

***THE PROVINCE OF
GAUTENG***



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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
PROCLAMATIONS • PROKLAMASIES			
8	Town-planning and Townships Ordinance (15/1986): Declaration of Montana Extension 168 as approved township	025	3

PROCLAMATIONS • PROKLAMASIES**PROCLAMATION NOTICE 8 OF 2024****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 6735T**

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

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

This amendment is known as Tshwane Amendment Scheme 6735T.

(CPD 9/2/4/2-6735T (Item 36330))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

26 JANUARY 2024
(Notice 104/2024)

CITY OF TSHWANE**DECLARATION OF MONTANA EXTENSION 168 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 168 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-6735T (Item 36330))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASTION DEVELOPMENT GROUP PROPRIETARY LIMITED (REGISTRATION NUMBER 2018/372934/07), IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 593 (OF WHICH PORTIONS 538 AND 539 ARE COMPONENTS OF THE CONSOLIDATED PROPERTY) OF THE FARM HARTEBEEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Montana Extension 168.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 3378/2013.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.3.1 Excluding the following conditions which only affects Erf 2134;

Condition 1. (D) and 1. (E) in Deed of Transfer T47322/2022:

- D. By virtue of Notarial Deed of Servitude K8646/2006S dated 3 October 2006, and registered on 3 November 2006, the within mentioned property is subject to a Servitude for municipal purposes in favour of Portion 484 (a portion of portion 9) of the farm HARTEBEEEST-FONTEIN no 324 Registration Division J.R., Province of Gauteng, held by Deed of Transfer T78208/2006 and in favour of Holding 137 Montana Agricultural Holdings, Registration Division JR, Province of Gauteng, held by Deed of Transfer T36792/2003, as will more fully appear from the said Notarial Deed.

- E. By virtue of Notarial Deed of Servitude K8647/2006S dated 3 October 2006, and registered on 3 November 2006, the within mentioned property is subject to a Servitude for municipal purposes, 3 metres wide along the western boundary of the property, in favour of the City of Tshwane Metropolitan Municipality, as will more fully appear from the said Notarial Deed.

1.3.2 Excluding the following conditions which only affects Erf 2135;

Condition 2.(D) in Deed of Transfer T47322/2022:

- D. Kragtens Notariële Akte K4026/1988-S is die eiendom onderhewig aan 'n rioolpylyn serwituut 4 meter wyd vir die volle lengte van die westelike grens, ten gunste van die City of Tshwane Metropolitan Municipality, aangedui as lyn A B C op LG Kaart Nr A8166/1987 aangeheg en soos meer volledig sal blyk uit gemelde Notariële Akte.

1.4 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.

1.5 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 2134 and 2135 in the township consolidated. The Tshwane Metropolitan Municipality hereby grants consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

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 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 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 GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which 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, (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 COMPLIANCE WITH CONDITIONS IMPOSED BY SACAA

The township owner shall at his own expense comply with all the conditions imposed by the South African Civil Aviation Association. A copy of their conditions is attached to the approval letter.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY THE WONDERBOOM AIRPORT

The township owner shall at his own expense comply with all the conditions imposed by the Wonderboom Airport. A copy of their conditions is attached to the approval letter.

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

2.1 PROVISION OF OPEN SPACES AND PARKS IN TERMS OF REGULATION 44 OF THE ORDINANCE

The township owner shall secure land for private open space or pay an amount of money to the Municipality in lieu of the provision of land for open space purposes, calculated at 18m² per dwelling unit as contemplated in the provisions of Section 98(2), read with Regulation 44 of the Ordinance, 1986.

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).

3. CONDITIONS OF TITLE

3.1 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)

3.1.1 ALL ERVEN

3.1.1.1 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 local authority, along any two boundaries, excepting a street boundary and, in the case of a pan-handle 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.

3.1.1.2 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.

3.1.1.3 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.

3.1.1.4 As this erf (stand, land, etc) forms part of an area which is subject to aircraft and noise as a result of the close proximity to the Wonderboom Airport, the owner thereof accepts that inconvenience with regard to noise as a result thereof, may be experienced.

3.1.2 ERF 2134

3.1.2.1 The erf shall be subject to a servitude 1,0m wide for municipal purposes in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan, subject to the following conditions:

3.1.2.1.1 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.

3.1.2.1.2 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 essential, and furthermore the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

3.1.3 ERF 2135

3.1.3.1 The erf shall be subject to a servitude 4,0m wide for municipal purposes (stormwater) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan, subject to the following conditions:

3.1.3.1.1 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.

3.1.3.1.2 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 essential, and furthermore the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

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