

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

# Provincial Gazette Provinsiale Koerant

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**Prevention is the cure**

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DEPARTMENT OF HEALTH

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 517 OF 2017****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 424T**

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 163, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 424T.

(13/2/Montana x163 (424T))  
\_\_ JUNE 2017

**GROUP LEGAL AND SECRETARIAT SERVICES**  
(Notice 231/2017)

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**PROVINSIALE KENNISGEWING 517 VAN 2017****STAD TSHWANE****TSHWANE WYSIGINGSKEMA 424T**

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 163, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

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

Hierdie wysiging staan bekend as Tshwane wysigingskema 424T.

(13/2/Montana x163 (424T))  
\_\_ JUNIE 2017

**GROEP REGS- EN SEKRETARIAAT DIENSTE**  
(Kennisgewing 231/2017)

**CITY OF TSHWANE****DECLARATION OF MONTANA EXTENSION 163 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 163 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x163 (424T))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY TOWNDEV (PTY) LTD, 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 579 (PORTION OF PORTION 41) OF THE FARM HARTEBEEFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Montana Extension 163.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan No 1985/2014.

**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, excluding the following servitude which does not affect the township:

“C Gedeelte 10 van die plaas Hartebeestfontein 324 JR, Transvaal, en die restrerende gedeelte van Gedeelte E van die gemeelde plaas (waarvan die hoewe hieronder gehou 'n deel uitmaak) groot 426,1381 hektaar, is wedekurig onderworpe aan en geregtig to die reg van wee 12,59m wyd soos aangetoon op Kaart SG A2596/42, geheg aan Akte van Transport T 24553/1942 gedateer die 7de dag van Desember 1942”

**1.4 ENDOWMENT**

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay endowment for an area of 485m<sup>2</sup> in terms of Regulation 44(1) of the Town-planning and Townships Regulations to the Municipality. The amount for this area 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 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 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.

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

### 1.8 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.

### 1.9 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.

### 1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture and Rural Development 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, (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.

### 1.11 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erf 2128 and Erf 2129 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants it's consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

## 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 ERVEN 2128 AND 2129

2.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and storm water) (hereinafter referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m 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 m 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 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 ERVEN 2128 AND 2129

2.1.2.1 The erf shall be subject to a servitude, 3 m wide, for municipal services (herein after referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality, along the western boundary of the erven 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 2 m from it.

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 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.



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