



12 February 2015

**SELECT COMMITTEE ON PETITIONS AND EXECUTIVE UNDERTAKINGS:  
CONTENT OF THE ABAZIMELI RESIDENTS ASSOCIATION PETITION**

**1. Content of the Petition**

On 7 October 2008, the Abazimeli Residents Association (ARA) submitted a petition to the National Council of Provinces and the petition was subsequently referred to the Select Committee on Petitions and Executive Undertakings (Committee) for consideration.

Broadly speaking the petition is in respect of the lack of provision of services to the 79 sites at erf 10012, Tumahole, Parys. According to the ARA, the ARA entered into an agreement with the Ngwathe Municipal Council in order to formalise the 79 sites into townships. It was agreed that prior to the formalisation of the 79 sites; the ARA would each (per family) contribute financially to surveying the land. Subsequent to the survey having been completed, the Municipal Council denied the provision of services arguing that the residents of erf 10012 were illegally occupying the land.

According to the ARA a complaint was lodged with the Office of the Public Protector. Upon investigation by the Office of the Public Protector, the Council stated that the 79 sites were in fact serviced (ARA letter to Public Protector attached to the petition) when in fact the ARA states the 79 sites were not serviced.

**2. Relief sought**

The ARA seeks the following specific relief from Parliament:

- a) To intervene in respect of the provision of services to the 79 sites at erf 10012, Tumahole, Parys.
- b) To investigate the status of the 79 sites since the Municipal Council stated that the residents are illegal squatters whereas the ARA states that the residents are legally occupying the land.

**3. Reasons for the relief sought**

The ARA seeks the above relief from Parliament on the primary basis of the challenges being experienced by the communities it represents as a result of the lack of provision of services to the 79 sites. As already alluded to above these residents are being denied services they are entitled to as according to the ARA the correct processes were followed.



According to the ARA an agreement was entered into between the ARA and the Municipal Council whereby the residents of the 79 sites would financially contribute to the surveying of the erf. After the financial contribution was made and the land was surveyed, the Municipal Council refused to provide services to the 79 sites stating that the residents of the 79 sites were illegally occupying the land.

After a complaint was lodged, the Office of the Public Protector investigated the matter. The outcome of the investigation found that the ARA contributed their portion of R25 per family which amounted to an estimated R300, 00 per site. After the survey was completed the residents of the erf, 10012 did not receive services from the Council. However, the Municipal Council stated that they were in fact providing services to the 79 sites in question.

It is important to note that the prior to the petition (dated 2008), the matter was raised by the ARA at the Taking Parliament to the People event in 2006. Subsequent communication between the then Chairperson of the Select Committee on Petitions and Executive Undertakings, Hon. F. Adams and the Ngwathe Municipality took place in 2009. In 2014, the ARA once again wrote to the Chairperson of the National Council of Provinces seeking relief in the matter.

Since the relief via Parliamentary intervention was requested since 2006; the urgency of considering the petition cannot be over-emphasized.

#### **4. Recommendations to the Committee**

Parliament is urged to investigate and resolve the issue pertaining to the provision of services to the 79 sites at erf 10012, Tumahole, Parys.

Furthermore, the Committee should investigate the status of the 79 sites, since the Municipal Council stated that the residents are illegally occupying the 79 sites and therefore will not provide the services requested.