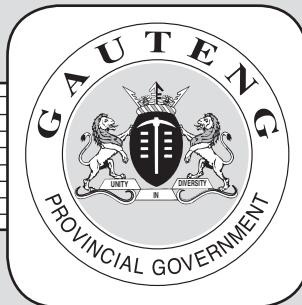


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

Provincial Gazette Provinsiale Koerant

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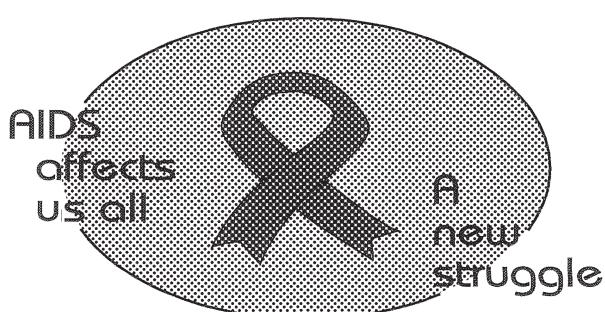
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10 JULY 2018
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No. 189

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1055 OF 2018

HOOGLAND EXTENSION 57

A. In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Johannesburg Metropolitan Municipality declares **Hoogland extension 57** to be an approved township subject to the conditions set out in the Schedule hereunder.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY NORTHLANDS GROUP HOLDINGS PROPRIETARY LIMITED REGISTRATION NUMBER 1998/016322/07 (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 REMAINING EXTENT OF PORTION 324 OF THE FARM OLIEVENHOUTPOORT 196 IQ, GAUTENG PROVINCE HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME

The name of the township is Hoogland extension 57

(2) DESIGN

The township consists of erven and a road as indicated on General Plan S.G No. 1296/2015

(3) PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall make the necessary arrangements with the local authority for the provision and installation of all engineering services of which the local authority is the supplier, as well as the construction of roads and stormwater drainage in and for the township, to the satisfaction of the local authority.

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

(a) Should the development of the township not been completed before 04 February 2018 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. 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 05 February 2008.

(5) 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.

(b) Access to or egress from Erven 441,443 and 444 shall only be permitted via the servitude of right of way to be registered over Erf 442.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) RESTRICTION ON THE TRANSFER OF AN ERF

Erf 442 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to the NPC which Association shall have full responsibility for the functioning and proper maintenance of the said erf and the engineering services within the said erf.

(11) ERVEN FOR MUNICIPAL PURPOSES

Erven 443 and 444 shall, prior to or simultaneously with registration of transfer of the first erf in the township and at the cost of the township owner, be transferred to the City of Johannesburg Metropolitan Municipality for municipal purposes (public open space).

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

(a) 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 Erven 443 and 444, prior to the transfer of the erven in the name of City of Johannesburg Metropolitan Municipality for municipal purposes

(b) The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be transferred into the name of a purchaser, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed; and

(c) 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. Erven and/or units in the township, may not be transferred into the name of a purchaser prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner, have been submitted or paid to the said local authority; and

(d) Notwithstanding the provisions of clause 4.A (1) hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (b) and (c) above. Erven and/or units in the township, may not be transferred into the name of a purchaser

prior to the local authority certifying to the Registrar of Deeds that these engineering services had been or will be protected to the satisfaction of the local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE.

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

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 (EXCEPT ERF 442)

(a) 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.

(b) 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.

(c) 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.

(d) "The erf lies in an area with soil conditions that can cause serious damage to the buildings and structures. In order to limit such damage foundations and other structural elements of buildings and structures must be designed by a competent professional engineer, unless it can be proved to the local authority, that such measures are unnecessary or that the same purpose can be achieved by other more effective means".

(2) ERF 442

(a) The entire erf as indicated on the General Plan, is subject to a servitude for municipal purposes and right of way in favour of the local authority.

(b) The erf shall not be transferred into the name of any purchaser other than the NPC without the written consent of the local authority first having been obtained.

(c) The erf is subject to a servitude of right of way in favour of Erven 441,443 and 444 for access purposes, as indicated on the General Plan.

(3) ERVEN 441,443 AND 444

(c) The erven are entitled to a servitude of right of way over Erf 442 for access purposes.

(4) ERVEN 443 AND 444

The erven shall not be transferred into the name of any purchaser other than the City of Johannesburg Metropolitan Municipality unless the existing sewer (or water main) situated on the erf, is protected by means of the registration of a servitude for municipal purposes in favour and to the satisfaction of the City of Johannesburg Metropolitan Municipality.

B. Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

No erf in the township shall be transferred unless the following conditions and/or servitudes have been registered:

(1) ALL ERVEN (EXCEPT ERF 442)

Each and every owner of the erf or owner of any sub-divided portion of the erf or owner of any Unit thereon, shall on transfer become and remain a member of, incorporated for the purpose of the community scheme ("the Association") and shall be subject to its Memorandum of Incorporation until he/she ceases to be an owner and such owner shall not Be entitled to transfer the erf or any sub divided portion thereof or any interest therein or any Unit thereon, without a clearance certificate from such Association certifying that the provisions of the Memorandum of Incorporation have been complied with and the purchaser has bound himself/herself to the satisfaction of the Association to become and remain a member of the Association.

(2) ERF 442

(a) The NPC shall maintain the stormwater attenuation system on the erf, to the satisfaction of the local authority.

4. The City of Johannesburg Metropolitan Municipality herewith in terms of the provisions of section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it 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 Hoogland extension 57. Map 3 and the scheme clauses of the amendment schemes are filed with the Executive Director: Development Planning: City of Johannesburg and are open for inspection at all reasonable times. This amendment is known as Amendment Scheme 04-8260.

PLAASLIKE OWERHEID KENNISGEWING 1055 VAN 2018**HOOGLAND UITBREIDING 57**

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 **Hoogland Uitbreiding 57** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die meegaande Bylae.

BYLAE

**VERKLARING VAN DIE VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR
NORTHLANDS GROUP HOLDINGS EIENDOMS BEPERK REGISTRAASIONOMMER
1998/016322/07 (HIERNA DIE 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 RESTANT VAN
GEDEELTE 324 VAN DIE PLAAS OLIEVENHOUTPOORT 196 IQ GOEDGEKEUR IS.**

1. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Hoogland uitbreiding 57.

(2) ONTWERP

Die dorp bestaan uit erwe en 'n pad soos aangedui op Algemene Plan LG Nr 1296/2015.

(3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE

Die dorpseienaar moet die nodige reëlings met die plaaslike bestuur tref vir die voorsiening en installering van alle ingenieursdienste waarvan die plaaslike bestuur die verskaffer is, asook die konstruksie van strate en stormwaterdreinering in en vir die dorp, tot die tevredenheid van die plaaslike bestuur.

(4) GAUTENG PROVINSIALE REGERING (DEPARTEMENT VAN PAAIE EN VERVOER)

(a) Indien die ontwikkeling van die dorp nie voor 04 Februarie 2018 voltooi word nie, moet die aansoek om die dorp te stig, heringedien word by die Departement van Paaie en Vervoer vir heroorweging.

(b) Indien omstandighede egter, voor die verval datum 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 beherende liggaam in gevolge 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 ooprig. Die oprigting van sodanige versperring en die instandhouding daarvan, moet tot tevredenheid van die gemelde Departement gedoen word.

(d) Die dorpseienaar moet aan die vereistes van die Departement soos uiteengesit in die Departement se skrywe gedateer 05 Februarie 2008, voldoen.

(5) TOEGANG

(a) Toegang tot of uitgang vanuit die dorp moet voorsien word tot die tevredenheid van die plaaslike bestuur en Johannesburg Padagentskap (Edms) Bpk.

(b) Toegang tot of uitgang vanuit Erwe 441,443 and 444 sal slegs toegelaat word via die serwituit van reg-van-weg wat oor Erf 442 regstreer is;

(6) ONTVANGS EN VERSORGING VAN STORMWATERDREINERING

Die dorpseienaar moet reël dat die stormwaterdreinering van die dorp inpas by dié van die aangrensende paaie en dat alle stormwater wat van die paaie afloop of afgelei word, ontvang en versorg word.

(7) VULLISVERWYDERING

Die dorpseienaar moet voldoende vullisversamelingspunte in die dorp voorsien en moet reëlings tot tevredenheid van die plaaslike bestuur tref vir die verwydering van alle vullis.

(8) 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 verwijder of te vervang, moet die koste van sodanige verwydering of vervanging deur die dorpseienaar gedra word.

(9) 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 die tevredenheid van die plaaslike bestuur, wanneer daar toe versoek deur die plaaslike bestuur.

(10) BEPERKING OP DIE OORDRAG VAN 'N ERF

Erf 442 moet voor of gelyktydig met registrasie van die eerste oordrag van 'n erf/eenheid in die dorp en op koste van die dorpseienaar, slegs aan NPC oorgedra word, welke maatskappy volle verantwoordelikheid sal dra vir die funksionering en behoorlike instandhouding van die gemelde erf/erwe en die ingenieursdienste binne die gemelde erf/erwe, tot die tevredenheid van die plaaslike bestuur.

(11) ERWE VIR MUNISIPALE DOELEINDES

Erwe 443 en 444 moet, voor of gelyktydig met registrasie van oordrag van die eerste erf in die dorp en op koste van die dorpseienaar, aan die Stad van Johannesburg Metropolitaanse Munisipaliteit oorgedra word vir munisipale doeleinades (openbare oop ruimte).

(12) VERPLIGTINGE TEN OPSIGTE VAN INGENIEURSDIENSTE EN BEPERKING BETREFFENDE DIE OORDRAG, KONSOLIDASIE EN/OF NOTARIËLE VERBINDING VAN ERWE

- (a) Die dorpseienaar moet op sy eie koste en tot tevredenheid van die plaaslike bestuur, alle vullis, bourommel en/of ander materiale vanaf Erwe 443 en 444 verwijder, voor die oordrag daarvan in naam van .
- (b) Die dorpseienaar moet op sy/haar eie koste en tot tevredenheid van die plaaslike bestuur, alle ingenieursdienste binne die grense van die dorp, ontwerp, voorsien en konstruksioneer, insluitend alle interne paaie en die stormwaterretikulasie. Erwe en/of eenhede in die dorp mag nie oorgedra word in die naam van 'n koper, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste voorsien en geïnstalleer is; en
- (c) 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 stormwaterdreinering en die installering van die stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike bestuur, nakom. Erwe en/of eenhede in die dorp mag nie oorgedra word in die naam van 'n koper, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat voldoende waarborg/kontantbydraes ten opsigte van die voorsiening van die ingenieursdienste deur die dorpseienaar, aan die plaaslike bestuur gelewer of betaal is; en

- (d) Neteenstaande die bepalings van klosule 4.A(1).hieronder, moet die dorpseienaar op sy/haar eie koste en tot tevredenheid van die plaaslike bestuur, alle serwitute opmeet en regstreer om die ingenieursdienste wat voorsien, gebou en/of geïnstalleer is soos beoog in hierbo, te beskerm. Erwe en/of eenhede in die dorp, mag nie oorgedra word in die naam van 'n koper, alvorens die plaaslike bestuur aan die Registrateur van Aktes gesertifiseer het dat hierdie ingenieursdienste beskerm is of sal word, tot tevredenheid van die plaaslike bestuur.

2. BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige:-

3. TITELVOORWAARDES

A. Titelvoorwaardes opgelê deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

(1) ALLE ERWE (BEHALWE ERF 442)

(a) Elke erf is onderworpe aan 'n serwituit 2m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doelesindes, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doelesindes 2m 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 serwituit mag afsien.

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

(c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rielhoofpyleidings, en ander werke wat hy volgens goeddunke noodsaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituit grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rielhoofpyleiding en ander werke veroorsaak word.

(d) Die erwe is geleë in 'n area waar grondtoestande ernstige skade aan geboue en strukture kan aanrig. Ten einde sulke skade te beperk, moet fondamente en strukturele elemente van die geboue en strukture deur 'n bevoegde professionele ingenieur ontwerp en onder sy toesig opgerig word, tensy aan die plaaslike bestuur bewys kan word dat sodanige maatreëls onnodig is of dat dieselfde doel op ander meer effektiewe wyse bereik kan word.

(2) ERF 442

- (a) Die hele erf soos aangedui op die Algemene Plan, is onderworpe aan 'n serwituit vir munisipale doelesindes en reg-van-weg, ten gunste van die plaaslike bestuur.
- (b) Die erf mag nie vervreem of oorgedra word in naam van enige koper behalwe aan 'n NPC sonder dat die skriftelike toestemming van die plaaslike bestuur eers vooraf verkry is nie.
- (b) Die erf is onderworpe aan 'n serwituit van reg-van-weg ten gunste van Erwe 441,443 en 444 vir toegangsdoelesindes soos aangedui op die Algemene Plan.

(3) ERWE 441,443 en 444

Die erwe is geregtig op 'n serwituit van reg-van-weg oor Erf 442 vir toegangsdoelesindes.

(4) ERWE 443 en 444

Die erf mag nie vervoer of oorgedra word in naam van enige koper behalwe die Stad van Johannesburg Metropolitaanse Munisipaliteit, tensy die bestaande rioollyn/waterlyn op die erf beskerm is of sal word, deur middel van die registrasie van 'n serwituit vir munisipale doeleindesten gunste van en tot die tevredenheid van die Stad van Johannesburg Metropolitaanse Munisipaliteit.

B. Titelvoorwaardes opgelê ten gunste van derde partye wat geregistreer /geskep moet word op die eerste registrasie van die betrokke erwe.

Geen erf in die dorp mag oorgedra word tensy die volgende voorwaardes en/of serwitute geregistreer is:

(1) ALLE ERWE (BEHALWE ERF 442)

Elke eienaar van die erf of eienaar van enige onderverdeelde gedeelte van die erf of eienaar van Enige Eenheid daarop sal by oorplasing word en bly 'n lid van, opgeneem vir die doel van die gemeenskapskema ("die vereniging") en sal onderhewig wees aan sy Memorandum van Oprigting totdat hy / sy ophou om 'n eienaar te wees en sodanige eienaar sal nie Het die reg om die erf of enige onderverdeelde gedeelte daarvan of enige belang daarin of enige ander oordrag te oordra Eenheid daarop, sonder 'n klaringsertifikaat van sodanige Vereniging wat sertificeer dat die bepalings van die Akte van Oprigting is nagekom en die koper het hom / haar tot die bevrediging van die Vereniging verbind om te word en bly 'n lid van die vereniging.

(2) ERF 442

Die NPC moet die stormwaterversamelingstelsel op die erf tot tevredenheid van die plaaslike bestuur instandhou.

4. Die Stad van Johannesburg Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Randburg Dorpsbeplanningskema, 1976 wat uit dieselfde grond as die dorp Hoogland Uitbreiding 57 bestaan, goedgekeur het. Kaart 3 en die skemaklousules van die wysigingskemas word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning: Stad van Johannesburg en is beskikbaar vir inspeksie op alle redelike tye. Hierdie wysiging staan bekend as Wysigingskema 04-8260.

Hector Bheki Makhubo

Deputy Director: Legal Administration / Adjunk Direkteur: Regsadministrasie

City of Johannesburg Metropolitan Municipality /

Stad van Johannesburg Metropolitaanse Munisipaliteit

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