



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

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No. 1637

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DEPARTMENT OF HEALTH

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Government Printing Works

Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website www.gpwonline.co.za to familiarise yourself with the new deadlines.

CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

take note!

With effect from **01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

PROOF OF PAYMENTS

REMINDER

GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to submit.egazette@gpw.gov.za, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

REMINDER OF THE GPW BUSINESS RULES

- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

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MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

MUNICIPAL NOTICE 39 OF 2016

ETHEKWINI MUNICIPALITY

Statutory Notice No. 2770

Notice of Expropriation

Issued by the eThekweni Municipality ("the Municipality") in terms of the Expropriation Act (Act No. 63 of 1975) as amended ("the Act")

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 TO EXPROPRIATE ROAD SERVITUDES: POSTUM ROAD UPGRADE: MALAGAZI, ISIPINGO

1. Notice is given in terms of Section 7 of the Act that the Municipality hereby expropriates in terms of Section 190 of Ordinance 25 of 1974 and Section 5 of the Act, for public purposes, the right(s) described in the following schedule and where applicable in terms of the act, depicted in the stated plans, provided that any mineral rights in respect of the said land are excluded in terms of this notice.
2. The date of Expropriation shall be 1 August 2016 with effect from which date, where applicable, ownership of the said rights will vest in the Municipality.
3. The date upon which the Municipality will take possession of the said property shall be 1 August 2016, or such other date as may be agreed upon between the Owner(s) and the Municipality in terms of Section 8(3) of the Act, or a date determined in terms of the provisions of Section 8(5) of the Act, as the case may be.
4. Your attention is directed to the provisions of Sections (9)(1), 12(3)(a)(ii) and 12(4) of the Act which read as follows (please read Municipality where it states "Minister" of "State"):

“9 Duties of Owner of property expropriated or which is to be used by State

(1) Any owner whose property has been expropriated in terms of this Act, shall, within sixty (60) days from the date of notice in question, deliver or cause to be delivered to the Minister a written statement indicating -

(a)

(b) The amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in Section 12(1)(a)(i) and (ii) or (b) and the full particulars as to how such amounts are made up;

- (c) If the property expropriated is land and any amount is claimed in terms of paragraph ... (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the value of such land;
- (d) If the property being expropriated is land -
- (i) Which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and address of the lessee and accompanied by the lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;
 - (ii) Which, prior to the date of notice. Was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase and sale or a certified copy thereof;
 - (iii) On which a building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the builders contract or certified copy thereof.
- (e) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered.

Provided that the Minister may at his discretion extend the said period of sixty days, and that, if the owner requests the Minister in writing within thirty days as from the date of notice to extend the said period of sixty days, the Minister shall extend such period by a further sixty days."

"12 Basis on which compensation is to be determined

(1)

(2)

(3) (a) Interest at the standard interest rate determined in terms of Section 26(1) of the Exchequer Act, 1975 (Act No. 66 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the State takes possession of the property in question in terms of Section 8(3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1) ; Provided that -

(i)

(ii) If the owner fails to comply with the provisions of Section (9)(1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount.

- (4) If the owner of property which has been expropriated occupies or utilises that property or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilises it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the Minister, relates to the property so occupied or utilised.”

If the title deed to the land is not in the possession or under the control of the Owner(s), you are further requested in terms of Section 9(3)(a) of the Act to provide within sixty (60) days of the date of this notice written particulars of the name and address of the person in whose possession or under whose control it is.

ENQUIRIES can be directed to the Property Acquisition Team on 031-311 4414.

DECLARATION FORM detailing claim for compensation should be sent within 60 days of the date of this notice to the Head: Real Estate, PO Box 272, Durban, 4000.

SCHEDULE A

(To notice of intention to expropriation in terms of section 190 of Ordinance 25 of 1974 as amended)

	DESCRIPTION	APPROXIMATE EXTENT	PLAN NUMBER	REFERENCE NUMBER
1	Proposed Road Servitude over Erf 283 Isipingo	156 m ²	SJ 4652/1	17/2/1/1/34/19/13
2	Proposed Road Servitude over Erf 261 Isipingo	940 m ²	SJ 4652/2	17/2/1/1/34/19/2
3	Proposed Road Servitude over Erf 260 Isipingo	84 m ²	SJ 4652/3	17/2/1/1/34/19/1
4	Proposed Road Servitude over Erf 264 Isipingo	1 785 m ²	SJ 4652/4	17/2/1/1/34/19/5
5	Proposed Road Servitude over Erf 262 Isipingo	6m ²	SJ 4652/5	17/2/1/1/34/19/3
6	Proposed Road Servitude over Erf 263 Isipingo	79 m ²	SJ 4652/6	17/2/1/1/34/19/4
7	Proposed Road Servitude over Erf 265 Isipingo	808 m ²	SJ 4652/7	17/2/1/1/34/19/6
8	Proposed Road Servitude over Erf 266 Isipingo	804 m ²	SJ 4652/8	17/2/1/1/34/19/7
9	Proposed Road Servitude over Erf 267 Isipingo	970 m ²	SJ 4652/9	17/2/1/1/34/19/8
10	Proposed Road Servitude over Erf 268 Isipingo	831 m ²	SJ 4652/10	17/2/1/1/34/19/9
11	Proposed Road Servitude over Erf 223 Isipingo	22 m ²	SJ 4653/1	17/2/1/1/34/19/10
12	Proposed Road Servitude over Erf 224 Isipingo	432 m ²	SJ 4653/2	17/2/1/1/34/19/11
13	Proposed Road Servitude over Erf 219 Isipingo	692 m ²	SJ 4653/3	17/2/1/1/34/19/12

Sibusiso Sithole
City Manager

1st Floor, City Hall
Dr Pixley Ka-Isaka Seme Street
Durban

UMASIPALA WASETHEKWINI**Isaziso No. 2770****Isaziso Sokudliwa Ngokomthetho Komhlaba**

Sikhishwa uMasipala waseThekwini (“uMasipala”) ngaphansi komthetho i-Expropriation Act, 1975 (Umthetho No. 63 ka-1975) nezichibiyelo zawo (“uMthetho)

SIYA: Kubanikazi (njengokuchazwa kwaleli gama eSigabeni 1 soMthetho) balo mhlaba ochaziwe kwisheduli ehambisana nalesi saziso;

KANYE: Nakubo bonke abanye abantu abathi bananoma yimaphi amalungelo noma amagunya kulo mhlaba ochazwe kulesi saziso, ngenxa yokuba bebhalisile noma ngenye indlela, futhi ikakhulukazi nakunoma yisiphi isiqashi, umthengi noma umakhi ophathekayo ngokwemibandela yeSigaba 9(1)(d) soMthetho.

UKUDLIWA KWAMALUNGELO ENDELELA YOMGWAQO NGENHLOSO YOKULUNGISA UPOSTUM ROAD: EMALUKAZI, ESIPHINGO

1. Lesi yisaziso ngaphansi kweSigaba 7 soMthetho sokuthi uMasipala ngalokhu udla ngokomthetho ngokulawula kweSigaba 190 sika-Odinensi 25 ka 1974 kanye neSigaba 5 soMthetho, ngenhloso yokuhlinzekela umphakathi ngezidingo ezithile, umhlaba kanye/noma ilungelo/amalungelo achazwe kule sheduli ephezelela lesi saziso futhi, lapho kufanelekile ngokulawula koMthetho, nakanjengoba kuchazwe kule pulani (noma amapulani) ephelezela lesi saziso, kweyame embandeleni wokuthi noma yimaphi amalungelo okumbiwa phansi amaqondana nalo mhlaba kawathinteki kulesi saziso.
2. Usuku lokudla lo mhlaba/amalungelo okusebenzisa lo mhlaba umhla ka 1 kuNcwabe 2016 okuyosukela ngawo, lapho kufanelekile, ubunikazi balo mhlaba osushiwo buyodlulela kuMasipala kanye/noma lawo malungelo aseshiwo ayothathwa nguMasipala.
3. Usuku uMasipala azothatha ngalo lo mhlaba oshiwo kuyokuba ngumhla ka-1 kuNcwabe 2016, noma olunye usuku okungavunyelwana ngalo phakathi komnikazi/kwabanikazi noMasipala ngaphansi kweSigaba 8(3) soMthetho, noma ngosuku oluyonqunywa ngaphansi kwemibandela yeSigaba 8(5) soMthetho, ngokufanelekile.
4. Bheka imibandela yeZigaba 9(1), 12(3)(a)(ii) kanye no-12(4) zoMthetho ezicashuniwe lapha ngezansi (Qaphela ukuthi lapho kukhulunywa khona ngo“Ngqongqoshe” noma “uMbuso” lokho kufanele kufundwe ngokuthi kusho uMasipala):

“9. Izibopho zomnikazi womhlaba odliwayo noma ozosetshenziswa uMbuso –

(1) Umnikazi umhlaba wakhe odliwe ngokulawula kwaloMthetho, kuyothi, zingakapheli izinsuku ezingu 60 kusukela osukwini okuphume ngalo lesi saziso, athumele noma enze ukuba kuthunyelwe kuNgqongqoshe isitatimende esibhaliwe esikhombisa –

(a)

- (b) Imali ayibizayo njengesinxephezelo nokuthi ingakanani kuleso samba imali eyileyo ebalulwe eSigabeni 12(1)(a)(i) no (ii) noma (b) kanye neminingwane ephelele yokuthi le mali ibalwe kanjani;
- (c) Uma okudliwa ngokomthetho kungumhlaba futhi kubizwa noma yisiphi isamba sibizwa njengokulawula kwesigatshana..... (b), iminingwane ephelele ephathelene nokwakhiwe kulo mhlaba/nokulungiswa okwenziwe kuwo, ngokubona komnikazi, okunomthelela enanini lalowo mhlaba;
- (d) uma okudliwa ngokomthetho kungumhlaba-
- (i) okwathi ngaphambi kosuku lwesaziso wawuqashisiwe, wona wonke noma ingxenye yawo, ngesivumelwano esingabhalisiwe, igama nekheli lesiqashi, bese lokhu kuphelezela yisivumelwano noma ikhophi yaso eqinisekisiwe, uma sibhalwe phansi, noma iminingwane ephelele yesivumelwano, uma singabhalwe phansi;
- (ii) okwathi ngaphambi kosuku lwesaziso, wadayiswa ngumniniwo, igama nekheli lomthengi, liphelezela yisivumelwano sokuthengiselana noma ikhophi yaso eqinisekisiwe;
- (iii) okwakhiwe kuwo ibhilidi elingaphansi kwesibambiso sikamakhi kuze kukhokhwe imali akweletwa yona ngaphansi kwesivumelwano sokwakha esibhalwe phansi, igama nekheli likamakhi futhi lokhu kuphelezela yisivumelwano sokwakha noma yikhophi yaso eqinisekisiwe;
- (e) Ikheli lalapho umnikazi afisa ukuba ezinye izincwadi eziphathelene nokudliwa komhlaba ziposelwe, zihanjiswe noma zithunyelwe khona.

Kweyame ekuthini uNgqongqoshe ngokubona kwakhe angasengeza lesi sikhathi esishiwo esiyizinsuku ezingamashumi ayisithupha, nokuthi futhi uma umnikazi embhalela uNgqongqoshe emcela zingakapheli izinsuku ezingamashumi amathathu kusukela osukwini lokuphuma kwesaziso, ukuba uMasipala aselule lesi sikhathi esesishiwo esiyinsuku ezingamashumi ayisithupha, uMasipala uyoselula lesi sikhathi ngokwengeza ezinye izinsuku ezingamashumi ayisithupha.”

12. Isisekelo okuklanyelwa phezu kwaso isinxephezelo –

- (1)
- (2)

- (3) (a) Inzalo eklanywe ngokulawula kweSigaba 26(1) somthetho i-Exchequer and Audit Act, 1975 (uMthetho 66 ka-1975), ngaphansi kwemibandela yesigatshana (4), iyokhokhwa kusukela ngosuku uMbuso othatha ngalo ubunikazi bendawo leyo ngokulawula kweSigaba 8(3) noma (5) kunoma iyiphi ingxenye esilele yesamba sesinxephezelo okumele sikhokhwe ngokwesigatshana (1): Kweyame kulokhu –
- (i)
 - (ii) Uma umnikazi ehluleka ukulandela izimiso zeSigaba 9 singakadluli lesi sikhathi esinqunyiwe okukhulunywa ngaso kulesi Sigaba esesishiwo, leyo mali okuyobe kumele ikhokhwe ngaleso sikhathi salokho kwehluleka futhi maqondana nokukhokhwa kwenzalo kuyothathwa ngokuthi akuyona imali engakhokhiwe edinga ukukhokhwa.
- (4) Uma umnikazi womhlaba odliwe ehlala noma esebenzisa lowo mhlaba noma ingxenye yawo, akukho nzalo, maqondana naleso sikhathi ahlala ngaso kulowo mhlaba noma asebenzisa ngaso lowo mhlaba, eyokhokhwa ngaphansi kwesigatshana (3) kuleyo mali esasele, ngokubona kukaNgqongqoshe emaqondana nalowo mhlaba osetshenziswayo.”

Uma itayitela lalo mhlaba lingekho noma lingaphethwe umnikazi, uyacelwa ukuthi ngokweSigaba 9(3)(a) salo Mthetho uhlinzeke zingakapheli izinsuku ezingamashumi ayisithupha (60) lesi sazi sikhishiwe imininingwane ebhalwe phansi yegama nekheli lomuntu oligcinile noma elingaphansi kolawulo lwakhe.

YONKE IMIBUZO kufanele ibhekiswe kwi- Property Acquisition Team kule nombolo: 031-311-4414.

IZITATIMENDE EZIBHALWE PHANSI ezinemininingwane ephelele yemali yesinxephezelo ebizwayo kufanele zithunyelwe kuleli kheli: The Head: Real Estate, PO Box 272, Durban, 4000, zingakapheli izinsuku ezingama-60 kuphume lesi sazi.

ISHEDULI

(Yesaziso sokudliwa ngokomthetho komhlaba ngaphansi kweSigaba 190 sika-Odinensi 25 ka-1974, nezichibiyelo zayo)

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Sibusiso Sithole
IMenenja yeDolobha

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