

WARD 53 COMMITTEE :

DATE: 1 / 10 / 2018

53WC15/10/18

MOTION OF EXIGENCY:**URGENT INTERVENTION REQUIRED TO STOP ILLEGAL
LAND OCCUPATION ON ERF 114412-RE OWNED BY
PRASA****BACKGROUND**

As of August this year there was a 53% increase in the number of land invasions in the Metro area compared to the same time last year. In the period January to August 2018 there were 200 land invasions in the Metro.

National Government confirms that it has a constitutional duty to assist private landowners to protect their land. Unlawful occupiers have to be evicted, the private landowner must, without delay, approach the court for an eviction order in terms of the Prevention of Illegal Eviction From and Unlawful Occupation of Land Act, 1998 (Act 19 of 1998). This law is currently administered by the Department of Human Settlements.

Western Cape Government states that unlawful occupation of land infringes upon basic Constitutional human rights as entrenched in the Constitution. However the Province acknowledges that illegal eviction also infringe upon basic Constitutional human rights. Therefore, Constitutional rights of both occupiers and landowners must be treated in a careful and balanced manner.

The City of Cape Town, which is at the coal face of land invasions, will not tolerate land invasions in the City; and law enforcement agencies will not hesitate to act as land invasions are illegal and pose fire, health and flood risks to our communities.

MOTIVATION

Approximately 45 shacks were erected on the weekend of 22/23 September 2018 on erf 114412-RE, Langa owned by PRASA. For two consecutive weekends more shacks were erected. The City is unable to act on the invaders unless commissioned by PRASA to do so. PRASA refuses to take action as they fear the land invaders will damage the rail infrastructure.

During this time the illegal occupants of the land dug an open latrine on erf 32511-RE Epping Industria, owned by the City. The open unhygienic latrine on the property cannot be allowed to remain for health reasons.

MOTION:

Ward Committee for Ward 53 requests Subcouncil 15 to:

1. Call on the Anti Land Invasion Unit to liaise with PRASA with a view to prevent the extension of the land invasion on erf 114412RE, Langa and to take steps to remove the current illegal land invaders.
2. Request the City's Health Department to take action to eradicate permanently the open latrine on Council owned erf 32511-RE, Epping Industria.

MEMBER (SUBMITTED BY):

A BARTLAND

DATE:

1 Oct 2018

SECONDED BY:

R. R. R. R.

DATE:

01 October 2018

CHAIRPERSON:

W. W. W.