

Legal storm over king's 'cultural village'

By **BONGANI MTHETHWA**

● A dispute over a cultural village being built for Zulu king Goodwill Zwelithini at his Enyokeni palace in Nongoma, which was halted after forensic investigators warned it could cost taxpayers R1bn, has taken another twist.

Now the department of arts & culture is taking legal action against the Independent Development Trust (IDT), a state agency which facilitated the construction of the R132m Enyokeni Cultural Precinct, requested by the king in 2013.

The project – which was put on hold by arts & culture minister Nathi Mthethwa in 2016 after a forensic report by Gobodo Forensic & Investigative Accounting detailed a litany of irregularities – was meant to provide accommodation, bathing facilities and toilets for thousands of young women attending the annual reed dance ceremony.

The investigation showed that the project would cost R1bn if construction continued at its scope and costs at the time. It showed that prices had been inflated and consultants charged as much as 200% more than the usual industry rates. One contractor received R11m for items that had nothing to do with the project; a consultant inflated a statutory fee by R3m; a construction monitoring fee was inflated by R450,000; and an engineering fee was overstated by R5m.

A total of R20m had been paid to consultants when Mthethwa halted the



Zulu king Goodwill Zwelithini's Enyokeni Cultural Precinct is at the centre of a dispute over costs estimated to rise to R1bn from R132m. Picture: Thuli Dlamini

2,000

THE NUMBER

of VIP guests the cultural village's amphitheatre was going to accommodate

5

THE NUMBER

of catering facilities proposed

project. The facility has become a white elephant after the contractor and professional team left the site due to non-payment.

After the release of the Gobodo report, the department terminated its contract with the IDT, which was the implementing agent. The IDT declared a dispute after the non-transfer of funds by the department for the contractor, Basil Read, and consultants, Royal Haskoning, who have taken legal action against the IDT.

Mthethwa's spokesperson, Asanda Magaqa, said an arbitration process had failed. "Due to failure to arbitrate the matter, the department has resolved to proceed with legal action," she said.

IDT spokesperson Lesego Mashigo said they were aware of the legal action but were surprised by the motivation behind it. "Nevertheless, the IDT will still seek alternative dispute resolution mechanisms," he said.

Mashigo said the department had only provided the IDT's lawyers with the Gobodo report in February last year and allegations contained in the report still had to be tested in court.

"The court has referred the matter with Basil Read for trial and the parties will be given an opportunity to lead oral evidence during the trial to deal with the Gobodo report. Basil Read is disputing the Gobodo report," he said.

However, Mashigo said the IDT confirmed that there were clear deviations from the terms agreed upon, which had caused prices to rocket, and the department was made aware of this.

Magaqa said the department was going ahead with the project and an agreement had been signed with the KwaZulu-Natal premier's office and the provincial department of arts & culture on how to manage it.

The provincial public works department had also been roped in to assist with cost estimates.

Zulu royal family spokesperson Prince Thulani Zulu said the king was disappointed the project had been delayed. "However, keeping the king updated rescued the situation. We're happy eventually something is taking place."