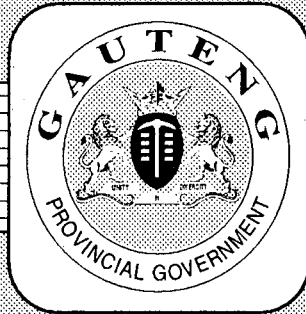


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

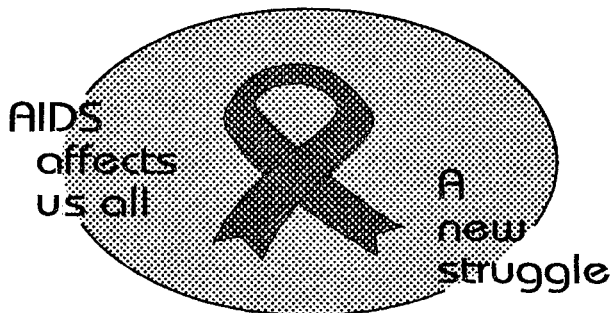
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**Vol. 10**

**PRETORIA, 24 NOVEMBER 2004**

**No. 525**

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 2663

#### EKURHULENI METROPOLITAN MUNICIPALITY

#### DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Ekurhuleni Metropolitan Municipality hereby declares **Rustivia Extension 7** township 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 AAD TRUCK AND BUS TRANSVAAL LIMITED (1923/02457/06) (HEREINAFTER REFERRED TO AS THE OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR THE PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 653 OF THE FARM RIETFONTEIN 63, REGISTRATION DIVISION IR., GAUTENG PROVINCE, HAS BEEN GRANTED:

#### 1 CONDITIONS OF ESTABLISHMENT

##### 1.1 Name

The name of the township shall be **Rustivia Extension 7**.

##### 1.2 Design

The township shall consist of erven and streets as indicated on General Plan SG. No 9786/2001.

##### 1.3 Disposal of Existing Conditions of Title

All erven shall be made subject to the existing conditions and servitudes, if any, but excluding the following conditions and servitudes:

###### 1.3.1 which do not affect the township :

1.3.1.1 The former Portion 203 (a Portion of Portion 62) ( a portion whereof is hereby registered) of the farm Rietfontein No 63 I.R., measuring 8094 square metres as indicated by the figure D E F a G A on annexed Diagram S.G. No. 9788/2001 is subject and entitled to the following annexed to Deed of Transfer No. T1252/1936.

1.3.1.2 Entitled to a servitude of right of way in extent 3,15 metres wide, in favour of the property hereby transferred, along the boundary, over the remaining extent of Portion 10 (a portion of portion "b" of portion 7) of the said farm , measuring as such 3,2378 hectares, and held by Deed of Transfer No. T10203/1930, as indicated in the diagram annexed to Deed of Transfer T12542/1936.

1.3.1.3 Entitled to the right of access to the remaining extent of portion 10 of portion "b" of portion 7 of Portion 203 (a Portion of Portion 62) of the farm Rietfontein No. 63 I.R. measuring 8094 square metres for the purpose of drawing water for all necessary household and gardening purposes from the borehole on the said portion 10.

###### 1.3.2 which affect the road only :

1.3.2.1 The former Portion 203 (a Portion of Portion 62) ( a portion whereof is hereby registered) of the farm Rietfontein No 63 I.R., measuring 8094 square metres as indicated by the figure D E F a G A on annexed Diagram S.G. No. 9788/2001 is subject and entitled to the following annexed to Deed of Transfer No. T1252/1936.

1.3.2.2 Subject to a servitude in perpetuity of right of way as indicated by the figure bEFdb on Diagram S.G. No. 9788/2001 in favour of the City Council of Germiston, as will more fully appear from Notarial Deed No. K465/1991S.

#### **1.4 Access**

- 1.4.1 No ingress from North Reef Road to the township and no egress to North Reef Road from the township shall be allowed.
- 1.4.2 Access to the township shall be constructed prior to any development in the township taking place: Provided that the right to access will be revoked if such access is not constructed prior to development taking place.
- 1.4.3 Any access to the township, whether permanently or temporary, shall be built to the satisfaction of the Deputy Director - General, Department of Public Transport and Public Works, Gauteng, before it is used, and shall be constructed according to the "Guide i.r.o. Access", obtainable from the Deputy Director ~ General, Department of Public Transport and Public Works.

#### **1.5 Acceptance and Disposal of Stormwater**

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

#### **1.6 Erection of Fence Or Other Physical Barrier**

The township owner shall at his own expense, erect a fence or other physical barrier to the satisfaction of the Deputy Director-General, Department of Public Transport and Public Works, Gauteng as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in good order and repair until such time that this responsibility is taken over by the local authority: Provided that the township owner's responsibility for the maintenance thereof shall cease when the local authority takes over the responsibility for maintenance of the streets in the township.

#### **1.7 Demolition of Buildings Or Structures**

- 1.7.1 The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces, road reserves or over the common boundaries to be demolished to the satisfaction of the local authority.
- 1.7.2 The township owner shall at his own expense cause all buildings on the erf that are not to be demolished to comply with the Germiston Town Planning Scheme, 1985, as well as the National Building Regulations, to the satisfaction of the local authority. The township owner shall at his own expense cause all buildings which do not conform with the Town Planning Scheme or the National Building Regulations to be demolished to the satisfaction of the local authority.
- 1.7.3 The township owner shall at his own expense draw up and submit acceptable building plans to the local authority, for approval in terms of the provisions of the National Building Regulations, for all buildings on the erf for which no building plans have been approved by the local authority. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the local authority.

#### **1.8 Removal of Litter**

The township owner shall at his own expense cause the litter within the township area to be removed to the satisfaction of the local authority.

#### **1.9 Removal or Replacement of Municipal Services**

- 1.9.1 If for some reason due to the establishment of the township it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.
- 1.9.2 All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the local authority.

### 1.10 Engineering Services

The township owner is responsible for making the necessary arrangements for the provision of all engineering services in terms of the provisions of the Town Planning and Township Ordinance, 1986.

## 2 CONDITIONS OF TITLE

ALL ERVEN SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS :

### 2.1 SERVITUDES

- 2.1.1 The erf is subject to a servitude, 2 meters wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries of the erf other than a street boundary, if and when required by the local authority: Provided the local authority may dispense with any such servitude.
- 2.1.2 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 2 meters there from.
- 2.1.3 The local authority shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, such materials as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works on it, in its discretion, may deem necessary, and shall further be entitled to reasonable access to the said land for 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.
- 2.1.4 All existing municipal services on the erven within the township shall be protected by means of suitable servitude's to the satisfaction of the local authority, as and when required by the local authority, by the owner at his own expense.

### 2.2 Erf 154

A right of way servitude 10m wide in favour of Erf 153 to be registered along the northern boundary of Erf 154.

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## LOCAL AUTHORITY NOTICE 2664

### NOTICE OF APPROVAL

#### GERMISTON AMENDMENT SCHEME 891

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125 (1) of the Town Planning and Townships Ordinance, 15 of 1986, declares that it has approved an amendment scheme being the amendment of the Germiston Town Planning Scheme, 1985, comprising the same land as included in the township as Rustivia Extension 7 township.

Map 3 and the scheme clauses of the amendment scheme are files with the Executive Director : Development Planning, 2<sup>nd</sup> floor, Planning and Development Services Centre, 15 Queen Street, Germiston, and are open for inspection at all reasonable times.

This amendment is known as Germiston Amendment Scheme 891.

**PAUL MASEKO, City Manager**

Development Planning, P O Box 145, Germiston, 1400  
Notice No.

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**PLAASLIKE BESTUURSKENNISGEWING 2663****EKURHULENI METROPOLITAANSE MUNISIPALITIET****VERKLARING TOT 'N GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, verklaar die Ekurhuleni Metropolitaanse Munisipaliteit hiermee die dorp **Rustiva Uitbreiding 7** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

VERKLARING VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR AAD TRUCK AND BUS TRANSVAAL LIMITED (1923/02457/06) (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 653 OF THE FARM RIETFONTEIN 63, REGISTRASIE AFDELING IR, TOEGESTAAN IS :

**1 STIGTINGSVOORWAARDES****1.1 Naam**

Die naam van die dorp is **Rustiva Uitbreiding 7**.

**1.2 Ontwerp**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 9786/2001.

**1.3 Beskikking oor bestaande titlevoorwaardes**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, maar uitgesonded die volgende voorwaardes en serwitute :

**1.3.1 wat nie die dorpsgebied raak nie :**

1.3.1.1 "The former Portion 203 (a Portion of Portion 62) ( a portion whereof is hereby registered) of the farm Rietfontein No 63 I.R., measuring 8094 square metres as indicated by the figure D E F a G A on annexed Diagram S.G. No. 9788/2001 is subject and entitled to the following annexed to Deed of Transfer No. T1252/1936."

1.3.1.2 "Entitled to a servitude of right of way in extent 3,15 metres wide, in favour of the property hereby transferred, along the boundary, over the remaining extent of Portion 10 (a portion of portion "b" of portion 7) of the said farm , measuring as such 3,2378 hectares, and held by Deed of Transfer No. T10203/1930, as indicated in the diagram annexed to Deed of Transfer T12542/1936."

1.3.1.3 "Entitled to the right of access to the remaining extent of portion 10 of portion "b" of portion 7 of Portion 203 (a Portion of Portion 62) of the farm Rietfontein No. 63 I.R. measuring 8094 square metres for the purpose of drawing water for all necessary household and gardening purposes from the borehole on the said portion 10."

**1.3.2 wat net die pad raak :**

1.3.2.1 "The former Portion 203 (a Portion of Portion 62) ( a portion whereof is hereby registered) of the farm Rietfontein No 63 I.R., measuring 8094 square metres as indicated by the figure D E F a G A on annexed Diagram S.G. No. 9788/2001 is subject and entitled to the following annexed to Deed of Transfer No. T1252/1936."

1.3.2.2 "Subject to a servitude in perpetuity of right of way as indicated by the figure bEFdb on Diagram S.G. No. 9788/2001 in favour of the City Council of Germiston, as will more fully appear from Notarial Deed No. K465/1991S."

#### **1.4 Toegang**

- 1.4.1 Geen ingang van North Reefweg tot die dorp en geen uitgang tot North Reefweg uit die dorp word toegelaat nie.
- 1.4.2 Toegang tot die dorp moet gebou word voor enige ontwikkeling in die dorp plaasvind : Met dien verstande dat die reg van toegang herroep sal word indien die toegang nie gebou word voor dat ontwikkeling plaas vind nie.
- 1.4.3 Toegang tot die dorp, indien permanent of tydelik, moet gebou word tot die bevrediging van die Adjunk-direkteur-generaal, Departement Publieke Vervoer en Werke, Gauteng, voor dat dit gebruik word, en sal gebou word volgens die "Guide i.r.o. Access", verkrygbaar by die Adjunk-direkteur-generaal, Departement Publieke Vervoer en Werke, Gauteng.

#### **1.5 Ontvangs en versorging van stormwater**

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat die inpas by die van Serenadeweg en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

#### **1.6 Oprigting van heining of ander fisiese versperring**

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot bevrediging van die Adjunk-direkteur-generaal, Departement Publieke Vervoer en Werke, Gauteng, soos en wanneer deur hom verlang om dit te doen, en die dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl hierdie verantwoordelikheid deur die plaaslike bestuur oorgeneem word : Met dien verstande dat die dorpseienaar se verantwoordelikheid vir die instandhouding daarvan verval sodra die plaaslike bestuur die verantwoordelikheid vir die instandhouding van die strate in die dorp oorneem.

#### **1.7 Sloping van geboue en structure**

- 1.7.1 Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense gelee is, laat sloop tot bevrediging van die plaaslike bestuur, wanneer die plaaslike bestuur dit vereis.
- 1.7.2 Die dorpseienaar moet op eie koste toesien dat alle geboue op die erf wat nie gesloop word nie, voldoen aan die Germiston Dorpsbeplanningskema, 1985, sowel as die Nasionale Bouregulasies, tot die bevrediging van die plaaslike bestuur. Die dorpseienaar moet op eie koste toesien dat alle geboue wat nie aan die Dorpsbeplanningskema of die bouregulasies voldoen nie, gesloop word tot die bevrediging van die plaaslike bestuur.
- 1.7.3 Die dorpseienaar moet op eie koste bouplanne laat teken en indien by die plaaslike bestuur vir goedkeuring ingevolge die bepalinge van die Nasionale Bouregulasies, vir alle geboue waarvoor geen bouplanne deur die plaaslike bestuur is goedgekeur. Die dorpseienaar moet op eie koste geboue verander om nate kom met goedgekeurde bouplanne tot die bevrediging van die plaaslike bestuur.

#### **1.8 Verwydering van rommel**

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot bevrediging van die plaaslike bestuur.

#### **1.9 Verskuiwing of die vervanging van munisipale dienste**

- 1.9.1 Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaar gedra word.
- 1.9.2 Alle munisipale dienste wat algemene grense tussen die erwe kruis, moet verwyder of verskuif word op koste van die dorpseienaar, as en waanneer deur die plaaslike bestuur vereis.

**1.10 Ingenieursdienste**

Die dorpseienaar is verantwoordelik om die nodige reëlings met die plaaslike bestuur te maak vir die voorsiening van alle ingenieursdienste ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986).

**2 TITELVOORWAARDES**

DIE ERWE IS ONDERWORPE AAN DIE VOLGENDE VOORWAARDES :

**2.1 Alle erwe**

- 2.1.1 Die erf is onderworpe aan 'n servituut 2 m breed, ten gunste van die plaaslike bestuur, vir riolerings- en ander munisipale doeleindes, langs enige twee grense, uitgesonderd 'n straatgrens, indien en wanneer verlang deur die plaaslike bestuur. Met dien verstande dat die plaaslike bestuur van enige sodanige servituut mag afsien.
- 2.1.2 Geen gebou of ander struktuur mag binne die voornoemde servituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituut of binne 2 m daarvan, geplant word
- 2.1.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings, en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde servituut 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 rioolhoofpypleiding en ander werke veroorsaak word.
- 2.1.4 Die dorpseienaar moet op eie koste alle bestaande munisipale dienste op die erwe binne die dorpsgebied beskerm deur middle van 'n geskikte servituut tot die bevrediging van die plaaslike bestuur, indien en wanneer verlang deur die plaaslike bestuur..

**2.2 Erf 154**

'n Reg van weg servituut, 10m breed, ten gunste van Erf 153, moet langs die noordelike grens van Erf 154 geregistreer word.

**PLAASLIKE BESTUURSKENNISGEWING 2664****KENNISGEWING VAN GOEDKEURING****GERMISTON WYSIGINGSKEMA 891**

Die Ekurhuleni Metropolitaanse Munisipaliteit verklaar hiermee ingevolge die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986), dat hy 'n wysigingskema synde 'n wysiging van die Germiston Dorpsbeplanning Skema, 1985, wat uit dieselfde grond as die dorp Rustivia Uitbreiding 7 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Uitvoerende Direkteur: Ontwikkelingsbeplanning, 2de vloer, Beplanning en Ontwikkelings Dienstsentrum, Queenstraat 15, Germiston en is beskikbaar vir inspeksie op alle redelike tye.

Hierdie wysiging staan bekend as Germiston Wysigingskema 891.

PAUL MASEKO, Stadsbestuurder

Ontwikkelings Beplanning, Posbus 145, Germiston, 1400  
Kennisgewing No.