



Northern Cape
Provincial Legislature

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS, PETITIONS & PUBLIC PARTICIPATION

FIRST QUARTER
2022/23

PETITIONS REPORT

The Standing Committee on Constitutional Affairs, Petitions and Public Participation, having considered all petitions submitted by the Petitions Office, reports as follows:

1. INTRODUCTION

In accordance with the Northern Cape Petitions Act (Act no 8 of 2009) the Standing Committee on Constitutional Affairs, Petitions and Public Participation (hereafter referred to as 'The Committee') must consider and decide on every petition which the House has referred to it. In terms of section 3(4) of the Northern Cape Petitions Act (Act 8 of 2009) the committee may, refuse to consider a petition which do not comply with requirements for a petition, and in writing inform the petitioner of that fact as well as give reasons for its decision.

The Committee must report quarterly to the Legislature on the petitions submitted to it during that period, and all its activities in respect thereof, including the responsiveness, efficiency and timeousness within which petitions were dealt with, and the efficiency of the petitions process and procedures.

2. PROCESS FOLLOWED

The petitions that were dealt with during this report period were received by the Legislature between 2018 and 2022. The Petitions were perused together with the responses provided by the departments, municipalities, and other stakeholders.

3. CLOSED/FINALISED PETITIONS

The following Petitions were considered by the committee and closed on 22 June 2022:

3.1 Ms S Beukes (Ref:12.7.4.171) ZF Mgcawu

- Petition was received on 18 October 2016.
- **Summary of petition:**
 - The Petitioners is requesting the Department of Education to include the grade 10, 11 and 12 to their school as the learner's who actually attend high school in the area have to go to Upington to finish their education and that their parents cannot afford.

- **Committee Resolution**

- The committee resolved that the department must provide a comprehensive report in three months detailing the steps taken to assist learners of JJ Adams
- Committee resolved that this petition be closed and referred to the portfolio committee on education.

3.2 Future Excellence (Mr Leburu) (Ref 12.7.4.195) Pixley ka Seme

- Petition was received on March 2018.
- **Summary of petition:**
 - The Petitioner complain about the illegal mining on his ancestral burying ground and that the community have no excess to water, electricity and toilet facilities.
 - The further request an amount of two Billion Rands paid for damages for illegal site occupation
- **Committee resolution**
 - The Siyancuma municipality must develop a service level agreement with CPA within three months.
 - Committee resolved that the petition be closed and referred to portfolio committee on COGHSTA.

3.3 Mr Bok (Ref 12.7.4.209) ZF Mcgawu

- Petition was received during 29 March 2021.
- **Summary of petition:**
 - Petition was received from Mr. Bok with regard to the rightful ownership of a house of his late father Mr. Bok
 - There are ablution facilities where he has been relocated.
- **Committee resolution**
 - The department of COGHSTA must provide progress report within three months on the interventions made thus far to assist Mr Bok
 - Committee resolved that the petition be closed and referred to portfolio committee on COGHSTA for monitoring because there is a commitment from department of COGHSTA to prioritise the petitioner in this financial year.

3.4. Mr C Beukes (Ref:12.7.4.207)

- Petition was received on 29 March 2021.
- **Summary of petition:**
 - The petitioner want a title deed of the house of his late mother to be registered under his name.
- **Committee resolution**
 - The Dawid Kruiper municipality must provide a comprehensive report within three months on the measures taken by municipality can assist the petitioner to register title deed in his name.
 - Committee resolved that the petition be closed.

3.5. Modderpoel Housing Project (Ref12.7.4.208) Pixley Ka Seme

- Petition was received on 29 March 2021.
- **Summary of petition:**
 - The community is complaining about incomplete and poor standard of houses.
 - They also want title deeds of the houses
- **Committee resolution**
 - The department COGHSTA must within three months furnish the committee with consequence management report regarding the implicated officials
 - Committee resolved that the petition be closed and referred to portfolio committee on COGHSTA.

3.6. Ronaldsvlei community (Ref: 12.7.4.161) Frances Baard

- Petition was received on September 2014.
- **Summary of petition:**
 - Community complains about service delivery and provision of subsidized housing.
 - The community also complains about illegal dumping
- **Committee Resolution:**
 - The Sol Plaatje municipality must enter into service level agreement with Ronaldsvlei CPA. The municipality must provide the committee with progress report on service level agreement within three months.
 - The petition should be closed and referred to portfolio committee on COGHSTA

for monitoring.

3.7. Greenpoint Concern Group (Ref 12.7.4.163)

- Petition was received on January 2020.
- **Summary of petition:**
 - The community is concerned about the lack of development in the area
 - Is also enquiring as to what happen to the money sponsored to the community by EKAPA Mining
- **Committee resolution**
 - The Sol Plaatje municipality must within three months provide a comprehensive report regarding donation made by EKAPA mining
 - Committee resolved that the petition be closed and referred to the portfolio committee on COGHSTA

3.8. Mr G Montshiwa (Ref 12.7.4.216) Pixley Ka Seme

- Petition was received on April 2022.
- **Summary of petition:**
 - The petitioner requests the municipality and the department of agriculture to give him a title deed of the Kranskloof farm or allow him to buy this farm.
 - The petitioner further indicates that he has been living at this farm and want to be assisted under extension of security of tenure act.
 - He also need to be assisted with security because his livestock get stolen and neighbouring farmer is encroaching on his property
- **Committee resolution**
 - Committee resolved that the municipality and the department of agriculture must urgently put in place security measures that will ensure that the property of Mr Montshiwa is safe.
 - The municipality must provide the petitioner with a lease contract while waiting for the due processes to be concluded which are guided by relevant legislations and government policies

3.9. Brandon Faro (Ref:12.7.4.210) Namakwa

- Petition was received on April 2022.
- **Summary of petition:**

- The petitioner is complaining about incomplete paving of the Vaalhoek road
- **Committee resolution**
 - Committee resolved that the Namakhoi municipality must include the completion of the Vaalhoek in their IDP's. The committee must be furnished with progress report within three months.
 - The department of roads & public works must within a month provide the committee with a detailed expenditure report of this project from its inception to date.

3.10. Provincial Churches Organisation (Ref 12.7.4.213)

- Petition was received on 16 November 2021.
- **Summary of petition:**
 - The petitioner's complaint is with regard to unfair allocation of sites/ land to churches
 - The Petitioners further express their disappointment on the bad treatment they received from the Sol Plaatje municipality.
- **Committee resolution**
 - The Sol Plaatje municipality must update the committee on the outcome of the council meeting to be held 29 June 2022 regarding the upliftment of the land moratorium. This has to happen within a month after this meeting.
 - Committee resolved that the petition be closed and referred to the portfolio committee on COGHSTA

4. OBSERVATIONS

The Committee observed the following:

- 4.1 The department of roads & public works failed to submit the report (Vaalhoek project) as requested by the standing committee on constitutional affairs, petitions & public participation.
- 4.2 The Sol Plaatje municipality failed to respond timeously to the petitions referred to it.

5. RECOMMENDATIONS

The Committee recommends:

- 5.1. That departments must within a month provide the committee with a report as request by committee and apply consequence management to the implicated officials.

- 5.2. The Sol Plaatje municipality must ensure that there is a consequence management to the implicated officials who caused a delay in responding to the petitions.

6. REPORTS

The following reports must be submitted within three months after tabling of this report

- 6.1. The department of education must provide a comprehensive report in three months detailing the steps taken to assist learners of JJ Adams
- 6.2. The Siyancuma municipality must provide the committee with progress report on service level agreement with CPA within three months.
- 6.3. The department of COGHSTA must provide progress report within three months on the interventions made thus far to assist Mr Bok
- 6.4. The Dawid Kruiper municipality must provide a comprehensive report within three months on measures taken by municipality to assist the petitioner to register title deed in his name.
- 6.5. The department COGHSTA must within three months furnish the committee with consequence management report regarding the implicated officials at Modderpoel housing project
- 6.6. The Sol Plaatje municipality must provide the committee with progress report on service level agreement with Ronaldsvlei within three months.
- 6.7. The Sol Plaatje municipality must within three months provide a comprehensive report regarding donation made by EKAPA mining
- 6.8. The department of agriculture, environmental affairs, rural development & land reform and Siyancuma municipality must jointly provide progress report regarding security measures put at Kranskloof farm.
- 6.9. The Namakhoi municipality must furnish the committee with progress report on the steps taken to include Vaalhoek road on its IDPs.
- 6.10. The department of roads & public works must within a month provide the committee within detailed expenditure report of the Vaalhoek project from its inception to date.
- 6.11. The Sol Plaatje municipality must update the committee on the outcome of the council meeting to be held 29 June 2022 regarding the upliftment of the land moratorium.
- 6.12. The Sol Plaatje municipality must provide all service level agreements with CPAs under its jurisdiction

7. CONCLUSION

The committee table this report for consideration and adoption.

Signed electronically

HON L DICHABA
CHAIRPERSON

DATE: 24 June 2022