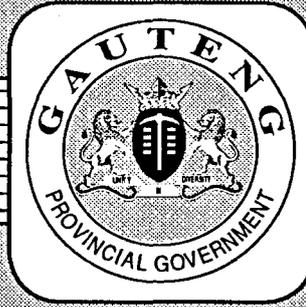


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

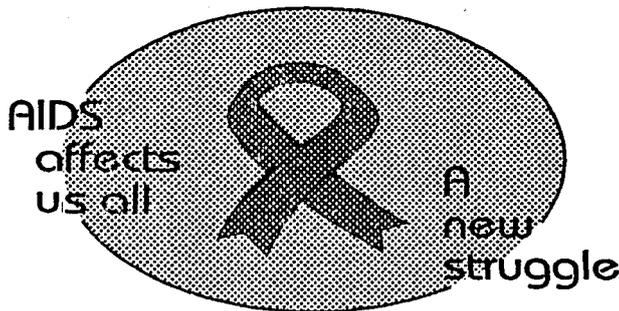
**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 12

PRETORIA, 15 DECEMBER 2006
DESEMBER 2006

No. 448

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

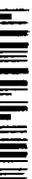


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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3442

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9647P

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 73, 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 9647P.

(13/2/Montana x73 (9647P))
 __ December 2006

Acting Head: Legal and Secretarial Services
 (Notice No 1158/2006)

PLAASLIKE BESTUURSKENNISGEWING 3442

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9647P

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 73, synde 'n wysiging van die Pretoria-dorpsbeplanningkema, 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 9647P.

(13/2/Montana x73 (9647P))
 __ Desember 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 1158/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MONTANA EXTENSION 73 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 73 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x73 (9647P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY GLOBAL PACT TRADING 69 (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 465 (A PORTION OF PORTION 41) OF THE FARM HARTEBEESTFONTEIN 324JR, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Montana Extension 73.

02020000

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3069/2006.

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 conditions/servitude(s) that do not influence the erven in the township:

1.3.1 Condition C. in Deed of Transfer T44393/05 that reads as follows:

"Gedeelte 10 van die plaas HARTEBEESTFONTEIN 324, Registrasie Afdeling JR, distrik Pretoria (voorheen No 592) en die Resterende Gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart LG No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.4 ACCESS

No entrances to and exits from the township shall be permitted along Zambesi Drive and along the line of no access as indicates by line GFEDC.

1.5 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 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.

1.8 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 Zambesi Drive.

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 Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the 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 Municipality, when required to do so by the 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 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), for the development of this township.

1.15 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.

1.16 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development."

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.

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 73 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 73 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Montana x73 (9647P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR GLOBAL PACT TRADING 69 (PROPRIETARY) LIMITED 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 465 ('N GEDEELTE VAN GEDEELTE 41) VAN DIE PLAAS HARTEBEESTFONTEIN 324JR, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Montana Uitbreiding 73.

1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 3069/2006.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwituute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd die volgende voorwaardes/serwituute wat nie die erwe in die dorp raak nie:

1.3.1 Voorwaarde C. in Akte van Transport T44393/05 wat soos volg lees:

"Gedeelte 10 van die plaas HARTEBEESTFONTEIN 324, Registrasie Afdeling JR, distrik Pretoria (voorheen No 592) en die Resterende Gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getransporeer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart LG No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.4 TOEGANG

Geen ingange na en uitgange vanaf die dorp sal toegelaat word langs Zambesirylaan en langs die lyn van geen toegang soos aangedui deur lyn GFEDC nie.

1.5 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar 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.

1.6 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.

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):

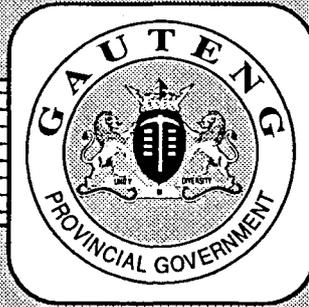
2.1.1 ALLE ERWE

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 goeëdoel 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.

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

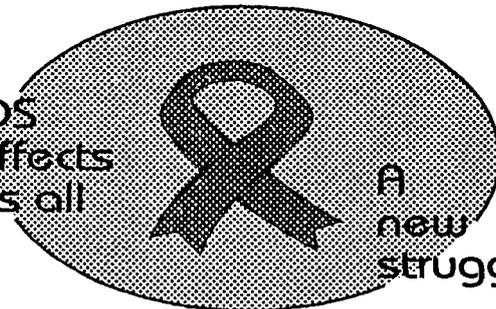
Vol. 12

PRETORIA, 15 DECEMBER 2006
DESEMBER 2006

No. 448

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH



9771682452005

06448



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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3442

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9647P

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 73, 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 9647P.

(13/2/Montana x73 (9647P))
 __ December 2006

Acting Head: Legal and Secretarial Services
 (Notice No 1158/2006)

PLAASLIKE BESTUURSKENNISGEWING 3442

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9647P

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 73, 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 9647P.

(13/2/Montana x73 (9647P))
 __ Desember 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 1158/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MONTANA EXTENSION 73 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 73 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x73 (9647P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY GLOBAL PACT TRADING 69 (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 465 (A PORTION OF PORTION 41) OF THE FARM HARTEBEESTFONTEIN 324JR, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Montana Extension 73.

00002020

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3069/2006.

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 conditions/servitude(s) that do not influence the erven in the township:

1.3.1 Condition C. in Deed of Transfer T44393/05 that reads as follows:

"Gedeelte 10 van die plaas HARTEBEESTFONTEIN 324, Registrasie Afdeling JR, distrik Pretoria (voorheen No 592) en die Resterende Gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart LG No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.4 ACCESS

No entrances to and exits from the township shall be permitted along Zambesi Drive and along the line of no access as indicates by line GFEDC.

1.5 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 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.

1.8 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 Zambesi Drive.

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 Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the 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 Municipality, when required to do so by the 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 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), for the development of this township.

1.15 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.

1.16 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development."

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.

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 73 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 73 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Montana x73 (9647P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR GLOBAL PACT TRADING 69 (PROPRIETARY) LIMITED 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 465 ('N GEDEELTE VAN GEDEELTE 41) VAN DIE PLAAS HARTEBEESTFONTEIN 324JR, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Montana Uitbreiding 73.

1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 3069/2006.

1.3 BESKIKKING 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, maar uitgesonderd die volgende voorwaardes/serwituut wat nie die erwe in die dorp raak nie:

1.3.1 Voorwaarde C. in Akte van Transport T44393/05 wat soos volg lees:

"Gedeelte 10 van die plaas HARTEBEESTFONTEIN 324, Registrasie Afdeling JR, distrik Pretoria (voorheen No 592) en die Resterende Gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë, 12,59 meter wyd, soos aangetoon op kaart LG No A2596/1942, geheg aan Akte van Transport No T24553/1942, gedateer 7 Desember 1942."

1.4 TOEGANG

Geen ingange na en uitgange vanaf die dorp sal toegelaat word langs Zambesirylaan en langs die lyn van geen toegang soos aangedui deur lyn GFEDC nie.

1.5 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar moet die stormwaterdreinerig 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.

1.6 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.

1.7 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevreedenheid 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 dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp aan die daaropvolgende grondeienaars oorgedra word, waarna die verantwoordelikheid vir die instandhouding van sodanige heining of fisiese versperring by hulle berus.

1.8 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 Zambesi-rylaan.

1.9 KONSOLIDASIE VAN ERWE

Die dorpseienaar 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 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 tevreedenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.11 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevreedenheid 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 dorpseienaar 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 dorpseienaar gedra word.

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 NASIONALE ERFENIS HULPBRONNE WET

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

1.16 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Openbare Vervoer, Paaie en Werke, vir die ontwikkeling van die dorpsgebied.

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2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGEL& 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 goeëdoel 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.
