

**CONSTITUTIONAL  
ASSEMBLY**

**CONSTITUTIONAL COMMITTEE  
SUB-COMMITTEE**

**SUBMISSIONS**

**RECEIVED AS AT  
10TH FEBRUARY 1996**

**VOLUME 13**

***PART 1  
ORGANISATIONS***

# CONSTITUTIONAL ASSEMBLY

## SUMMARY OF SUBMISSIONS RECEIVED AS AT 10TH FEBRUARY 1996

<b>VOL 13</b>	<b>ORGANISATION</b>	<b>SUBJECT</b>	<b>SUMMARY</b>
13.1	Carolina Muslim Mosque	Property	Mosques must be exempted from this clause.
13.2	Department of Water Affairs & Forestry	Life; Labour Relations; Property	Reintroduce the death penalty; Support right to lockout to protect owners property and interests; Support Property Clause.
13.3	Norther Areas Parliamentary option	Parliament	Proposal to move Parliament to Gauteng.

# CONSTITUTIONAL ASSEMBLY

## SUMMARY OF SUBMISSIONS RECEIVED AS AT 10TH FEBRUARY 1996

<b>VOL 13</b>	<b>ORGANISATION</b>	<b>SUBJECT</b>	<b>PAGE NO</b>
13.1	Carolina Muslim Mosque	Property	1 - 2
13.2	Department of Water Affairs & Forestry	Life; Labour Relations; Property	3
13.3	Norther Areas Parliamentary option	Parliament	4 - 20

CAROLINA MUSLIM MOSQUE.

P.O. Box 64,  
Carolina. 1185.

IN THE NAME OF ALLAH MOST GRACIOUS MOST MERCIFUL.

22nd January 1996

EXECUTIVE DIRECTOR  
CONSTITUTIONAL ASSEMBLY  
P.O. Box 1192  
CAPE TOWN 8000

REGISTERED.

SIR/MADAM

Without Prejudice

Kindly be informed that I am a Trustee of a  
Mosque at 22 VOORTREKKER STREET, CAROLINA.

I hereby request that the Mosque be exempted from the  
following clause of the New Constitution:

BILL OF RIGHTS — PROPERTY CLAUSE OPTION 2 and 3.

Awaiting your reply

Thanking you

To Carolina Muslim Mosque

Ab Jina

ABDOBAKKEER JINA

13704

CAROLINA MUSLIM MOSQUE

P.O.Box 64,  
Carolina. 1185.

IN THE NAME OF ALLAH MOST GRACIOUS MOST MERCIFUL.

22 January 1996

EXECUTIVE DIRECTOR  
CONSTITUTIONAL ASSEMBLY  
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Awaiting your reply

Thanking you

For Carolina Muslim Mosque

(SGD) ABOOBACKER JINA

From: <QBE@dwaf-pta.pwv.gov.za>  
Organization: Dpt Water Affairs & Forestry (PTA)  
To: conassem@iaccess.za  
Date sent: Thu, 8 Feb 1996 09:06:10 +0200  
Subject: new constitution  
Priority: normal

EXECUTIVE DIRECTOR  
CONSTITUTIONAL ASSEMBLY  
FAX (021) 461-4339  
461-4487

Dear Sir/Ms

COMMENTS ON DRAFT OF THE NEW CONSTITUTION

I have the following comment on:

1. CHAPTER 2 PARAGRAPH 10

I support Option 2.  
The death penalty must not only be a deterrent but it must be the ultimate punishment for serious crimes.

One must not only think of the rights of the criminal but one must also keep in mind that the victims have rights also to life that might have been taken away by a criminal.

2. CHAPTER 2 PARAGRAPH 22 (3) (C)

If an owner cannot lock-out striking workers there is no way in which he can protect his property and interest. Usually striking workers are very emotional and tend to take the law into their own hands. Property and other interests get damaged and clients can get harrassed. I therefore support the inclusion of this sub paragraph.

3. CHAPTER 2 PARAGRAPH 24

If properties are to be expropriated for any reason owners must have the opportunity to ask a court to decide on any contentious issues. I therefore support Option 2.

4. CHAPTER 5 PARAGRAPH 85

I support options 3 as it seems to be working. It enhances cooperation and goodwill despite some hiccups and drawbacks.

# NORTHERN AREAS PARLIAMENTARY OPTION PROJECT COMMITTEE

P O BOX 2887 RIVONIA 2128 •  
TELEPHONE (011) 803-8437 • TELEFAX (011) 803-7807 •

OUR REF: 3230/E HAACKE/cs  
YOUR REF:

29 January 1996

The Executive Director  
Constitutional Assembly  
P O Box 1192  
CAPE TOWN  
8000

Per Telefax: (021) 241 162

Attention: Ms Anita Geissler

Dear Ms Geissler

## RELOCATION OF PARLIAMENT

This letter is in response to my telephonic conversation this morning, with ms Anita Geissler of your office when she reported my previous letter not having been received by you.

I hereby enclose copy of my registered letter to you, dated 27 November 1995 and posted on 28 November 1995.

Copy of the document as per paragraph 9 of the letter is once again sent by registered mail.

I wish to register my extreme disappointment with the efficiency of your department which certainly does not auger well for the future of this country.

Yours faithfully

  
E. HAACKE



CONSTITUTIONAL ASSEMBLY

30 January 1996

To: Members of the Constitutional Committee Sub-Committee  
From: Hassen Ebrahim  
Re: Submission on the Relocation of Parliament

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Please find attached a submission on the Relocation of Parliament.

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5

P. O. Box 15, Cape Town, 8000  
Republic Of South Africa

Tel: (021) 245 031, 403 2252 Fax: (021) 241 160/1/2/3, 461 4487, E-mail: [conassem@iaccess.za](mailto:conassem@iaccess.za)



**You've made your mark**



**Now have your say**

**THE NEW CONSTITUTION**



# NORTHERN AREAS PARLIAMENTARY OPTION PROJECT COMMITTEE

P O BOX 2887 RIVONIA 2128 •  
TELEPHONE (011) 803-8437 • TELEFAX (011) 803-7807 •

OUR REF: 3230/E HAACKE/cs  
YOUR REF:

## REGISTERED POST

27 November 1995

The Executive Director  
Constitutional Assembly  
P O Box 1192  
CAPE TOWN  
8000

Attention: Mr Hassen Ebrahim

Dear Sir

### CHAPTER 3: PARLIAMENT

1. As the location of future parliament is still uncertain, this matter lends itself to bitter differences of opinion and rivalry between existing towns and cities for its location.
2. This problem has been experienced in all countries where the parliamentary location was not final.
3. Specific instances are:
  - Brasilia - Brazil
  - Canberra - Australia
  - New Delhi - India
  - Ottawa - Canada
  - Washington - USA
  - Putrajaya - Malaysia (under construction)
4. In every case a "greenfields" area was eventually chosen where the new parliament was settled in a new city.
5. This in every case attracted huge investments and diffused tension amongst existing cities.
6. Our proposal, which has specifically addressed the above problem, does not appear to have received the appropriate attention and hence the existence of a 5th location, i.e. portion of

COMMITTEE MEMBERS: V. RUGANI, P. DEANS, W. LOMBARD, R. TORR, N. SHARPLES, A. MADUNA, P. SITSOLE, E. HAACKE,  
M. MANLEY

the farm Nietgedacht 535 - JQ, owned by the Government and situated in Greater Johannesburg TMC, Northern MSS, was not mentioned in your Special Edition of Constitutional Talk, page 14, 3rd last paragraph.

7. This omission is very prejudicial to the proponents of the suggested location.
8. The proposal has to date been submitted to every Cabinet Minister and every member of the Gauteng executive and we can assure you that it is receiving very serious consideration in these circles.
9. I include a copy of our updated document for your guidance - from which you will notice that the Greater Johannesburg Randburg management has given it its full support.
10. It is more than likely that the Greater Johannesburg TMC will in time give its official support.
11. May we therefore urge you to:
  - 11.1 Rectify the omission of this 5th location in your next publication.
  - 11.2 Accept this as an official request to give this proposal the full support of the Constitutional Assembly.
12. Your Departments' executives are aware that for some reason the documentation in your possession did not receive the consideration it should have had and they have promised to rectify this oversight.

Yours faithfully

  
**E HAACKE**

**Boston**  
**ASSOCIATES**

**TOWN AND REGIONAL PLANNERS**

**PROPERTY VALUERS**

**STADS-EN STREEKBEPLANNERS**

**EIENDOMSWAARDEERDERS**

**OUR REF: 3230/E HAACKE/ch**

**YOUR REF:**

19 May 1995

The Secretary  
Department of Constitutional Development  
260 Walker Street  
PRETORIA

Attention: Mr Eduan du Plessis

Dear Sir

**PROPOSED RELOCATION OF PARLIAMENT**

Herewith please find in duplicate, a proposal for the relocation of Parliament.

Kindly contact writer should you have any further requirements.

Yours faithfully

**BOSTON ASSOCIATES**

  
**E HAACKE**

39 WESSEL STREET/STRAAT RIVONIA 2128  
P O BOX/POSBUS 2887 RIVONIA 2128  
TELEPHONE/TELEFOON: (011) 803 8437  
TELEFAX/TELEFAXS: (011) 803 7807

E HAACKE BSC(ENG) PRJ(SA) MIV(SA) TRP(SA) NSAITRP  
G D NABY B(ITRP) BA(NONS)GEOGRAPHY TRP(SA) NSAITRP  
D GRIFFITHS B PROC NAT DIPL PROP VAL MIV(SA)



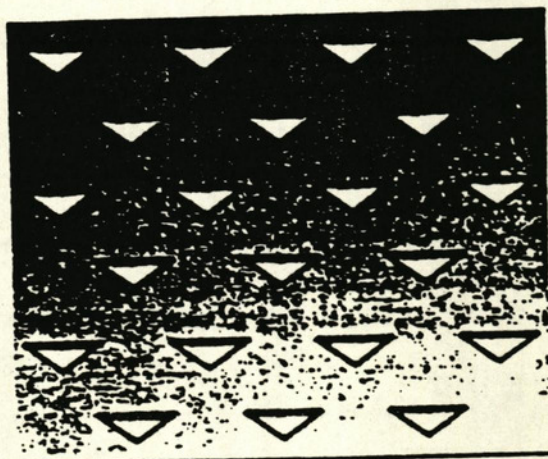
**ASSOCIATES**

**TOWN AND REGIONAL PLANNERS**

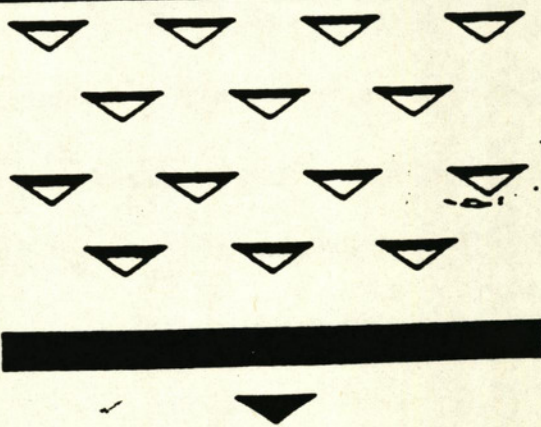
**PROPERTY VALUERS**

**STADS-EN STREEKBEPLANNERS**

**EIENDOMSWAARDEERDERS**



**PROPOSAL FOR RELOCATION  
OF  
PARLIAMENT**  
MAY 1995





**A S S O C I A T E S**

**TOWN AND REGIONAL PLANNERS**

**PROPERTY VALUERS**

**STADS-EN STREEKBEPLANNERS**

**EIENDOMSWAARDEERDERS**

**OUR REF: 3230/E HAACKE/ch**  
**YOUR REF:**

19 May 1995

The Secretary  
Department of Constitutional Development  
260 Walker Street  
Sunnyside  
PRETORIA

Attention: Mr Eduan du Plessis

Dear Sir

**PROPOSED RELOCATION OF PARLIAMENT.**

1. This proposal is made with the support and cooperation of the surrounding population.
2. The following properties are proposed to form the core for any development:
  - 2.1 The Remainder of Portion 19 of the farm Nietgedacht 5354-JQ
  - 2.2 Portion 20 of the farm Nietgedacht 535-JQ
3. The total area of these properties amounts to 169.76 hectares.
4. The State is the registered owner.
5. The properties are located north-west of Randburg as per Annexure A.
6. The interchange of the Pretoria-Krugersdorp free-way (R28) with the Randburg-Pelindaba main road (R512) is on the north western corner of the properties.
7. The old Krugersdorp-Pretoria district road (P39-1) forms the south-eastern boundary.
8. The R512 forms the western boundary.
9. The subject properties at their southern tip are at an elevation which is higher than the surrounding terrain from where they have a gentle downward slope to the north, resulting in an obstruction free vista to the Magaliesberg on the northern horizon.  
(Annexure B)

39 WESSEL STREET/STRAAT RIVONIA 2128  
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E HAACKE BSC(ENG) PRL(SA) MIVISA TRP(SA) MSAJTRP  
G D NAGY B(TRP) BA(HONS)GEOGRAPHY TRP(SA) MSAJTRP  
D GRIFITHS B PROC NAT DIPL PROP VAL MIVISA

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10. It follows that the properties and any future development thereon are highly visible from especially the R28 free-way.
11. Annexure A shows up the unique accessibility of the proposed location in relation to:-
  - Soweto, some 30 km to the south;
  - Johannesburg, 25 km to the south-east;
  - Pretoria, 35 km to the north-east;
  - Kempton Park, 35 km to the east;
  - Verwoerdburg, 25 km to the east-north-east;
  - Sandton, 20 km to the south-east; and
  - 90 % of all developments of the Pretoria/Gauteng region, being within 45 km.
12. Lanseria airport is located within 7 km from the terrain with direct access thereto via the Pelindaba road.
13. This airport can be upgraded to full international standards, should Parliament be moved.
14. Private funding amounting to several hundred million Rand appear to be available from overseas sources in such an event.
15. The locality of the suggested properties form the heart of existing development proposals as per Annexure C.
16. These indicate major cruciform employment axes, being an industrial one along the Pelindaba road from the Kya-Sand industrial area some four km to the south right up to Lanseria in the north and a commercial development axis along the R28 free-way stretching from Muldersdrift 10km to the south-west to Diepsloot, 6km to the north- east.
17. Extensive residential areas are proposed to flank these employment generators, thus eliminating costly transportation problems.
18. Between the site and Lanseria there already exist applications for 200 hectares industrial townships while there is ongoing expansion at Kya Sand to the south.
19. The ABSA group controls a block of some 700 hectares potential residential township land to the immediate south of the site. (Annexure D)
20. The Lion Park south-east of and adjoining the site, in extent some 200 hectares, is available either for recreation or urban uses. (Annexure D)
21. The above is an indication that here supporting large-scale and coordinated urban development is not only possible but highly likely.
22. Basic urban infrastructure either exists or is presently being planned:

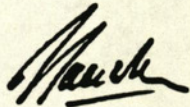
- 22.1 The Diepsloot sewage works are located some 8 km to the north-east of the site.
- 22.2 A new water supply pipe to the Lanseria area from Kya Sand via the subject properties has already been planned and at present is awaiting the voting of the necessary funds.
- 22.3 Electricity is available.
- 22.4 The properties are located on the interchange of route R28 with the Pelindaba road.
- 22.5 The latter is presently being upgraded to a four-lane major collector between Randburg and Kya Sand, with planning now being completed to a point five kilometres beyond Lanseria airport.
- 22.6 The development cost of that portion of the Pelindaba road between Kya Sand, the R28 interchange, with access to the subject properties and Lanseria, can easily be incorporated in an upgrading project of the latter.
- 22.7 Electricity is available.
23. The relocation of Parliament on the subject properties will result in the development of a new city, untainted by historic imbalances in urban planning, historically dictated by political considerations, with the associated benefit of massive job creation resulting from existing industrial and commercial catalysts in the form of Kya Sand, Lanseria - compare the effect of Johannesburg airport on the growth of Kempton Park - and the excellent existing road system - compare Halfway House development.
24. Here parliament will enjoy the following benefits, these being:
- the most convenient and shortest access from most areas in the Gauteng/Pretoria region;
  - easy and rapid access by air transport to and from locations in the rest of South Africa as well as international;
  - a very prominent and visible locality;
  - some of the most desirable recreational areas on its north-western boundary;
  - a location with very low if any air pollution;
  - an area not tainted with historical apartheid planning;
  - an area where the resulting job creation in terms of numbers and cost efficiency thereof will outperform any other locality in South Africa; (e.g. work for the resettled Zevenfontein community);
  - the overall cost/benefit advantages of the relocation thereof, in terms of our preliminary research, outstripping those for any other location.
25. In short, with all due respect, we are of the opinion that no other locality in either Gauteng or for that matter any other location in South Africa can equal the benefits arising from a

relocation of Parliament to it's siting on the proposed properties, these, amongst others, being international prestige, cost efficiency, work creation, accessibility and popular pride.

26. The above is a very short summary of merits arising from relocating Parliament to the subject site, additional background however being available and gladly supplied on request.

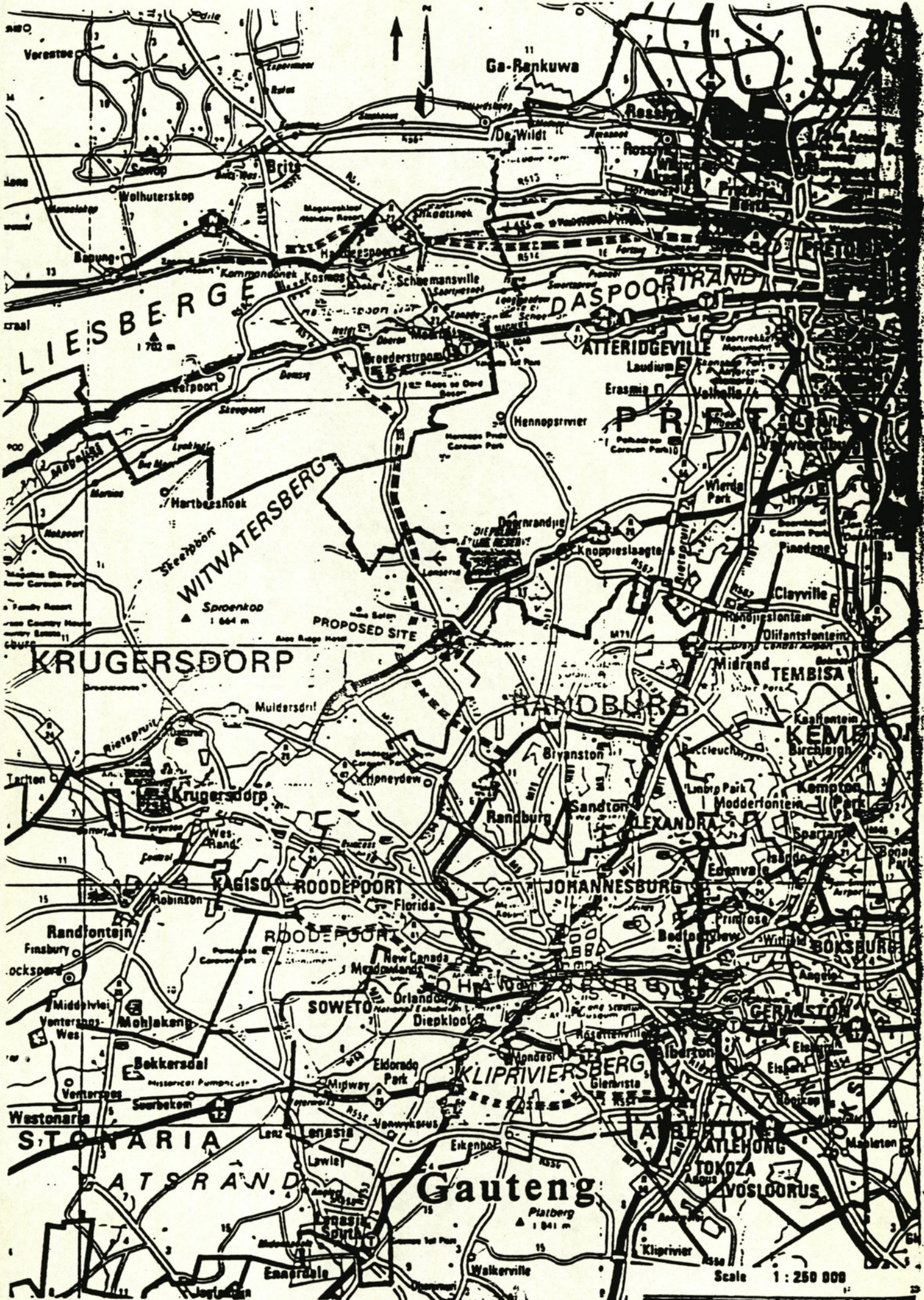
Yours faithfully

**BOSTON ASSOCIATES**

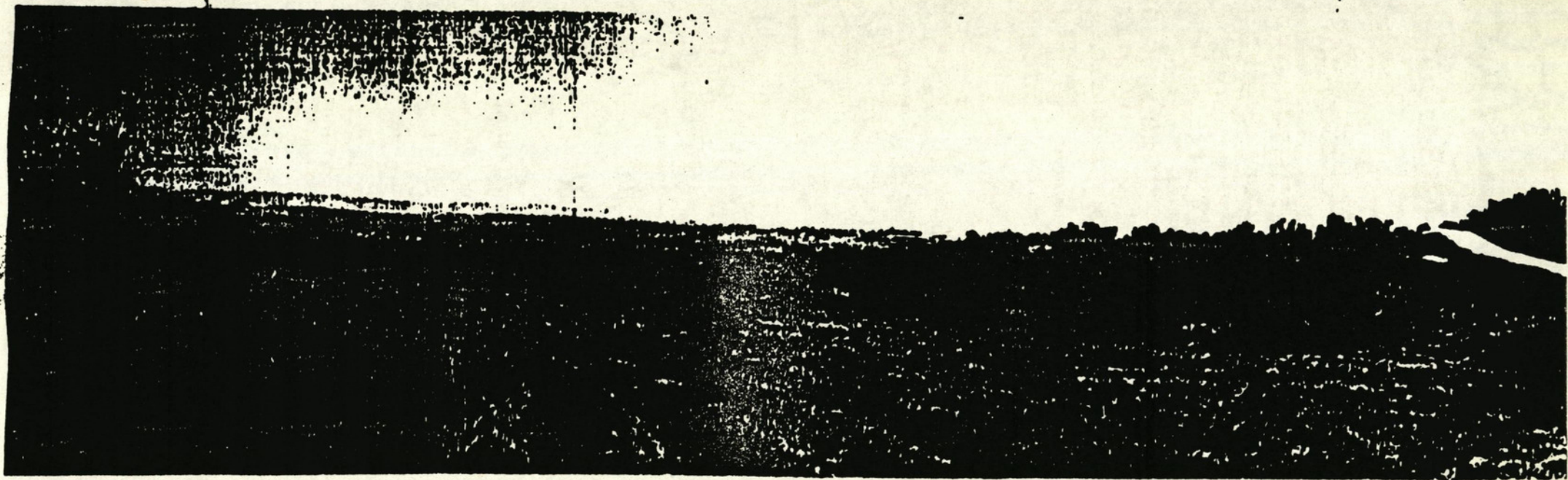


**E HAACKE**





Scale 1 : 250 000



VIEW TO NORTH

15

**MULDERSDRIFT STRUKTUURPLAN  
VERSLAG 1  
STREEKSPERSPEKTIEF EN  
SUBSTREEKPLAN**

**INFRAPLAN**

**Stads- en Streekbeplanners**

**Postbus 1847**

**PARKLANDS**

**2121**

**AUGUSTUS 1991**

SUBSTREEK

**SUBSTREEK**



LAG DICHTEID  
DOORSCHE WIKKELING



MIDDEL TOT HOE DICHTEID  
DOORSCHE WIKKELING



INDUSTRIEL/  
KOMMERSEEL



EKONOMISE AKTIVITEIT



LANSKERIA



BESIGHEIDENODE

TOTALE OFFERVLAKTE = 5 640ha  
BEVOLKING @ 4,5 persone /ha  
= 151 725

**DIGTHEIDSPAN**

INFRA PLAN

PLAN 12

DEPT. S.O.

24/2/94

**MULDERSDRIFT  
STRUKTUURPLAN**

**JANUARIE 1992**

**WESRAND STREEKDIENTSTERAAD**

**PGK MULDERSDRIFT**

SUBSTREEK

# SUBSTREEK

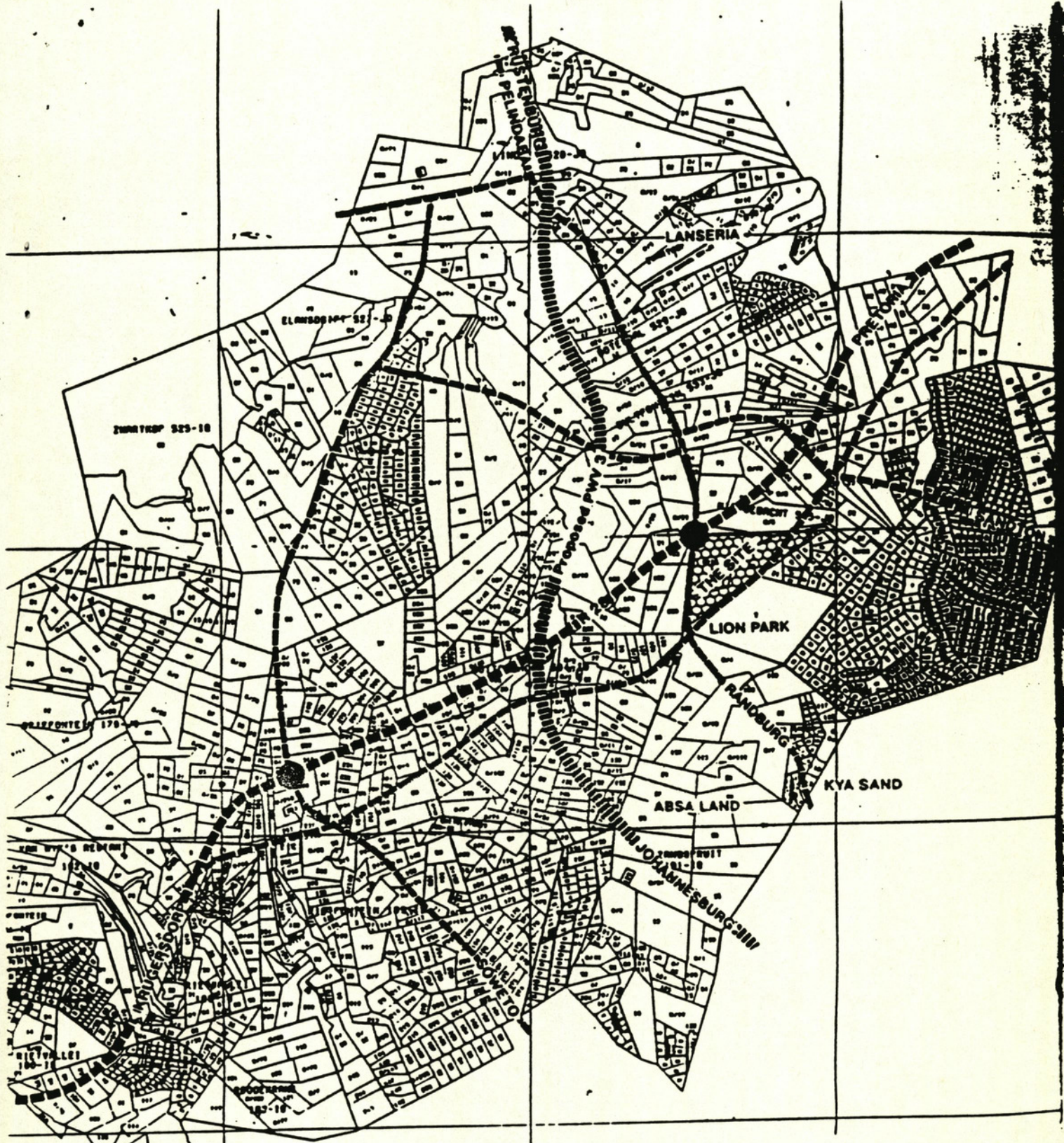
-  DORPSONTWIKKELING
-  LANDBOU / ONDERSTEUNINGSZONE
-  LANSERIA
-  EKONOMIESE AKTIWITEITSZONE
-  AKTIWITEITSNODUSSE
-  KORRIDORONTWIKKELING
-  INDUSTRIEEL / KOMMERSIEEL
-  BEWARING
-  STREEKSOOPRUIMTE
-  RESERVOIR

## SUBSTREEK VOORSTELLE

INFRANPLAN

DIAM 7





*Kadastrale kaart van die  
L.M.C. - Gebied.  
Kaart 5.*

