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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICE PLAASLIKE BESTUURSKENNISGEWING

LOCAL AUTHORITY NOTICE 660**CITY OF TSHWANE****PRETORIA AMENDMENT SCHEME 9758P**

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 has approved an amendment scheme with regard to the land in the township of Montana Park Extension 112, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9758P.

(13/2/Montana Park x112 (9758P))
__ May 2010

Acting Executive Director: Legal Services
(Notice No 278/2010)

PLAASLIKE BESTUURSKENNISGEWING 660

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9758P

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 'n wysigingskema met betrekking tot die grond in die dorp Montana Park Uitbreiding 112, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9758P.

(13/2/Montana Park x112 (9758P))
 ___ Mei 2010

Waarnemende Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 278/2010)

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CITY OF TSHWANE

DECLARATION OF MONTANA PARK EXTENSION 112 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 hereby declares the township of Montana Park Extension 112 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana Park x112 (9758P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CATHEDRAL ROCK INVESTMENTS 87 CC IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINDER OF PORTION 579 OF THE FARM DERDEPOORT 326 JR, HAS BEEN GRANTED

1. **CONDITIONS OF ESTABLISHMENT**

1.1 **NAME**

The name of the township shall be Montana Park Extension 112.

1.2 **DESIGN**

The township shall consist of erven as indicated on General Plan SG No 12109/2007.

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, but excluding -

1.3.1 the following condition which does not affect the township;

"Kragtens Notariële Akte van Pypleiding serwituut No K1611/90S gedateer 11/12/89 is die binnegemelde eiendom aan 'n serwituut vir rioolpypleiding, 4m wyd, die middellyn waarvan aangedui word deur die lyn AB op kaart SG No. A 6222/89, soos meer volledig sal blyk uit bogemelde Notariële Akte."

1.3.2 the following servitude which affects a street in the township;

"By Notarial Deed No. K4857/20S dated 5/6/2002 the within mentioned property is subject to a servitude for stormwater purposes in favour of the City of Tshwane. The said servitude is indicated by the figure ab "BGG" on subdivisional Diagram SG No A7516/2000, as will more fully appear from reference to the said Notarial Deed."

1.4 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.

1.5 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.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.7 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, when required to do so by the City of Tshwane.

1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by reason of the establishment of the township, it should it become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.9 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 the Gauteng Department of Agriculture, Conservation and Environment, including, if applicable, those by which exemption has been granted 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), or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.10 NATIONAL HERITAGE RESOURCE ACT

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

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 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 erf is subject to a servitude, 2 metre wide, in favour of the municipality 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, 2metre wide across the access portion of the erf, if and when required by the municipality: Provided that the municipality may dispense with any such servitude.

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

2.1.1.3 The City of Tshwane 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 provisions that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERVEN 2904 AND 2905

The erven is subject to a servitude, 2m wide, as indicated on the General Plan for stormwater purposes in favour of the Municipality.

STAD TSHWANE

VERKLARING VAN MONTANA PARK UITBREIDING 112 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Montana Park Uitbreiding 112 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Montana Park x112 (9758))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CATHEDRAL ROCK INVESTMENTS 87 CC 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 DIE RESTANT VAN GEDEELTE 579 VAN DIE PLAAS DERDEPOORT 326JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Montana Park Uitbreiding 112.

1.2 ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG No 12109/2007.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd-

1.3.1 die volgende voorwaarde wat nie die dorp raak nie:

"Kragtens Notariële Akte van Pypeleiding serwituut No K1611/90S gedateer 11/12/89 is die binnegemelde eiendom aan 'n serwituut vir rioolpypeleiding, 4m wyd, die middellyn waarvan aangedui word deur die lyn AB op kaart SG No. A 6222/89, soos meer volledig sal blyk uit bogemelde Notariële Akte."

1.3.2 die volgende serwituut wat slegs 'n straat in die dorp raak;

"By Notarial Deed No. K4857/20S dated 5/6/2002 the within mentioned property is subject to a servitude for stormwater purposes in favour of the City of Tshwane. The said servitude is indicated by the figure ab "BGG" on subdivisional Diagram SG No A7516/2000, as will more fully appear from reference to the said Notarial Deed."

1.4 ONTVANGS VAN EN WEGDOEN MET STORMWATER

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

1.5 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 dorpseienaar gedra word.

1.6 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar 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 wanneer die Stad Tshwane dit vereis.

1.7 VERWYDERING VAN ROMMEL

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

1.8 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN OMGEWINGSSAKE (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou en Omgewingsbewaring, insluitend, indien van toepassing, daardie voorwaardes waarop vrystelling verleen is 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), of die Nasionale Wet op Omgewingsbewaring, 1998 (Wet 107 van 1998), wat ookal die geval mag wees, te voldoen, vir die ontwikkeling van die dorpsgebied.

1.9 NASIONALE ERFENIS HULPBRONNE WET

Die dorpseienaar sal op sy eie koste voldoen aan die bepalings van die Nasionale Erfenis Wet, Wet 25 van 1999.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE 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, ten gunste van die munisipaliteit, vir riolerings- en ander munisipale dienste, langs enige 2 twee sygrense, 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 verlang deur die munisipaliteit: Met dien verstande dat die munisipaliteit 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 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 Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERWE 2904 EN 2905

Die erwe is onderworpe aan 'n serwituut, 2m breed, soos aangedui op die Algemene Plan, vir stormwater doeleindes ten gunste van die Munisipaliteit.