



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA



EdST

Enquiries: C Netshidzivhani  
Telephone: 012 336 8008  
Reference: 2/1/5/1

### MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

#### NATIONAL ASSEMBLY: QUESTION 1558 FOR WRITTEN REPLY

A draft reply to the above question asked by Mr G R Morgan (DA) is attached for your consideration.

DIRECTOR-GENERAL

DATE: 10/07/2012

DRAFT REPLY APPROVED/AMENDED

MRS B E E MOLEWA, MP  
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

DATE: 20/07/11

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 1558

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 08 JUNE 2012  
(INTERNAL QUESTION PAPER NO. 17)

**1558. Mr G R Morgan (DA) to ask the Minister of Water and Environmental Affairs:**

- (1) Whether, with reference to her reply to question 1327 on 18 May 2012, she has been informed of a certain letter of complaint (details furnished); if so, what was her response to the letter; if not,
- (2) whether she will investigate the issues raised in the specified letter; if not, why not; if so,
- (3) whether the person against whom the complaint is being lodged in the letter will be investigated for racial discrimination against the previous owner of the portion of land; if not, why not; if so, what are the relevant details of the process that will be undertaken;
- (4) whether she will provide a written response to the firm of attorneys on this specified matter; if not, why not; if so, what are the relevant details? NW1879E

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**REPLY:**

- (1) Yes, a letter of complaint was received and acknowledged by the Director-General and a response regarding compensation was sent to the Representatives acting on behalf of the said person (names furnished). Refer to **Annexure A**.
- (2) The official (name furnished) was asked to respond to the allegations made against her. In her response, she denied having uttered such racial remarks to Mr. Haarsbroek.  
  
For the Department to conduct proper investigation, the incumbent (name furnished) must provide the Department with proof of his allegations. However, the Department has responded to the letter of complaint by the Representative acting for the incumbent (names furnished). Refer to **Annexure B**.
- (3) Falls away.
- (4) Falls away.

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**MINISTER  
WATER AND ENVIRONMENTAL AFFAIRS  
REPUBLIC OF SOUTH AFRICA**

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Private Bag X9052, Cape Town, 8000, 120 Plein Street, Tel: +27 21 464 1500, Fax: +27 21 465 3362

Reference: 2/1/5/1

**By Fax: 021 461 0092**

Mr G R Morgan, MP  
Parliament  
P O Box 15  
**CAPE TOWN**  
8000

Dear Mr Morgan

**NATIONAL ASSEMBLY: QUESTION 1558 FOR WRITTEN REPLY**

In response to your National Assembly question 1558, below is the name of the official.

Ms Mangotlo was asked to respond to the allegations made against her. In her response, she denied having uttered such racial remarks to Mr. Haasbroek. (In line with the letter by the Representatives Len Dekker and Associates on behalf of Mr Haasbroek).

Yours sincerely

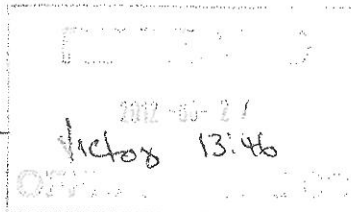
A handwritten signature in black ink, appearing to read 'BEE Molewa'.

**MRS B E E MOLEWA, MP  
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

DATE: 2012/07/11



water & forestry  
Department:  
Water Affairs and Forestry  
REPUBLIC OF SOUTH AFRICA



DW137  
**FINALISED**

Tracking no

**D1074**

## ROUTE FORM

BRANCH: CORPORATE SERVICES

Reference No.:

**PAYMENT OF COMPENSATION TO P R HAASBROEK: EXPROPRIATION FOR TAKING OF MATERIAL**

DRAFTING OFFICIAL		SUPERVISOR	
Name: P Mangotlo		Name: C Netshidzivhani	
Extension: 8949 Office No.: SED 624		Extension: 8008 Office No.: SED 654	
Rank: Deputy Director	Date: 2012/05/23	Rank: Acting Director	Date: 2012/05/23

Rank	Date	Initials	Office No		Rank	Date	Initials	Office No	
DD:	6/07/2012		S624	▼	DD:			S624	▲
D: A	13/07/2012		S641	▼	D: A			S641	▲
Act. DDG: CS			S904	▼	Act. DDG:CS			S904	▲
Act. DDG: NWRI	29/06/12		S941		Act. DDG: NWRI			S941	
									▲
				▼					▲
									▲

\* In the case of financial/legal issues

Language Practitioner.: Signature *[Signature]*  
Date: 29/6/12

▼ *[Signature]* DG 02/07/12 ▲

▼ DEPUTY MINISTER ▲

▼ MINISTER ▲

INSTRUCTIONS/REMARKS BY MINISTER: WATER AFFAIRS



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA

ENQUIRIES: P Mangotlo  
TELEPHONE: 012 336-8929  
REFERENCE: D10741

### DIRECTOR-GENERAL

#### PAYMENT OF COMPENSATION TO P R HAASBROEK: EXPROPRIATION FOR TAKING OF MATERIAL

##### 1. PURPOSE

- 1.1 To provide background information to the Director-General on the compensation payable to Mr P R Haasbroek in relation to the letter received from Len Dekker & Associates.
- 1.2 To request you to sign the letter addressed to Mr Haasbroek.

##### 2. BACKGROUND AND DISCUSSION

- 2.1 Servitude of temporary occupation and taking of material has been acquired over the remainder of portion 5 of the farm Beaufort 32, registration division: LT for a period of 15 months (1 February 2012 to 30 April 2013). Mr. JH Boshoff of JH Boshoff Rural and Urban Valuations was appointed by the Department of Public Works in 2008 to value the servitude of aqueduct and other infrastructure/land affected by the Levuvhu Government Water Scheme, (see **Annexure A**). The Valuer valued the property of Mr. Haasbroek in December 2011 and January 2012. A valuation report (see **Annexure B**) dated 1 December 2011 was received by the office, and an amount of R 385 000 was determined by the Valuer as the compensation amount payable to the property owner.
- 2.2 The submission and notice of expropriation were received for approval by the Deputy Director: Land Matters. The amount of R385 000, plus solatium of 10% (R38 500) totalling to R423 500 was approved as the compensation payable. This amount was wrongly calculated, as a result Land Matters made corrections to the wrongly calculated amount by ensuring that 10% is added only to the R100 000 and 5% to the R285 000. This means that the amount of R385 000, plus solatium of 10% (R10 000); plus solatium of 5% (R14 250) plus 14% vat of R409 250 which is (R57 295) totalling to R 466 545 was paid to Mr Haasbroek's account on 9 May 2012.
- 2.3 Land Matters received a letter from Mr Haasbroek's attorneys objecting the offer made. The office has already received the addendum valuation report (see **Annexure C**). The office will seek advice from Legal Services and the Director General will be informed of the legal opinion.

##### 3. IMPLICATIONS

- 3.1 Personnel
  - 3.1.1 None
- 3.2 Financial
  - 3.2.1 This will depend on the outcome that will be received from Legal Services.
- 3.3 Legal

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3.3.1 The valuation reports and the relevant documents will be forwarded to Legal Services for Legal opinion. A copy of the Legal opinion will be forwarded for your attention.

3.4 Communication

3.4.1 None

**4. OTHER COMPONENTS CONSULTED**

4.1 None

**5. RECOMMENDATIONS**

It is recommended that:

- 5.1 You note the background information of the compensation payable to Mr Haasbroek's matter.
- 5.2 You sign the attached letter addressed to Mr P R Haasbroek.

*Gause Mahler* ✓

**DEPUTY DIRECTOR GENERAL: CORPORATE SERVICES (Acting)**

DATE: 13/06/12

RECOMMENDATION 5.1 NOTED ✓

*Zyurape*

**ACTING DEPUTY DIRECTOR GENERAL: NATIONAL WATER INFRASTRUCTURE**

DATE: 21/6/2012

RECOMMENDATION IN 5.1 NOTED ✓

LETTER SIGNED/~~NOT SIGNED~~

*Musweya*

**DIRECTOR-GENERAL**

DATE: 02/07/2012



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA

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Tel: (012) 336-6696, Fax: (012) 336-8850,

Enquiries: C Netshidzivhani

Telephone (012) 336 8008

Our Reference: D10741

Mr Phillip Rudolf Haasbroek  
PO Box 58  
**LEVUBU**  
1029

Dear Mr Haasbroek

### **PAYMENT OF COMPENSATION TO P R HAASBROEK: LEVUVHU RIVER (NANDONI DAM) GOVERNMENT WATER WORKS**

Your letter dated 1 June 2012 has reference.

The original compensation offer is according to the valuation report amounting to R385 000.00. The Department of Water Affairs has incorrectly calculated the amount, which has since been rectified as follows:

Original offer	=	R385 000.00
Solatium	=	R 24 250.00
<b>Total</b>	=	<b><u>R409 250.00</u></b>
Plus 14% VAT	=	R 57 295.00
<b>Total</b>	=	<b><u>R466 545.00</u></b>

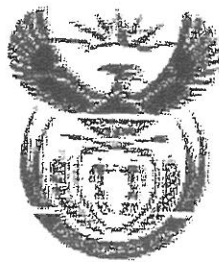
The total amount of R466 545.00 has already been paid into your bank account as compensation for the servitude of temporary occupation. Please disregard the letter sent to you with compensation amount of R423 500.00, as it was wrongly calculated.

I have taken note of the objection to an offer made by you however; my Department is seeking advice on the matter and you will be informed of the outcome once the matter is finalised.

Yours sincerely

Mr M Sirenya  
DIRECTOR-GENERAL

DATE: 02/07/2012



Ministerio de Obras Públicas, P.O. Box 751  
San Francisco de Asís, San Francisco y Maricao, P.R.

From: NATIONAL DEPARTMENT OF PUBLIC WORKS  
Tel: (01233) 2452 Fax: (01233) 3776 e-mail:

Enquiries: Mr L du Toit Ref: 177134/0508/20

Mr L H Boshoff  
P O Box 751  
HENFREYS BAY  
8030

APPOINTMENT TO VALUE SERVITUDES OF ACQUEDUCT (PIPELINE) AND OTHER  
INFRASTRUCTURE/LAND AFFECTED BY THE LEVUVHU GOVERNMENT WATER SCHEME

1. The Department requires a determination of market related rental for the above-mentioned property and would be pleased to learn whether you would be prepared to undertake it.
2. To comply with this request, you will have to carry out a thorough investigation of current market conditions in the area and make analysis of actual sales transactions that have recently taken place in the open market.
3. Should you find it necessary to obtain professional advice on a particular aspect in order to determine the value of the subject property, you should first obtain the approval of the Department before incurring any costs.
4. Compensation for your services will be paid in accordance with the tariffs determined by the Department.
5. No additional compensation will be paid for the completion of any form or the fact that the valuation report must be completed in a prescribed format or for the typing of the valuation report.
6. The report must be completed in English.
7. You are furthermore required to contact Mr John Rooyen from the Department of Water Affairs and Forestry who will provide you with all relevant information.

DIRECTOR VALUATIONS  
DATE: 2008/05/21





# water affairs

Department:  
Water Affairs  
**REPUBLIC OF SOUTH AFRICA**

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Tel: (012) 336 7500, Fax: (012) 336 7267, [www.dwa.gov.za](http://www.dwa.gov.za)

Enquiries

Mr C Netshidzivhani

Tel: 012 336 8008

Fax: 012 336 7267

Mr L Dekker  
Len Dekker Prokureurs  
Posbus 25720  
Monument Park  
0105

Dear Mr Dekker

## **COMPLAINT REGARDING CONDUCT OF MS P MANGOTLO DEPUTY DIRECTOR LAND MATTERS**

Your letter dated 9 May and 4 July 2012 refers

Ms P Mangotlo is the Deputy Director in the Sub-Directorate: Land Matters which falls within the Directorate: Administration. Her responsibility amongst others is to verify the payments to be made to the Departmental clients after receiving reports from the responsible officials within the sub-directorate and this will include Mr. Haasbroek report.

Regarding the payment of Mr. Haasbroek, the office inclusive of Ms P Mangotlo as the manager verified the amount payable to the property owner, and it was realized that the amount of R423 500 was wrongly calculated. An amount of R466 545 was the correct to be paid. On 9 May 2012 the amount of R466 545 which included solatium and VAT was paid into Mr. Haasbroek's bank account instead of R423 500 initially calculated and the difference was R43 045.

The Department is currently looking at the objection to the offer received from yourself on behalf of Mr. Haasbroek and you will be informed of the outcome.

Ms P Mangotlo is dismissing the allegations made against her that "she is refusing to sign and authorise the compensation for a "white farmer"; as alleged in your letter hence the payment was made on the 9 May 2012.

I take the allegations seriously and should you have any proof on the said matter you can furnish me with such proof and I will therefore commission an investigation.

You referred in your letter "that several cases of compensation payable to the so called "white farmers" are unduly delayed due to the blatant racial discrimination conduct displayed by her". I should indicate that I am not aware of any other complains which resulted in delays due to her racial discrimination.

I will await your response regarding the above.

Yours sincerely,

**Mr M Sirenya**  
**Director General**

Date: 09/07/2012