

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

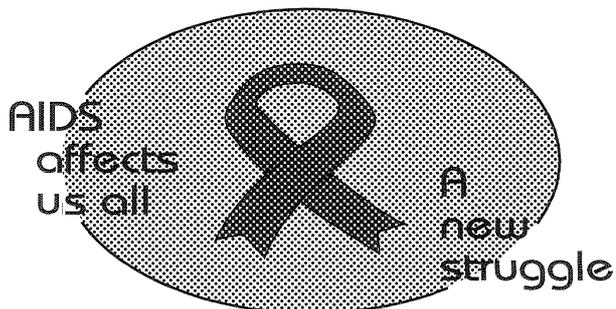
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No. 89

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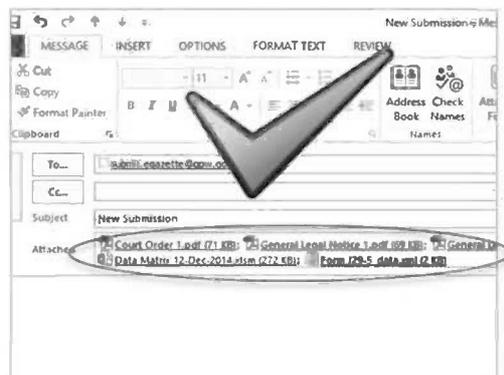
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 503

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 13024P

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 155, 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 13024P.

(13/2/Montana x155 (13024P))
(Notice No 202/2015)

CHIEF LEGAL COUNSEL

31 March 2015

PLAASLIKE BESTUURSKENNISGEWING 503

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 13024P

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 155, 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 13024P.

(13/2/Montana x155 (13024P))
(Kennisgewing No 202/2015)

HOOFREGSADVISEUR

31 Maart 2015

CITY OF TSHWANE

DECLARATION OF MONTANA EXTENSION 155 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 155 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana x155 (13024P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY WINGTIP CROSSING SHOPPING CENTRE 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 599 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 155.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4222/2014.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding –

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

Condition B:

“ONDERHEWIG aan 'n servituut vir stormwaterdreinerig ten gunste van die STADSRAAD VAN PRETORIA met bykomende regte kragtens Akte van Sessie No K.5265/90S geregistreer op 5 Desember 1990 en soos meer volledig aangedui deur figuur ABCDE op kaart SG No.A.3519/90.”

1.3.2 The following servitude which only affects Erf 2150 in the township:

“Condition C:

“ONDERHEWIG aan 'n Servituut vir Stormwaterdreinerig – Groot: 3381 vierkante meter, ten gunste van die STADSRAAD VAN PRETORIA met bykomende regte kragtens Akte Sessie No K5506/1990S.”

1.4 ENDOWMENT

Erf 2150 will be transferred to the Municipality at the owner's cost simultaneously or prior to the first transfer of erven in the township.

1.5 REMOVAL AND/OR REPLACEMENT OF MUNICIPAL SERVICES

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

1.6 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the Municipality may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the Local Authority.

1.7 RESTRICTION OF THE ALIENATION OF ERVEN

Regardless of the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf shall be transferred or dealt with otherwise until the Municipality certifies that the applicant has complied with the provisions of conditions 1.7.1 to 1.7.3 inclusive below.

1.7.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the Municipality complete engineering drawings in respect of internal sewer and sewer connection points and complete engineering drawings in respect of the internal roads and stormwater sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

1.7.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any unit/erf is transferred, the Municipality must be provided with a certificate by a professional engineer for water, sewerage, electricity and the internal road and stormwater sewers, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and stormwater sewer. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service or before a certain date and

must provide the Municipality with a guarantee issued by a recognized financial institution.

No building plans will be approved before the external services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.7.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity and the road and stormwater sewers) have been completed.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

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

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 therefore shall be borne by the township owner.

1.10 REMOVAL AND/OR REPLACEMENT OF ESKOM SERVICES

Should it become necessary to remove and/or replace any existing ESKOM services as a result of the establishment of the township, the cost therefore shall be borne by the township owner.

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 2151 and 2152 to the satisfaction of the Municipality. The Municipality hereby grants its consent for the consolidation of Erven 2150 and 2151 in terms of section 92(1)(b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the township and subject to the section 82 certificate being issued by the Municipality."

2. CONDITIONS OF TITLE

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 ALL ERVEN

2.1.1 The erf shall be subject to a servitude, 2 metres wide along any two boundaries in favour of the Municipality for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality may relax or grant exemption from the required servitudes.

2.1.2 No building or other structures shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 metres thereof.

2.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Municipality.

2.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraphs 2.1.1, 2.1.2 and 2.1.3 above, the under mentioned erven shall be subject to the conditions and entitlements as indicated:

- 2.2.1 Erf 2150 is subject to a right of way servitude in favour of Erf 2151, as indicated on the General Plan SG No 4222/2014
- 2.2.2 Erf 2151 is subject to a right of way servitude in favour of Erf 2150, as indicated on the General Plan SG No 4222/2014.
- 2.2.3 Erf 2151 is entitled to a right of way servitude over Erf 2150, as indicated on the General Plan SG No 4222/2014.
- 2.2.4 Erf 2150 is entitled to a right of way servitude over Erf 2151, as indicated on the General Plan SG No 4222/2014.

2.3 CONDITIONS TO BE REGISTERED OR CREATED WITH THE FIRST TRANSFER OF THE FOLLOWING ERVEN

In addition to the relevant conditions set out in paragraphs 2.1 and 2.2 above, the under mentioned erven/properties shall be subject to the conditions and entitlements as indicated:

- 2.3.1 Erf 2150 is subject to a right of way servitude in favour of the Remainder of Portion 596 of the farm Hartebeestfontein 324JR, as indicated on the General Plan SG No 4222/2014.
 - 2.3.2 Erf 2151 is subject to a right of way servitude in favour of the Remainder of Portion 596 of the farm Hartebeestfontein 324JR, as indicated on the General Plan SG No 4222/2014.
 - 2.3.3 the Remainder of Portion 596 of the farm Hartebeestfontein 324JR is entitled to a right of way servitude over Erf 2150, as indicated on the General Plan SG No 4222/2014.
 - 2.3.4 the Remainder of Portion 596 of the farm Hartebeestfontein 324JR is entitled to a right of way servitude over Erf 2151, as indicated on the General Plan SG No 4222/2014.
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