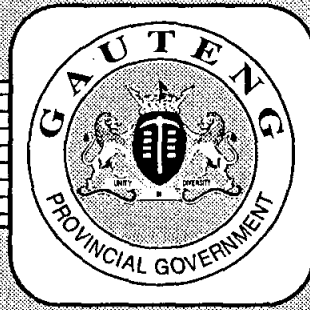


**THE PROVINCE OF
GAUTENG**



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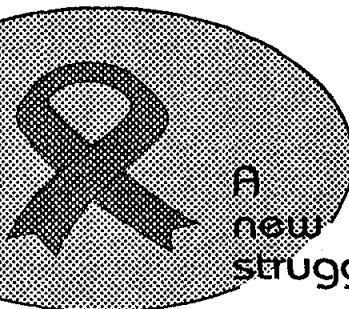
Vol. 11

PRETORIA, 2 DECEMBER 2005
DESEMBER 2005

No. 516

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH



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IMPORTANT NOTICE!!!

It is announced to the general public that all offices of the **Government Printing Works** will be closed at **12:00** on **2 December 2005** for an official function.

Any inconvenience caused is deeply regretted.

Chief Executive Officer

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3093

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9598P

It is hereby notified in terms of the provisions of section 125 (1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Montana Park Extension 75, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Acting General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9598P.

(13/2/Montana Park x75 (9598P))
 ___ December 2005

Acting General Manager: Legal Services
 (Notice No 1130/2005)

PLAASLIKE BESTUURSKENNISGEWING 3093

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9598P

Hierby word ingevolge die bepalings van artikel 125 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Montana Park Uitbreiding 75, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9598P.

(13/2/Montana Park x75 (9598P))
 ___ Desember 2005

Waarnemende Hoofbestuurder: Regsdienste
 (Kennisgewing No 1130/2005)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MONTANA PARK EXTENSION 75 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the Township of Montana Park Extension 75 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana Park x75)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY KROONFONTEIN PROPERTIES CC IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 383 OF THE FARM HARTBEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Montana Park Extension 75.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5247/2005.

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding –

- a) Condition 2(d)(iv):
"No building erected on the holding shall be located within a distance of 30,48 metres from the boundary of that holding abutting on a road"
- b) Condition 2(l):
"The holding shall have no direct access to Road 29"
- c) The following condition that affects erven 2744 to 2754 in the township:

"Die binnegemelde eiendom is onderhewig aan 'n Servituut van Roolpyplyding 2 meter wyd parallel met en vir die volle lengte van die Westelike grens van die ondervermelde eiendom soos aangedui deur AD op kaart Sg A.5630/59 geheg aan T13307/64 oor R.G. van Hoewe 228 Montana Uitbreiding 2 JR., Transvaal 1,9871 hektaar, vergoeding R5 000,00 soos meer volledig sal blyk uit K 2644/1988."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of **R145 000,00** which amount shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 ACCESS

No ingress from Provincial Road K14 (Zambezi Drive) to the township and no egress to Provincial Road K14 (Zambezi Drive) from the township shall be allowed.

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 the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.7 DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS: ACOUSTIC SCREENING MEASURES

The applicant shall be responsible for any costs involved in the erection of acoustic screening along Road K14 (Zambezi Drive).

1.8 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K14 (Zambezi Drive) and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.9 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.10 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.11 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.12 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.13 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing Telkom services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.14 COMPLIANCE TO CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agricultural, Conservation and the Environment has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of section 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989) for the development of this township.

1.15 THE DEVELOPER'S OBLIGATIONS

1.15.1 ASSOCIATION AND STATUTES

The developer must register a Section 21 Company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, and the road and storm water sewers). The developer is deemed to be a member of the Section 21 Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

1.15.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

1.15.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane Metropolitan Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers, in which is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognised financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.15.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water sewers) have been completed. The developer must furnish the Section 21 Company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and the electricity service, which guarantee must be for an amount that is equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services, and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

1.15.5 APPROVAL OF BUILDING PLANS

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.15.6 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 2765 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over erf 2765 in favour of the remainder of the township.

1.15.7 ERVEN 2744 UP TO AND INCLUDING 2753 AND ERVEN 2755 UP TO AND INCLUDING 2764

Upon transfer, the owner of the erf must automatically become a member of the Section 21 Company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the portion.

1.15.8 ERVEN 2744 UP TO AND INCLUDING 2753 AND ERVEN 2755 UP TO AND INCLUDING 2764

- (i) The erven shall be subject to a servitude, 2 m wide, for engineering services (water, sewer, electricity and storm water) (hereinafter referred to as "the services"), in favour of the Section 21 Company, along any two boundaries, except a street boundary and, in the case of a pan-handle erf, an additional servitude for services purposes, 2 m wide, over the entrance portion of the erf if and when required by the local authority: Provided that the Section 21 Company may waive any such servitude.
- (ii) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m from it.
- (iii) The Section 21 Company shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Section 21 Company shall make good any damage caused during the laying, maintenance or removal of such services and other works.

1.15.9 ERF 2755

- (i) The erf shall further be subject to a servitude (2 m wide), along the western boundary of the erf, for engineering services (storm water) in favour of the Section 21 Company, as indicated on the layout plan.

- (ii) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.
- (iii) The Section 21 Company shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Section 21 Company shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

1.15.10 ERF 2754

- (i) The erf shall further be subject to a servitude (2 m wide), along the southern and the eastern boundary of the erf, for engineering services (storm water) in favour of the Section 21 Company, as indicated on the layout plan.
- (ii) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.
- (iii) The Section 21 Company shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Section 21 Company shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

1.15.11 RESTRICTION ON THE ALIENATION OF LAND

Regardless of the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township may be transferred or be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 2.15.1 to 2.15.10 above.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1.1 ERF 2754

2.1.1.1 The erf shall be subject to a servitude, 2 metre wide, for municipal services (water, sewerage, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 metre wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.

2.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre from it.

2.1.1.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERVEN 2744 UP TO AND INCLUDING 2754

- 2.1.2.1 The erf shall further be subject to a servitude (2 m wide), along the western boundary of the erf, for municipal services (sewerage) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the layout plan.
- 2.1.2.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.
- 2.1.2.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.3 ERF 2755

- 2.1.3.1 The erf shall further be subject to a servitude (2 m wide), along the western boundary of the erf, for municipal services (storm water) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the layout plan.
 - 2.1.3.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.
 - 2.1.3.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.
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