

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 727 OF 2018****CITY OF JOHANNESBURG  
AMENDMENT SCHEME 04-15966**

The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Randburg Town Planning Scheme, 1976, comprising the same land as included in the township of Kya Sand Extension 113.

Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning and Urban Management: City of Johannesburg and are open for inspection at all reasonable times.

This amendment is known as **Amendment Scheme 04-15966**

**H. Makhubo Deputy Director : Development Planning  
Notice No. T043/2018**

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**CITY OF JOHANNESBURG  
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares Kya Sand Extension 113 to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY RENICO CONSTRUCTION (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 158 (A PORTION OF PORTON 93) OF THE FARM NO 193-IQ GAUTENG PROVINCE HAS BEEN APPROVED.**

**1. CONDITIONS OF ESTABLISHMENT.****(1) NAME**

The name of the township is: **Kya Sand Extension 113.**

**(2) DESIGN**

The township consists of erven and streets as indicated on **General Plan S.G No. 548/2017.**

**(3) DESIGN AND PROVISION OF ENGINEERING SERVICES IN AND FOR THE TOWNSHIP**

(a) The township owner shall, to the satisfaction of the local authority, make the necessary arrangements for the design and provision of all engineering services of which the local authority is the supplier.

(b) The township owner shall not install or construct any engineering services unless the necessary written agreement has been entered into with the local authority, after proclamation of the township.

(c) Failure by the township owner to enter into the agreement contemplated in (b) above, shall result in the forfeiture of the off-setting of external contributions payable and any claims against the local authority, resulting from the installation of the bulk infrastructure.

(4) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT)

Should the development of the township not been commenced with before 19 January 2021 the application to establish the township, shall be resubmitted to the Department of Agriculture and Rural Development for exemption/authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

(5) GAUTENG PROVINCIAL GOVERNMENT (DEPARTMENT OF ROADS AND TRANSPORT)

(a) Should the development of the township not been completed before 29 March 2026 the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.

(b) If however, before the expiry date mentioned in (a) above, circumstances change in such a manner that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the township owner shall resubmit the application for the purpose of fulfillment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No. KSX113/P1/2017. The erection of such physical barrier and the maintenance thereof shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 29 March 2016.

(6) NATIONAL GOVERNMENT (DEPARTMENT: MINERAL RESOURCES)

Should the development of the township not been completed before 6 June 2021 the application to establish the township, shall be resubmitted to the Department : Mineral Resources for reconsideration.

(7) ACCESS

(a) Access to or egress from the township shall be provided to the satisfaction of the local authority and/or Johannesburg Roads Agency (Pty) Ltd and/or the Department of Roads and Transport.

(b) No access to or egress from the township shall be permitted via the line/lines of no access as indicated on the approved layout plan of the township No KSx113/P1/2017 along Malibongwe Drive and River Road.

(8) ACCEPTANCE AND DISPOSAL OF STORMWATER DRAINAGE

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent road/roads and all stormwater running off or being diverted from the road/roads shall be received and disposed of.

(9) REFUSE REMOVAL

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

(10) REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority.

(12) ENDOWMENT

The township owner shall, in terms of the provisions of Section 98(2) read with Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority for the provision of land for a park (public open space).

(13) CONSOLIDATION

The township owner shall, at his own cost, after proclamation of the township, submit an application for consent to consolidate erven 671 and 672 Kya Sands Extension 113 to the local authority for approval.

(14) OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION, TRANSFER, CONSOLIDATION AND/OR NOTARIAL TIE OF ERVEN

(a) The township owner shall, after compliance with clause 2.(3), at his own costs and to the satisfaction of the local authority, construct and install all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township

(b) The township owner shall fulfil its obligations in respect of the installation of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as agreed between the township owner and the local authority in terms of clause 2.(3) above.

(c) The township owner shall at its own costs and to the satisfaction of the local authority, remove all refuse, building rubble and/or other materials from the erven; prior to the transfer of the erf/erven.

(d) The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority.

(15) OBLIGATIONS WITH REGARD TO THE PROTECTION OF ENGINEERING SERVICES

The township owner shall, at its own cost and to the satisfaction of the local authority, survey and register all services required to protect the constructed/installed services.

**2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.**

All erven shall be made subject to existing conditions and servitudes, if any.

**A. Excluding the following which affects Elsecar Street only:**

A perpetual right of way area measuring 589m<sup>2</sup>, defined by the figures A B C D E F A on Diagram S.G. No. A4004/1993 in favour of the Greater Johannesburg Transitional Metropolitan Council, as will more fully appear from reference to Notarial Deed No K6748/1995S dated the 16 October 1995.

**B. Excluding the following servitude which does not affect the township due to its location:**

A perpetual right of way area, 1749m<sup>2</sup> defined by the figure A B C D E A on Diagram S.G. No. A4003/1993 in favour of the Greater Johannesburg Transitional Metropolitan Council, as will more fully appear from reference to Notarial Deed No. K6748/1995S dated the 16 October 1995.

**3. CONDITIONS OF TITLE.**

**A. Conditions of Title imposed by the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).**

(1) ALL ERVEN

(a) The erven lie in an area where soil conditions can cause serious damage to the buildings and structures, in order to limit such damage, foundations and other structures must be designed by a competent professional Engineer unless it is proved to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means. The NHBRC classification for foundations is considered as C1/C2. Soil Zone III.

(b)(i) Each erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

(ii) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2m thereof.

(iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the process of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

(2) ALL ERVEN

(a) The erven shall not be transferred without the written consent of the local authority first having been obtained and the local authority shall have an absolute discretion to withhold such consent, unless the transferee accepts the following condition: The local authority had limited the electricity supply to the township to 500 kVA and should the registered owners of the erven exceed the supply or should an application to exceed such supply be submitted to the local authority, additional electrical contributions as determined by the local authority, shall become due and payable by such owner/s to the local authority.

**H. Makhubo : Deputy Director: Development Planning  
Notice No. T043/2018**

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**PLAASLIKE OWERHEID KENNISGEWING 727 VAN 2018****STAD VAN JOHANNESBURG  
WYSIGINGSKEMA 04-15966**

Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe Nr 15 van 1986, dat hy 'n wysigingskema synde 'n wysiging van die Randburg Dorpsbeplanning Skema, 1976, wat uit dieselfde grond as die dorp Kya Sand Uitbreiding 113 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning en Stedelike Bestuur: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as **Wysigingskema 04-15966**

**H. Makhubo Uitvoerende Direkteur: Ontwikkelingsbeplanning  
KennisgewingNr. T043/2018**

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**STAD VAN JOHANNESBURG  
VERKLARING TOT 'N GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad van Johannesburg Metropolitaanse Munisipaliteit hiermee die dorp Kya Sand Uitbreiding 113 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR RENICO CONSTRUCTION (PTY) LTD (HIERNA DIE AANSOEKDOENER/ DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 158 ('N GEDEELTE VAN GEDEELTE 93) VAN DIE PLAAS No 193-IQ GAUTENG PROVINSIE TOEGESTAAN IS**

**1. STIGTINGSVOORWAARDES**

- (1) NAAM  
Die naam van die dorp is Kya Sand **Uitbreiding 113**.
- (2) ONTWERP  
Die dorp bestaan uit erwe soos aangedui op **Algemene Plan LG Nr 548/2017**.
- (3) VOORSIENING EN INSTALLERING VAN DIENSTE
  - (a) Die dorpseienaar moet, op sy eie koste, die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van water, elektrisiteit en sanitêre dienste asook die konstruksie van paaie en stormwaterdreinerings in die dorp, tot tevredeheid van die plaaslike bestuur.
  - (b) Die dorpseienaar sal nie voortgaan met die konstruksie of installeering van enige ingenieursdienste tensy die nodige geskrewe ooreenkoms aangegaan is met die plaaslike bestuur na proklamasie van die dorp nie.

- (c) Indien die dorpseienaar versuim om sodanige ooreenkoms aan te gaan soos vermeld in (b) hierbo, sal dit tot lei tot die verbeuring van die kompensasie vir eksterne bydraes betaalbaar en enige eise teen die plaaslike bestuur wat mag ontstaan as gevolg van die installering van die oorhoofse infrastruktuur.
- (4) GAUTENG PROVINSIALE REGERING ( DEPARTEMENT VAN LANDBOU EN LANDELIKE ONTWIKKELING)
- Indien die ontwikkeling van die dorp nie voor **19 Januarie 2021** in aanvang neem, moet die aansoek om die dorp te stig, heringedien word by die Departement van Landbou en Landelike Ontwikkeling vir vrystelling/magtiging ingevolge die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), soos gewysig.
- (5) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)
- (a) Indien die ontwikkeling van die dorp nie voltooi is **29 March 2026**, moet die aansoek heringedien word by die Departement van Openbare Vervoer, Paaie en Werke vir heroorweging.
- (b) Indien omstandighede egter, voor die verstryking van die tydperk vermeld in (a) hierbo, tot so 'n mate verander dat paaie en/of PWV roetes onder die beheer van die betrokke Departement deur die beoogde uitleg van die dorp geraak word, moet die dorpseienaar die aansoek herindien vir doeleindes van die nakoming van die vereistes van die beheerende liggaam ingevolge die bepalings van Artikel 48 van die Gauteng Vervoerinfrastruktuur Wet, 2001 (Wet 8 van 2001).
- (c) Die dorpseienaar moet voor of tydens ontwikkeling van die dorp, 'n fisiese versperring wat in ooreenstemming is met die vereistes van die Departement, langs die lyne van geen toegang soos aangedui op die goedgekeurde uitlegplan van die dorp Nr. **KSx113/P1/2017** oprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.
- (d) Die dorpseienaar sal voldoen aan die voorwaardes van die Departement soos uiteengesit in die Departement se brief gedateer 29 Maart 2016.
- (6) NASIONALE REGERING (DEPARTEMENT: MINERALE HULPBRONNE)
- Indien die ontwikkeling van die dorp nie voor 6 Junie 2021 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement: Minerale Hulpbronne vir heroorweging.
- (7) TOEGANG
- (a) Toegang tot of uitgang vanuit die dorp sal voorsien word, tot die tevredenheid van die plaaslike bestuur en Johannesburg Roads Agency (Edms) Bpk.
- (b) Geen toegang tot of uitgang vanuit die dorp sal toegelaat word teen die lyne van geen toegang, soos aangedui op die goedgekeurde uitlegplan, **KSX113/P1/2017**.
- (8) ONTVANGS EN VERSORGING VAN STORMWATER
- Die dorpseienaar moet die dreinerings van die dorp so reël dat dit inpas by dië van die aangrensende paaie en alle stormwater wat van die paaie afloop of afgelei word, moet ontvang en versorg word.
- (9) VULLISVERWYDERING
- Die dorpseienaar moet toesien dat daar genoegsame vullisverwyderingspunte in die dorp voorsien word en moet ook reëlings tref vir die verwydering van alle vullis tot die tevredenheid van die plaaslike bestuur.
- (10) VERWYDERING OF VERVANGING VAN BESTAANDE DIENSTE
- Indien dit, as gevolg van die stigting van die dorp, nodig is om enige bestaande munisipale, TELKOM en/of ESKOM dienste te verwyder of te vervang, moet sodanige verwydering of vervanging op koste van die dorpseienaar gedoen word.



- (11) **SLOPING VAN GEBOUE EN STRUKTURE**  
Die dorpseienaar moet op sy eie koste, alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot tevredeheid van die plaaslike bestuur, wanneer daartoe versoek deur die plaaslike bestuur.
- (12) **BEGIFTIGING**  
Die dorpseienaar moet ingevolge die bepalings van Artikel 98(2) saamgelees met Regulasie 44 van die Dorpbepanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986) 'n globale bedrag as begiftinging aand die plaaslike bestuur betaal vir die tekort aand die voorsiening van grons vir 'n park (openbare oop ruimte).
- (13) **KONSOLIDASIE**  
Die dorpseienaar moet op sy/haar eie koste, na proklamasie van die dorp, 'n aansoek by die plaaslike bestuur indien vir toestemming om Erwe 671 en 672 Kya Sand Uitbreiding 113 te konsolideer
- (14) **VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKING BETREFFENDE DIE VERVREEMDING VAN ERWE**
- (a) Die dorpseienaar sal die ooreenkoms nakom soos 2.(3) op sy eie koste en tot tevredeheid van die plaaslike bestuur, die ontwerp, voorsien en konstruksie, insluitend alle interne paaie en die stormwaterretikulasie binne die grense van die dorp.
- (b) Die dorpseienaar moet, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur in terme van 2(3) hierbo.
- (c) Die dorpseienaar moet op sy eie koste en tot tevredeheid van die plaaslike bestuur, alle vullis, bourommel en/of ander materiale vanaf die erwe verwyder, voor die oordrag van die erwe.
- (d) Die dorpseienaar moet, binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van elektrisiteit, water en sanitêre ingenieursdienste asook die konstruksie van paaie en stormwaterdreinerings en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur.
- (15) **VERPLIGTINGE TEN OPSIGTE VAN DIE BESKERMING VAN INGENIEURSDIENSTE**  
Die dorpseienaar moet op sy eie koste en tot tevredeheid van die raad, opname en registreer alle dienste wat benodig word om die geïnstalleerde dienste te beskerm.

(2) **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

*All erven shall be made subject to existing conditions and servitudes, if any, but*

**A. Excluding the following which affects Elsecar Street only:**

*A perpetual right of way area measuring 589m<sup>2</sup>, defined by the figures A B C D E F A on Diagram S.G. No. A4004/1993 in favour of the Greater Johannesburg Transitional Metropolitan Council, as will more fully appear from reference to Notarial Deed No K6748/1995S dated the 16 October 1995.*

**B. Excluding the following servitude which does not affect the township due to its location:**

*A perpetual right of way area, 1749m<sup>2</sup> defined by the figure A B C D E A on Diagram S.G. No. A4003/1993 in favour of the Greater Johannesburg Transitional Metropolitan Council, as will more fully appear from reference to Notarial Deed No. K6748/1995S dated the 16 October 1995.*

**3. TITELVOORWAARDES**

Die erwe hieronder genoem is onderworpe aan die voorwaardes, soos aangedui, opgelê ten gunste van die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

**(1) ALLE ERWE**

*“(a) The erven lie in an area where soil conditions can cause serious damage to the buildings and structures, in order to limit such damage, foundations and other structures must be designed by a competent professional Engineer unless it is proved to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means. The NHBRC classification for foundations is considered as C1/C2. Soil Zone III.”*

b(i) Elke erf is onderworpe aan 'n serwituut 2 m breed, ten gunste van die plaaslike bestuur, vir rioolings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

(ii) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 2 m daarvan, geplant word nie.

(iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings, en ander werke wat hy volgens goeie dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voorgenoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleiding en ander werke veroorsaak word.

**(2) ALLE ERWE**

Die erwe mag nie vervreem of oorgedra word sonder die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie en die plaaslike bestuur sal n absolute disresie he om sodaige toestemming te weerhou, tensy die oordragnemers die volgende voorwarde aanvar: die plaaslike bestuur beskik oor beperkte elektriese verskaffing tot die erf van 500 kVA en sou die geregistreerde eienaar van die erf die verskaffing oorskry of sou 'n aansoek om die verskaffing te oorskry ingedien word by die plaaslike bestuur, sal addisionele elektriese bydraes soos bepaal deur die plaaslike bestuur, betaalbaar word deur sodanige eienaar/s aan die plaaslike bestuur.

**H. Makhubo: Uitvoerende Direkteur : Ontwikkelingsbeplanning  
Kennisgewing Nr.T043/2018**



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