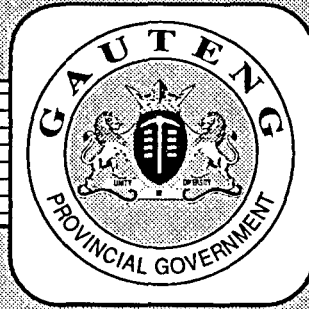


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GAUTENG**



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GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

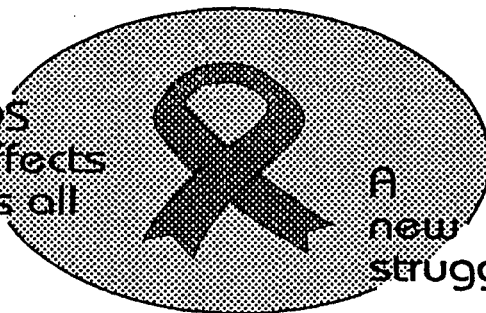
Vol. 12

PRETORIA, 20 NOVEMBER 2006

No. 420

We all have the power to prevent AIDS

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CONTENTS • INHOUD

No.

Page
No. Gazette
No.**LOCAL AUTHORITY NOTICE**

3294 Town-planning and Townships Ordinance (15/1986): City of Tshwane Metropolitan Municipality: Pretoria Amendment Scheme 9631P 3 420

NOTICE TO:

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3294

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9631P

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 Extension 90, 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 Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9631P.

(13/2/Montana x90 (9631P))
 __ November 2006

Acting Head: Legal and Secretarial Services
 (Notice No 1084/2006)

PLAASLIKE BESTUURSKENNISGEWING 3294

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9631P

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 Uitbreiding 90, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9631P.

(13/2/Montana x90 (9631P))
 __ November 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 1084/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MONTANA EXTENSION 90 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 Extension 90 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x90 (9631P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CONSTRUCTIONAGAIN 204 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 460 (A PORTION OF PORTION 21) AND PORTION 472 (A PORTION OF PORTION 461) OF THE FARM HARTEBEESTFONTEIN 324JR, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Montana Extension 90.

02020000

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 9682/2005.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.3.1 Excluding the following condition(s):**1.3.1.1 Condition "B" in Deed of Transfer T125514/2004 which does not affect the erven in the township:**

"Gedeelte 10 en die Resterende gedeelte van Gedeelte E van die plaas "Hartbeestfontein" No 592, distrik Pretoria, groot as sodanig 426,1381 hektaar (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak), is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart S.G. No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.3.1.2 Condition "F" in Deed of Transfer T125513/2004 which does not affect the erven in the township:

"'n Servituut van Reg van Weg, 938 Vierkante Meter, oor Gedeelte 1 van Hoewe 26, Montana Landbouhoeves, Registrasie Afdeling J.R. Provinsie Gauteng, soos aangedui deur die figuur ABEFGA op kaart LG No 1485/1996, geheg aan Akte van Transport T113606/1998."

"A servitude in favour of the City of Tshwane Metropolitan Municipality registered under Notarial Deed of Servitude No K3884/1996S, which does not affect the erven in the township."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay to the Municipality as endowment a total amount of R186 000,00 which amount shall be used by the 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 or egress from Dr Swanepoel Road (Road K99) to or from the township shall be allowed.

1.6 RECEIVING AND DISPOSAL OF STORMWATER

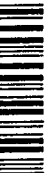
The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.7 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.

1.8 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.



1.9 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have the erven in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

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 WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDACE)

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

1.15 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 K99 (Dr Swanepoel Road)."

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 ALL ERVEN

2.1.1.1 The erven 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.

02020000

- 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.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN MONTANA UITBREIDING 90 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Montana Uitbreiding 90 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Montana x90 (9631P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CONSTRUCTAGAIN 204CC INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 460 ('N GEDEELTE VAN GEDEELTE 21) EN GEDEELTE 472 ('N GEDEELTE VAN GEDEELTE 461) VAN DIE PLAAS HARTEBEESTFONTEIN 324JR, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Montana Uitbreiding 90.

1.2 ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG No 9682/2005.

1.3 BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale.

1.3.1 die volgende voorwaarde(s) uitgesluit:

1.3.1.1 Voorwaarde "B" in Akte van Transport T125514/2004 wat nie die erwe in die dorp raak nie:

"Gedeelte 10 en die Resterende gedeelte van Gedeelte E van die plaas "Hartebeestfontein" No 592, distrik Pretoria, groot as sodanig 426,1381 hektaar (waarvan die eiendom hiermee getranspoteer 'n deel uitmaak), is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart S.G. No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.3.1.2 Voorwaarde "F" in Akte van Transport T125513/2004 wat nie die erwe in die dorp raak nie:

"'n Serwitute van Reg van Weg, 938 Vierkante Meter, oor Gedeelte 1 van Hoewe 26, Montana Landbouhoewes, Registrasie Afdeling J.R. Provinsie Gauteng, soos aangedui deur die figuur ABEFGA op kaart LG No 1485/1996, geheg aan Akte van Transport T113606/1998."

"A servitude in favour of the City of Tshwane Metropolitan Municipality registered under Notarial Deed of Servitude No K3884/1996S, which does not affect the erven in the township."

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpselenaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging, 'n totale bedrag van R186 000,00 betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepalings van artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

1.5 TOEGANG

Geen ingang en geen uitgang vanaf Dr Swanpoel-weg (Pad K99) tot en uit die dorp word toegelaat nie.

1.6 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpselenaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van die aangrensende paaie en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.7 VERSKUIWING EN/OF VERWYDERING VAN MUNISIPALE DIENSTE

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 dorpselenaar gedra word.

1.8 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpselenaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredeheid van die Hoof van die Departement: Gauteng Provinsiale Regering: Departement van Openbare Vervoer, Paaie en Werke, soos en wanneer deur hom verlang om dit te doen en die dorpselenaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp aan die daaropvolgende grondelenaars oorgedra word, waarna die verantwoordelikheid vir die instandhouding van sodanige heining of fisiese versperring by hulle berus.

1.9 KONSOLIDASIE VAN ERWE

Die dorpselenaar moet op eie koste erwe in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.10 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpselenaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.11 VERWYDERING VAN ROMMEL

Die dorpselenaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.12 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KRAGLYNE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van Eskom te verskuif, moet die koste daarvan deur die dorpselenaar gedra word.

1.13 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwyder, moet die koste daarvan deur die dorpselenaar gedra word.

02 00

1.14 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Landbou, Bewaring en die Omgewing met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

1.15 DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE: AKOESTIESE AFSKERMINGSMAATREËLS

Die aansoeker sal verantwoordelik wees vir enige kostes met betrekking tot die oprigting van akoestiese afskermingsmaatreëls langs Pad K99 (Dr Swanepoel-weg).

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELê DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1.1 ALLE ERWE

2.1.1.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.1.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.