

PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

**Provincial Gazette
Igazethi Yephondo
Provinsiale Koerant**

Vol. 15

BISHO/
KING WILLIAM'S TOWN, 25 JULY 2008

No. 1935
(Extraordinary)

CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
GENERAL NOTICE			
233	Proposed proclamation: Upgrading, widening, deviation and closure of portion of Provincial Main Road 460, Coega, District of Port Elizabeth ("MR 460").....	3	1935
	Aanbevole proklamasie: Opgradering, verbreding, verlegging en sluit van gedeelte van Provinsiale Hoofpad 460 Koega, Distrik van Port Elizabeth ("HP460")	13	1935

GENERAL NOTICE

No. 233

**PROPOSED PROCLAMATION : UPGRADING, WIDENING, DEVIATION
AND CLOSURE OF PORTION OF PROVINCIAL MAIN ROAD 460 COEGA,
DISTRICT OF PORT ELIZABETH ("MR460")**

TO ALL INTERESTED PARTIES

1. Take notice that the Member of the Executive Council, Department of Roads and Transport, Eastern Cape Province, has received a report from the Department of Roads and Transport, Eastern Cape Province, recommending the upgrading, widening, deviation and closure of a portion of Provincial Main Road 460 Coega, District of Port Elizabeth ("MR460"). A copy of the report, together with all relevant annexures, can be inspected during office hours at the Department of Roads and Transport, Office of the District Roads Engineer, Struanway, Struandale, Port Elizabeth (Enquiries : Mr Marius Keyser or Mrs Wilna Snyman, at 041-4522073).
2. The MEC is advised that the said road runs through the properties of Offit (Office Enterprises (Pty) Ltd and Offit Farming Enterprises (Pt) Ltd, collectively referred to as "Offit") and the Coega Development Corporation ("the CDC").
3. The MEC is considering issuing a Proclamation, as per the draft Proposed Proclamation hereunder.
4. The properties to which the Proclamation will apply, are erven 217, 224, 257, 268, 275, 276, 277, 279, 287, 288 and 290 : Coega.
5. Properties erven 268, 287 and 288 are owned by Offit, and properties erven 217, 224, 257, 275, 276, 277, 279 and 290 are owned by the CDC.
6. The nature of the Proclamation, being an administrative action, as is contemplated by the Promotion of Administrative Justice Act, 3 of 2000 ("PAJA") is that it will

constitute an act of expropriation of the rights to use the land affected for purposes of a road, as is clear from section 12(1) of the Eastern Cape Roads Act, 3 of 2003 ("the Act").

7. You are requested to submit any objections, criticism, shortcomings, submissions, comments, representations and/or recommendations in relation to the proposed Proclamation, in writing, to the MEC within 30 days hereof.
8. You are entitled to the choice of an official language for the purposes of any written communications. You are also entitled to request, in writing, a translation of any communication in the official language indicated in such request.
9. Please note that any objections, criticism, shortcomings, submissions, comments, representations and/or recommendations received after the closing date set out above may be disregarded by the MEC.
10. Such written objections, criticism, shortcomings, submissions, comments, representations and/or recommendations must be addressed to :
The State Attorney
29 Western Road
Central
Port Elizabeth
Tel : 041-5857921
Fax No : 041-5852687
Ref: Mr Johan Coetzee
11. The purpose and effect of the Proclamation, if issued, will be that a portion of MR460 will be upgraded, widened, deviated and closed, as per the Sketch Plans annexed to the report of the Department of Roads and Transport which report, as aforesaid, can be inspected at the premises set out in paragraph 1 above. To the extent shown on the Sketch Plans, the existing 40m road reserve on the land will be deviated, widened or closed, which will cause certain areas of the land to no

- longer be encroached upon by a Provincial Public Road, and other areas of the land presently not encroached upon by the existing road, to be encroached upon.
12. The MEC believes that the said upgrading, widening, deviation and closure of MR460 will be to Offit's and the CDC's benefit, and for a public purpose and in the public interest.
 13. No right of internal appeal against the proposed administrative action exists. Affected parties will, however, be entitled to approach the High Court on review in terms of PAJA should any ground for review present itself.
 14. Once the proposed administrative action has been taken (if it is decided to do so) affected parties will in terms of section 5 of PAJA be entitled to request reasons.
 15. Parties are advised to acquaint themselves with the said provisions and to consult their legal representatives thereto.
 16. Kindly note that if the Proclamation is proceeded with, affected parties will be entitled to claim compensation, more particularly by virtue of section 12 of the Act read with sections 12 and 26 of the Expropriation Act, 63 of 1975, as well as section 25 of the Constitution, 108 of 1996.
 17. Your attention is further directed to the provisions of the Act, in particular sections 5, 10 and 12 thereof, and the Expropriation Act, in particular sections 12, 13, 14 and 26 thereof.

Yours faithfully

The Member of the Executive Council
Department of Roads and Transport
Eastern Cape Province
Bhisho *East London*

Date: *3 June 2008*



DRAFT PROPOSED PROCLAMATION

NOTICE ___ OF 2008**PROCLAMATION OF THE UPGRADING, WIDENING, DEVIATION AND CLOSURE OF A PORTION OF PROVINCIAL MAIN ROAD 460, COEGA, DISTRICT OF PORT ELIZABETH (“MR460”)**

1. In terms of section 5 of the Eastern Cape Roads Act, 3 of 2003 (“the Act”), the MEC for Roads and Transport, Eastern Cape Province, hereby proclaims that a Provincial Main Road 460 Coega, District of Port Elizabeth, of varying widths, exists on land, as is indicated on the Sketch Plans hereunder, and that the existing section of Provincial Main Road 460 indicated on the Sketch Plans be diverted and closed as indicated thereon. This entails that in some instances Provincial Main Road 460 exists on the properties shown on the Sketch Plans, where previously no Provincial Main Road existed, and that the previous alignment of the Provincial Main Road 460 is closed where it does not co-incide with the alignment hereby proclaimed. It also entails that the existing Provincial Main Road 460 Coega, District of Port Elizabeth, is widened in certain instances.
2. The aforesaid Sketch Plans and relevant documentation are available for inspection during office hours by any interested person at the Office of the District Roads Engineer, Struanway, Struandale, Port Elizabeth (Enquiries : Mr Marius Keyser or Mrs Wilna Snyman, at 041-4522073).

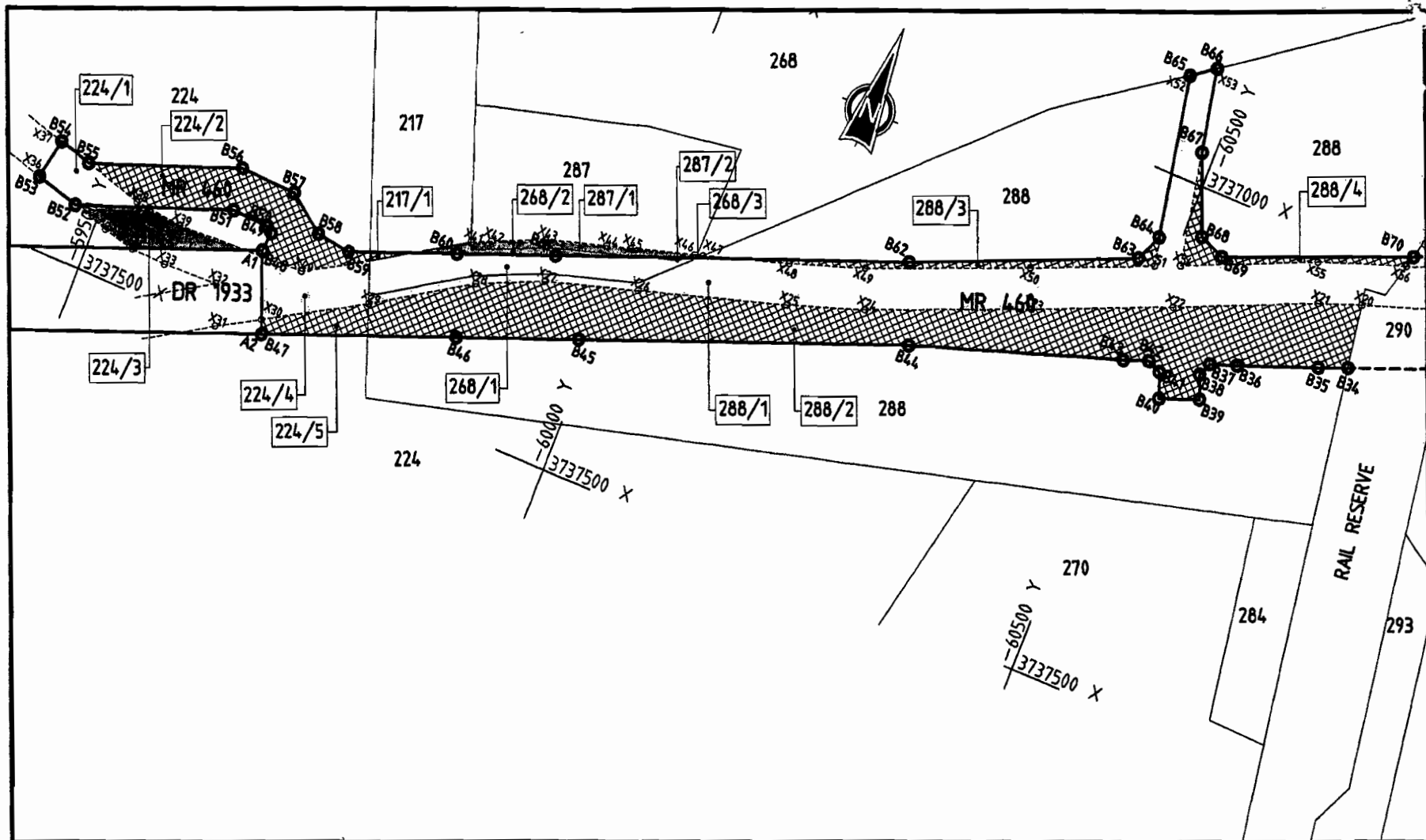
Reference : EC/MET/460

3. Any queries may be addressed to and further relevant information may be requested from :

The State Attorney
29 Western Road
Central
Port Elizabeth
Tel : 041-5857921
Fax : 041-5852687
Ref : Mr Johan Coetzee

4. You are advised to consult your legal representatives in relation to the Proclamation.
5. The Proclamation takes effect from the date of its publication in the Provincial Gazette.
6. On such date of publication in the Provincial Gazette, or such other date agreed upon, the MEC will take possession of the land and use it for purposes of a Provincial Road in terms of the Act.
7. The MEC is liable to pay compensation for the land encroached upon by the Road, or the widening or deviation thereof in terms of section 12 of the Act, read with sections 12 and 26 of the Expropriation Act, 63 of 1975, as well as section 25 of the Constitution, 108 of 1996.
8. Your attention is drawn in particular to the provisions of sections 8 to 12 and 14 of the Expropriation Act No 63 of 1975.
9. You may request a translation of the Proclamation in the official language of your choice.

MEC Resolution ___ dated ___



NINHAM SHAND
CONSULTING SERVICES
PORT ELIZABETH
©NINHAM SHAND (PTY) LTD 2007

SIGNATURE:

[Handwritten Signature]



DEPARTMENT OF ROADS AND TRANSPORT
EASTERN CAPE PROVINCIAL GOVERNMENT

DRE SIGNATURE:

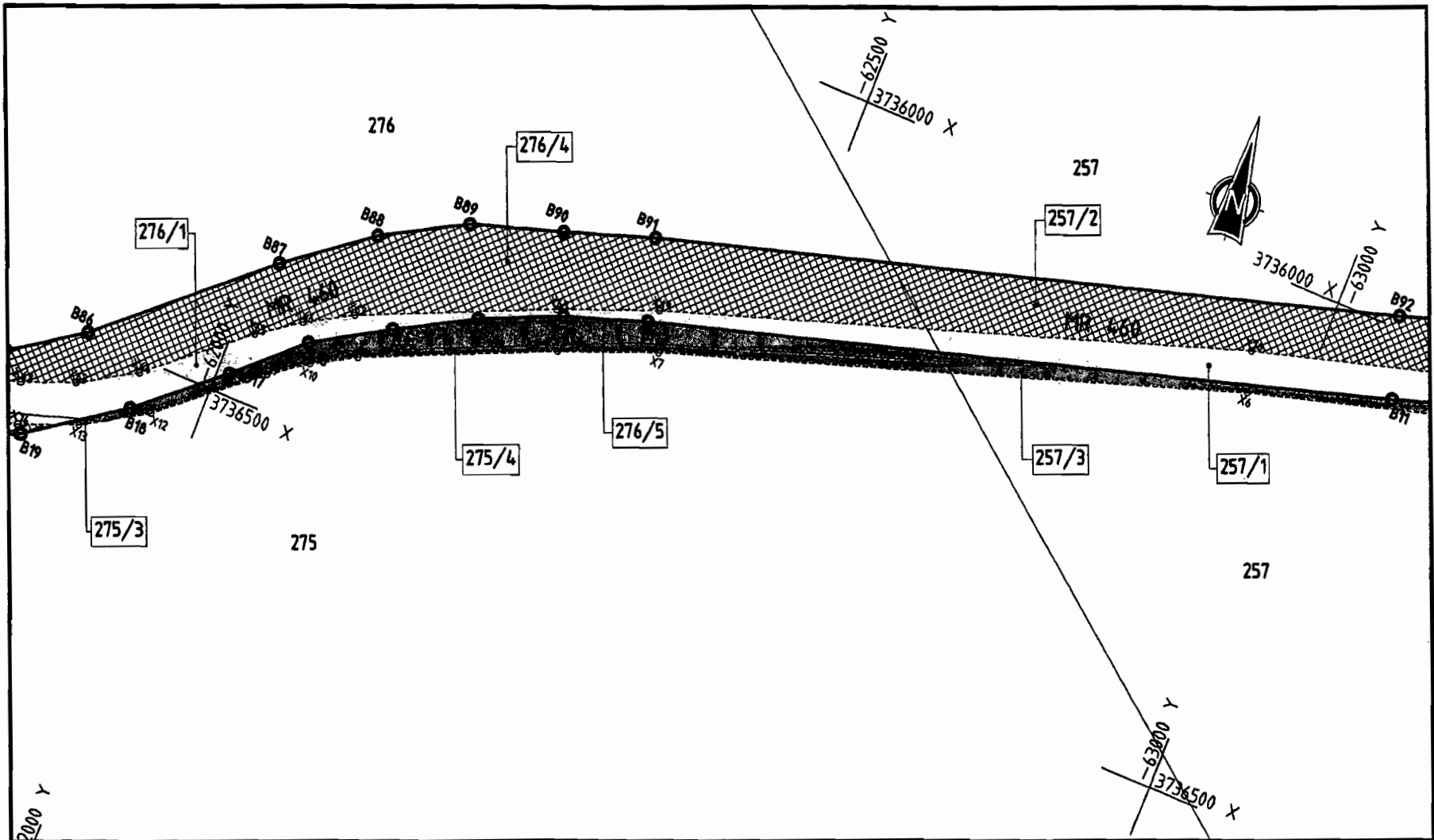
[Handwritten Signature]

MR460
PROPOSED ROAD UPGRADE RESERVE

AREAS SHEET 1 OF 4 SHEETS

SCALE

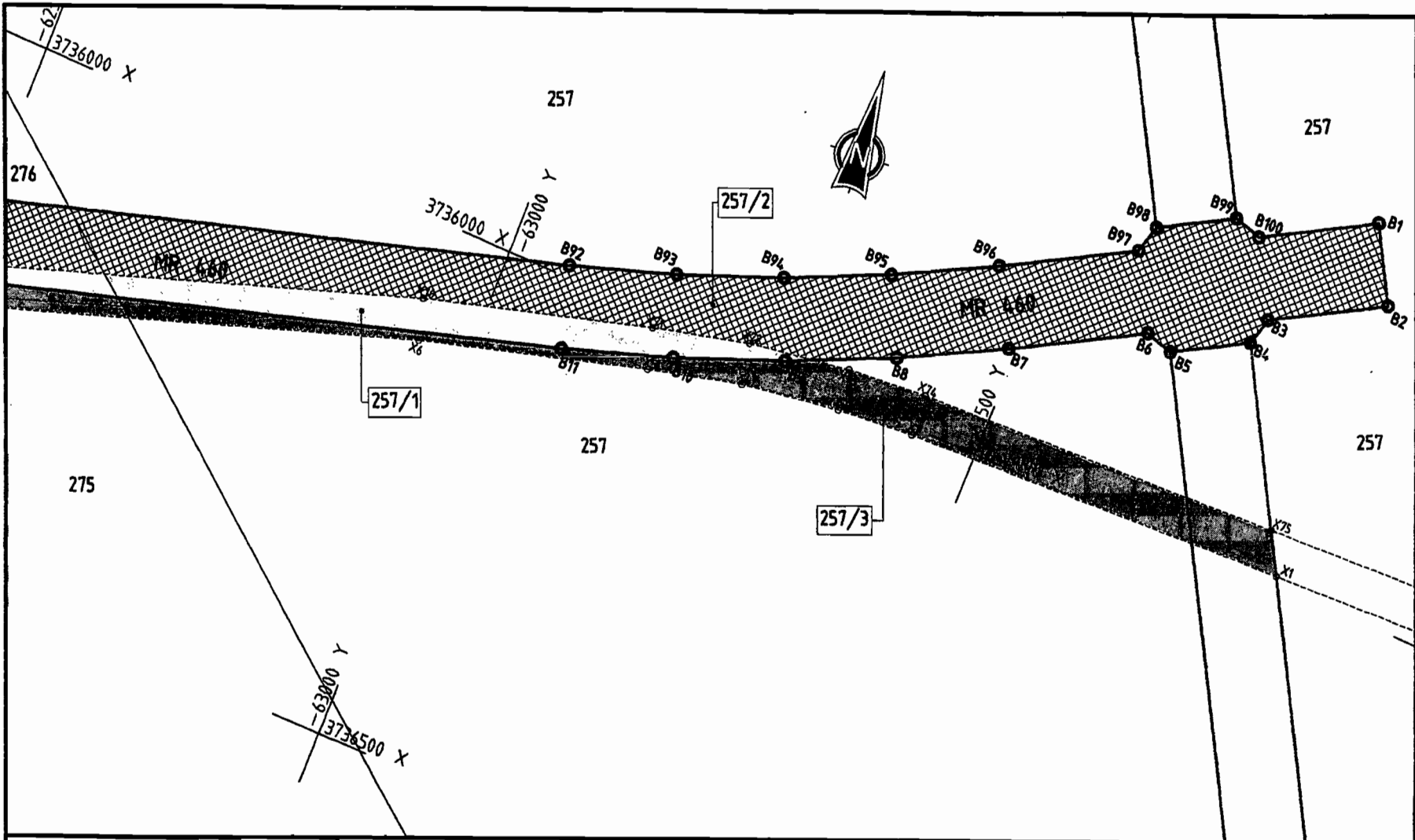
1:5000





NINHAM SHAND
 CONSULTING SERVICES
 PORT ELIZABETH
 © NINHAM SHAND (PTY) LTD 2007
 SIGNATURE: *[Handwritten Signature]*


DEPARTMENT OF ROADS AND TRANSPORT
EASTERN CAPE PROVINCIAL GOVERNMENT
 DRE SIGNATURE: *[Handwritten Signature]*

MR460
PROPOSED ROAD UPGRADE RESERVE
 AREAS SHEET 3 OF 4 SHEETS
 SCALE
 1:5000



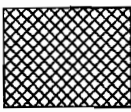

NINHAM SHAND
 CONSULTING SERVICES
 FORT ELIZABETH
© NINHAM SHAND (PTY) LTD 2007
 SIGNATURE: *[Signature]*

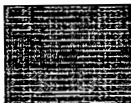

DEPARTMENT OF ROADS AND TRANSPORT
EASTERN CAPE PROVINCIAL GOVERNMENT
 DRE SIGNATURE: *[Signature]*

MR460
PROPOSED ROAD UPGRADE RESERVE
 AREAS SHEET 4 OF 4 SHEETS
 SCALE
1:5000

AREAS ON AFFECTED ERVEN (Ha)			
AREA No	CATEGORY 1	CATEGORY 2	CATEGORY 3
217/1		0.0175	
224/1 224/2 224/3 224/4 224/5	0.2967 0.4823	1.0355 0.2408	0.3440
257/1 257/2 257/3	1.8194	8.8949	2.9195
268/1 268/2 268/3	0.6997		0.1149 0.0029
275/1 275/2 275/3 275/4	0.6465	5.4166	0.0102 0.5513
276/1 276/2 276/3 276/4 276/5	4.7811	0.3296 5.9151	0.1065 1.3665
277/1 277/2	0.6218	0.2789	
279/1 279/2	0.1491	0.0447	
287/1 287/2	0.0061		0.1555
288/1 288/2 288/3 288/4	3.5074	4.6425 0.2745 0.2694	
TOTALS	12.3636	27.3600	5.5713

CATEGORY 1
AREA INSIDE EXISTING 40m ROAD RESERVE AND INSIDE NEW ROAD RESERVE

 **CATEGORY 2**
AREA OUTSIDE EXISTING 40m ROAD RESERVE AND INSIDE NEW ROAD RESERVE

 **CATEGORY 3**
AREA INSIDE EXISTING 40m ROAD RESERVE AND OUTSIDE NEW ROAD RESERVE

 **NINHAM SHAND**
CONSULTING SERVICES
PORT ELIZABETH
©NINHAM SHAND (PTY) LTD 2007
SIGNATURE: *[Signature]*



DEPARTMENT OF ROADS AND TRANSPORT
EASTERN CAPE PROVINCIAL GOVERNMENT
DRE SIGNATURE: *[Signature]*

MR460
PROPOSED ROAD UPGRADE RESERVE
AREAS

SCALE

No. 233

**AANBEVOLE PROKLAMASIE : OPGRADERING, VERBREDING,
VERLEGGING EN SLUIT VAN GEDEELTE VAN PROVINSIALE
HOOPPAD 460 KOEGA, DISTRIK VAN PORT ELIZABETH (“HP460”)**

AAN ALLE BELANGHEBBENDE PARTYE

1. Neem kennis dat die Lid van die Uitvoerende Raad, Departement van Paaie en Vervoer, Oos-Kaap Provinsie, ‘n verslag ontvang het van die Departement van Paaie en Vervoer, Oos-Kaap Provinsie, wat die opgradering, verbreding, verlegging en sluit van Provinsiale Hoofpad 460 Koega, Distrik van Port Elizabeth (“HP460”) aanbeveel. ‘n Afskrif van die verslag, tesaam met alle relevante aanhangsels, kan gedurende kantoorure by die Departement van Paaie en Vervoer, Kantoor van Die Distrik Padingenieur, Struanweg, Struandale, Port Elizabeth, geïnspekteer word (Navrae : Mnr Marius Keyser of Mev Wilna Snyman, te 041-4522073).
2. Die LUR is geadviseer dat die pad deur die eiendomme van Offit (Offit Enterprises (Pvt) Bpk en Offit Farming Enterprises (Pvt) Bpk, gesamentlik waarna verwys word as “Offit”) en die Koega Ontwikkelings Korporasie (“KOK”) loop.
3. Die LUR oorweeg om ‘n Proklamasie, soos per die aangehegte konsep Aanbevole Proklamasie hieronder, uit te vaardig.
4. Die eiendomme wat deur die Proklamasie geraak sal word, is erwe 217, 224, 257, 268, 275, 276, 277, 279, 287, 288 en 290 : Koega.
5. Eiendomme erwe 268, 287 en 288 behoort aan Offit, en eiendomme erwe 217, 224, 257, 275, 276, 277, 279 en 290 behoort aan die KOK.

6. Die aard van die Proklamasie, synde 'n administratiewe handeling, soos beoog deur die Wet op Bevordering van Administratiewe Geregtigheid, 3 van 2000 ("die WBAG") is dat dit 'n handeling van onteiening van die reg om die grond geaffekteer te gebruik vir doeleindes van 'n pad, behels soos spruit uit artikel 12(1) van die Oos-Kaapse Wet op Paaie, 3 van 2003 ("die Wet").
7. U word versoek om enige besware, kritiek, tekortkominge, submissies, opmerkings, versoë en/of aanbevelings aan die LUR, skriftelik, binne 30 dae hiervan te rig.
8. U is geregtig op die keuse van 'n amptelike landstaal vir doeleindes van enige geskrewe kommunikasies. U is ook geregtig om, skriftelik, 'n vertaling van enige kommunikasie in die amptelike landstaal aangedui in sodanige versoek, te versoek.
9. Geliewe kennis te neem dat enige besware, kritiek, tekortkominge, submissies, opmerkings, versoë en/of aanbevelings wat na die sluitingsdatum hierbo verwys ontvang word, deur die LUR geïgnoreer mag word.
10. Sulke geskrewe besware, kritiek, tekortkominge, submissies, opmerkings, versoë en/of aanbevelings moet geadresseer word aan :
Die Staatsprokureur
Westernweg 29
Sentraal
Port Elizabeth
Tel : 041-5857921
Faks Nr : 041-5852687
Verw : Mnr Johan Coetzee
11. Die doel en effek van die Proklamasie, indien uitgevaardig sou word, sal wees dat 'n gedeelte van HP460 opgradeer, verbreed, verlê en gesluit word, soos aangedui in die Sketsplanne tot die verslag van die Departement van Paaie en Vervoer

welke verslag soos voorheen gemeld, geïnspekteer kan word by die adres uiteengesit in paragraaf 1 hierbo. Tot die omvang aangedui op die Sketsplanne, sal die bestaande 40m padreserwe op die eiendom verlê, verbreed of gesluit word, wat die effek sal hê dat sekere gedeeltes van die eiendom nie meer oorskry word deur 'n Provinsiale Openbare Pad nie, en ander gedeeltes van die eiendom wat op die oomblik nie oorskry word nie, wel oorskry sal word.

12. Die LUR glo dat die gegewe opgradering, verbreding, verlegging en sluit van HP460 tot Offit en die KOK se voordeel sal wees, en vir 'n openbare doel en in die openbare belang sal wees.
13. Daar is geen reg van interne appél teen die voorgenome administratiewe handeling nie. Belanghebbende partye sal egter geregtig wees om die Hooggeregshof op hersiening in terme van die WBAG te nader, sou enige grond van hersiening manifesteer.
14. Synde indien die aanbevole administratiewe handeling geneem is (indien sodanig besluit sou word) sal alle belanghebbende partye ingevolge Artikel 5 van die WBAG geregtig wees om redes aan te vra.
15. Partye word aanbeveel om hulself te vereenselwig met die gegewe bepalings en om hul regsverteenvoerders daaromtrent te raadpleeg.
16. Geliewe kennis te neem dat indien die Proklamasie mee voortgegaan word, belanghebbende partye geregtig sal wees om vergoeding te eis, meer in besonder by wese van Artikel 12 van die Wet gelees met Artikels 12 en 26 van die Onteieningswet, 63 van 1975, sowel as Artikel 25 van die Grondwet, 108 van 1996.
17. U word verder verwys na die bepalings van die Wet, in besonder Artikels 5, 10 en 12 daarvan, en die Onteieningswet, in besonder Artikels 12, 13, 14 en 26 daarvan.

Die Uwe

Die Lid van Die Uitvoerende Raad
Departement van Paaie en Vervoer
Oos-Kaap Provinsie
Oos-Londen

Datum : 3 Junie 2008

KONSEP AANBEVOLE PROKLAMASIE

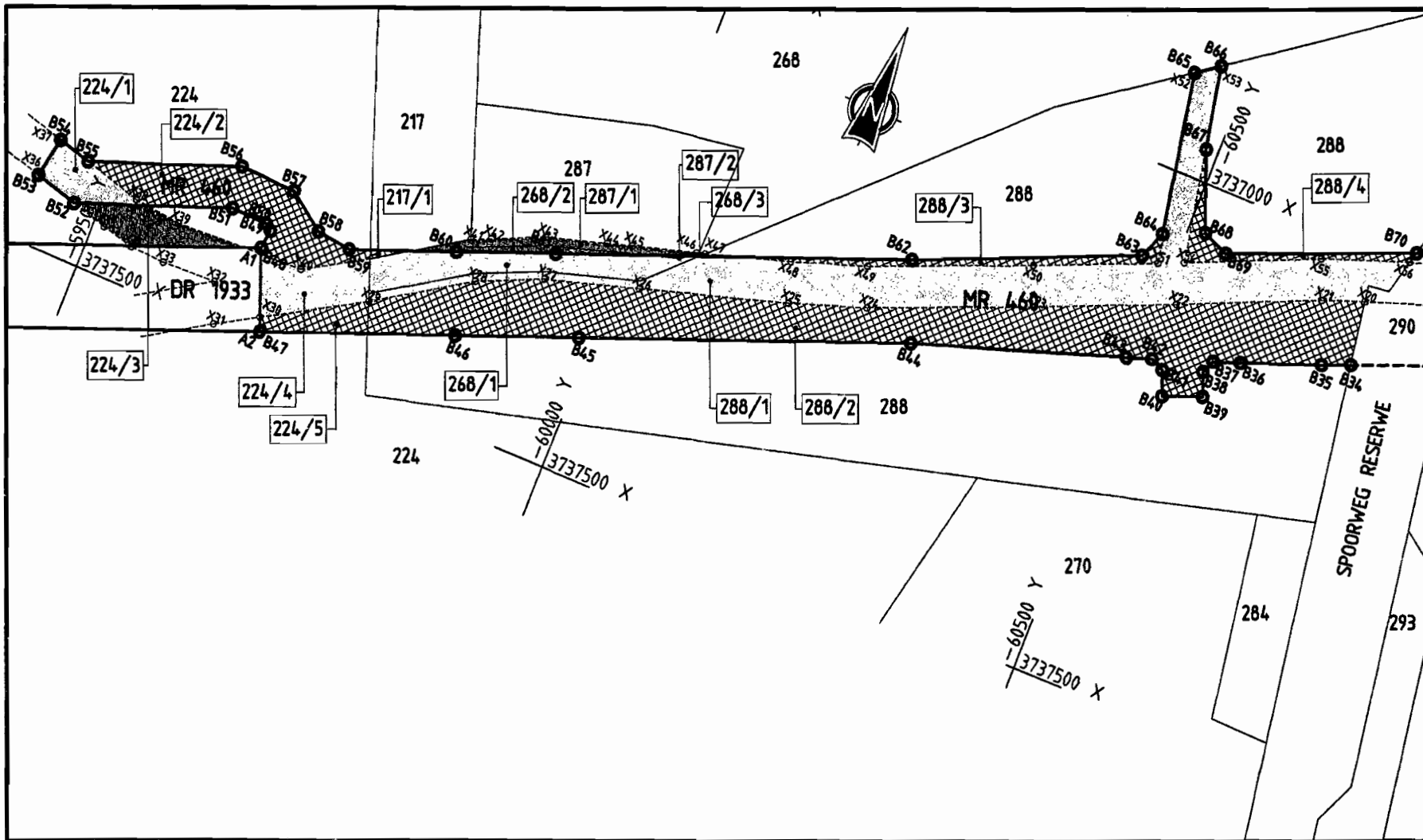
KENNISGEWING ___ VAN 2008**PROKLAMERING VAN DIE OPGRADERING, VERBREDING, VERLEGGING EN SLUIT VAN 'N GEDEELTE VAN PROVINSIALE HOOFPAD 460, KOEGA, DISTRIK VAN PORT ELIZABETH ("HP460")**

1. Ingevolge Artikel 5 van die Oos-Kaapse Wet op Paaie, 3 van 2003 ("die Wet"), proklameer die Lid van die Uitvoerende Raad, Departement van Paaie en Vervoer, Oos-Kaap Provinsie, hiermee dat 'n Provinsiale Hoofpad 460 Koega, Distrik van Port Elizabeth, van verskillende breedtes, bestaan op eiendom, soos aangedui op die Sketsplanne hieronder, en dat die bestaande deel van Provinsiale Hoofpad 460 aangedui op die Sketsplanne verlê en gesluit word soos aangedui daarop. Dit behels dat in sommige instansies Provinsiale Hoofpad 460 bestaan op die eiendomme aangedui op die Sketsplanne, waar 'n Provinsiale Hoofpad nie voorheen bestaan het nie, en dat die vorige verlegging van die Provinsiale Hoofpad 460 gesluit word waar die nie saamval met die verlegging hiermee geproklameer nie. Dit behels ook dat die bestaande Provinsiale Hoofpad 460 Koega, Distrik van Port Elizabeth, verbreed word in sekere instansies.
2. Die gegewe Sketsplanne en relevante dokumentasie is beskikbaar vir inspeksie gedurende kantoorure deur enige geïnteresseerde persoon by die Distrik Padingenieur, Struanweg, Struandale, Port Elizabeth (Navrae : Mnr Marius Keyser of Mev Wilna Snyman, te 041-4522073).

Verwysing : EC/MET/460

3. Enige navrae mag gerig word en verdere relevante inligting mag versoek word vanaf :
Die Staatsprokureur
Westernweg 29
Sentraal
Port Elizabeth
Tel : 041-5857921
Faks : 041-5852687
Verw : Mnr Johan Coetzee
4. U word aanbeveel om u regsverteenwoordigers met betrekking tot die Proklamasie te raadpleeg.
5. Die Proklamasie tree in werking vanaf die datum van publikasie in die Provinsiale Staatskoerant.
6. Op die gegewe datum van publikasie in die Provinsiale Staatskoerant, of op sodanige ander datum ooreengekom, sal die LUR besit neem van die grond en dit gebruik vir doeleindes van 'n Provinsiale Pad ingevolge die Wet.
7. Die LUR is aanspreeklik om vergoeding vir die grond wat oorskry word deur die Pad, of die verbreding of verlegging daarvan, te betaal ingevolge Artikel 12 van die Wet, gelees met Artikels 12 en 26 van die Onteieningswet, 63 van 1975, sowel as Artikel 25 van die Grondwet, 108 van 1996.
8. U aandag word spesifiek gevestig op die bepalings van Artikels 8 tot 12 en 14 van die Onteieningswet Nr 63 van 1975.
9. U mag 'n vertaling van die Proklamasie in die amptelike landstaal van u keuse versoek.

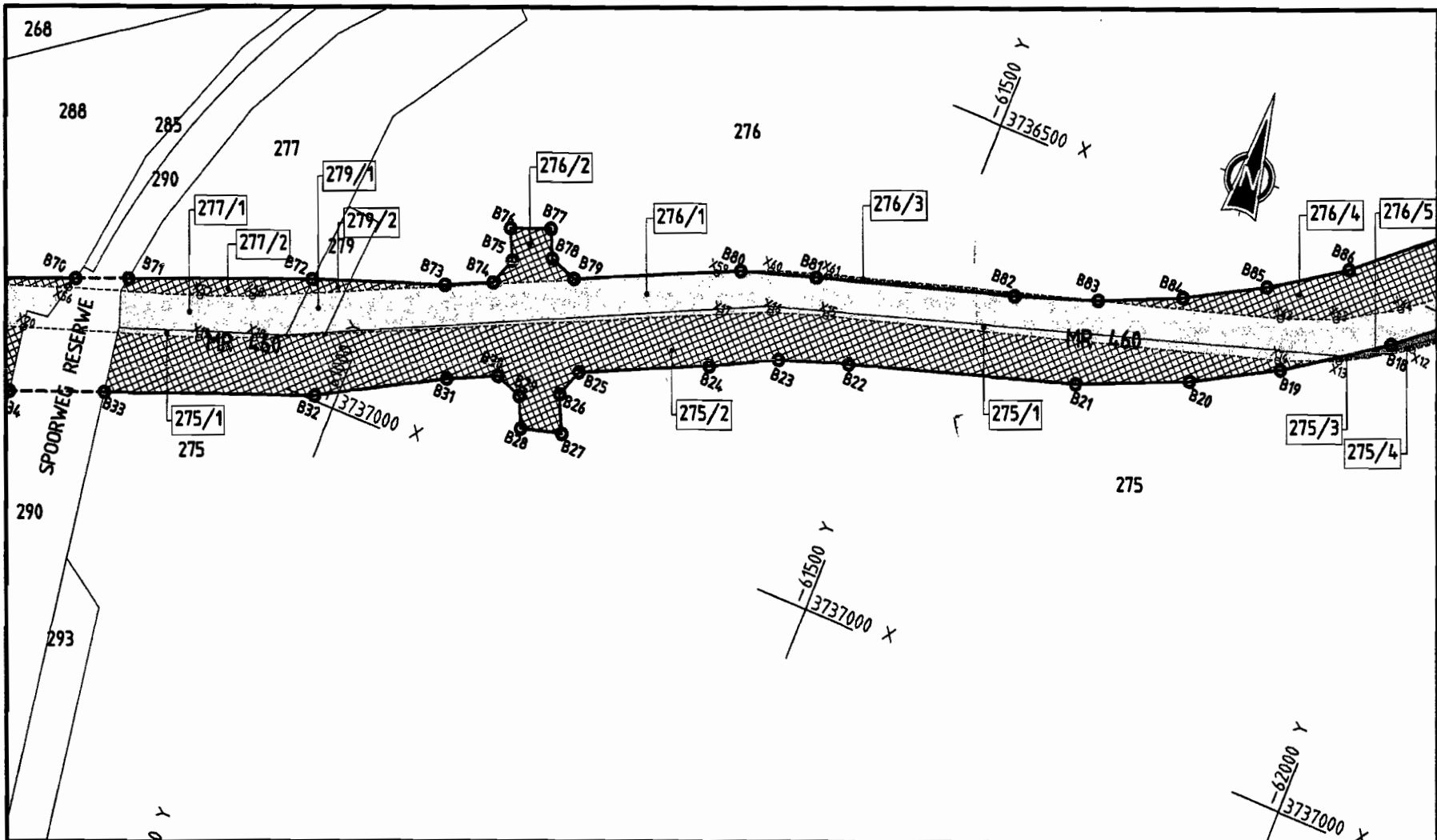
LUR Resolusie ___ gedateer ___



NINHAM SHAND
 SAARDEWINDSE DIENSTE
 DORT BLISSIG
 HANDTEKENING: *[Signature]*

DEPARTEMENT PAARIE EN VERVOER
OOSKAAP PROVINSIALE REGERING
 DPI HANDTEKENING: *[Signature]*

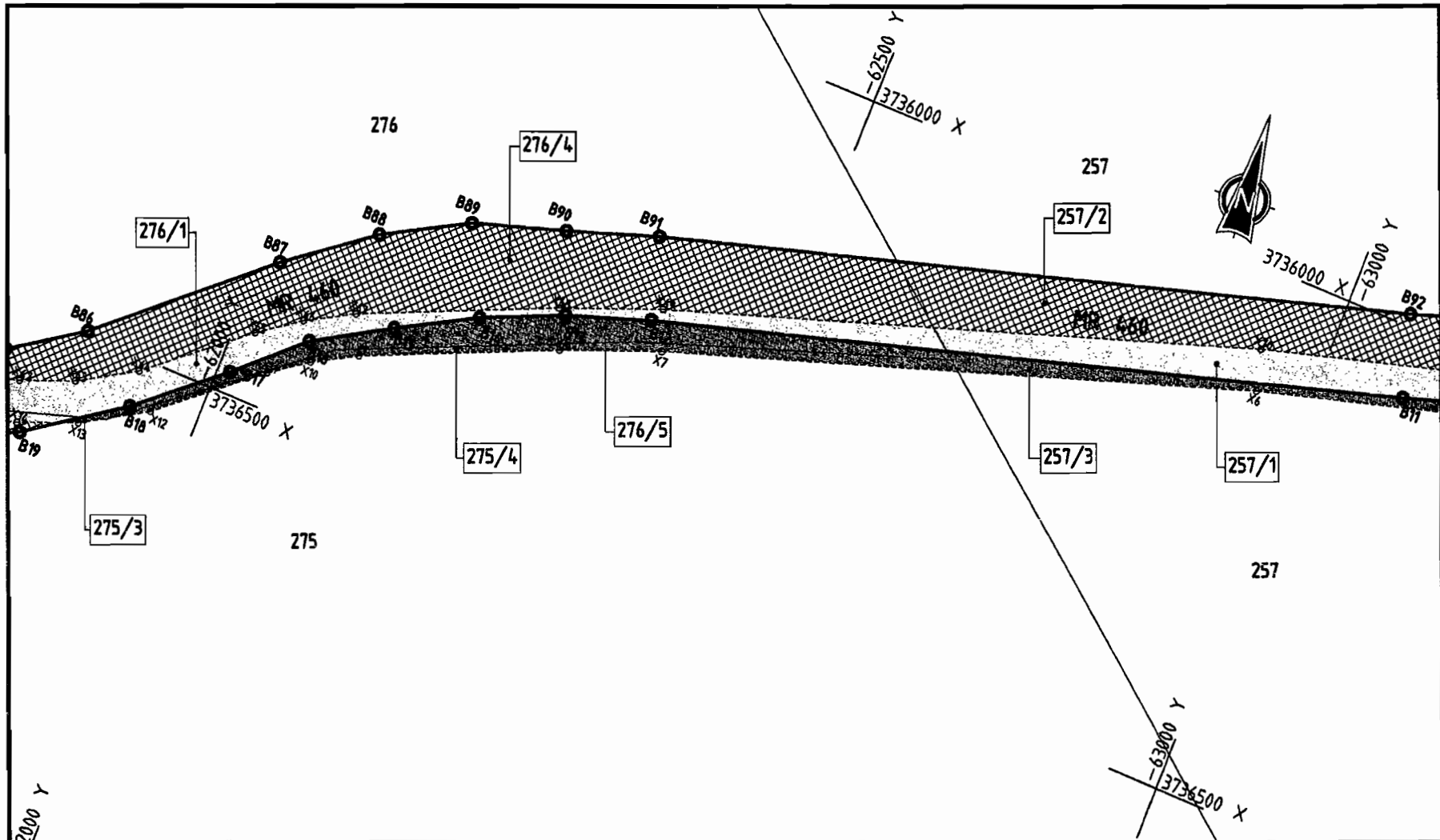
MR460: VOORGESTELDE OPGRADERING
VAN PAD RESERWE
 GEBIED VEL 1 VAN 4 VELLE
 SKAAL
 1:5000




NINHAM SHAND
 BOUW EN INGENIEURSBUREAU
 HANDEKENING: *[Signature]*


DEPARTEMENT PAAR EN VERVOER
OOSKAAP PROVINSIALE REGERING
 DPI HANDEKENING: *[Signature]*

MR460: VOORGESTELDE OPGRADERING
VAN PAD RESERWE
 GEBIED VEL 2 VAN 4 VELLE
 SKAAL
 1:5000



NINHAM SHAND
 SAADSWERKDE DIENSTE
 PORT ELIZABETH

HANDEKENING: *[Handwritten Signature]*

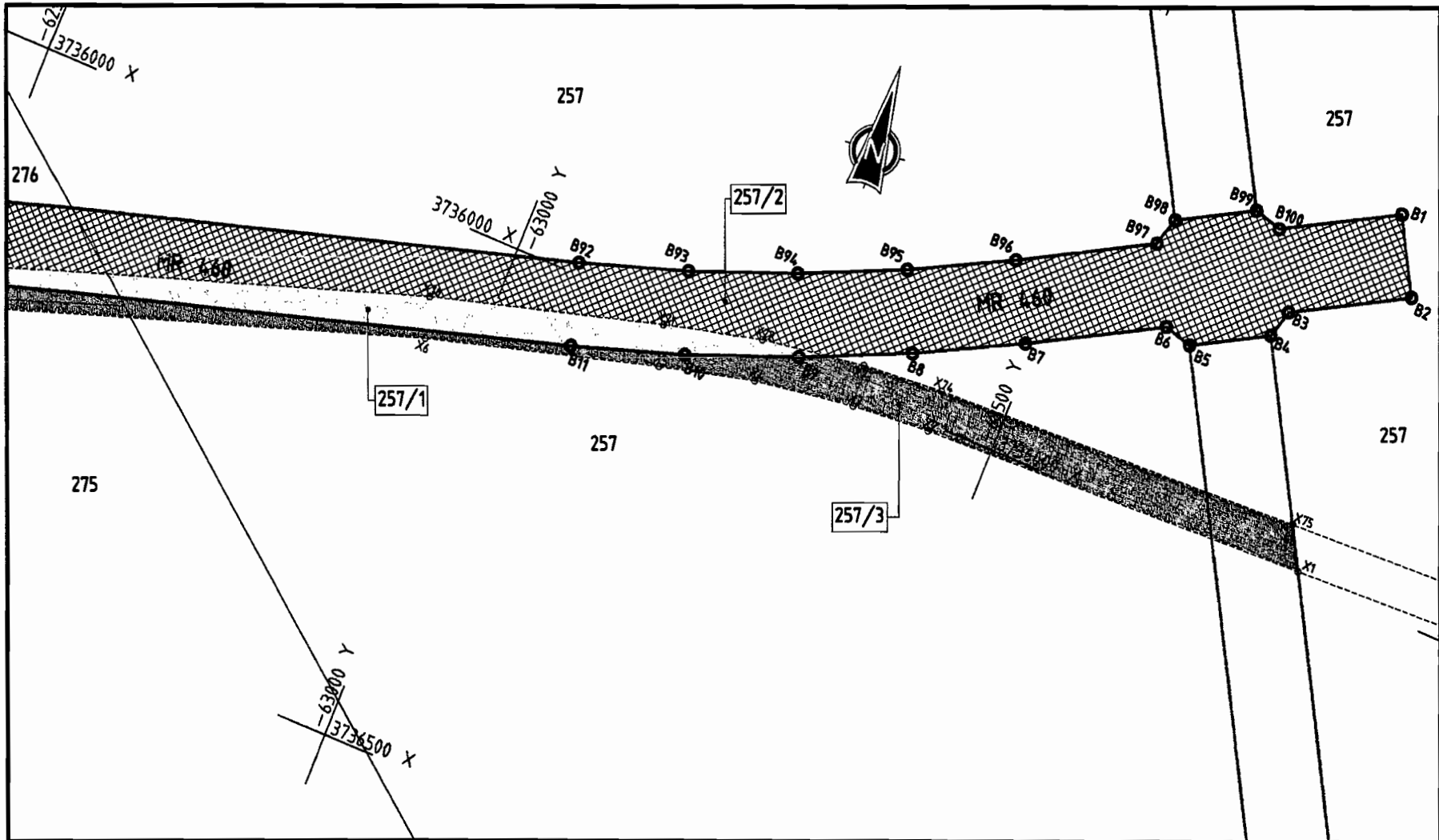
DEPARTEMENT PAAR EN VERVOER
OOSKAAP PROVINSIALE REGERING

DPI HANDEKENING: *[Handwritten Signature]*

MR460: VOORGESTELDE OPGRADERING
VAN PAD RESERVE

GEBIED VEL 3 VAN 4 VELLE

SKAAL
1:5000



 **NINHAM SHAND**
 SAADGWENDE DIENSTE
 FORT ELIZABETH

HANDTEKENING: *[Signature]*


 **DEPARTEMENT PAAIE EN VERVOER**
OOSKAAP PROVINSIALE REGERING

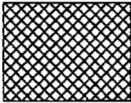
DPI HANDTEKENING: *[Signature]*

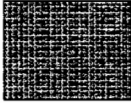
MR460: VOORGESTELDE OPGRADERING
VAN PAD RESERVE

GEBIED VEL 4 VAN 4 VELLE	SKAAL
	1:5000

AREAS OP ERWE WAT GERAAK WORD (Ha)			
GEBIED NR	KATEGORIE 1	KATEGORIE 2	KATEGORIE 3
217/1		0.0175	
224/1 224/2 224/3 224/4 224/5	0.2967 0.4823	1.0355 0.2408	0.3440
257/1 257/2 257/3	1.8194	8.8949	2.9195
268/1 268/2 268/3	0.6997		0.1149 0.0029
275/1 275/2 275/3 275/4	0.6465	5.4166	0.0102 0.5513
276/1 276/2 276/3 276/4 276/5	4.7811	0.3296 5.9151	0.1065 1.3665
277/1 277/2	0.6218	0.2789	
279/1 279/2	0.1491	0.0447	
287/1 287/2	0.0061		0.1555
288/1 288/2 288/3 288/4	3.5074	4.6425 0.2745 0.2694	
TOTALE	12.3636	27.3600	5.5713

 KATEGORIE 1
AREAS BINNE BESTAANDE 40m PAD RESERWE EN
BINNE NUWE PAD RESERWE

 KATEGORIE 2
AREAS BUIE BESTAANDE 40m PAD RESERWE EN
BINNE NUWE PAD RESERWE

 KATEGORIE 3
AREAS BINNE BESTAANDE 40m PAD RESERWE EN
BUIE NUWE PAD RESERWE



HANDTEKENING:


 DEPARTEMENT PAAIE EN VERVOER
 OOSKAAP PROVINSIALE REGERING

DPI HANDTEKENING:

 MR460: VOORGESTELDE OPGRADERING
 VAN PAD RESERWE

AREAS

SKAAL

**ISIBHENGEZO ESICETYWAYO: ULWAKHIWO
NGOKUTSHA, UKWANDISWA, UKUTHI GU BUCALA
NOKUVALWA KWENXALENYE YOHOLA WENDLELA
YEPHONDO u460 eCOEGA, KWINGINGQI YEBHAYI**

KUBO BONKE ABACHAPHAZELEKAYO

1. Qaphela, ilungu lekhawunsile ephakamileyo, KwiSebe lezeNdlela noThutho, kwiPhondo leMpuma Koloni, lifumene iripoti kwiSebe lezeNdlela noThutho, kwiPhondo leMpuma Koloni, libonisa ukuba kuyimfuneko ukwakhiwa ngokutsha, kwandiswe, kuthiwe gu bucala ze kuvalwe indawo ethile yoHOLA wendlela wePhondo u460 eCoega, kwingingqi yeBhayi (MR460). Ikopi yengxelo/ripoti nezihlomelo ngalo mba, zingayokuhlolwa ngamaxesha omsebenzi kwiSebe lezendlela nothutho, kwi-Ofisi yenjineli zengingqi, eStruanway, Struandale, Port Elizabeth (Ukuba unemibuzo tsalela umnxeba uMnumzana Marius Keyser okanye uNkosikazi Wilna Snyman kwezi nombolo 041 4522073).
2. UMphathiswa uchazelwe ukuba le ndlela kuthethwa ngayo inkqumla kumhlaba we-ofisi noshishino lwefama ye-Offit nenkampani yolwakhiwo lwaseNgqurha (CDC).
3. UMphathiswa uceba ukwenza isibhengezo, malunga nesi sibhengezo sicetywayo.
4. Umhlaba oza kuchatshazelwa sesi sibhengezo, zezi ziza 217, 224, 257, 268, 275, 276, 277, 278, 279, 287, 288, no 289: eCoega.
5. Iziza 268, 287 no288 zeze Offit, iziza 217, 224, 257, 275, 276 277, 279 no 290 zeze CDC.
6. Esi sibhengezo, singumsebenzi wolawulo ohambisana nokhuliso lomthetho wolawulo onombolo 3, ka2000 (PAJA)

mthetho lowo onika amalungelo okusetyenziswa komhlaba ngenjongo zokwenza indlela, njengoko kuchaziwe kwisahluko 12(1) salo mthetho wezendlela weMpuma Koloni, Umthetho 3 ka2003.

7. Uyacelwa ke ukuba uyayichasa, uyayigxeka, ubona iziphene ufuna ukucebisa, ukuhlomla malunga nesi sibhengezo ukwenze oko ngokuthi ubhalele uMphathiswa kwiintsuku ezingama 30.
8. Unelungelo lokubhala nangaluphi ulwimi oluthandayo. Unalo nelungelo lokufuna ngokubhaliweyo, inguqulelo yesicelo kunxibelelwano olo.
9. Ukuba uyachasa, uyagxeka, ubona inkinge ezinokubakho, nceda uqinisekise ukuba igalelo lakho lifika ngethuba kuba ukuba lifike emva komhla obekiweyo aziyi kuhoywa izimvo zakho nguMphathiswa.
10. Igalelo lokuchasa, ukugxeka, ukubona inkinge nomhlomlo, zonke mazithunyelwe kule dilesi ingezantsi;

The State Arttorney
29 Western road
Central
Port Elizabeth

Ifoni: 041 5857921

Ifeksi: 041 5952687

Nxibelelana noMnu. Johan Coetzee

11. Esi sibhengezo ukuba sikhutshiwe siyakuba malunga nendawana ye MR460 eza kwenziwa ngukutsha, yandiswe, kuthiwe gu bucala kwaye kuvalwe njengoko kubonisiwe kwiplani ehlonyelwe kwingxelo yeSebe lezeNdllela noThutho, ungayokuwahlola la maxwebhu kwindawo echazwe kuhlathi 1 ngentla. Njengoko kubonisiwe kwiplani, imitha eziyi 40 zendlela ezishiyiweyo kumhlaba ziyakuba

- zezokuthi gu bucala, ukwandisa nokuvala, ziyakubangela ukuba iindawo ezithile zomhlaba zingasetyenziswa njengohlola wendlela kwaye ezinye iindawo zomhlaba ngoku ezingachaphazelekiyo zizakusetyenziswa.
12. UMphathiswa ukholelwa ekubeni ukwenziwa ngokutsha, ukwandiswa nokuvalwa kweMR460 kuyakwenza inzuzo kwi Offit neCDC nemfuno zoluntu.
 13. Akukho lungelo lakubhena ngaphakathi malunga nesi sibhengezo. Abo bachaphazelekayo banelungelo lokuba baye kwinkundla ephakamileyo ukuze iqwalasela indlela elandelweyo ngokwakwiPAJA.
 14. Xa umsebenzi ocetywayo wolawulo uthe waqaliswa (xa kugqityiwe) abachaphazelekayo ngokwesahluko 5 sePAJA banelungelo lokufuna izizathu.
 15. Abo babandakanyekayo bayacetyiswa ukuba balandele imigaqo, baqhagamshelane namagqwetha abo.
 16. Nceda qaphela ukuba isibhengezo senziwe kwaqhutywa naso abo bachaphazelekayo banelungelo lokufuna imbuyekezo, ngokomthetho wesahluko 12 no 26 ongomba wokususwa, umthetho 63 ka1975, nesahluko 25 soMgaqo-siseko, 108 ka1996.
 17. Kwakhona jonga kwimigaqo 5,10 no 12. noMthetho wokususwa, ingakumbi u 12, 13 14 no 26.

Ozithobileyo

Ilungu leKhawunsile ePhakamileyo
ISEbe lezeNdlela noThutho
iPhondo leMpuma Koloni
East London
Umhla: 3/Juni 2008

ISIBHENGEZO ESICETYWAYO

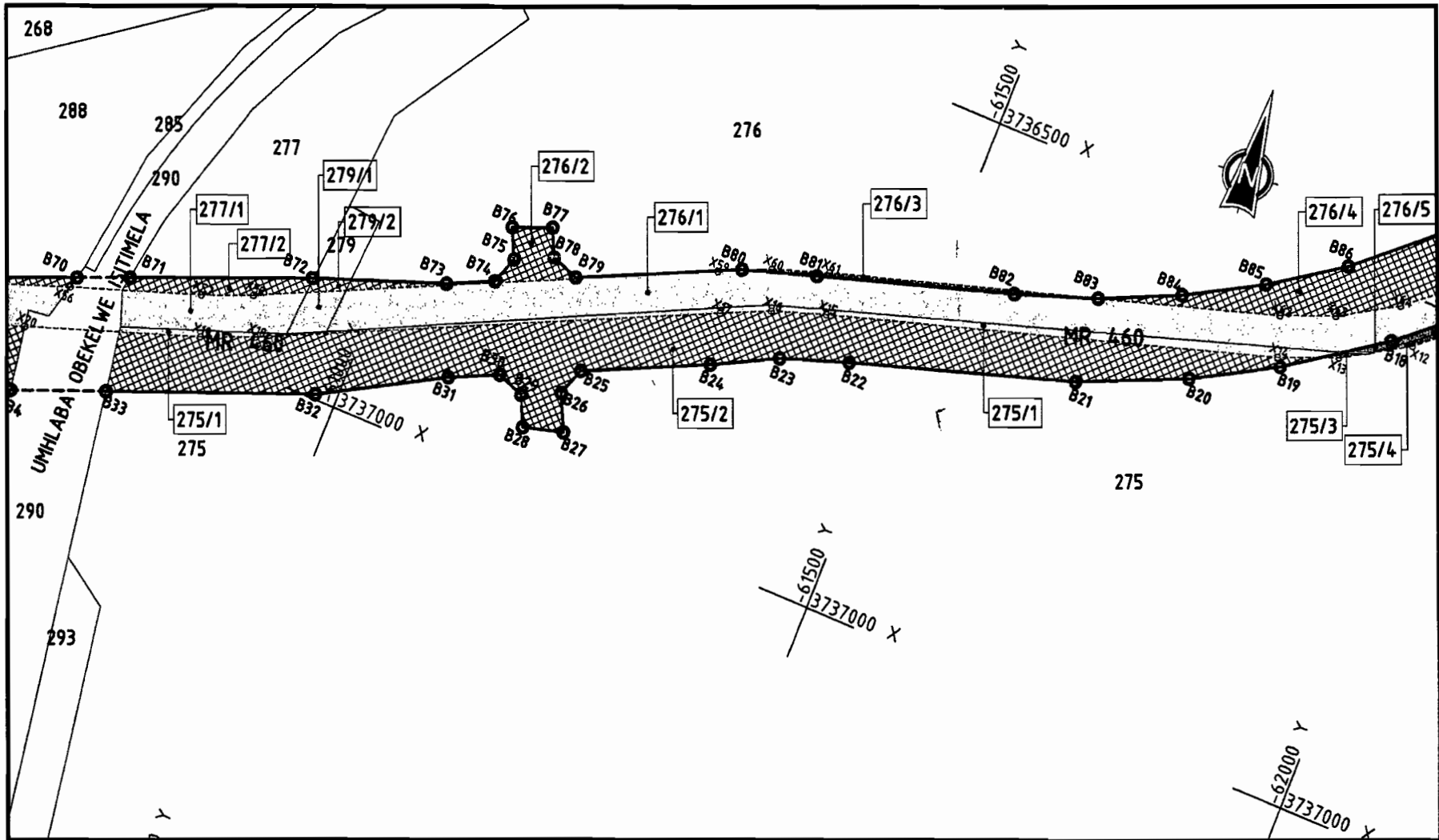
ISIBHENGEZO SOKWAKHIWA NGOKUTSHA, UKWANDISWA, UKUTHI GU BUCALA NOKUVALWA KWENDAWO ETHILE KUHOLA WENDLELA u460, eCOEGA, KWINGINGQI YEBHAYI (“MR460”)

1. Ngokwesahluko 5 somthetho wezendlela weMpuma Koloni, uMthetho 3 ka2003, uMphathiswa wezeNdlela noThutho, kwiPhondo leMpuma Koloni, wenza isibhengezo sokuba uhlola wendlela wePhondo u460 eCoega, kwingingqi yeBhayi, onobubanzi obahlukileyo okumhlaba, oboniswe kwiplani engezantsi, nendawo yohola wendlela wePhondo u460 obonisiweyo kwiplani, uzakucezelwa uvalwe njengoko kubonisiwe. Oko kuthetha ukuba ngamanye amaxesha uhola wendlela wePhondo u460 onqumla kumhlaba oboniswe kwiplani, apho ngaphambili bekungekho hola wandlela yePhondo, kwaye ukudibana kohola wendlela wePhondo u460 wangaphambili uvaliwe apho angadibani khona nendawo yesibhengezo. Oko kukwathetha ukuba uhola wendlela yePhondo u460 eCoega, kwingingqi yeBhayi, uyandiswa kwindawo ezithile.
2. Le plani kuthethwa ngayo namanye amaxwebhu anxulumene noku ayafumaneka kulowo ufuna ukuwahlola, oko kungenziwa ngamaxesha omsebenzi ngabo banomdla, afumaneka kwi-Ofisi yenjineli, District Road, Struandale, Port Elizabeth (ungaqhagamshelana noMnu. Marius Keyser okanye uNkosikazi Wilna Snyman, kwezi nombolo, 041-4522073).

Inombolo yesibhengezo EC/MET/460

3. Ukuba kukho izikhalazo okanye lowo ufuna ulwazi makalucele kwiGqwetha likaRhulumente
29 Western Road
Central
Port Elizabeth
Ifoni: 041-5857921
iFeksi: 041-5852687
Funa: uMnu. Johan Coetzee
4. Uyacetyiswa ukuba ufune ummeli wasemthethweni malunga nesi sibhengezo.
5. Isibhengezo siqala mhla sapapashwa kwiGazethi yePhondo.
6. Ngomhla wopapasho kwiGazethi yePhondo okanye ngomhla ekuvunyelwene ngawo, uMphathiswa uyakuthabathela kuye umhlaba awusebenzisele iinjongo zoMthetho wezeNdlela ngokwasemthethweni.
7. UMphathiswa unoxanduva lokuhlawula imbuyekezo ngomhlaba awusebenzisileyo ukwenza indlela, okanye ukwandisa indlela ngokomthetho-sahluko 12, udiyanyiswe nesahluko 12 no 26 wokuthabathela kuye umhlaba, ngokomthetho 63 ka 1975 nesahluko 25 soMgaqo-siseko, 108 ka 1996.
8. Uyacetyiswa ukuba uqwalasele isahluko 8 ukuya ku 12 no 14 somthetho wokuthatyathwa komhlaba onombolo zingu 63 ka1975.
9. Ungasifumana isibhengezo esitolikelwe kulwimi olufunayo.

uMphathiswa Isigqibo -----umhla-----

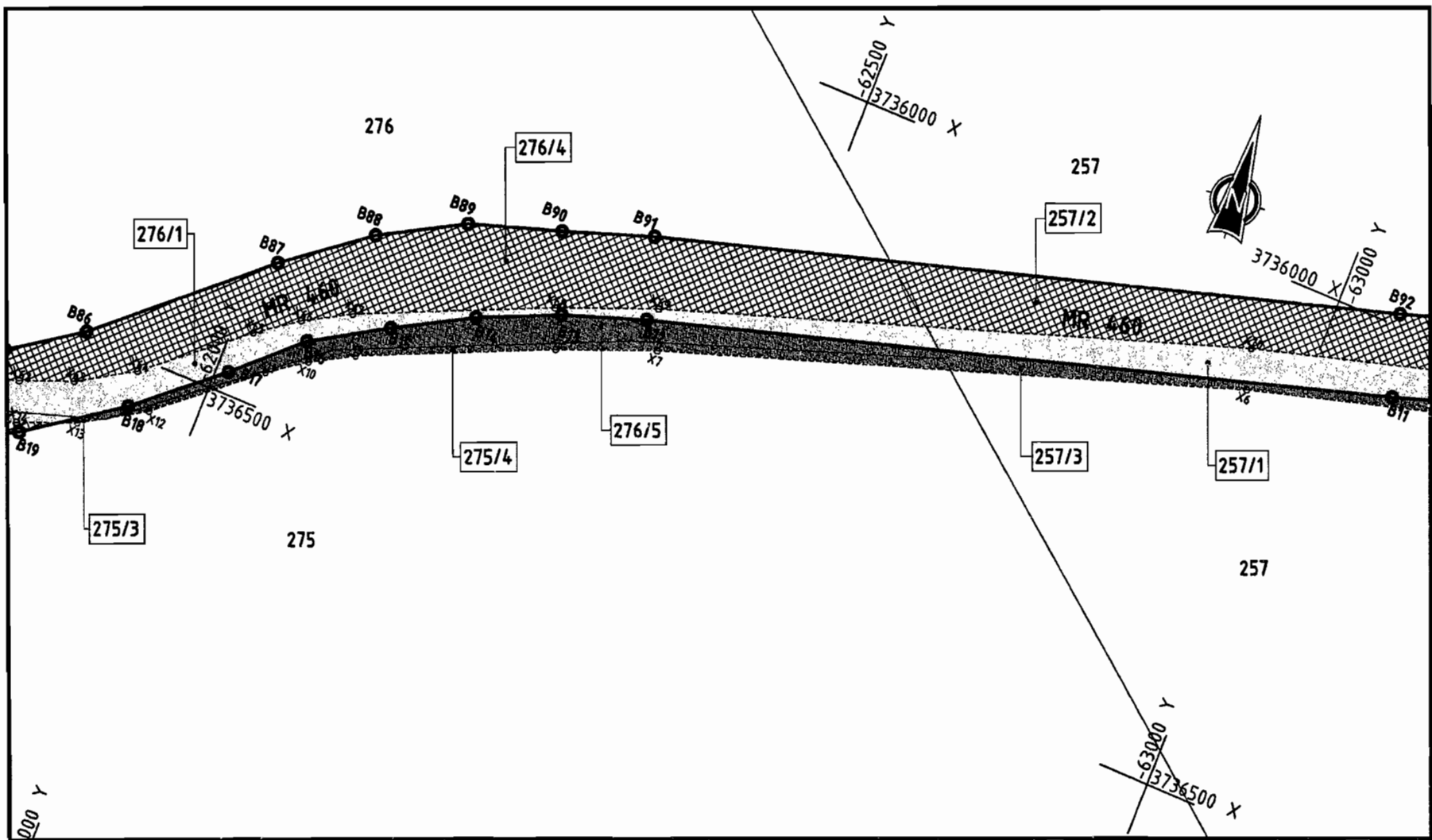


NINHAM SHAND
 INJINIYILI ZOKUBESISA
 PORT ELIZABETH
 © NINHAM SHAND (Pty) LTD 2007
 UTYIKITYO: *[Signature]*

**ICANDELO LEZENDELELA NEZOTHUTHO
 KURHULUMENTE WEPHONDO LWEMPUMA KOLONI**
 UTYIKITYO LWENJINILI YESITHILI KWEZENDELELA: *[Signature]*

**ISICELO SOKUPHULISA INDIMA
 EBEKIWEYO KUMGAQO U MR460**

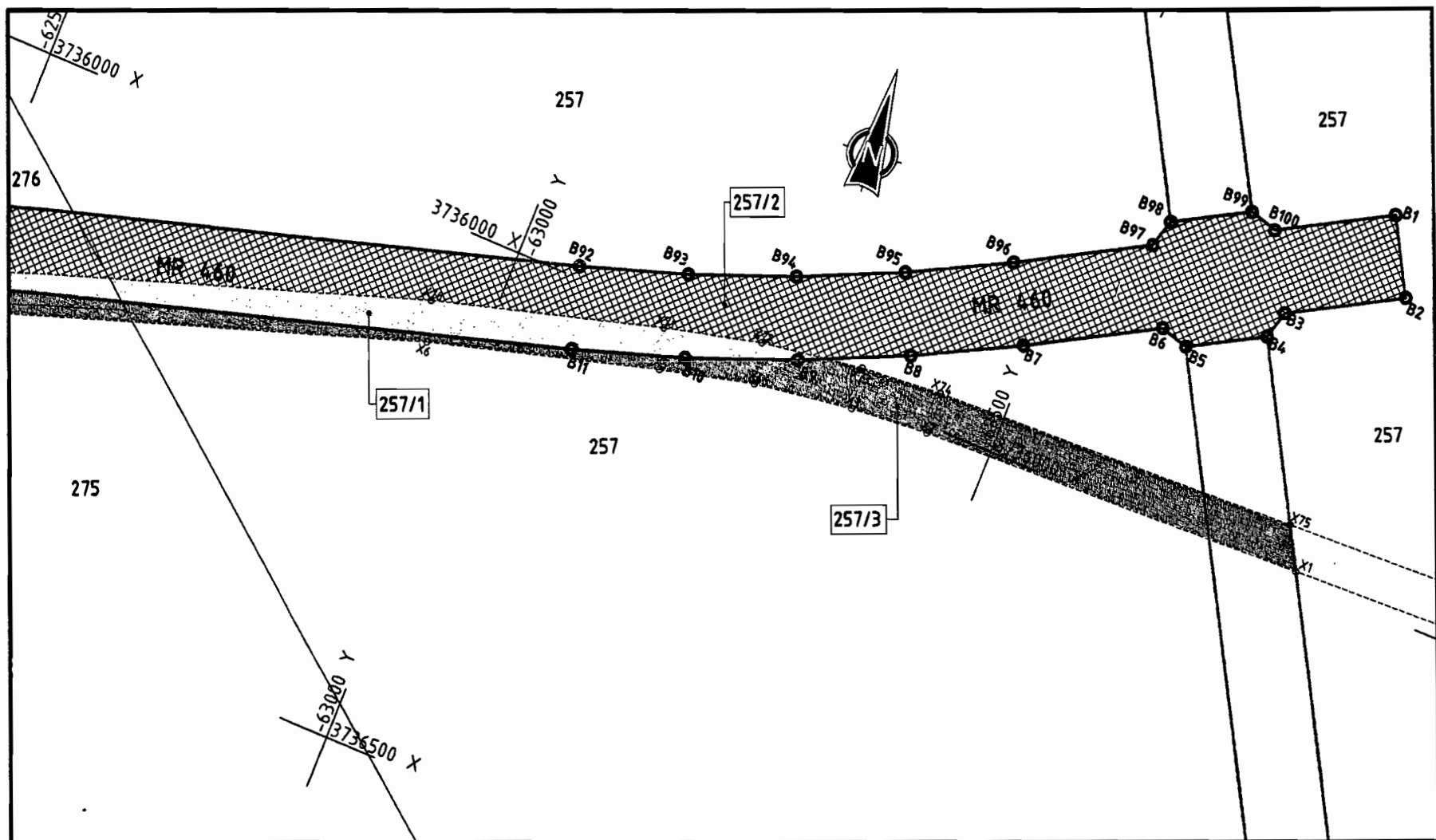
INDIMA 2 YEENDIMA 4	ISIKALI
	1:5000



NINHAM SHAND
 INJINELI ZOKUCOBISA
 PORT ELIZABETH
 © NINHAM SHAND (PTY) LTD 2007
 UTYIKIYO: *[Signature]*

**ICANDELO LEZENDLELA NEZOTHUTHO
 KURHULUMENTE WEPHONDO LWEMPUMA KOLONI**
 UTYIKIYO LWENJINELI YESITHILI KWEZENDLELA: *[Signature]*

ISICELO SOKUPHUHLISA INDIMA EBEKIWEYO KUMGAQO U MR460	
INDIMA 3 YEENDIMA 4	ISIKALI 1:5000




NINHAM SHAND
 INJINI ELI ZOKUCHEBISA
 PORT ELIZABETH
 © NINHAM SHAND (PTY) LTD 2007
 UTYIKITYO: *[Signature]*

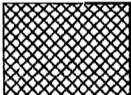
**ICANDELO LEZENDELELA NEZOTHUTHO
 KURHULUMENTE WEPHONDO LWEMPUMA KOLONI**
 UTYIKITYO LWENJINELI YESITHILI KWEZENDELELA: *[Signature]*

**ISICELO SOKUPHULISA INDIMA
 EBEKIWEYO KUMGAQO U MR460**
 INDIMA 4 YEENDIMA 4
 ISIKALI
 1:5000


IINDIMA KUMANXIWA ACAPHAZELEKAYO (Ha)			
INDIMA No	ULUHLU 1	ULUHLU 2	ULUHLU 3
217/1		0.0175	
224/1 224/2 224/3 224/4 224/5	0.2967 0.4823	1.0355 0.2408	0.3440
257/1 257/2 257/3	1.8194	8.8949	2.9195
268/1 268/2 268/3	0.6997		0.1149 0.0029
275/1 275/2 275/3 275/4	0.6465	5.4166	0.0102 0.5513
276/1 276/2 276/3 276/4 276/5	4.7811	0.3296 5.9151	0.1065 1.3665
277/1 277/2	0.6218	0.2789	
279/1 279/2	0.1491	0.0447	
287/1 287/2	0.0061		0.1555
288/1 288/2 288/3 288/4	3.5074	4.6425 0.2745 0.2694	
IZIPHUMO	12.3636	27.3600	5.5713




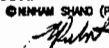


ULUHLU 1
YINDAWO EPHAKATHI KU 40m YOMGAQO
OMDALA NOMTSHA



ULUHLU 2
YINDAWO EPHANDLE KU 40m YOMGAQO OMDALA
KUNYE NEPHAKATHI KUMGAQO OMTSHA



ULUHLU 3
YINDAWO EPHAKATHI KU 40m YOMGAQO OMDALA
KUNYE NONGAPHANDLE KUMGAQO OMTSHA

 <p>NINHAM SHAND IINDIMA ZOKUCABISA PORT ELIZABETH © NINHAM SHAND (PTY) LTD 2007</p> <p>UTYIKITYO: </p>	 <p>ICANDELO LEZENDLELA NEZOTHUTHO KURHULUMENTE WEPHONDO LWEMPUMA KOLONI</p> <p>UTYIKITYO LWENJINELI YESITHILI KWEZENDLELA: </p>	<p>ISICELO SOKUPHULISA INDIMA EBEKIWEYO KUMGAQO U MR460</p>
		<p>IINDIMA</p>

ISIKALI