

No. 948

14 November 2011

**PROVISION OF LAND AND ASSISTANCE ACT, 1993 (ACT NO. 126 OF 1993):
DESIGNATION FOR), REMAINDER OF LOT 89 AMATIKULU NO 10867, POOKS
HILL NO 18345 SITUATED IN THE DISTRICT OF UTHUNGULU IN THE KWAZULU
NATAL PROVINCE IN TERMS OF SECTION 10(1)(b)(iii) OF THE PROVISION OF
LAND AND ASSISTANCE ACT, 1993 (ACT NO. 126 OF 1993)**

I, Bonginkosi Zulu, Acting Chief Director of the KwaZulu-Natal Land Reform Office of the Department of Land Affairs, under the powers delegated to me by the Minister for Rural Development and Land Reform –

(a) hereby designate under section 2(1) of the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993) –

- Rem of Lot 89 Amatikulu No 10867, Farm Pooks Hill No 18345 in terms of the provision of land and assistance act 126 of 1993 through Plas, situated in Mlalazi Local Municipality, in the Uthungulu District Municipality, in the province of KwaZulu Natal.

(b) hereby impose under section 2(3) of the said Act, the following conditions for the use of the land so designated :

- (i) The land may be used only for agricultural development
- (ii) The Department will have the right of first refusal in the event that the Owner intends to sell or donate the Property (including the disposal of any portion thereof or share therein), or the Property is to be repossessed by a development or commercial financial institution.
- (iii) After the Owner has acquired the Property, the Department will subject the Property to inspections for the first three years or three cropping seasons (depending on the nature of the enterprise) by agricultural extension or monitoring and evaluation officers.
- (iv) Should an agricultural extension or a monitoring and evaluation officer discover that, in his/her opinion, the Property is under-utilised, is subjected to unsustainable land-use practices or lies fallow and that the Owner did or allowed this intentionally and notwithstanding expert advice given, the Property will revert to the Department. In exercising the reversionary right, the Department shall consider fair market value for the Property to be the

market value less any financial assistance received by the Owner from the Department and compensate the Owner accordingly.

- (v) The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983), shall apply to the utilization of the land.
- (vi) The National Water Act, 1998 (Act No. 36 of 1998), shall apply in order to prevent the pollution of public water.



BONGINKOSI ZULU

ACTING CHIEF DIRECTOR:PROVINCIAL SHARED SERVICE CENTER- KZN

DATE: 21/09/11