



MEMORANDUM

'Water for Growth and Sustainable Development'

Ref:

Date: 12 January 2012

To: ACT. CE
MEMBERS OF THE BOARD

From: SHAMI HARICHUNDER
CORPORATE STAKEHOLDER MANAGER

Compiled with input from the project office and Ecorfranki

RE: DISCOVERY OF BOYS' BODIES AT CONSTRUCTION SITE OF ED 2 – RICHMOND PIPELINE OFF-TAKE

Incident Report

On the afternoon of Monday, 9th January 2011, two boys from Imbali, Pietermaritzburg, Thobani Ngxongo, 6, and Cebolakhe Ndelela, 8, left home and failed to return. Their families, led by Mxolisi Ndelela, a relative of Cebolakhe, searched for the boys with no success. They were reported missing to the Plessislaer police the following morning. At about 17:00 on Tuesday, 10th January 2011, the bodies of both boys were found in a pool of water at the point where the ED 2 – Richmond pipeline crosses the Slangspruit at Westgate. They are believed to have drowned. The bodies were found while the site had been shutdown by the contractor on the project, Esorfranki Pipelines, for the summer recess. Work has not been completed on the off-take project, and the contractor returned to site 11th January 2012.

Measures adopted before the shutdown commenced

The site was audited by an independent safety agent on 12th December 2011 and recommendations given in terms of the necessary safety precautions required in preparation for the shutdown period. It was envisaged that work would stop on 15th December 2011. However, the contractor requested permission to extend until 22nd December 2011, hoping to complete certain items. On 22nd December 2011 a final inspection was undertaken by the contractor's SHEQ Manager, including photographing the safety features such as wire fences and warning signs that were in place to keep the public away from the construction site. However, the SHEQ Manager has reported that when he visited the site on 11th January 2012, part of the barricade (fence) had been broken and parts were missing.

Immediate Action Adopted by Umgeni Water

Umgeni Water was informed about the discovery of the boys' bodies at the construction site on the night of Tuesday, 10th January 2011. Early on the morning of Wednesday, 11th January 2012, a team from Umgeni

Water (comprising representatives of the Project Office, Corporate Stakeholder Management Unit and Institutional and Social Development), the construction company Esorfranki and independent safety experts conducted an inspection of the site where the bodies were found. A few hours later, on the same day, an inspector from Department of Labour, Zanele Nkomo, also arrived at the scene to conduct an inspection.

On Thursday, 12th January 2011, the Executive Management team of Umgeni Water, lead by Acting Chief Executive Nica Gevers, visited the families of the dead boys in Imbali to provide support and express condolences to them on behalf of the Board and staff of Umgeni Water.

Early Indications of Community Response

Mxolisi Ndelela, a representative of the families of the dead boys, said they were grateful to Umgeni Water and Esorfranki for promptly responding by first arriving at the scene and later meeting the families of the dead boys.

Legal process

The death of the boys is being investigated by Captain Wessels of the Plessislaer police. A post-mortem will be conducted to determine the cause/s of death in preparation for an inquest to be held at a later date in the Pietermaritzburg Magistrate's Court. The Department of Labour is simultaneously conducting an investigating in terms of health and safety legislation.

Communication and Publicity

On the night of 10th January 2012, the Corporate Stakeholder Manager of Umgeni Water, Shami Harichunder, was contacted by The Witness newspaper for comment relating to a report it had been writing on the discovery of the boys' bodies. The report was published on Wednesday, 11th January 2012 (See Attachment).

Way Forward

- Representatives of Umgeni Water's Institutional and Social Development Department continue to provide support to the affected families by visiting and interacting with them, and the organisation has decided to provide R10 000 to each of the bereaved families.
- Esorfranki has confirmed through its Director Rod Torry that his company will meet the cost of the funerals of the two boys.
- Following a meeting between Umgeni Water's Project Office, Engineer's Representative, Esorfranki and the safety agent, it was agreed that a full safety audit of the construction site would be conducted to ensure that there were presently no safety risks.
- Esorfranki's SHEQ Manager reported that Captain Wessels had indicated that the police investigation has been completed and that construction activities can proceed.
- Esorfranki's SHEQ Manager also reported that Zanele Nkomo from the Department of Labour also indicated work can continue.



SHAMI HARICHUNDER
STAKEHOLDER MANAGER

Boys drown at pipe site

Where was the fence? ask families



Thobani Ngxongo was due to start his first day of school today.



Cebolakhe Ndlela was due to start grade two.

MLONDI RADEBE and THAMSANQA MAGUBANE

THE families of two young boys who drowned at an Umgeni Water pipeline construction site in Imbali want answers on why the site was not fenced securely.

The bodies of Thobani Ngxongo (six) and Cebolakhe Ndlela (eight) from Imbali, who were both to start school today, were found in the Slangspruit by people who launched a search for the missing pair.

Police divers later recovered their bodies. They had been reported missing on Monday after they failed to come home.

The distraught grandmother of Thobani, Beauty Gwala, was at the scene. She said they spent a sleepless night searching for the children, trying to find leads on their whereabouts.

She said that they were relieved to have found them.

Thobani's mother, Prudence Ngxongo (35), said the boys had not played at the site previously and had not swum there before.

"Thobani wanted to be a policeman when he grew up." The weeping mother said that her son was to begin grade one today.

His friend Cebolakhe was to start his grade two year at Funulwazi Primary School today.

At the scene of the drowning, Cebolakhe's uncle Mxolisi Ndlela said: "We received a lot of information that they were seen with an older man that we don't know, going to the river."

"Others said they were seen in France Bafaneni Tavern where we went and found nothing last

night [Monday night].

"But we are relieved that we have found their bodies now, but police need to investigate the circumstances around their deaths."

Community members at the scene said what fence there was had been stolen, which meant those who stole the fence were putting the lives of local children at risk. The part of the fence that remains at the site, is a wide wire mesh with wooden poles.

At Cebolakhe's home, neighbours gathered and prayed, trying to comfort the distraught parents.

Police spokesperson Lieutenant Joey Jeevan said inquest dockets have been opened and postmortems will be conducted to ascertain the cause of death.

Shami Harichunder, corporate stakeholder manager at Umgeni Water, said based on the information provided about the incident, they believe it occurred at the ED2 to Richmond pipeline project.

He said they were shocked and will conduct a full investigation. "From what we understand, when the construction site shut down on December 22, the site was checked for adequate fencing and signage as part of the shutdown procedure which was found to be adequate."

He said they, however, sympathised with the families, community and would look to assist in any way they can without accepting liability.

Attempts to contact the company responsible for the construction were unsuccessful.

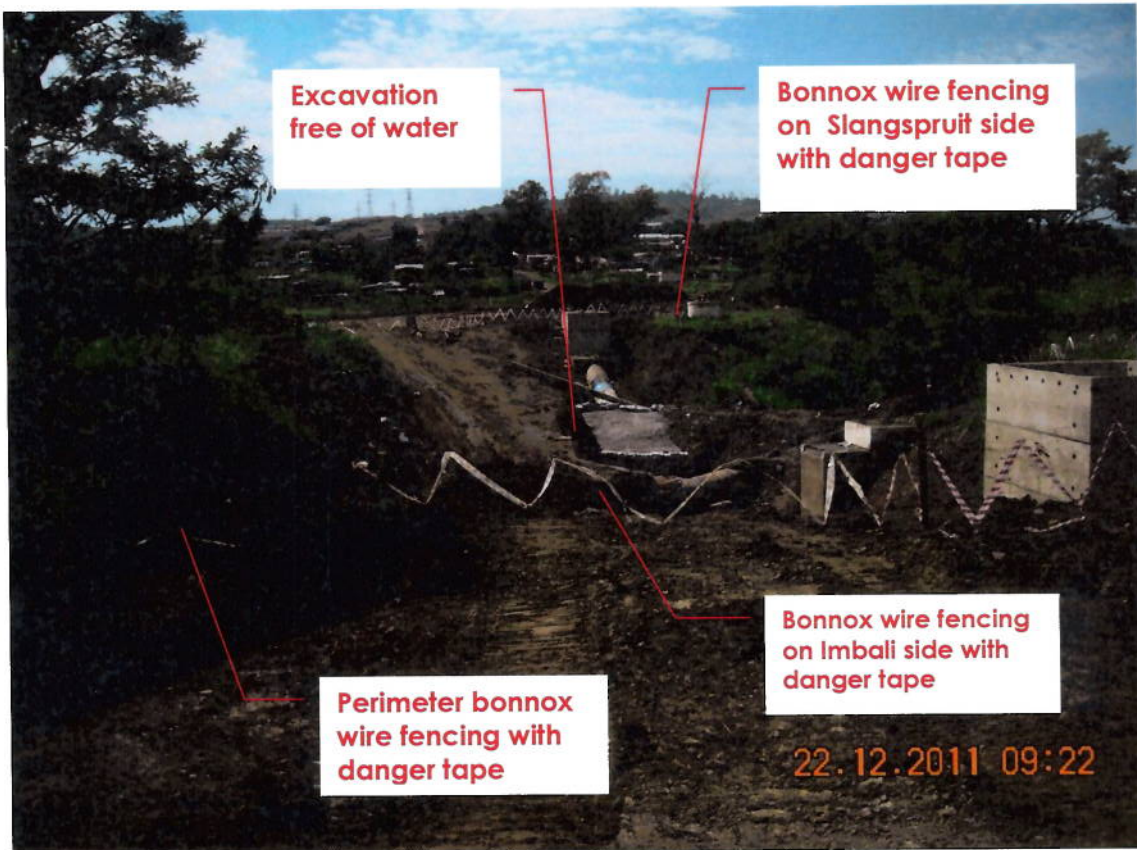
• mlondi.radebe@witness.co.za



The Umgeni Water pipeline construction site in the Slangspruit where two boys drowned.

12 January 2012

Slangspruit River Crossing Pictures – taken on the 22nd December 2011



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