No.177 - 2022: Fourth Session, Sixth Legislature

**GAUTENG PROVINCIAL LEGISLATURE**

**========================**

**ANNOUNCEMENTS,**

**TABLINGS AND**

**COMMITTEE REPORTS**

**========================**

Monday, 23 May 2022

**ANNOUNCEMENTS**

none

**TABLINGS**

none

**COMMITTEE REPORTS**

**1. The Chairperson of the Petitions Standing Committee, Hon. B E Letsoalo, tabled the Committee’s Fourth Quarterly Performance Report for the 2021/2022 financial year, as follows:**



**PETITIONS STANDING COMMITTEE**

**COMMITTEE’S 4th QUARTER PERFORMANCE REPORT FOR THE 2021/2022 FINANCIAL YEAR**

### TABLE OF CONTENT

**TITLE PAGE**

[1. INTRODUCTION 3](#_Toc88726678)

[2. EXECUTIVE SUMMARY 3](#_Toc88726679)

[3. PETITIONS CONSIDERED DURING THE FOURTH QUARTER OF 2021/2022 FY 5](#_Toc88726680)

[3.1 New Petitions Adjudicated 5](#_Toc88726681)

[3.2 Closed petitions 7](#_Toc88726682)

3.3 Inadmissable petitions……………………………………………………………………….11

[4. COMMITTEE ACTIVITIES 1](#_Toc88726683)5

5. ANALYSIS…………………………………………………………………………………...16

[6.EVALUATION OF RESPONSIVENESS 18](#_Toc88726684)

[7. COMMITTEE’S OBSERVATIONS](#_Toc88726685) 21

8. RECOMMENDATIONS…………………………………………………………......21

[9. CONCLUSION 22](#_Toc88726688)

[10. ACKNOWLEDGEMENTS 22](#_Toc88726689)

[11 ADOPTION 23](#_Toc88726690)

**ACRONYMS/ABBREVIATIONS**

|  |  |
| --- | --- |
| FY  | - Financial Year  |
| GPG  | - Gauteng Provincial Government  |
| PSC  | - Petitions Standing Committee  |
| RDP  | -Reconstruction and Development Programme  |
| COGTA  | * Co-operative Governance and Traditional Affairs
 |
| MPL  | * Member of Provincial Legislature
 |
| MMC           | - Member of the Mayoral Committee  |

|  |  |
| --- | --- |
|  |  |

20 May 2022

The work of the Petitions Standing Committee is vast because we are a safety net, catching the sentiments of the disgruntled and despondent and inspiring hope where despondency is beginning to fester and breed. I have the esteemed pleasure as the Chairperson of the Petitions Standing Committee (PSC), to table the Committee’s 4th Quarter Performance Report for the 2021/2022 financial year and demonstrate how the Committee has worked hard to facilitate the resolution of petitions and eradicate despondency.

# 1. INTRODUCTION

This report which is drafted in accordance with Section 6(f) of the Gauteng Petitions Act (Act 5 of 2002), hereinafter referred to as “the Act”. Section 6(f) prescribes that "*the Committee must, on a quarterly basis report to the Legislature on the petitions submitted to it during that period and all its activities in respect thereof.”*

It is an uncontested truism that over 60% of the petitions that have been adopted by the Petitions Standing Committee throughout its existence, have been referred to municipalities for their investigation, intervention, and reporting. With this current reality, the Committee was please to hear the updated *State of Municipalities in Gauteng* Report on the 25th of April 2022. MEC for Co-operative Governance and Traditional Affairs: Mr Lebogang Maile stated that,

“It is important that issues raised in community complaints and **petitions** be urgently attended to by municipalities as they have the potential to result in service delivery protests or community unrest over delivery of basic services.”

MEC Maile further added that the Department wants to assist local government into becoming “people-centred centres of excellence that will be more effective in delivering services to citizens and bringing about a better life for all, in a qualitative manner”. The Committee looks forward to seeing an improvement in how municipalities handle petitions referred to them for intervention as, petitions that fall on deaf ears have the unfortunate potential of being the fuel that feeds violent service delivery protests.

# 2. EXECUTIVE SUMMARY

The petitions process remains the foundation to fulfil the Legislature’s mandate of creating an enabling platform for the people of Gauteng to bring forth matters regarding service delivery in a manner that legitimizes representative agency. As a crucial responsibility of government to deliver services that a society requires to maintain and improve its well-being. The Committee values the role that petitioners play in raising awareness of issues that may not otherwise reach the attention of authorities and plays its part in holding them to account.

This Quarterly Performance Report records the Committee’s performance for the 4th Quarter of the 2021/2022 financial year, against petitions submitted during the quarter. This translates to a period that started on the 1st of January 2022 and ended on the 31st of March 2022. It further highlights how the Committee has processed petitions and it summarises the Committee’s engagements with relevant authorities and petitioners. Furthermore, the report accounts for all activities the Committee undertook during the quarter under review.

The Committee adopted 13 new petitions during the 4th quarter and these were referred to various authorities for consideration and reporting as guided by Section 7 (e) of the Gauteng Petitions Act of 2002. There are currently 736 ongoing petitions and of these, over 70% were inherited from previous legislative terms, which now fall onto this current Committee’s shoulders to resolve. Thirteen (13) new petitions were added to these ongoing petitions bringing the total to 749. With the closure of eleven (11) petitions this quarter, the overall total is now 738 ongoing petitions.

Key highlights of the report:

* The Committee achieved a 84.6% resolution rate during the quarter under review and this is a 46.2% increase from the previous quarter.
* 76.9% of adopted petitions were referred to local government for investigation and reporting.
* Overall, across the four quarters, the Committee has achieved an overall 48.1% resolution rate, this is against the 83 adopted petitions over the four quarters.

This report further evaluates the responsiveness, efficiency and effectiveness with which petitions referred to relevant authorities were resolved. It also identifies areas where there were potential efficiency improvements to be made in the processing of petitions, including alerting the authorities on all new petitions received. Lastly, the report looks at the challenges the Committee encountered with authorities’ responsiveness to petitions and in addition, the systemic weaknesses related to the entry and handling of petitions from municipalities to provincial departments.

# 3. PETITIONS CONSIDERED DURING THE FOURTH QUARTER OF 2021/2022 FY

The Committee’s primary role is to receive and process petitions for consideration as required by the Petitions Act (No 5 of 2002). This section accounts for petitions that were referred to authorities by the PSC in terms of Section 7(e) of the Petitions Act of 2002.

## 3.1 New Petitions Adjudicated

During the reporting period, 13 new petitions were adopted. Most issues raised were housing related, and others being service delivery related. The petitions adopted during this period were referred to the relevant authorities for investigation and reporting.

The table below indicates the authorities which were engaged as per the adopted petitions during the quarter under review.

|  |  |
| --- | --- |
| **Authority** | **Petitions** |
|  City of Johannesburg | 1. Allocation of RDP House: Johannesburg PP19C/11/21/LO-HS (F COJ)
2. Yummy Thingz Restaurant: PP03D/02/22/LO Soweto (Moroka) Johannesburg
3. Allocation of RDP House: Johannesburg Phamela Hlekiso PP08D/03/22/LO-HS
4. Relocation of Residents of Kapok Informal Settlement Johannesburg: PP11D/03/22/LO-HS
 |
| Ekurhuleni Metro | 1. Allocation of RDP House: Ekurhuleni PP01D/02/22/LO-HS
2. RDP House application: PP06D/02/22/LO-HS Ekurhuleni Nthabiseng Tsotetsi
3. Allocated Stands without RDP House: Ekurhuleni Faith Dibakwana

PP09D/03/22/LO-HS1. Service Delivery Issues: Langaville: Ekurhuleni PP17C/11/21/LO
 |
| City of Tshwane | 1. Rezoning of Erfs: PP04D/02/22/LO Unit D Exit
 |
| Health Department |  1. Building of a Clinic: PP02D/02/22/HE Sebokeng (Zone 13) Sedibeng  |
| Emfuleni local Municipality | 1. RDP House application: PP07D/02/22/LO-HS Sedibeng Magdeline Rachel Tucks
 |
| Economic Development |  |  1. Noise Pollution & Disorder: PP05D/02/22/EC Pie 2 Pei Pub & Grill Tshwane |
| Social Development Department |  | 1. Unfair withdrawal of funding: Operation Geleza: PP10D/03/22/SD
 |
| **Total** | **13** |

During the reporting quarter, the Committee did not adopt many new petitions because most submissions did not meet the requirements set out by the Petitions Act. Furthermore, the remote working scenario caused a negative effect on walk-in submissions at the Legislature.

## 3.2 Closed petitions

During the period under review, the Committee closed 11 petitions. The Committee recognises that it is often difficult to directly correlate specific achievements with the petitions process. However, the closed petitions provide some examples of raising awareness and delivering positive change in relation to issues raised. A caveat that should always be kept in mind is that the Committee’s achievement cannot be only measured against the closure of petitions, as it does not control all the variables which lead to the closure of petitions.

1. **Request for amendments of online application criteria PP11C/11/21/ED**

The petitioner is Mr. Phillemon Moatshe, an adult male who resides at 111 Edison Street, Renstown, Hammanskraal, submitting the petition on behalf of residents of Hammanskraal.The petitioner alleges that Hammanskraal has two primary schools Klipdrift Primary where English is the medium of instruction and Unifees Primary School where Afrikaans is the medium of instruction. He explicates the online application criteria for the Department of Education placement of learners at schools is 30 km radius within the home or work address of the parent. And the online application system does not allow for parents or guardians to apply outside the 30 km radius to the parent or guardian’s home address. However, as per his account, no high school offers English as a Home Language within the 30 km to cater for learners in Hammanskraal, and the system rejects their applications because of their distant proximity to the schools. He further states that it is disconcerting that the criteria is incongruent with the reality that Hammanskraal residents reside in remote areas.

**Reason for closure:** The Gauteng Department of Education submitted a report indicating that the current Admissions Regulations were implemented with effect from 2020 for 2021 learner intake. The regulations were implemented for second time in 2021 for 2022 intake. Both the intended and unintended consequences are being studied in preparation for the review process. It is the view of the Department that the system has not stabilized and the review at this stage will be premature. The implementation of the regulations has direct dependency on the GDE policy for the Delimitation of Feeder Zones for Schools. Furthermore, the petitioner should note that all Secondary Schools the language of teaching is English and can be selected by learners as the First Additional Language.

1. **Request for placement PP13CD/03/21/ED: Letlhogonolo Moatshe**

The petitioner is Mr. Phillemon Moatshe, an adult male who resides at 111 Edison Street, Renstown, Hammanskraal, submitting the petition on behalf of residents of Hammanskraal. He alleges that he applied for the Grade 8 placement of his son (Letlhogonolo Ramotlhaka Moatshe) for the 2022 academic year. However, the system displayed Kitso Moema instead of his son’s name Letlhogonolo Moatshe. The system directed him to contact his son’s school – Klipdrift Primary School, where he was advised that the matter would take an hour, although the challenge persisted. His wife then proceeded to Temba Resource Center, where she had to make another application for their son as it was discovered that his son’s name was removed from the system. As per his account the schools within a 30 km radius were full by the 13th of August. He also alleges that schools over 30 km are full to maximum capacity, and schools within his work address could place his son as he works near North-West Province and resides in Tshwane (Gauteng).

**Reason for closure:** The Petitioner indicated his son was placed at a private school for the 2022 intake.

1. **Allocation of RDP House or Senior Citizen Accommodation: Orange Farm PP38D/03/21/LO-HS**

The petitioner is Mr. Joshua Sipheko, a 77-years old elderly citizen who resides at 15848 Extension 9, Orange Farm. The petitioner alleges that he applied for an RDP house in 1997, and to date, he has not been allocated a house. Consequently, in 2013 he applied for Senior Citizens Accommodation at the City of Johannesburg. He is awaiting the outcome of his application. He states that it is disconcerting that he has been overlooked in the allocation of a house for over 20 years. Due to the City of Johannesburg and the Gauteng Department's delay in allocating him a house or providing him with accommodation, he has been taken advantage of by Mr. Matshoba, who unlawfully sold him a house for R18 000.00, which he is grappling to recover. As an elderly citizen, he pleads with the City of Johannesburg and the Gauteng Department of Human Settlements to fast-track the process of allocating him a house or accommodation.

 **Reason for closure:** The Department of Human Settlements submitted a report indicating that the senior citizen is not registered on the Housing Subsidy System however, he will be registered accordingly and prioritized in one of the housing projects. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

1. **Allocation of RDP House: Sidwell Mncekeledi PP09C/10/20/LO-HS**

The petitioner is Mr. Sidwell Mncekeleli, an adult male who resides at 46 Aluta Crescent, Hospital View, Tembisa. He alleges that he was removed from his shack at Harry Gwala Squatter Camp in 2004 as the municipality confirmed that it was not habitable as there was no electricity, water, and sanitation. However, he alleges that he moved as well as other community members on the proviso that they would be allocated RDP houses in due course and were encouraged to formally apply for housing that same year (2004). As a result, he alleges that he moved to Tembisa and rented a room for his family as he was under the impression that it would be temporary however, he was never allocated a house to date. He appeals for urgent intervention as he is unemployed with three (3) children who receive a government grant which they survive on after having to pay rental of R1 000 which they cannot afford as his wife also does not have a permanent job but does odd jobs.

**Reason for closure:** The Department of Human Settlements submitted a report indicating that he will be considered for the next coming allocations at Chief Albert Luthuli Ext.06. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

1. **Allocation of RDP House: Sinbie Memani PP08C/10/20/HS-LO**

The petitioner is Ms. Sinbie Yvonne Memani, an adult female who resides at 471 Corner Rebecca Thlaripe Street, Ext.13, Kagiso, Krugersdorp. She alleges that she applied for an RDP house in 2003 but was never allocated a house. She further alleges that when she enquired about the matter at the municipal offices, it was discovered that a house was allocated in her name however, she claims that the said address is an RDP house that belongs to Sihume which she is renting for R1500. She therefore requests that she be allocated a house as she is currently suffering and can no longer afford to pay rent.

**Reason for closure:** The Department of Human Settlements submitted a report indicating that Ms. Memani was renting a serviced stand (16462) which is registered under Mr. and Mrs. Sehume. Her subsidy application was approved in 2004 on stand 16462. The stand owners where she rented have since evicted her from their RDP house. The internal ratification process has commenced allowing her to be allocated a house. The Joint Allocations Team (JAT) has included her name in the next allocations at Kagiso, Ext.13. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

1. **Allocation of RDP House: Tshilo Dama PP10C/11/21/LO-HS**

The petitioner is Ms. Tshilo Dama, an adult female who resides at 9318 Morava Street, Extension 10, Lenasia. The petitioner alleges that she applied for an RDP house in 2016, however to date, she has not been allocated a house. The petitioner alleges that when she enquired about the status of her application at Lenasia municipal offices, she was informed that she was not eligible for a house. The reason provided by the municipality is that she lives in an RDP house. However, she states that the RDP house she is living in does not belong to her; instead, she is renting the house. She states that she is shocked that her name appears in the list of beneficiaries who have been allocated RDP houses.

**Reason for closure:** The Department of Human Settlements submitted a report indicating that Ms. Dama was approved as a beneficiary who will be allocated a house at Thembelihle. The first phase of the Thembelihle housing project is full so she will be considered in the next phase of the project. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

1. **Formalisation of IQ 548: Quaggasfontein PP03A/03/12/RD**

The petitioner is Maniki Mokhema on behalf of the community of Waterdal in Vereeniging. The petitioner alleges that they have asked Emfuleni municipality to assist them with the formalization of IQ 548 in Quaggasfontein into an agricultural area. The petitioner alleges that they have not received any response from the municipality and would like Ward 16 to remain an agricultural area as it has been all along.

**Reason for closure:** The petitioner confirmed that the matter is illegal occupation as there are people illegally occupying land on his farm and not ‘Formalisation of IQ 548’ as encapsulated. The matter is a legal matter.

1. **Old age centre building: Sebokeng PP08D/02/20/LO-HS**

The petitioner is Ms. Rebecca Oliphant submitting this petition on behalf of the community. The petitioner alleges the Department of Public Works allocated R2.2 million for the building of old age centers around Sebokeng, which were later built and completed. Mr. Seale, who is the Chairperson, informed the beneficiaries that the building belongs to him wherein he was supposed to hand it over to the Department Social Development. Ikageng Centre for the Aged was built on the crèche land and it was given R130 000. Rorisane Centre for the Aged was build and managed by Mr. Bongane who is late, currently the centre is under the management of his daughter who is squandering the funds.

**Reason for closure:** The Department of Social Development submitted a comprehensive report addressing the utilization of all old age centre buildings in Sebokeng.

* It indicated that it has no jurisdiction over the former Bongane Day Care Centre. The building was built through the extended public works programme however, the Department of Social Development was never involved in the process. A proposal was made by the then HOD to the founder to include programmes that cater for the elderly at the centre however, this was never done. The building is currently a church that is private property as there is a title deed in this regard.
* The Department is in the process of assisting Ikakgeng Service Centre to be a registered entity so it can fully operate as a service centre. The organization receives funding for fifty-four (54) beneficiaries.
* Rorisang Service Centre is utilized for the benefit of senior citizens and the Department is funding twenty (20) beneficiaries at the centre.
1. **Lack of Health service: Lesedi PP02D/01/16/HD**

The petitioner is Mr. Mike Moriarty, an adult male residing at 104 Raglan Street, Sydenham, Johannesburg, submitting this petition on behalf of the community of Lesedi, Sedibeng. The petitioner alleged that there was lack of medical supplies and a shortage of ambulances at local clinics and the hospital in the Lesedi district. He further alleged that the staff members at the local clinic are incompetent and open the clinic late but close early without giving patients notices thereof.

**Reason for closure:** The Department of Health submitted a comprehensive report dated **15th March 2017,** which was subsequently forwarded to the petitioner for a written reply on the 06th April 2017. On the 11th of April 2017, the petitioner requested for an extension to reply, which was granted and as a result the petitioner’s response was expected on the 27th April 2017. To date the petitioner has not responded to the report and the issues that he had raised were addressed in the report. The petition continues to clog the system.

1. **RDP House Application: Edgar Tlaka PP07D/02/21/LO-HS**

The petitioner is Mr. Edgar Tlaka, a 45-years adult male who resides at 2017 Anaboom Street, Ebonypark, Extension 4, Midrand. The petitioner alleges that he applied for an RDP house in 1996 and has not been allocated a house to date. He states that he has on several occasions enquired about the status of his application at municipal offices in Johannesburg, and to his dismay, his subsidy has not been approved. He states that he recently inquired at Johannesburg municipal offices regarding his RDP House application status, and municipal officials advised him to approached Ekurhuleni municipality, as Ekurhuleni Municipality had Housing Development Projects underway at that time. However, he was not a beneficiary of the Development Project in Ekurhuleni. He also asserts that it was disconcerting that applicants who applied recently were allocated houses while he is still awaiting the allocation of a house.

**Reason for closure:** The Department of Human Settlements submitted a report indicating that the petitioner will be allocated a house at Diepsloot, Riversand where there is currently a Mega Housing project. There are no active housing projects in Ivory Park. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

1. **RDP House Application: Elizabeth Molefe PP06D/02/21/LO-HS**

The petitioner is Ms. Elizabeth Molefe, a 56-years adult female who resides at 165A, Zone 7, Inqunqula Street, Meadowlands, Soweto. The petitioner alleges that she applied for an RDP house in 1996 and has not been allocated a house to date. She states she has long been a tenant as she has never owned a house. She further states that she is currently paying R1300.00 for rental and requires a decent home for children. She contemplates that as a woman nearing retirement, she would not afford to pay rent once she is a pensioner. She thus requests the intervention of the Legislature to fast-track the allocation of her house.

**Reason for closure:** The Department of Human Settlements submitted a report indicating that they contacted Ms. Molefe and assisted her to complete a housing subsidy application form. The Department is in the process of capturing her application and she is earmarked to be allocated a house at Lufhureng, Ext.05 when her application has been approved. Once her Housing Subsidy Application has been approved, she will be contacted to be allocated a house. The petition will be forwarded to the Portfolio Committee on CoGTA and Human Settlements for monitoring and oversight.

3.3 **Inadmissible Petitions**

Petitions are assessed by the Committee against the format and content criteria of Section 4 (4) of the Gauteng Petitions Act (Act 5 of 2002). Those which do not meet the requirements are found to be inadmissible. During the reporting period, there were petitions rejected by the Committee because their complaints fall outside their scope, and some were because of insufficient information submitted. Regarding those that had insufficient information, the Committee’s support staff is mandated to request the missing information from the petitioners.

The following petition proposals received were deemed inadmissible:

1. **Birth Certificate: Xolani Botya Johannesburg PP12D/03/22/HA**

The submission was rejected on the basis that firstly, the petitioner could not be located, telephonically or physically. Secondly, that the matter was in the competence of the National Government.

# 4. COMMITTEE ACTIVITIES

The activities for the quarter were informed by the Committee’s Annual Performance Plan. They included the following:

**4.1 Committee Meetings**

The Committee conducted two meetings, which focused on tabling and the adoption of reports, adoption of new petitions, deliberations on the resolutions taken by the Committee, deliberation on petitions proposed for closure, and consideration of submitted reports from authorities. The third Committee meeting could not happen, due to the institution abruptly changing the institutional term programme and that had far- reaching ramifications for already planned Committee engagements.

**4.2 Oversight Visits** **and Public Engagement**

To ensure responsiveness and accountability, oversight visits to different sites have been instrumental in the petition process to facilitate effective and insightful scrutiny.

The Committee held two hearings on the 4th and 28th of March 2022 during the period under review. Through hearings, the Committee seeks to enhance public involvement and participation by providing constant feedback to petitioners, including ensuring meaningful engagements through hearings.

On 4th of March 2022, the Committee held hearings on 10 petitions in Vosloorus, Ekurhuleni, but did not close any petitions only commitments were received from authorities which until today were not yet implemented. On 28th of March 2022, the Committee held another hearing on thirteen (13) petitions in Mabopane, City of Tshwane and commitments were made which responding authorities are yet to adhere to.

The Committee conducted an oversight in Ivory Park on incomplete RDP Houses on the 10th of February 2022 (Delays in the Construction of RDP Houses: PP40B/09/19/LO). After many deliberations, the Human Settlement Department, together with the City of Johannesburg were asked to intervene and hold meetings to best explain the allocation process and that the community should not block work, as there will be other projects where they’ll benefit. The possibility of building stake-up houses was also deposited.

The Committee had to defer two workshops due to the institution abruptly changing the term programme. A workshop on the Petitions Act was planned for the 14th of March and another workshop with GPG PLOs was also planned for the 29th of March and these too could not be convened as the planned day, was no longer a governance cluster day. Moreover, the third external hearing which was planned for COJ also needed to be postponed due to the same reasons.

1. **PETITIONS ANALYSIS**

 The Committee adopted thirteen (13) new petitions in the fourth quarter of the 2021/2022 (FY). Table 1 below illustrates the distribution of the thirteen (13) new petitions in accordance with authorities to which the petitions were referred to. 76.9% of the adopted petitions were referred to local government 30.7% (4) to City of Johannesburg, 30.7% (4) to Ekurhuleni Metropolitan, 7.6% (1) to City of Tshwane and, 7.6% (1) to Emfuleni Local Municipality.

Table 2 below is a Quarter-on-Quarter comparison of the four quarters of the 2021/2022 FY. During the quarter under review, the Committee achieved a 84.6% resolution rate, which is a 46.2% increase from the 38.4% resolution rate achieved in the third quarter. Overall, across the four quarters, the Committee has achieved an overall 48.1% resolution rate, this is against the 83 adopted petitions over the four quarters. This is a positive outcome considering that the Committee’s term programme was disrupted by the institution abruptly changing the term calendar.

Table 3 below demonstrates the regional and gender distribution of the adopted petitions. Put simply, where the petitioners are from, despite which responding authority they are referred to. 30.7% of the petitions emanate from the City of Johannesburg Metropolitan Municipality (4), and another 30.7% emanated from Ekurhuleni Metropolitan Municipality (4). Overall, 53.8% (7) of the petitioners were female.

#  EVALUATION OF RESPONSIVENESS

Section 6(f) (i) and (ii) of the Petitions Act provides for the Committee to evaluate the responsiveness, efficiency and timeliness with which petitions referred in terms of Section 7(e) were resolved.

The table below provides information extracted from Gauteng Provincial Departments Second Quarter reports under their *Petitions Management* section. Comparing their reporting against the referred petitions they received from the Committee during the quarter under review and verifying the validity of the reporting.

|  |  |  |  |
| --- | --- | --- | --- |
| **Responding authority**  | **Petitions referred** | **Petitions Responded to (Q4 referrals)** | **Other petitions responded to** |
| COGTA and Human Settlement (including Municipal petitions) | 4 (COJ)4 (EMM)1 (COT)1(Emfuleni) |  The COGTA 4th quarterly report to the GPL Human Settlement & COGTA Portfolio Committee noted that there weren’t any petitions received. A report through the COGTA Department was submitted on the following petition: **Allocated Stands without RDP House: Ekurhuleni Faith Dibakwana PP09D/03/22/LO-HS** | None  |
| Department of Economic Development | 1 | None (Despite the fact that in the Department’s 4th quarterly report submitted to the Economic Development Portfolio Committee they acknowledge receipt of the petition [**Noise Pollution & Disorder: PP05D/02/22/EC**] and further note that the Gauteng Liquor Board has investigated the matter and submitted a report to the Department) | Two petitions from other years were mentioned, as their reports are also awaiting the MEC’s approval and signature: **PP1A/05/17/LO**  **And** **PP02D/01/16/HD**  |
| Department of Social Development | 1 | None (nothing was populated in the *Petitions Management* Section) | None  |
| Department of Health | 1 | None (Based on the Department’s 4th quarterly report to the GPL Health Portfolio Committee, the Department received the one referred petition [**Building of a Clinic: PP02D/02/22/HE Sebokeng (Zone 13) Sedibeng])** the report is awaiting the MEC’s approval and signature.  | None  |

It is still worrying that in their fourth quarter report, the Department of COGTA did not populate the *Petitions Management* Section of the Standardised Oversight, Accountability and Reporting for Gauteng Province (SOAR-GP) reporting template, and they needed to report 10 municipal petitions through the COGTA report. The Committee is worried about the GPG Departments that note the referred petitions but have still not submitted them, despite them being overdue. Of the 13 referred petitions, only one was responded to: **Allocated Stands without RDP House: Ekurhuleni Faith Dibakwana PP09D/03/22/LO-HS.** This cannot be an acceptable scenario as community members rely on the petition system when all other avenues have been exhausted.

The Committee urges the responding authorities to take seriously the requirements of the *Petitions Management Section* of the Standardised Oversight, Accountability and Reporting for Gauteng Province (SOAR-GP) reporting template. The PSC relies on the responsiveness of departments and municipalities towards the closure of adopted and referred petitions.

# COMMITTEE’S OBSERVATIONS & CONCERNS

#  It is evident in this quarterly report and the insights sampled from an analysis of petitions that a vast majority of the Committee petitions require responses from local government.

# The Committee noted with concern that:

1.1 A recurring trend has been observed with authorities that attend hearings, that they do not adhere to the mutually agreed upon commitments nor do they adhere to agreed upon timeframes reached. This directly hinders the finalisation and closure of petitions.

1.2 Moreover, only one petition was responded to, and the rest are still awaiting responses. The Committee implores local government and GPG Departments to attend to referred petitions, and not only wait for external hearings to furnish the Committee with reports.

* 1. The Committee has been making the same plea since 2019 that the Leader of Government Business, the Office of the Premier and the Department of Co-operative Governance and Traditional Affairs and Human Settlement ought to intervene on the system inefficiencies that underpin how provincial and local government handle petitions referred to them by this Committee. It would seem that very little has been done to address these inefficiencies as challenges persist.
1. **COMMITTEE RECOMMENDATIONS**

Noting the concerns and observations raised in this report, the Committee recommends that:

14.1 The Leader of Government Business, the Office of the Premier and the Department of Co-operative Governance and Traditional Affairs and Human Settlement intervene on the system inefficiencies that underpin how provincial and local government handle petitions referred to them by this Committee and provide a progress report on the matter by **30 July 2022.**

14.2 The Leader of Government Business provides the Committee with a report on the Status of Departmental compliance with the *Petitions Management Section* of the Standardised Oversight, Accountability and Reporting for Gauteng Province (SOAR-GP) reporting template in their Quarterly reports for the past 3 quarters as per the standing resolution on this matter. Factual reporting on this matter is vital. The report should include: What mechanisms can COGTA put in place to ensure seamless reporting from local government? What mechanisms can the Leader of Government Business and the Office of the Premier put in place to ensure that all GPG departments complete this section factually and accurately? The report should be submitted **by 30 July 2022.**

14.3 The Leader of Government Business should provide a report on what measures are in place to ensure Departments are held accountable to process petitions timeously in keeping with the timeframes prescribed in the Petitions Act? What mechanisms are there further, to ensure compliance to the Petitions Act and the turnaround time afforded to responding authorities? The report should be submitted **by 30 July 2022.**

# 9. CONCLUSION

The role of the Petitions Committee is vital. Whilst seeking intervention, the Committee will continue with its commitments to strengthen transparency, accountability, and accessibility through the most effective tool available for resolving service delivery issues. The Committee expects relevant authorities to be forthcoming and be co-operative, as the Inter-governmental Relations Framework has outlined.

# 10. ACKNOWLEDGEMENTS

I would like to take this opportunity to acknowledge and thank the following Committee Members: T Ndlovu; G Schneemann; P Mabunda; K Diale; S Chabalala; W Peach; M Mofama; M Ledwaba and K Tong.

We further wish to acknowledge the contributions and support provided by the Group Committee Co-ordinator, Ms M Vaas; Acting Committee Co-ordinator, Ms N Mfuku; Committee Researcher, Mr S Ngwane; Petitions Officers, Mr M Likhade and Mr S Teane; Petitions Administrator, Ms J Shabalala and Ms M Shabangu; Legal Advisor, Advocates Kekana and Mudau; Senior Information Officer, Mr J Letsoalo; Hansard Recorder, Mr K Xulu and Service Officer, Mr I Phakathi.

#  ADOPTION

In accordance with Rule 164, the Petition Standing Committee hereby presents the report to the House for adoption.