

**THE PROVINCE OF
GAUTENG**



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 1167 OF 2022****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4884T**

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 171, 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 4884T.

(CPD 9/2/4/2-4884T (Item 29135))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

___ JULY 2022
(Notice 116/2022)

CITY OF TSHWANE**DECLARATION OF MONTANA EXTENSION 171 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 171 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-4884T (Item 29135))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASTION DEVELOPMENT GROUP PROPRIETARY LIMITED, UNDER TERMS OF SECTION 16(4)(f)(i) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 FOR THE ESTABLISHMENT OF A TOWNSHIP ON PORTION 614 (A PORTION OF PORTION 63) 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 171.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 3889/2017.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitude:

1.3.1 Excluding the following condition which does not affect erven in the township due to its locality:**1.3.1.1 Condition B on page 3 of Deed of Transfer T93968/2021**

“B. Die eiendom is onderhewig aan ‘n serwituit ten gunste van die Stadsraad van Pretoria, vir Algemene Munisipale doeleindes, groot 515 (Vyfhonderd en Vyftien) Vierkante Meter soos aangedui deur figuur ABCD op kaart SG No A 785/1991 soos meer volledig blyk uit Akte van Sessie K 2780/1991.”

1.3.2 Including the following condition which affects all erven in the township:

1.3.2.1 Condition C (as endorsement) of Deed of Transfer T93968/2021

“The property shall be subject to a services servitude in favour of the Woodpecker Crest Homeowners Association, the Northern and Eastern boundaries respectively as indicated by the figures A B and C D as will more fully appear on Servitude Diagram SG No 4180/2001.”

1.4 RECEIVING AND DISPOSAL OF STORM-WATER

The township owner shall arrange the storm-water 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.

1.5 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 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 GDARD

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

1.11 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.

1.12 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to development of any erf in the township, consolidate the erven in the township to the satisfaction of the Municipality. The Municipality hereby grants its consent for the consolidation in terms of section 92(1)(b) of the Ordinance 15 of 1986, which consolidation shall come into operation on proclamation of the township and subject to the Section 82 certificate being issued by the City of Tshwane.

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

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.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

3. CONDITIONS OF REGISTERED TITLE

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 ALL ERVEN

- 3.1.1 The erf shall be subject to a servitude, 2 m 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.
- 3.1.2 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 thereof.
- 3.1.3 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.

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