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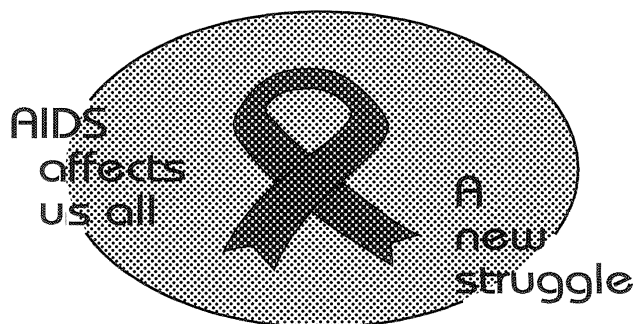
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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 83

#### RUSTENBURG LOCAL MUNICIPALITY DECLARATION AS APPROVED TOWNSHIP

In terms of section 111 of the Town-Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Local Municipality of Rustenburg hereby declares Waterval East Extension 32 to be an approved township, subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 192 (PORTION OF PORTION 9) OF THE FARM WATERVAL 306 JQ, NORTH WEST PROVINCE BY SCARLET IBIS INVESTMENTS 69 PROPRIETARY LIMITED REGISTRATION NR. 2005/040508/07 (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED.**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP**

**(1) INSTALLATION AND PROVISIONS OF SERVICES**

The township applicant shall enter into an agreement with the Local Authority regarding the provision and installation of essential engineering services in or for the township area.

**(2) AMENDMENT SCHEME**

The township applicant shall satisfy the Local Authority that the concerned amendment scheme has been compiled and can be published consecutively with the declaration of the township as an approved township.

**(3) GENERAL**

(a) The township applicant shall make the necessary arrangements to ensure that –

(i) the geotechnical soil zones have been shown on the layout plan and that the geotechnical engineer has certified on the plan that the layout of the township complies with the requirements and recommendations set out in the geotechnical report; and

(ii) the proposed township is not affected by the 1:100 year floodline(s) (a certificate by a competent engineer must be submitted)

(b) The township applicant shall comply with the provisions of Sections 72, 75 and 101 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

**2. CONDITIONS OF ESTABLISHMENT**

**(1) NAME**

The name of the township shall be Waterval East Extension 32.

**(2) LAYOUT / DESIGN**

The township shall consist of erven and street as indicated on General Plan SG No. 5498/2011.

**(3) ACCESS**

- (a) Ingress from Provincial Road P2-4 to the township and egress to Provincial Road P2-4 from the township shall be restricted to the junction/intersection of Fourth Avenue with the said road.
- (b) The township applicant shall at its own expense, submit a geometric design layout plan (scale 1:1500) of the ingress and egress point referred to in (a) above, and specifications for the construction of the access, to the Department of Transport, Roads and Community Safety for approval. The township applicant shall after approval of the layout and specifications construct the said ingress and egress point at its own expense to the satisfaction of the Department of Transport, Roads and Community Safety.
- (c) Should the access road on Portion 1 of Holding 22 not be constructed by the time of proclamation of the township, Erven 299 to 303 should be consolidated to ensure access to the erven.

**(4) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P2-4 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING POST OFFICE- / TELKOM PLANT**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office- / Telkom plant, the cost thereof shall be borne by the township applicant.

**(6) PROVISION AND ERECTION OF ROAD SIGNS, MARKINGS, STREET NAMEPLATES AND INFORMATION SIGNS**

The township applicant shall at its own expense arrange for the provision of road signs, markings, street nameplates and information signs to the satisfaction of the Rustenburg Local Municipality.

**(7) ENVIRONMENTAL MANAGEMENT**

- (a) The township applicant shall at its own expense ensure that an Environmental Impact Assessment is submitted and approved by the Department of Agriculture, Conservation and Environment before construction commences.
- (b) The township applicant must ensure that all conditions imposed by the Department of Agriculture, Conservation and Environment in terms of the Record-of-Decision (ROD) issued by the said Department by virtue of EIA574/2005NW are adhered to.

**(8) HOME OWNERS ASSOCIATION**

- (a) A Home Owners Association or similar entity must be established in terms of the provisions of Section 21 of the Companies Act, 1973 (Act 61 of 1973) which Association shall bear full responsibility for the functioning and proper maintenance of the private park (Erf 304) which erf shall be transferred to the Home Owners Association or similar entity.
- (b) None of the erven within the township area of the subdivided portions or consolidations thereof, or any interest therein, or any unit as defined in terms of the Sectional Title Act, may be transferred to buyers prior to such buyer becoming a member of the Home Owners Association as mentioned in subparagraph (a) above. This is a compulsory membership and must be registered as a condition against the Title Deeds of the mentioned erven and subdivided portions or consolidation thereof.
- (c) The owner of the erf or any subdivision or consolidation thereof, or any interest therein, or any unit as defined in terms of the Sectional Title Act, shall not be entitled to transfer the erf or any subdivision or any interest therein or unit thereon, without a clearance certificate from the Association that all monies owing to it has been paid.

**3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE****1) INSTALLATION AND PROVISION OF SERVICES**

- (a) The township applicant shall install and provide internal engineering services in the township, as provided for in the services agreement.
- (b) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement.

**4. DISPOSAL OF EXISTING CONDITIONS OF TITLE**

- (1) All erven shall be made subject to existing conditions and servitudes, if any, but excluding:
  - (a) the following servitude which affects only a street in the township:
    - "II. Subject to a Servitude of Aqueduct with ancillary rights in favour of Olifantsnek Irrigation Board, as will more fully appear on reference to Notarial Deed of Servitude No. 727/1959S, dated the 11<sup>th</sup> day of August, 1958, and registered on the 9<sup>th</sup> day of July, 1959."
- (2) The township applicant shall at his own expense cause the following restrictions in Deed of Transfer No. T 36726/2006 to be removed:

The following conditions which have lapsed through excision of the Agricultural Holding:

- "I.(a) The Holding has been sold as an Agricultural Holding and it may be used only for the purposes contemplated by the definition by that terms contained in the Agricultural Holdings (Transvaal) Registration Act, 1919. That definition reads as follows:

“Agricultural Holding” shall mean a portion of land not less than 8565 square meters in extent used solely or mainly for the purposes of agriculture of horticulture or for breeding or keeping domestic animals, poultry or bees.”

- (b) Not more than one residence with the necessary outbuildings may be erected on the holding except with the written approval of the Minister of Lands first had and obtained.
- (c) The Holding may not be subdivided nor may any part or portion thereof be sold, leased or disposed of in any way without the written approval of the Minister of Lands.
- (d) No bar, canteen, hotel, place for the sale of wines, malt or other spirituous liquors, restaurant, shop, slaughter place nor any other place of business of any kind whatsoever may be erected, opened or conducted upon the Holding hereby transferred without the written consent of the Minister of Lands.
- (e) Neither the Company nor the State shall in any way be responsible for or be compelled to make, maintain, repair, or keep in order any roads shown on the General Plan of the Settlement or any drains in connection therewith, provided, however, that with the sanction of the Administrator of the Province of Transvaal, waterpipes and electric cables may be constructed underneath or over any such roads, or water-furrows may be constructed over them.”

## 5. CONDITIONS OF TITLE

### (1) CONDITIONS IMPOSED BY THE DEPARTMENT OF MINERALS AND ENERGY

#### (a) ALL ERVEN

“As this erf forms part of land which is or may be undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.”

### (2) CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

#### (a) ALL ERVEN

- (i) The erf is subject to a servitude, 2 meters wide along any two boundaries in favour of the local authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 meters wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.
- (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 2 meters 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 course 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.

**(b) ERVEN SUBJECT TO SPECIAL CONDITIONS**

**(i) ERVEN 299 TO 303**

- (aa) Any owner of an erf, or any subdivision or consolidation thereof, or any interest therein, or any unit as defined in terms of the Sectional Title Act, shall automatically become and shall remain a member of the Association and be subject to its memorandum and articles until it ceases to be an owner as aforesaid. No erf or any subdivision thereof, or interest therein, or any unit thereon shall be transferred to any person who has not bound itself, to the satisfaction of the Association, to become a member of the Association.
- (bb) The owner of an erf or any subdivision or consolidation thereof, of any interest therein, or any unit as defined in terms of the Sectional Title Act, shall not be entitled to transfer the erf of any subdivision or any interest therein, or unit thereon, without a clearance certificate from the Association that all monies owing to it has been paid.

**(ii) ERVEN 304:**

The erf shall be used solely for the purposes of a private park and recreational purposes.

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**PLAASLIKE BESTUURSKENNISGEWING 83**

**RUSTENBURG PLAASLIKE MUNISIPALITEIT**

**VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 111 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), verklaar die Plaaslike Munisipaliteit van Rustenburg hierby die dorp Waterval East Uitbreiding 32 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes in die bygaande Bylae.

**VOORWAARDES WAARONDER DIE AANSOEK OM DORPSTIGTING INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE DORPSBEPLANNING EN DORPE ORDONNANSIE, 1986 (ORDONNANSIE 15 VAN 1986) OP GEDEELTE 192 ('N GEDEELTE VAN GEDEELTE 9) VAN DIE PLAAS WATERVAL NO. 306, REGISTRASIE AFDELING JQ, NOORDWES PROVINSIE DEUR SCARLET IBIS INVESTMENTS 69 EIENDOMS BEPERK, REGISTRASIE NOMMER: 2005/040508/07, (HIERNA VERWYS AS DIE APPLIKANT) EN SYNDE DIE GEREESTREERDE EIENAAR VAN DIE GROND, GOEDGEKEUR IS.**

**1. STIGTINGSVOORWAARDES**

**1) NAAM**

Die naam van die dorp sal wees Waterval East Uitbreiding 32.

**2) UITLEG / ONTWERP**

Die dorp sal bestaan uit erwe en strate soos aangedui op Algemene Plan No. S.G. No. 5498/2011.

**3) TOEGANG**

- a) Ingang van Provinsiale Pad P2-4 tot die dorp en uitgang tot Provinsiale Pad P2-4 uit die dorp word beperk tot die aansluiting / kruising van Vierdelaan met die genoemde pad.
- b) Die applikant moet op eie koste 'n meetkundige ontwerp uitlegplan (skaal 1:1500) van die in- en uitgangspunte genoem in (a) hierbo en spesifikasies vir die bou van die aansluiting laat opstel en aan die Departement Vervoer, Paaie en Publieke Veiligheid vir goedkeuring voorlê. Die applikant moet nadat die ontwerp en spesifikasies goedgekeur is, die toegang op eie koste bou tot bevrediging van die Departement van Vervoer, Paaie en Publieke Veiligheid.
- c) Sou die toegangspad op Gedeelte 1 van Hoewe 22 nie gebou wees teen die tyd dat die dorp geproklameer word nie, moet Erwe 299 tot 300 gekonsolideer word om toegang tot die erwe te verseker.

**4) ONTVANGS EN VERSORING VAN STORMWATER**

Die applikant moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van Provinsiale Pad P2-4 en moet die stormwater wat van die pad afloop of afgelei word, ontvang en versorg.

**5) VERWYDERING, VERPLASING, MODIFISERING OF DIE VERVANGING VAN POSKANTOOR- / TELKOM UITRUSTING**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande Poskantoor-/Telkom uitrusting te verwyder, verplaas, modifiseer of vervang, moet die koste deur die applikant gedra word.

**6) VOORSIENING EN OPRIG VAN PAD TEKENS, MERKE, STRAAT NAAMPLATE EN INFORMASIE BORDE**

Die applikant sal op eie koste reël vir die voorsiening van pad tekens, merke, straat naamplate en informasie borde tot die bevrediging van die Rustenburg Plaaslike Munisipaliteit.

**7) OMGEWINGSBESTUUR**

- a) Die applikant sal op eie koste verseker dat 'n Omgewingsimpakstudie ingedien by en goedgekeur is deur die Departement van Landbou, Bewaring en Omgewingsake voordat konstruksie begin.
- b) Die applikant moet verseker dat alle voorwaardes opgelê deur die Departement van Landbou, Bewaring en Omgewingsake, in terme van die "R.O.D" uitgereik deur die genoemde departement kragtens EIA 574/2005 NW, uitgevoer word.



**8) HUISEIENAARSVERENIGING**

- a) 'n Huseienaarsvereniging of soortgelyke entiteit moet gestig word in terme van Artikel 21 van die Maatskappy Wet, 1973 (Artikel 61 van 1973) welke vereniging volle verantwoordelikheid sal dra vir die funksionering en versorging van die private park (Erf 304), welke erf getranspoteer sal word aan die Huseienaarsvereniging of soortgelyke entiteit.
- b) Geen erwe binne die grense van die gebied van die onderverdeelde gedeeltes of konsolidasies daarvan, of enige belang daarin, of enige eenheid daarop soos bepaal in terme van die Deeltitel Wet, mag getranspoteer word aan 'n koper tensy die koper 'n lid word van die Huseienaarsvereniging soos genoem in sub-paragraaf (a) hierbo nie. Die lidmaatskap is verpligtend en moet ook geregistreer word as 'n voorwaarde teen die Titel Akte van die genoemde erwe en onderverdeelde gedeeltes of konsolidasies daarvan.
- c) Die eienaar van die erf of enige onderverdeelde gedeeltes of konsolidasies daarvan, of enige belang daarin, of enige eenheid daarop soos bepaal in terme van die Deeltitel Wet, mag enige erf of onderverdeelde gedeelte of konsolidasie daarvan, of enige belang daarin, of enige eenheid daarop getranspoteer word sonder 'n uitklaringertifikaat vanaf die vereniging waarin bevestig word dat alle uitstaande gelde betaal is nie.

**2. VOORWAARDES WAARAAN VOLDOEN MOET WORD ALVORENS DIE ERWE IN DIE DORP REGISTRERBAAR WORD**

**1) INSTALLASIE EN VOORSIENING VAN DIENSTE**

- (a) Die applikant moet alle interne ingenieursdienste in die dorp installeer en voorsien ooreenkomstig die diensteooreenkoms.
- (b) Die plaaslike owerheid moet alle eksterne ingenieursdienste in die dorp installeer en voorsien ooreenkomstig die diensteooreenkoms.

**3. BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

- 1) Alle erwe sal onderworpe gestel word aan bestaande voorwaardes en servitude, indien enige, behalwe:

- a) die volgende servituut wat slegs 'n straat in die dorp raak:

"II. Subject to a Servitude of Aqueduct with ancillary rights in favour of Olifantsnek Irrigation Board, as will more fully appear on reference to Notarial Deed of Servitude No. 727/1959S, dated the 11<sup>th</sup> day of August, 1958, and registered on the 9<sup>th</sup> day of July, 1959."

- 2) Die applikant sal op sy eie koste die volgende voorwaardes in Akte van Transport Nr. T36726/2006 lig:

Die volgende voorwaardes het verval as gevolg van die skraping van die Landbou Hoewe:

"I.(a) The Holding has been sold as an Agricultural Holding and it may be used only for the purposes contemplated by the definition by that terms contained in the Agricultural Holdings (Transvaal) Registration Act, 1919. That definition reads as follows:

“Agricultural Holding” shall mean a portion of land not less than 8565 square meters in extent used solely or mainly for the purposes of agriculture of horticulture or for breeding or keeping domestic animals, poultry or bees.”

- (b) Not more than one residence with the necessary outbuildings may be erected on the holding except with the written approval of the Minister of Lands first had and obtained.
- (c) The Holding may not be subdivided nor may any part or portion thereof be sold, leased or disposed of in any way without the written approval of the Minister of Lands.
- (d) No bar, canteen, hotel, place for the sale of wines, malt or other spirituous liquors, restaurant, shop, slaughter place nor any other place of business of any kind whatsoever may be erected, opened or conducted upon the Holding hereby transferred without the written consent of the Minister of Lands.
- (e) Neither the Company nor the State shall in any way be responsible for or be compelled to make, maintain, repair, or keep in order any roads shown on the General Plan of the Settlement or any drains in connection therewith, provided, however, that with the sanction of the Administrator of the Province of Transvaal, waterpipes and electric cables may be constructed underneath or over any such roads, or water-furrows may be constructed over them.”

#### **4. TITEL VOORWAARDES**

##### **1) VOORWAARDES OPGELÊ DEUR DIE DEPARTEMENT VAN MINERALE EN ENERGIE**

###### **a) ALLE ERWE**

“As this erf forms part of land which is or may be undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.”

##### **2) VOORWAARDES OPGELÊ INGEVOLGE DIE BEPALINGS VAN DIE DORPSBEPLANNING EN DORPE ORDONNANSIE, 1986 (ORDONNANSIE 15 VAN 1986).**

###### **(a) ALLE ERWE**

- (i) Die erf is onderworpe aan 'n serwituut, 2 meter wyd langs enige twee grense ten gunste van die Plaaslike Owerheid vir riool- en ander munisipale doeleindes en, in die geval van 'n pypsteelerf, 'n addisionele serwituut van 2 meter wyd oor die toegangsdeel van die erf, indien en wanneer deur die plaaslike owerheid benodig: Met dien verstande dat die plaaslike owerheid hierdie vereiste serwituut mag verslap of vrystelling daarvan verleen.
- (ii) Geen gebou of ander struktuur mag opgerig word binne die bogenoemde serwituutgebied nie en geen grootwortelbome mag in die gebied van sodanige serwituut of binne 2 meter daarvan geplant word nie.
- (iii) Die plaaslike owerheid is daarop geregtig om tydelik op die grond aangrensend aan die voorgenoemde serwituutgebied, sodanige materiaal te stort as wat uitgegrawe mag word in die loop van die konstruksie, onderhoud of verwydering

van sodanige hoof-rioolleidings of ander werk as wat hy na sy oordeel nodig ag en is voorts geregtig op redelike toegang tot genoemde grond vir bogenoemde doel, onderworpe daaraan dat hy enige skade aangerig tydens die proses van konstruksie, instandhouding of verwydering van sodanige hoof-rioolleidings en ander werk, goed te maak deur die plaaslike owerheid.

b) ERWE ONDERWORPE AAN SPESIALE VOORWAARDES

i. ERWE 299 TOT 303

(aa) Enige eienaar van 'n erf, of enige onderverdeling of konsolidasie daarvan, of enige belang daarin, of enige eenheid daarop soos gedefinieer in terme van die Deeltitel Wet, sal automaties 'n lid word en sal 'n lid bly van die Vereniging en sal onderworpe wees aan die Vereniging se Memorandum en Artikels totdat sy eienaarskap beëindig soos voormeld. Geen erf of enige onderverdeling daarvan of enige belang daarin, of enige eenheid daarop sal getranspoteer word aan 'n persoon wat homself nie tot die bevrediging van die Vereniging verbind om 'n lid van die Vereniging te word nie.

(bb) Die eienaar van 'n erf of enige onderverdeling of konsolidasie daarvan, of enige belang daarin, of enige eenheid daarop soos gedefinieer in terme van die Deeltitel Wet, sal nie 'n erf of konsolidasie of enige onderverdeling of enige belang daarin of eenheid daarop kan transporteer, sonder 'n uitklaringsertifikaat van die vereniging waarin bevestig word dat alle gelde uitstaande betaal is.

ii. ERF 304

Die erf sal uitsluitlik gebruik word vir die doel van 'n private park of vir ontspanningsdoeleindes.

**LOCAL AUTHORITY NOTICE 84****RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005****AMENDMENT SCHEME 859**

The Rustenburg Local Municipality hereby in terms of the provisions of section 125 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), declares that it has approved an amendment scheme being an amendment of the Rustenburg Land Use Management Scheme 2005, comprising the same land as included in the Township of Waterval East Extension 32.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Rustenburg Local Municipality and are open to inspection during normal office hours.

This amendment scheme is known as the Rustenburg Amendment Scheme 859.

**Municipal Manager**

**Missionary Mpheni House, cnr. Beyers Naude and Nelson Mandela Drive, P.O. Box 16, Rustenburg, 0300**

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**PLAASLIKE BESTUURSKENNISGEWING 84****RUSTENBURG GRONDGEBRUIK BESTUURSSKEMA, 2005****WYSIGINGSKEMA 859**

Die Rustenburg Plaaslike Munisipaliteit verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), dat dit 'n wysigingskema synde 'n wysiging van die Rustenburg Grondgebruikbestuursskema, 2005, wat uit dieselfde grond as die dorp Waterval East Uitbreiding 32 bestaan, aanvaar het.

Kaart 3 en die skemaklousules van die wysigingskema is beskikbaar op alle redelike tye by die kantore van die Munisipale Bestuurder van Rustenburg Plaaslike Munisipaliteit.

Hierdie wysiging staan bekend as Rustenburg Wysigingskema 859.

**Munisipale Bestuurder**

**Missionary Mpheni House h/v Beyers Naude en Nelson Mandela Rylane, Posbus 16, Rustenburg, 0300.**

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