



GAUTENG
LEGISLATURE
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Memorandum

133-2021

To	Cllr. Patricia Kumalo Speaker of Council City of Ekurhuleni Municipality Hon. Lebogang Maile MEC: CoGTA & Human Settlement Gauteng Provincial Government	From	Hon. Boitumelo Ezra Letsoalo Chairperson: Petitions Standing Committee Gauteng Provincial Legislature
Cc	Cllr Mzwandile Masina Executive Mayor: City of Ekurhuleni Municipality Cllr. Lesiba Mpya MMC: Human Settlements City of Ekurhuleni Municipality Ms. Phindile Mbanjwa Head of Department: Gauteng Department of Human Settlements Mr Andile Mahlalutye Head of Department: Human Settlements City of Ekurhuleni Municipality	Cc	Hon. Kedibone Diale Chairperson: CoGTA & Human Settlements Portfolio Committee Ms Jacqueline Moteke Committee Coordinator: Human Settlements Ms Jabulile Nyembe Committee Coordinator: CoGTA Mr Mluleki Ngomane Governance & IGR Department: CoGTA
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Subject	Referral of a Petition	Page(s)	12
Ref. No.	PP24B/08/21/LO-HS	Date	02 September 2021
Title	Formalization & Provision of Services: Railway Settlement		

~~Retire~~ Received 2021/09/03

Dear Cllr Kumalo and MEC Maile,

This communique refers to the above-mentioned petition which was submitted to the Gauteng Provincial Legislature in accordance with the Gauteng Petitions Act No 5 of 2002. The copy of the submitted petition is attached for reference.

Following receipt, presentation to, and deliberation by the petition standing committee, it was resolved that the attached Petitions be referred to yourself for further processing as the matter falls within your competence. This Petition is referred to you in terms of section 6 of the Gauteng Petitions Act No5 of 2002 with supporting documents for consideration.

In promoting good governance, the public administration must be governed by the democratic values and principles enshrined from the Constitution of the Republic of South Africa. Thus section 195 (1) (d) read with (g) provide that: ***Services must be provided impartially, fairly, equitably and without bias. Transparency must be fostered by providing the public with timely, accessible and accurate information.***

We request your office to revert to us with a report, on how petitioners can find relief relative to the matters raised herein in line with your mandate, within four weeks of receipt of this letter, i.e., ***on or before Friday, 01st October 2021.***

Should you seek further information, clarity or assistance relative to the petition, kindly contact the Petitions Office as follows; Ms Jabulisile Shabalala at Tel: 011 498 5407; Cell: 082 606 4103 or email: JShabalala@gpl.gov.za or Mr Mbulaheni Likhade at Tel: 011 498 5952; Cell: 072 630 0607 or email: MLikhade@gpl.gov.za or Mr Senoto Teane at Tel: 011 498 5846; Cell: 071 603 1663 or email: STeane@gpl.gov.za

Your cooperation in the above regard will be invaluablely appreciated.

Respectfully yours,

Per Pro:



Hon. Boitumelo Ezra Letsoalo
Chairperson:
Petitions Standing Committee

GAUTENG PROVINCIAL LEGISLATURE

PETITIONS REGISTRATION FORM

Committee Referred to:	Petitions Standing Committee
Name of Chairperson:	Hon. Boitumelo Ezra Letsoalo
Title of Petition:	Formalization and Provision of Services: Railway Informal Settlement
Registration Number:	PP24B/08/21/LO-HS
Region:	Ekurhuleni

Summary of the Petition:

- The petitioner is Ms. Mpho Sithole, an adult female who resides at C62 Extension 19, Railway Tsakane submitting the petition on behalf of the residents of Railway Informal Settlement.
 - The petitioner alleges that the informal settlement has been in existence since 1997 and consists of approximately 300 households.
 - She alleges that since 1997, the Ekurhuleni Municipality provided the residents with communal taps and sanitation through a hybrid of chemical toilets and ablution facilities. However, residents still do not have safe electrical connections.
 - She states that housing officials at the Gauteng Department of Human Settlements committed to addressing the housing needs through housing allocation at various housing projects.
 - However, as per account, only 15 households were allocated houses at Tsakane Extension 22 in 2016 and recently at John Dube Mega-Project.
 - She states that the process of constructing houses on sites earmarked to be allocated to residents of the Railway is stalling.
 - She further states that they enquired from the Municipality on the ownership of land and discovered that the Department of human settlements owns the land. Subsequently, they requested the Department of Human Settlements to formalize the area so the Municipality can provide the requisite services on the land; however, they are still in limbo.
 - However, in a memorandum attached herewith dated 20 April 2015, the Municipality indicated that it owns the land and notified the residents that they could not sell the land.
- That the Legislature intervenes and causes the City of Ekurhuleni Metropolitan Municipality and the Gauteng Department of Human Settlements to investigate the matter and formalize the area to enable the municipality to re-block the area and provide requisite services.

Analysis by the Petitions Office

- The matter falls within the scope of the *Local and Provincial Governments* as per citation in the submission.

Recommendations by Petitions Office:

1. That the Petitions Standing Committee (PSC) considers this matter a petition, as contemplated in Section 4 of the Gauteng Petitions Act (no.5 of 2002);
2. That the PSC refers this petition to *City of Ekurhuleni Metropolitan Municipality and the Gauteng Department of Human Settlements* for reporting;
3. That the PSC forward a copy of the petition to the *Portfolio Committee on CoGTA and Human Settlements for oversight*;
4. That the PSC forward a copy of the petition to the Department of Cooperative Governance and Traditional Affairs (CoGTA) for performance monitoring over the municipality as per Section 106 of the Municipal Systems Act (no. 32 of 2000); and
5. That the PSC appoints a *rappporteur* to the petition.

PETITIONER'S CONTACT DETAILS

Contact Person	Ms. Mpho Sithole
Contact Number	064 146 3947
Address	C62 Extension 19 Railway Tsakane