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Large urban land claim

Bakwena community members say they were relocated by the apartheid authorities

RESIDENTS from the south of Johannesburg whose properties are subject to a land claim by the Bakwena Ba Mare a Phogole community have until February 2 to make representations to the Land Claims Commission.

These landowners are affected by arguably the largest urban land claim in Gauteng, which was gazetted in the Government Gazette of November 4 last year.

The land claim covers vast tracts of residential, state-owned, private and commercial land in the Johannesburg and Ekurhuleni municipalities.

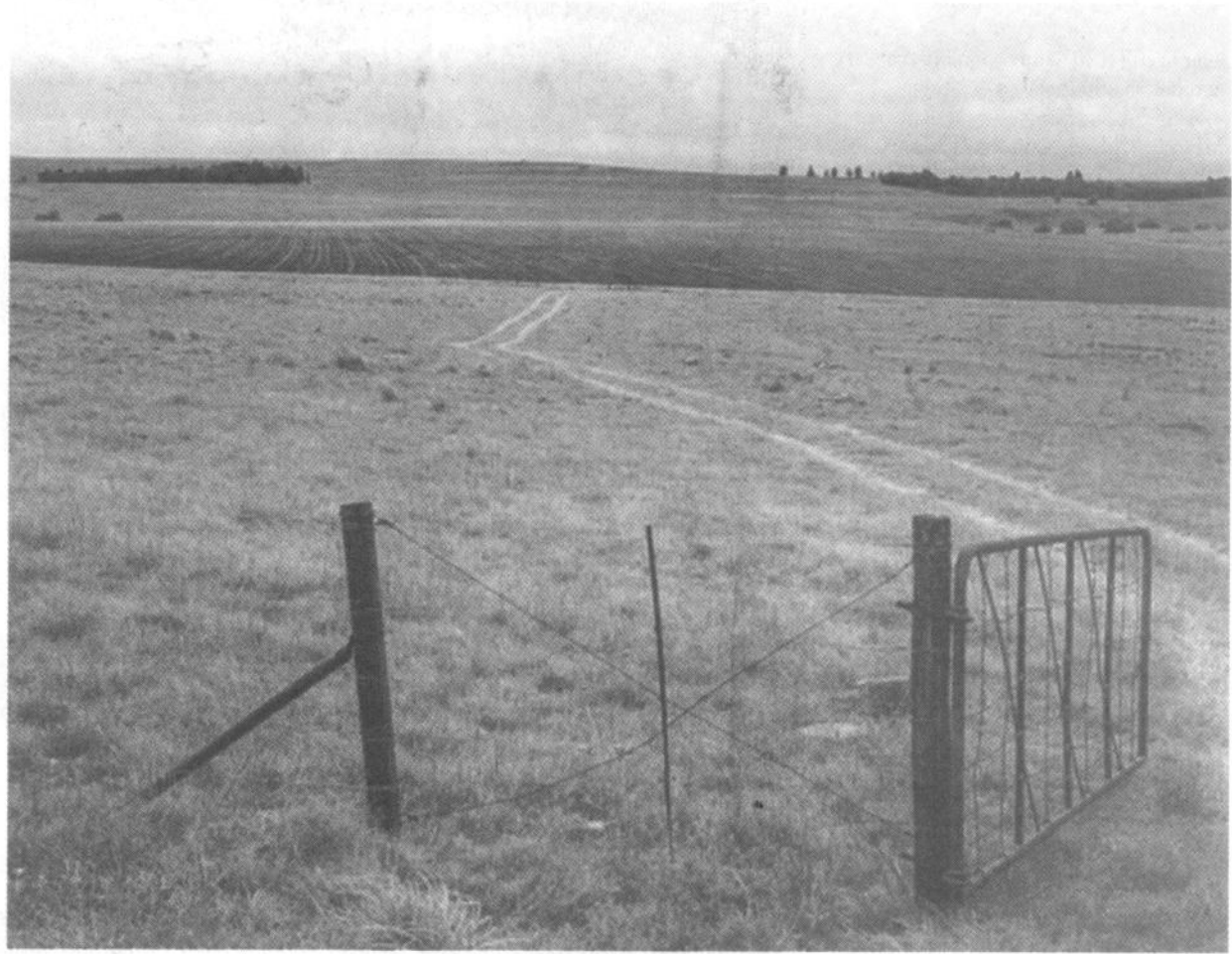
According to a senior associate at Werksmans Attorneys, Bulelwa Mabasa, who is dealing with the case on behalf of the claimants, the Bakwena Ba Mare a Phogole community are claiming close to 1377 properties from as far afield as Walkerville to Rietvlei, Booysens, Alberton, Glenvista, Aspen Hills, Glenvista and Reading Country Club, Calvary Christian College and Thaba Eco Hotel.

It therefore affects a large number of people who occupy or own the claimed land.

The Bakwena land claim includes land that consists of municipal land, residential housing, land housing water pumping stations, reservoirs, schools, hospitals, hotels and public roads and infrastructure.

"Members of the Bakwena community claim that they were relocated to Soweto and surrounding areas by the colonial and apartheid authorities and lodged their land claim in May 1995, following the passing of the Restitution of Land Rights Act No 22 of 1994," Mabasa said.

The Bakwena claim was published pursuant to a judgment of the Land Claims Court delivered by acting judge



VAST TRACTS: The Bakwena land claim covers residential, state-owned, private and commercial land. PICTURE: GETTY IMAGES

Nasreen Rajab-Budlender on October 19, 2016.

It highlighted the Land Claims Commission's shortcomings in publishing a claim that the commission had conceded was prima facie valid on the basis that publishing the claim would "create chaos".

"While the commission maintains that it is business as usual for those affected by the land claim, the act does,

however, require landowners to give a month's written notice to the commission if the owner intends to sell, exchange, donate, lease, subdivide, rezone or develop land published in the Government Gazette.

"This does not, however, apply to plans already approved before the publication of the gazette on November 4 last year," Mabasa said.

"Landowners are entitled to partici-

pate in the comment process under way at the moment and to make submissions as to why their particular property may not be restorable.

"They are encouraged to participate in these early stages, and to engage meaningfully with the commission in order to ensure that they are well versed with the applicable legal processes," Mabasa said. - 701270

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