



KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

GAZETTE EXTRAORDINARY—BUITENGEWONE KOERANT—IGAZETHI EYISIPESHELI

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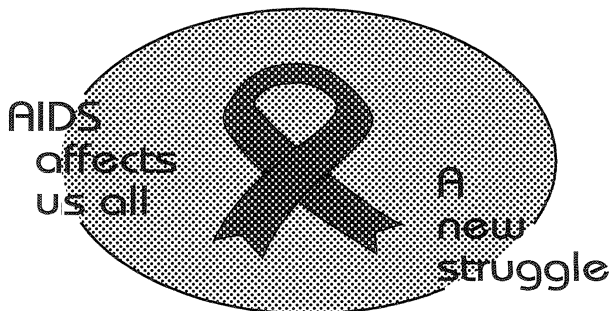
Vol. 8

PIETERMARITZBURG,

6 MARCH 2014
6 MAART 2014
6 kuNDASA 2014

No. 1106

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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PROVINCIAL NOTICE—ISAZISO SESIFUNDAZWE

No. 55**6 March 2014**

Statutory Notice No. 2706

Notice of intention to expropriate

Issued by the eThekweni Municipality ("the Municipality") in terms of Section 9 (3) of the Housing Act (Act No. 107 of 1997) - read with section 7 (5) of the Expropriation Act (Act No. 63 of 1975)

TO: The owner(s) (within the meaning of that term as defined in Section 1 of the Act) of the properties described in the schedule hereto;

AND TO: All other persons claiming any right to or interest in the properties described in the schedule hereto, whether by virtue of registration or otherwise and particularly any lessee, buyer or builder contemplated in terms of Section 9 (1) (d) of the Act.

NOTICE OF INTENTION TO EXPROPRIATE LAND FOR HOUSING PURPOSES BY THE ETHEKWINI MUNICIPALITY IN LOWER MALUKAZI, ISIPINGO

In order to carry out the upgrade of the existing informal settlement for inclusion into the Cornubia Integrated Human Settlement, it will be necessary for the Municipality to acquire the properties reflected on the following schedule. This the Municipality deems prudent to achieve by means of expropriation in the interest of efficient administration.

Any inconvenience or anxiety that the expropriation procedure may cause is sincerely regretted and accordingly, every effort will be made to assist you with any problems or queries you may have.

However, before the Municipality proceeds any further you are:

- a) Hereby given notice of the intention of the Municipality (subject to the approval of the MEC : Public Works and Human Settlements) to expropriate the properties listed in the schedule hereto, and
- b) Invited to submit within 30 days of the date of this notice a written statement detailing any objections you may have to the proposed expropriation.

Your attention is directed to the following salient provisions of the Expropriation Act (Act No. 63 of 1975) which are applicable upon service of a Notice of Expropriation::

- c) Section 9 (5) of the Expropriation Act which provides that "Any person who wilfully furnishes false or misleading particulars in any written instrument which he by the virtue of the provisions of subsection (1) or 3 (a) [of Section 9] delivers or causes to be delivered to the Minister, shall be guilty of an offence and liable on conviction to be punished as if he had been convicted of fraud."
- d) Section 9 (6) of the Expropriation Act which provides that "Any person who without sufficient reason refuses or fails to comply with the request by the Minister in terms of subsection (3) [of Section 9] shall be guilty of an offence and liable on conviction to a fine not exceeding R2,000 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment."
- e) The offer made by the Minister shall, in accordance with the provisions of Section 10 of the Expropriation Act, be regarded as having been accepted by you if an application for a

determination of the amount of compensation by a Provincial or the Local Division of a High Court having jurisdiction in the area, is not submitted within 8 (eight) months (or such longer period as may be determined) from the date of the offer of compensation-unless it has been agreed, before the expiry period that the amount of compensation should be determined by the said court.

- f) Section 19 of the Expropriation Act, which provides that any registered mortgage bonds held over an expropriated property shall be discharged as a preferential claim.
- g) Section 8 (4) of the Expropriation Act, which reads as follows : "The owner of expropriated property shall from the date of expropriation to the date upon which the State takes possession of the property, take care and maintain the property, and if the owner willfully or negligently fails to do so and as a result thereof the property depreciates in value, the Minister may recover the amount in depreciation from the owner : Provided that the Minister shall compensate the owner for costs which, in the opinion of the Minister, were necessarily incurred after the date of expropriation in respect of such maintenance or care."

SCHEDULE

OWNERSHIP SCHEDULE			
NO	PROPERTY	REGISTERED OWNER	AREAS
1	ERF 169	MOTTIEN (MULTIPLE OWNERS)	2, 2183 Ha
2	ERF 170	MOTTIEN (MULTIPLE OWNERS)	2, 2777 Ha
3	ERF 171	NARAINDASS N.	2, 5480 Ha
4	ERF 172	MOHANLAL (MULTIPLE OWNERS)	3, 0071 Ha
5	ERF 173	MOTTIEN (MULTIPLE OWNERS)	3, 5729 Ha
6	ERF 174	PORT NATAL PROP. SYND. PTY LTD	2, 4281 Ha
7	ERF 175	GOVENDER A.M. & M.	2, 2547 Ha
8	ERF 176	MOODLEY K.M. & D.S.	1, 2141 Ha
9	ERF 177	PUSHPAVATHIE	1, 8740 Ha
10	ERF 178	KHAN (MULTIPLE OWNERS)	2, 4281 Ha
11	ERF 179	MUNAMMA	1, 2141 Ha
12	ERF 180	LAKHANPORE INV PTY LTD	1, 2141 Ha
13	ERF 181	ESTATE HURGOBIND	3, 6209 Ha
14	ERF 183	MUNSANY	1, 2141 Ha
15	ERF 185	RAMHARAKH (MULTIPLE OWNERS)	2, 4281 Ha
16	ERF 186	ISMAIL M.	2, 4281 Ha
17	ERF 187	SONTHO	2, 4281 Ha
18	ERF 188	SONI ABE	4047 m ²
19	ERF 190	LAZARUS S. G. & G. H.	2, 4281 Ha
20	PORTION 1 OF ERF 192	FAYERS J.	4595 m ²
21	REMAINDER OF ERF 192	DUEPALL	2, 3731 Ha
22	PORTION 1 OF ERF 193	HARILLAL	8505 m ²
23	REMAINDER OF ERF 193	BURATH	7681 m ²
24	ERF 195	SILVAL H. (MULTIPLE OWNERS)	2, 4281 Ha

25	ERF 196	MAHAJ P. (MULTIPLE OWNERS)	2, 4281 Ha
26	ERF 197	RAJBANSI (MULTIPLE OWNERS)	4047 m ²
27	ERF 198	ELLAURIE M.	8094 m ²
28	PORTION 1 OF ERF 199	RAMOO	4047 m ²
29	ERF 200	DURGAPERSADH (MULTIPLE OWNERS)	2, 4281 Ha
30	ERF 201	INDURJIT	9053 Ha
31	ERF 202	MOONSAMY	1, 5228 Ha
32	ERF 203	MAHABIR	5596 m ²
33	ERF 204	MAHABIR	4524 m ²
34	ERF 205	MARUTHAYE	3901 m ²
35	ERF 206	NADASEN A.	2438 m
36	ERF 207	NADASEN A.	2301 m ²
37	ERF 208	RAMLAKHAN D.	4074 m ²
38	ERF 209	MOHAN	4047 m ²
39	ERF 210	NAICKER K.	4047 m ²
40	ERF 211	KISTEN K.S.	2542 m ²
41	ERF 212	MUNISANKAR A.	2023 m ²
42	ERF 213	DANWANTI	4047 m ²
43	ERF 214	RABBICHAND	9543 m ²
44	ERF 215	NAIDOO A. (MULTIPLE OWNERS)	1, 1703 Ha
45	ERF 216	RAMGOVIND (MULTIPLE OWNERS)	2, 1246 Ha
46	ERF 217	RAMGOVIND (MULTIPLE OWNERS)	2, 5797 Ha
47	ERF 218	JUGRAJ (MULTIPLE OWNERS)	2, 0234 Ha
48	ERF 219	SEWPERSADH (MULTIPLE OWNERS)	1, 4917 Ha
49	PORTION 1 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4936 m ²
50	PORTION 2 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4590 m ²
51	PORTION 3 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4720 m ²
52	REMAINDER OF ERF 220	DUEPALL (MULTIPLE OWNERS)	5824 m ²
53	ERF 221	MAHARAJ R. H. (MULTIPLE OWNERS)	4047 m ²
54	ERF 222	MAHARAJ R.H. (MULTIPLE OWNERS)	4067 m ²
55	ERF 223	RAMPERSAD	4047 m ²
56	ERF 224	BEEDASE E. (MULTIPLE OWNERS)	4191 m ²
57	ERF 225	PERUMAL P. (MULTIPLE OWNERS)	1, 6895 m ²
58	ERF 226	GOVENDER R. R.	8094 m ²
59	PORTION 1 OF ERF 227	LEACHMAN	6073 m ²
60	REMAINDER OF ERF 227	LEACHMAN	2018 m ²
61	ERF 228	GOVENDER R. R.	4049 m ²
62	ERF 230	RAMBARAM	2023 m ²
63	ERF 231	LUTCHMAN B.	2023 m ²
64	ERF 232	RAMBAWATHIE	2023 m ²
65	ERF 233	RAMPATHIE	2023 m ²
66	ERF 261	MOOSA A. S. (MULTIPLE OWNERS)	2, 0234 Ha
67	ERF 263	GUNGALDEEN (MULTIPLE OWNERS)	1, 9459 Ha
68	ERF 264	MOOSA A. (MULTIPLE OWNERS)	7642 m ²
69	ERF 265	SIGN M. (MULTIPLE OWNERS)	8094 m ²

70	ERF 266	KADATH I. (MULTIPLE OWNERS)	1, 2170 Ha
71	ERF 267	HARGONAN N.P.	1, 2147 Ha
72	ERF 268	HARGONAN N.P.	1, 2397 Ha
73	ERF 269	HARGONAN N.P.	1, 2162 Ha
74	ERF 270	HARGONAN N.P.	1, 2143 Ha
75	ERF 271	HARGONAN N.P.	1, 2143 Ha
76	PORTION 1 OF ERF 272	HARGONAN N.P.	1034 m ²
77	REMAINDER OF ERF 272	HARGONAN N.P.	4, 1469 Ha
78	REMAINDER OF ERF 274	UMBUMBULU PROP. CC.	2, 9096 Ha
79	PORTION 1 OF ERF 275	FARID S.	2187 m ²
80	PORTION 2 OF ERF 275	SEWPERSAD S.	2173 m ²
81	PORTION 4 OF ERF 275	PILLAYS.	2181 m ²
82	REMAINDER OF ERF 275	NAIDOO R.R.	1, 6265 Ha
83	ERF 276	APPAHMMAH	2176 m ²
84	ERF277	NARAIN	2187 m ²
85	ERF 278	CHUNILAL (MULTIPLE OWNERS)	2187 m ²
86	ERF 279	BIPAT B.	2184 m ²
87	ERF 280	HOUSEN Y. G. (MULTIPLE OWNERS)	2500 m ²
88	PORTION 1 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2023 m ²
89	PORTION 2 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2024 m ²
90	PORTION 3 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4047 m ²
91	REMAINDER OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4080 m ²
92	ERF 282	BAGWANDEEN J.	4050 m ²
93	ERF 283	LEHRI PTY LTD	8094 m ²
94	PORTION 1 OF ERF 284	LEHRI PTY LTD	2023 m ²
95	REMAINDER OF ERF 284	LEHRI PTY LTD	2206 m ²
96	ERF 285	HOOSAIN B.I.	2023 m ²
97	ERF 286	AMOD S.	2433 m ²
98	PORTION 1 OF ERF 287	V.N. NAIK PTY LTD	4543 m ²
99	REMAINDER OF ERF 287	SOODYALL P.	1, 1669 Ha
100	REMAINDER OF ERF 291	UMBUMBULU PROP CC	6660 m ²
101	REMAINDER OF ERF 292	GOVENDER S.	3339 m ²
102	REMAINDER OF ERF 293	GENGAYAN (MULTIPLE OWNERS)	1165 m ²
103	REMAINDER OF ERF 294	SUBBIAN (MULTIPLE OWNERS)	1037 m ²
104	REMAINDER OF ERF 295	NAIDOO D. (MULTIPLE OWNERS)	291 m ²

ENQUIRIES can be directed to Ms Bridgette Nxumalo on 031-311 3171 or to Human Settlements Department, 3rd Floor, Shell House, 221 Anton Lembede Street, Durban.

WRITTEN STATEMENTS detailing any objections should be sent within 30 days of the date of this notice to the Municipal Manager, City Hall, Durban, 4001.

Sibusiso Sithole
Municipal Manager

eThekweni Municipality
1st Floor City Hall
Dr Pixley KaSeme Street
Durban

Isaziso No. 2706

Isaziso Ngenhloso Yokudliwa Ngokomthetho Komhlaba

Sikhishwa nguMasipala waseThekwini (“uMasipala”) ngaphansi kweSigaba 9(3) somthetho wezezindlu, uHousing Act ka-1997 (uMthetho No. 107 ka-1997) - sifundwa neSigaba 7(5) somthetho i-Expropriation Act (uMthetho No.63 ka-1975)

SIYA: Kubanikazi (ngokwenzazelo yaleli gama kanjengoba lichazwe eSigabeni 1 soMthetho) bale mhlaba/izakhiwo ezichazwe kule sheduli ehambisana nalesi saziso;

KANYE: Nakubo bonke abanye abantu abathi bananoma yimaphi amalungelo noma amagunya kulo mhlaba ochazwe kule saziso, ngenxa yokuba babhalisile noma ngenye indlela, futhi ikakhulukazi noma yisiphi isiqashi, umthengi noma umakhi ophathekayo kulokhu okushiwo yisiSigaba 9(1)(d) soMthetho.

ISAZISO NGENHLOSO YOKUDLIWA NGOKOMTHETHO KOMHLABA UKUZE UMASIPALA WETHEKU AKHE IZINDLU ENZANSI NEMALUKAZI, ESIPHINGO

Ukuze kukwazi ukuba kuthuthukiswe indawo okwakhiwe kuyona imijondolo njengamanje ibe yingxenywe yephrojekthi yezindlu yaseCornubia, kuzodingeka ukuba uMasipala athole lezi ziza ezibalulwe kwisheduli elandelayo. Ukuze lokhu kwenzekwe ngendlela efanele uMasipala kufanele adle ngokomthetho lo mhlaba.

Sixolisa kakhulu ngokuphazamiseka noma ngokukhathazeka okungase kuvele ngenxa yalezi zinyathelo, futhi ngenxa yalokhu sizokwenza konke okusemandleni ukukwelekelela kunoma iyiphi inkinga noma imibuzo ongase ube nayo.

Kodwa-ke ngaphambi kokuba uMasipala aqhubeke:

- a) Uyaziswa ngenhloso kaMasipala (kuncike ekuvumeni kukaNgqongqoshe Wezemisebenzi Yomphakathi Nokuhlaliswa Kwabantu waKwaZulu-Natali) yokudla ngokomthetho lezi zindawo ezisohleni olukwisheduli ehambisana nalsi saziso, nokuthi
- b) Uyamenywa ukuba uma unanoma yiziphi izikhalo ngalokhu okuhlongozwayo kulesi saziso uzibhale phansi uzilethe zingakapheli izinsuku ezingama-30 kusukela osukwini okuphume ngalo lesi saziso.

Uyacelwa ukuba uqaphele le mibandela elandelayo yomthetho i-Expropriation Act (uMthetho No. 63 ka-1975) esebenzayo uma kukhishwa isaziso sokudliwa ngokomthetho komhlaba:

- c) Ngokwesigaba 9(5) somthetho i-Expropriation Act “noma yimuphi okuthi ngamabomu abhale phansi okungelona iqiniso noma okudukisayo okuthi ngokweSigatshana (1) noma 3(a) [ngaphansi kweSigaba 9] akuhambise noma adale ukuba kuhanjiswe kuNgqongqoshe, uyotholakala enecala futhi angase anikwe isigwebo sokulahlwa yicala lokukhwabanisa.”
- d) NgokweSigaba 9(6) somthetho i-Expropriation Act othi “noma yimuphi umuntu okuthi ngaphandle kwesizathu esiqinile ahluleke noma anqabe ukuthobela isicelo sikaNgqongqoshe

esenziwe ngaphansi kweSigatshana 3 [ngaphansi kweSigaba 9], uyotholakala enecala futhi angakhokhiswa inhlawulo engeqile ku-R2000 noma avalelwe ejele isikhathi esingevile ezinyangeni eziyisithupha noma agwetshwe kokubili”.

- e) Ngokwesigaba 10 soMthetho i-Expropriation Act, lesi sinxephezelo esiphakanyiswa uNgqongqoshe singathathwa njengesamukeliwe uwenama isicelo sesinqumo ngemali yesinxephezelo okufanele sikhishwe yiNkantolo yesiFundazwe noma uphiko lwendawo lweNkantolo Ephakeme okuyiyo enegunya lokunquma ngalezi zindaba kule ndawo singafakwanga singakapheli isikhathi esiyizinyanga eziyisishiyagalombili (noma esinye isikhathi eside kunalesi esinganqunywa) kusukela osukwini okukhishwe ngalo isaziso sokuba wamukele isinxephezelo osinikwayo – ngaphandle uma kuvunyelwene, ngaphambi kosuku lokugcina olubekiwe ukuthi inani lesinxephezelo kufanele linqunywe yile Nkantolo eshiwo.
- f) ISigaba 19 sika-Expropriation Act sihlizekela ukuthi noma iyiphi ibhondi ebhalisiwe ngalesi sakhawo esidliwayo ithathwe njengesikweleti esikhokhwa ngaphambi kwezinye.
- g) ISigaba 8 (4) sika-Expropriation Act sifundeka kanje: “Umnikazi womhlaba odliwe ngokomthetho kufanele ukuthi kusukela ngelanga lokudliwa komhlaba kuze kube usuku uHulumeni awuthatha ngalo umhlaba, awunakekele futhi awugcine esimweni esifanele, kanti futhi uma engakwenzi lokhu ngamabomu noma ngenxa yobudedengu bese kuthi ngenxa yalokho lehle inani lomhlaba noma lesakhiwo, uNgqongqoshe angabiza leyo mali inani elehle ngayo kumnikazi: Ngaphansi kombandela wokuthi uNgqongqoshe uyombuyisela umnikazi izindleko angene kuzona, ngokubona kukaNgqongqoshe, okwakudingekile ukuba angene kuzona emva kosuku lokudliwa ngokomthetho komhlaba noma kwesakhiwo ezimaqondana nokunakekelwa kwawo.”

ISHEDULI YABANIKAZI			
NO	ISIZA	UMNIKAZI	UBUBANZI
1	ERF 169	MOTTIEN (MULTIPLE OWNERS)	2, 2183 Ha
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9	ERF 177	PUSHPAVATHIE	1, 8740 Ha
10	ERF 178	KHAN (MULTIPLE OWNERS)	2, 4281 Ha
11	ERF 179	MUNAMMA	1, 2141 Ha
12	ERF 180	LAKHANPORE INV PTY LTD	1, 2141 Ha
13	ERF 181	ESTATE HURGOBIND	3, 6209 Ha
14	ERF 183	MUNSANY	1, 2141 Ha
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16	ERF 186	ISMAIL M.	2, 4281 Ha
17	ERF 187	SONTHO	2, 4281 Ha
18	ERF 188	SONI ABE	4047 m ²

19	ERF 190	LAZARUS S. G.& G. H.	2, 4281 Ha
20	PORTION 1 OF ERF 192	FAYERS J.	4595 m ²
21	REMAINDER OF ERF 192	DUEPALL	2, 3731 Ha
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85	ERF 278	CHUNILAL (MULTIPLE OWNERS)	2187 m ²
86	ERF 279	BIPAT B.	2184 m ²
87	ERF 280	HOOSSEN Y. G. (MULTIPLE OWNERS)	2500 m ²
88	PORTION 1 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2023 m ²
89	PORTION 2 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2024 m ²
90	PORTION 3 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4047 m ²
91	REMAINDER OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4080 m ²
92	ERF 282	BAGWANDEEN J.	4050 m ²
93	ERF 283	LEHRI PTY LTD	8094 m ²
94	PORTION 1 OF ERF 284	LEHRI PTY LTD	2023 m ²
95	REMAINDER OF ERF 284	LEHRI PTY LTD	2206 m ²
96	ERF 285	HOOSAIN B.I.	2023 m ²
97	ERF 286	AMOD S.	2433 m ²
98	PORTION 1 OF ERF 287	V.N. NAIK PTY LTD	4543 m ²
99	REMAINDER OF ERF 287	SOODYALL P.	1, 1669 Ha
100	REMAINDER OF ERF 291	UMBUMBULU PROP CC	6660 m ²
101	REMAINDER OF ERF 292	GOVENDER S.	3339 m ²
102	REMAINDER OF ERF 293	GENGAYAN (MULTIPLE OWNERS)	1165 m ²
103	REMAINDER OF ERF 294	SUBBIAN (MULTIPLE OWNERS)	1037 m ²
104	REMAINDER OF ERF 295	NAIDOO D. (MULTIPLE OWNERS)	291 m ²

YONKE IMIBUZO kufanele ibhekiswe kuNksz. Bridgette Nxumalo kule nombolo yocingo 031-311 3395 noma eMnyangweni weZezindlu kaMasipala weTheku e-3rd Floor, Shell House, 221 Anton Lembede Street, eThekwini.

IZITATIMENDE EZIBHALWE PHANSI, ezinemininingwane ephelele yanoma yiziphi izizathu zokuphikisana nalokhu okuhlongozwayo lapha kufanele zithunyelwe kuleli kheli: The Municipal Manager, City Hall, Durban 4001, zingakapheli izinsuku ezingama-30 kuphume lesi saziso.

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IMenenja yeDolobha

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