

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1179

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9795P

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 Extension 124, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Chief Legal Counsel, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9795P.

(13/2/Montana x124 (9799P))
 __ August 2013

(Notice No 510/2013)

Chief Legal Counsel

PLAASLIKE BESTUURSKENNISGEWING 1179

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9795P

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 Uitbreiding 124, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9795P.

(13/2/Montana x124 (9795P))
 __ Augustus 2013

(Hoofregsadviseur
 (Kennisgewing No 510/2013))

CITY OF TSHWANE

DECLARATION OF MONTANA EXTENSION 124 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 Extension 124 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x124 (9795P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BENDECO (PROPRIETARY) LIMITED 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 514 (A PORTION OF PORTION 9) OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Montana Extension 124.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 4042/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.3.1 the following servitude which does not affect the erven in the township:

- B. GEDEELTE 10 van die plaas HARTEBEESEFONTEIN No 324, Registrasie Afdeling JR, Transvaal en die Resterende Gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak), groot as sodanige 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weg 12,59 meter wyd, soos aangetoon op Kaart SG No A2596/42 geheg aan Akte van Transport No T24553/1942, gedateer die 7de dag van Desember 1942.

1.4 LAND FOR MUNICIPAL PURPOSES

The following erf/erven shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner:
Municipal: Erf 1988

1.15 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.

1.6 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.

1.7 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.

1.8 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.

1.9 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.

1.10 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.

1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture, Conservation and Environment, as well as any other applicable provisions, in terms of the provisions of the Environment Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

1.12 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 CONDITION 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 WITH THE EXCEPTION OF THE ERF REFERRED TO IN CLAUSE 1.4

2.1.1.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m 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 2m from it.

2.1.1.3 The 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 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 services and other works.

2.1.2 ERF 1987

2.1.2.1 The erf shall be subject to a servitude (2m wide) for municipal services (stormwater) in favour of the Municipality, as indicated on the general 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 2m therefrom.

2.1.2.3 The 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 ERVEN 1987 AND 1988

2.1.3.1 The erf shall be subject to a servitude for right of way and municipal services in favour of the Municipality and Holding 17, Montana Agricultural Holdings, as indicated on the general 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 2m therefrom.

2.1.3.3 The 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.

