

22 July 2025

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Dear Dr Mothamaha

## **URGENT OBJECTION AND REQUEST FOR CLARIFICATION: UNSERVICED LAND ALLOCATIONS IN PARYS**

AfriForum represents the interests of its members and the community in Parys. We write to you on behalf of the concerned residents and AfriForum members in Parys, following the recent allocation of residential land in Tumahole Extension 7 and Schonkenville Extension 8.

While we acknowledge the importance of land redistribution, we are deeply alarmed by the allocation of unserviced erven, which contravenes both constitutional obligations and the municipality's own planning frameworks.

This objection is grounded in both community concerns and the statutory requirements outlined in the Ngwathe Municipality's Integrated Development Plan (IDP) 2025/26 and Spatial Development Framework (SDF). The following issues require urgent attention:

### **1. Legal and planning irregularities**

- Allocations appear to have been made without SPLUMA compliance, including proper zoning and valid SPLUMA certificates.
- The allocated areas fall outside designated priority development zones, as identified in the SDF.
- There is no evidence of public participation or environmental impact assessments, in direct violation of IDP and SDF principles.

### **2. Infrastructure and service delivery failures**

- The IDP mandates that housing development must be accompanied by infrastructure planning. Yet, the allocated erven lack:

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**Member Affairs – Email:** [ledesake@afriforum.co.za](mailto:ledesake@afriforum.co.za) • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Dr H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries, Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.  
**Registration number:** 2005/042861/08 • **NGO number:** 054 - 590

- Potable water connections
- Sanitation and sewer systems
- Electricity supply and grid extension
- Road access and stormwater management
- The current water purification plant in Parys is failing to deliver clean water, violating Section 27(1)(b) of the Constitution.
- The wastewater treatment works are dysfunctional, posing serious environmental and health risks.
- The electricity grid is unstable and overloaded, and cannot accommodate additional users without urgent upgrades.

### **3. Constitutional and statutory violations**

- Section 26 of the Constitution guarantees the right to housing in a safe, dignified, and serviced environment.
- SPLUMA prohibits development or occupation of land without available and planned service infrastructure.
- The Mayor's statement that "residents must first build and the municipality will look into service delivery later" is legally indefensible and contradicts national planning legislation.

**We therefore formally request the following information by 15 August 2025:**

1. Planning documentation
  - General Plans and SG diagrams for Tumahole Extension 7 and Schonkenville Extension 8
  - Registered layout plans with stand numbers, public spaces, and infrastructure
  - Proof of township approval by the Free State Provincial Government
2. Infrastructure commitments
  - Full rollout schedule for water, sanitation, electricity, and roads
  - Project tenders, contractor appointments, and completion timelines
3. Compliance and impact assessments
  - Zoning status and SPLUMA certification for each allocated erf
  - Environmental impact assessments and engineering reports
  - Written approvals from relevant departments (Human Settlements, Environmental Affairs, Health, Public Works)
4. Public participation records
  - Minutes or reports from community consultations
  - Notices and feedback mechanisms used
5. Water infrastructure timelines
  - Rehabilitation plans for the Parys water purification plant
  - Emergency measures to prevent service collapse

**Right of access to information**

In terms of the Promotion of Access to Information Act (PAIA), Act 2 of 2000, we formally request the above documents within 20 working days. If additional time is required, a written explanation must be provided within 14 days.

**Conclusion**

The residents of Parys have a constitutional right to clean water, sanitation, electricity, and a safe environment. The current land allocations, if left unaddressed, will deepen service delivery failures and expose the municipality to legal and administrative consequences.

Should we not receive a satisfactory and timely response, we reserve the right to escalate this matter to:

- The Free State Department of Human Settlements
- The Department of Water and Sanitation
- The Office of the Public Protector
- The South African Human Rights Commission

We trust that the Ngwathe Municipality will act responsibly and transparently in addressing these urgent concerns and provide the requested information promptly. Should these allocations be found to contravene planning legislation, we reserve the right to pursue further legal and administrative remedies.

We look forward to your soonest reply.

Kind regards

**Alta Pretorius**

**District Coordinator: Mooirivier**

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