

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 1438 OF 2021****CITY OF TSHWANE****PRETORIA AMENDMENT SCHEME 9827P**

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

Map 3 and the scheme clauses of this amendment scheme are filed with the Group Head: Economic Development and Spatial Planning, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9827P.

(CPD 9/2/4/2-9827P)
(CPD 9/1/1/1-MNAX960434)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

(Notice 137/2021)
29 OCTOBER 2021

CITY OF TSHWANE**DECLARATION OF MONTANA EXTENSION 96 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 96 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-9827P)
(CPD 9/1/1/1-MNAX960434)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SILVER TUNNEL INVESTMENTS 23 (PTY) LTD, REGISTRATION NR 2004/001989/07, IN TERMS OF THE PROVISIONS OF CHAPTER III: PART COF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 554 (A PORTION OF PORTION 41) 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 96.

1.2 DESIGN

The township shall consist of erven as indicated on the General Plan SG No 1074/2009.

1.3 PROVISION AND INSTALLATION OF SERVICES

The applicant shall do the necessary arrangements with the Municipality with regards to the provision and installation of water, electricity and sanitation services as well as the construction of streets and storm water drainage in and for the township.

1.4 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent road (or roads) and all stormwater running off or being diverted from the road (or roads) and higher lying areas shall be received and disposed of, to the satisfaction of the Municipality.

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 applicant.

1.6 REMOVAL OF LITTER

The applicant 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 Municipality.

1.7 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 applicant.

1.8 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 applicant.

1.9 CONDITIONS IMPOSED BY THE GAUTENG PROVINCIAL GOVERNMENT: DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)

The township owner shall at his own costs comply with and strictly adhere to all the conditions and/or requirements imposed by the Department of Agriculture and Rural Development including (if applicable) those by which exemption has been granted from compliance with the Environmental Impact Assessment Regulations, 2014, promulgated on 4 December 2014 in terms of section 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto, as the case may be for the development of this township.

1.10 ACCESS

Access to and egress from the township shall be to the satisfaction of the Municipality.

1.11 CONSOLIDATION OF ERVEN

The township owner shall, at his own costs, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 2090 AND 2091 to the satisfaction of the Municipality.

The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2) (a) of Ordinance 15 of 1986.

1.12 RESTRICTION ON THE TRANSFER AND REGISTRATION OF ERVEN/LAND

In terms of Section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf or erven in the township may be transferred until the City of Tshwane Metropolitan Municipality has certified that the township owner has complied with his obligations as contained in Section 82 and the conditions of establishment have been complied with.

In terms of Section 98(2) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme, or registration or transfer of a sectional title unit, resulting from the approval of this township, may not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with, read with Section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013, where applicable."

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any.

4. CONDITIONS OF TITLE

4.1 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)

4.1.1 ALL ERVEN

4.1.1.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (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 Municipality: Provided that the Municipality may waive any such servitude.

4.1.1.2 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 thereof.

4.1.1.3 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.

4.1.2 ERVEN 2090 AND 2091

The erven are subject to a 3m wide sewer and stormwater servitude along the northern boundaries in favour of the Municipality, as indicated on the General Plan.

4.1.3 ERF 2091

The erf is subject to a 3m wide sewer servitude along the eastern boundary in favour of the Municipality.

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