



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

EdST

Enquiries: Ms T Sigwaza
Telephone: 012 336 6600
Reference: 2/1/5/1

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

NATIONAL ASSEMBLY: QUESTION 2787 FOR WRITTEN REPLY

A draft reply to the above question asked by Mr J J van der Linde (DA) is attached for your consideration.

DIRECTOR-GENERAL

DATE: 23/10/12

DRAFT REPLY APPROVED/AMENDED

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

DATE: 20/10/24

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 2787

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 12 OCTOBER 2012
(INTERNAL QUESTION PAPER NO. 32)

2787. Mr J J van der Linde (DA) to ask the Minister of Water and Environmental Affairs:

- (1) With reference to the proposed pipeline that Rand Water intends building through various properties along Modderfontein Road, what mechanisms are being used to determine the valuation of the payments for proposed servitudes;
- (2) whether mechanisms are in place for affected property owners to dispute the offered payments for servitudes; if not, why not; if so, what are the relevant details;
- (3) what recourse does Rand Water have if the affected property owners reject the amount offered for servitudes, even after a mediation process;
- (4) what does Rand Water intend to do if affected property owners deny Rand Water access to their property to lay the pipeline?

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REPLY:

- (1) An independent property evaluator will be appointed by Rand Water to undertake sworn valuations of all proposed servitudes negotiated. The purpose is to establish market-related valuations in order to negotiate with the landowners.
- (2) Affected landowners are afforded an opportunity to appoint their own evaluator if they dispute the offered payments for servitudes.
- (3) Should the negotiation process be unsuccessful, Rand Water will request to expropriate i.e. after Rand Water has done everything to secure the servitudes and pay market-related compensation. If the request to expropriate is approved, all documents are forwarded to the Minister of Water and Environmental Affairs for final approval. Upon approval by the Minister, construction can resume, in parallel, whilst the matter is finalised through a legal process. Expropriation does not mean Rand Water will not pay compensation.
- (4) Rand Water will follow legal process to effect the expropriation, and/or follow the ruling of court of law where Rand Water is challenged by property owners regarding expropriations, i.e the Board of Rand Water recommends to the Minister in terms of Section 81 of the Water Services Act.

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