi: 25 non-functional air conditioning units</li> </ul>
<p>(4) What (a) incidents, near-misses, safety breaches or reported concerns have been recorded in these buildings over the past three financial years and (b) actions has her Department taken in response to each;</p>	<p>(4)</p> <p><b>a) Recorded incidents and safety breaches</b></p> <p>The following incidents have been recorded over the past three financial years:</p> <ul style="list-style-type: none"> <li>• Building evacuations: O.R. Tambo and Alfred Nzo District Offices evacuated due to non-compliance with safety matters</li> <li>• Security breaches: O.R. Tambo District Office documented security breaches requiring security upgrades</li> <li>• Accessibility violations: Systematic limitations of access to persons with disabilities due to the non-installation of lifts and there being unsuitable pathways</li> <li>• Structural damage: Alfred Nzo storm damage to the roof, rendering the building uninhabitable</li> </ul> <p><b>b) Departmental response actions</b></p> <ul style="list-style-type: none"> <li>• Emergency evacuation and remote work: Immediate evacuation of O.R. Tambo and Alfred Nzo offices with remote work arrangements to protect employee safety</li> <li>• Professional OHS Assessment: Initiated procurement process for independent OHS assessment</li> <li>• Inter-governmental Relations Framework Act (IRFA) dispute process: Formal correspondence to DPWI (28 August 2025, 27 October 2025) with inadequate response received 5 November 2025</li> <li>• Emergency first aid compliance: Procurement underway for compliant first aid resources across all locations</li> <li>• Fire safety implementation: Successfully conducted a fire drill at the Amathole District Office; scheduling is pending for other locations</li> <li>• Water storage solutions: ERF 5000 (Head Office) and Chris Hani District Office water storage tank installed; Chungwa House and O.R. Tambo tanks still awaiting DPWI procurement.</li> </ul>
<p>(5) (a) Whether she can kindly (aa) state which buildings have lifts and (bb) provide the last inspection date of all the lifts listed in (aa) above, (b) how many and which buildings' fire-extinguishers are past due date for inspection,</p>	<p>(5)</p> <p><b>a) Buildings with lifts and last inspection dates</b></p> <p>Based on the comprehensive safety equipment inspection survey conducted across all departmental facilities, the following buildings have lifts:</p> <ul style="list-style-type: none"> <li>• <u>Chris Hani District Office</u></li> </ul>

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(c) when will inspection take place of the fire-extinguishers past due date and (d) what is the reason for the delay;	<p>Number of lifts: 1 lift Last inspection date: 4 November 2025</p> <ul style="list-style-type: none"> <li>• <u>O.R. Tambo District Office (Botha Sigcau)</u> Number of lifts: 12 lifts (shared building, 11 floors, DEDEAT occupies 5th floor) Last inspection date: Unknown - DPWI responsibility as landlord Status: Building evacuated, staff working remotely</li> </ul>
(6) (a) Whether she can kindly (aa) state how many fire-extinguishers are in each building and (bb) provide the last inspection date of fire-extinguishers per building as listed in (aa) above, (b) how many and which lifts are past due date for inspection, (c) when will inspection take place of the lifts past due date and (d) what is the reason for the delay;	<ul style="list-style-type: none"> <li>• <u>Head Office - Chungwa Building</u> Number of lifts: 1 lift Last inspection date: Not available Status: Repaired August 2025, currently not working due to water ingress</li> <li>• <u>Head Office - ERF 5000</u> Number of lifts: 3 lifts Last inspection dates: <ul style="list-style-type: none"> <li>- Far-left entrance lift: June 2024</li> <li>- Two main entrance lifts: End of November 2025</li> </ul> </li> <li>• <u>Joe Gqabi District Office</u> Number of lifts: 1 lift Last inspection date: 2022 Status: Currently not working</li> </ul> <p><b>Buildings without lifts:</b> Alfred Nzo District Office, Amathole District Office, Sarah Baartman District Office</p> <p><b>b) Fire extinguisher inventory and inspection status</b></p> <ul style="list-style-type: none"> <li>• <u>Chris Hani District Office</u> Number: 3 fire extinguishers (top floor, left and right wing ground floor) Last inspection: February 2025 Status: 1 server room extinguisher currently with supplier for servicing; others up to date</li> <li>• <u>O.R. Tambo District Office</u> Number: 6 fire extinguishers Last inspection: 31 September 2025 (by DEDEAT SHE Representative) Status: No planned inspection due to remote work arrangements</li> <li>• <u>Alfred Nzo District Office</u> Number: 16 fire extinguishers (Maluti College of Education) Last service: July 2025 Next service due: July 2026 Status: No delays</li> <li>• <u>Amathole District Office</u> Number: 37 fire extinguishers Last inspection: February 2025 Service status: All serviced February 2026 Next service: February 2026</li> <li>• <u>Joe Gqabi District Office</u> Number: 6 fire extinguishers Last service: February 2025 Status: All inspections current</li> </ul>

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	<ul style="list-style-type: none"> <li>• <u>Head Office - Chungwa Building</u> Number: 10 fire extinguishers Last inspection: June 2025 Next inspection due: June 2026 Status: All current</li> <li>• <u>Head Office - ERF 5000</u> Number: 12 fire extinguishers Last inspection: 10 October 2025 Status: All current</li> <li>• <u>Sarah Baartman District Office</u> Number: 19 fire extinguishers Status: All inspections current</li> </ul> <p><b>c) Equipment past due for inspection</b> <u>Fire extinguishers past due:</u></p> <ul style="list-style-type: none"> <li>• Chris Hani District Office: 1 server room fire extinguisher (currently with supplier)</li> <li>• All other locations: No fire extinguishers past due</li> </ul> <p><u>Lifts past due:</u></p> <ul style="list-style-type: none"> <li>• Joe Gqabi District Office: 1 lift (last inspected 2022, currently non-functional)</li> <li>• Head Office Chungwa: 1 lift (no inspection plan available, currently non-functional due to water damage)</li> </ul> <p><b>d) Inspection scheduling and reasons for delays</b> <u>Fire extinguisher inspections:</u></p> <ul style="list-style-type: none"> <li>• Chris Hani: Server room extinguisher currently with supplier; Department has procured services after clarifying responsibility between DEDEAT and DPWI</li> <li>• O.R. Tambo: No planned inspection due to building evacuation and remote work arrangements</li> </ul> <p><u>Lift inspections:</u></p> <ul style="list-style-type: none"> <li>• Joe Gqabi: Not planned since last service in 2022; no reason provided by service provider</li> <li>• Head Office Chungwa: Not known due to absence of maintenance or inspection plans from DPWI</li> <li>• O.R. Tambo: Not known due to absence of maintenance or inspection plans from DPWI</li> </ul> <p><u>Primary challenges identified:</u></p> <ul style="list-style-type: none"> <li>• Lack of clarity on responsibility between DEDEAT and DPWI for other types of fire extinguishers (e.g server room)</li> <li>• Absence of maintenance and inspection plans from DPWI for lifts</li> <li>• Building evacuations, preventing routine inspections at O.R. Tambo and Alfred Nzo</li> </ul>
(7) Whether any building compliance matters have been formally	(7) Yes, building compliance matters have been formally brought to the attention of DPWI:

QUESTIONS	RESPONSES
<p>brought to the attention of the Premier, the Office of the Premier or the Department of Public Works and Infrastructure; if so, (a) what were the dates of such correspondence or reports, (b) what guidance or directives were received and (c) what remedial steps were agreed to;</p>	<p><b>a) Dates of formal correspondence</b></p> <ul style="list-style-type: none"> <li>• 28 August 2025: First IRFA Section 41(2) good faith negotiations notice issued to DPWI citing specific GIAMA custodial obligations</li> <li>• 27 October 2025: Second IRFA Section 41(2) notice issued following DPWI's failure to provide adequate initial response</li> <li>• 5 November 2025: DPWI response received and assessed as fundamentally inadequate</li> </ul> <p>The Office of the Premier (Shared Legal Services) have requested a meeting with DEDEAT and the submission of all supporting documents prior to DEDEAT continuing with the IRFA dispute process. This is in progress.</p> <p><b>b) DPWI response</b> DPWI's November 2025 response was fundamentally inadequate and failed to meet substantive requirements.</p> <p><b>c) Agreed remedial steps</b> No comprehensive remedial framework agreed to due to ongoing consultation with the Office of the Premier. Furthermore, due to DPWI's inadequate response that failed to address critical occupational health and safety failures, no meaningful remedial agreements have been reached.</p>
<p>(8) What immediate measures has her Department currently put in place towards protecting staff in buildings where compliance concerns exist, including (a) temporary relocations, (b) emergency repairs or (c) restricted access and (d) what criteria are used to determine when a facility is unsuitable for occupation;</p>	<p>(8)</p> <p><b>a) Temporary relocations</b> Complete building evacuations: O.R. Tambo and Alfred Nzo District Offices operating remotely to ensure service continuity and employee safety.</p> <p><b>b) Emergency repairs</b> Repairs are undertaken by DPWI. DEDEAT has formally written to DPWI on two occasions requesting permission to undertake necessary repairs, but out requests were declined.</p> <p>The following is/was done by DPWI:</p> <ul style="list-style-type: none"> <li>• Alfred Nzo building assessment: Partially complete as of Q2 2025 for storm damage repairs</li> <li>• Water storage installation: ERF 5000 completed; Chungwa and O.R. Tambo still awaiting DPWI procurement</li> <li>• Emergency first aid compliance: Procurement underway for compliant first aid resources.</li> </ul> <p><b>c) Restricted access measures</b> Total access restriction: O.R. Tambo and Alfred Nzo buildings completely evacuated.</p> <p><b>d) Unsuitable occupation criteria</b></p>

QUESTIONS	RESPONSES
	<p>The following evidence-based criteria are used for building evacuation where the safety of employees cannot be guaranteed:</p> <ul style="list-style-type: none"> <li>• Structural integrity failure</li> <li>• Comprehensive safety system failure</li> </ul>
<p>(9) What budgetary provisions have been made for the (i) repair, (ii) upgrading or (iii) replacement of non-compliant buildings including anticipated timelines for achieving full compliance and the mechanisms for monitoring progress;</p>	<p>(9) DEDEAT operates within the framework established by the Provincial Immovable Asset Management Policy (2021), which clearly delineates maintenance responsibilities between DPWI as custodian and user departments. According to Section 9.1 of the Policy, maintenance responsibilities are allocated as follows:</p> <ul style="list-style-type: none"> <li>• DPWI responsibility: All major maintenance and repairs across all buildings</li> <li>• User department responsibility: Day-to-day maintenance only in single tenant buildings</li> <li>• Shared buildings: DPWI retains full maintenance responsibility, including day-to-day maintenance</li> </ul> <p>Given that the Immovable Asset Management Policy assigns primary maintenance and repair responsibilities to DPWI as the custodian department, DEDEAT did not include baseline budget allocations for building maintenance and repairs in its annual budget. This allocation approach aligns with the established intergovernmental framework, under which custodial departments are responsible for maintaining state immovable assets.</p> <p>DEDEAT has made budgetary provisions:</p> <ul style="list-style-type: none"> <li>• To provide independent evidence for IRFA proceedings and ensure compliance verification.</li> <li>• For security infrastructure upgrades at the O.R. Tambo District Office. Budget Constraints and IRFA Framework</li> </ul> <p>DPWI bears primary financial responsibility for building maintenance under GIAMA and the Immovable Asset Management Policy. Emergency expenditure by DEDEAT would be intended for cost recovery through IRFA dispute resolution mechanisms. Long-term infrastructure planning is contingent on resolving DPWI's custodial performance failures.</p> <p>The current crisis highlights fundamental challenges in the intergovernmental budget framework:</p> <ul style="list-style-type: none"> <li>• DPWI acknowledged a R293 million budget shortfall for repairs and maintenance, which creates systemic compliance risks.</li> <li>• Constitutional obligations under Section 24 cannot be compromised due to custodial budget constraints.</li> <li>• The challenge is that OHS Act liability remains with DEDEAT regardless of DPWI's financial position.</li> </ul>
<p>(10) (a) What long-term infrastructure plan is her</p>	<p>(10)(a) The Department's long-term infrastructure plan operates within the Immovable Asset Management</p>

QUESTIONS	RESPONSES
<p>Department implementing towards ensuring that all departmental buildings progressively meet legal safety standards and (b) whether any buildings have been prioritised for refurbishment, decommissioning or relocation?</p>	<p>Policy framework, which assigns primary responsibility to DPWI as the custodian department. The three-phase strategy includes:</p> <ul style="list-style-type: none"> <li>• Phase 1: completing IRFA dispute resolution and establishing DPWI performance standards</li> <li>• Phase 2: implementing sustainable compliance through formal intergovernmental protocols</li> <li>• Phase 3: pursuing alternative accommodation if DPWI continues custodial failures.</li> </ul> <p>(b) Building prioritisation reflects the current crisis levels:</p> <ul style="list-style-type: none"> <li>• Priority 1: evacuated buildings (O.R. Tambo and Alfred Nzo) requiring comprehensive repairs before reoccupation</li> <li>• Priority 2: severe non-compliance buildings (Joe Gqabi, Head Office Chungwa) needing immediate DPWI intervention</li> <li>• Priority 3: progressive improvement buildings (Sarah Baartman, Chris Hani) with enhanced monitoring</li> <li>• Priority 4: Amathole District Office maintaining compliance excellence as a model.</li> </ul> <p>All strategies are contingent on DPWI discharging its custodial responsibilities under the policy and legislative prescripts.</p>