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**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>GENERAL NOTICES</b>			
1546	Town-planning and Townships Ordinance (15/1986): Establishment of township: Sunninghill Extension 173.....	3	177
1547	do.: Johannesburg Amendment Scheme 02-6875 .....	8	177

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## GENERAL NOTICES

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### NOTICE 1546 OF 2012

#### DECLARATION AS APPROVED TOWNSHIP

In terms of section 69 of the Town-planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), the Administrator hereby declares Sunninghill Extension 173 township to be an approved township, subject to the conditions set out in the Schedule hereto.

DPLG 11/3/9/1/3/16

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY HATFIELD PROPERTY HOLDINGS PROPRIETARY LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965 (ORDINANCE 25 OF 1965), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 584 (A PORTION OF PORTION 37) OF THE FARM RIETFONTEIN NO. 2-I.R., HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

(1) **NAME**

The name of the township shall be Sunninghill Extension 173.

(2) **DESIGN**

The township shall consist of erven and a street as indicated on General Plan S.G. No. 2891/2011.

(3) **STORMWATER DRAINAGE AND STREET CONSTRUCTION**

- (a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the local authority, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the local authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.
- (c) The township owner shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).
- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the local authority shall be entitled to do the work at the cost of the township owner.

**(4) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding the following conditions which shall not be passed on to the erven in the township:

- (a) "A (1) That Portion "B" of the said farm, of which a portion is hereby transferred, is entitled to a third share of the water out of the existing dam situated on that portion of the farm transferred to MATHYS MAGIELSE ROUX together with and subject to such further rights and privileges appertaining thereto as more fully described in Deed of Servitude No.233/1903 dated the 12th day of May.
- (2) That portion "B" of the farm, a portion of which is hereby transferred, is also subject to a right of water in favour of that portion of the farm transferred to HERMAN RUBENSTEIN on the 21st day of July, 1987, under Deed of Transfer No. 5297/1897."
- (b) "C By Notarial Deed No. 1026/55-S for the former remaining extent of Portion "B" of the said farm RIETFontein, measuring 13,8902 hectares (of which the property hereby transferred forms a portion) is subject to a perpetual right of way for municipal services in favour of the Johannesburg City Council as will more fully appear from reference to the said Notarial Deed."
- (c) "D By Notarial Deed No. K2015/78-S the property hereby transferred is subject to a servitude for a stormwater and other municipal purposes in extent 453 square metres, which area is defined by the letters A'BCD' on Diagram S.G. No. A1537/78 annexed to the aforementioned deed in favour of the SANDTON TOWN COUNCIL, which servitude includes ancillary rights, as will more fully appear from reference to the said Notarial Deed."

**(5) ACCESS**

No ingress from Provincial Road K73 and P70/1 to the township and no egress to Provincial Road K73 and P70/1 from the township shall be allowed.

**(6) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with that of Road P70/1 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(7) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**

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

**(8) CONSOLIDATION**

The township owner shall, at its own costs, after proclamation of the township but prior to the development or transfer of any erf in the township, consolidate Erven 1638 and 1639 to the satisfaction of the local authority.

**2. CONDITIONS OF TITLE**

(1) The erven mentioned hereunder shall be subject to the conditions as indicated imposed by the Administrator in terms of the provisions of the Town-Planning and Townships Ordinance, 1965.

**(a) ALL ERVEN**

- (i) The erf is subject to a servitude, 2 m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2 m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (ii) No building or other structure 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 m thereof.
- (iii) The local authority 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 local authority.

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**KENNISGEWING 1546 VAN 2012**

**VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 69 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (Ordonnansie 25 van 1965), verklaar die Administrateur hierby die dorp Sunninghill-Uitbreiding 173 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**DPLG 11/3/9/1/3/16**

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR HATFIELD PROPERTY HOLDINGS (EIENDOMS) BEPERK, (WAT HIerna VERWYS WORD AS DIE AANSOEKER/DORPSEIENAAR) INGEVOLGE HOOFSTUK III VAN DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1965, (ORDONNANSIE 25 VAN 1965), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 584 ('N GEDEELTE VAN GEDEELTE 37) VAN DIE PLAAS RIETFONTEIN NR. 2-I.R., TOEGESTAAN IS**

**1. STIGTINGSVOORWAARDES**

**(1) NAAM**

Die naam van die dorp is Sunninghill-uitbreiding 173.

**(2) ONTWERP**

Die dorp bestaan uit erwe soos aangedui op Algemene Plan L.G. No. 2891/2011.

**(3) STORMWATER DREINIERING AND STRAATBOU**

- (a) Die dorpseienaar moet op versoek van die plaaslike owerheid 'n gedetailleerde skema, volledig met planne, deursnee en spesifikasies, opgestel deur 'n siviele ingenieur en goedgekeur deur die plaaslike owerheid, vir die opgaar en afvoer van stormwater deur die hele dorp deur middel van behoorlike aangelegde werke en vir die konstruksie, teermacadamisering, beranding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keermure as wat nodig geag word deur die plaaslike owerheid, vir goedkeuring owerheid voorlê. Die skema moet voorts die roete en gradiënt aandui waarteen elke erf toegang tot die aangrensende straat verkry.
- (b) Die dorpseienaar moet, wanneer die plaaslike owerheid dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die plaaslike owerheid, onder toesig van 'n siviele ingenieur deur die plaaslike owerheid goedgekeur, uitvoer.
- (c) Die dorpseienaar is verantwoordelik vir die instandhouding van die strate tot bevrediging van die plaaslike owerheid totdat die strate ooreenkomstig subklousule (b) gebou is.
- (d) Indien die dorpseienaar versuim om aan die bepalings van paragrawe (a), (b) en (c) hierbo te voldoen, is die plaaslike owerheid daarop geregtig om die werk ten koste van die dorpseienaar te doen.

**(4) WEGDOENING BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, indien enige, met insluiting van die behoud van minerale regte, maar met uitsluiting van die volgende voorwaardes wat nie op die erwe in die dorp van toepassing sal wees nie:

- (a) "A (1) Dat Gedeelte "B" van die genoemde plaas, waarvan 'n gedeelte hiermee oorgedra word, is geregtig op 'n derde van die water uit die bestaande dam wat geleë is op die gedeelte van die plaas wat aan MATHYS MAGIELSE ROUX oorgedra is tesame met en onderworpe aan sodanige verdere regte en voorregte met betrekking daartoe soos meer volledig uiteengesit in Servituutakte Nr. 233/1903 gedateer die 12de dag van Mei.
- (2) Dat Gedeelte "B" van die plaas, 'n gedeelte waarvan hiermee getranspoteer word, is ook onderworpe aan 'n reg-van-water ten gunste van daardie gedeelte van die plaas wat aan HERMAN RUBENSTEIN op die 21ste dag van Julie 1987 ingevolge Titelakte Nr. 5297/1897 oorgedra is.
- (b) "C Kragtens Notariële Akte Nr 1026/55-S vir die voormalige Resterende Gedeelte van Gedeelte "B" van die genoemde plaas RIETFONTEIN, groot 13,8902 hektaar (waarvan die eiendom hieronder getranspoteer 'n deel uitmaak) is onderhewig aan 'n ewige reg-van-weg vir munisipale dienste ten gunste van die Stadsraad van Johannesburg, soos meer volledig sal blyk met verwysing na die genoemde Notariële Akte "

- (c) "D Kragtens Notariële Akte Nr K2015/78-S is die eiendom wat hiermee oorgedra word, onderhewig aan 'n serwituut vir stormwater- en ander munisipale doeleindes, groot 453 vierkante meter, wat deur die letters A'BCD' gedefinieer word op Diagram SG Nr. A1537/78 aan die genoemde akte aangeheg ten gunste van die SANDTONSE STADSRAAD, welke serwituut bykomende regte insluit, soos meer volledig sal blyk uit die verwysing na die genoemde Notariële Akte."

**(5) TOEGANG**

Daar sal geen ingang tot die dorp vanaf Provinsiale Pad K73 en P70/1 en geen uitgang uit die dorp vanaf Provinsiale Pad K73 en P70/1 toegelaat word nie.

**(6) OPGAAR EN WEGVOER VAN STORMWATER**

Die dorpseienaar is verantwoordelik daarvoor dat die dreinerings van die dorp in pas is met dié van Pad P70/1 en dat alle stormwater wat van die pad af hardloop of wat van die pad herlei word, opgegaar en weggevoer word.

**(7) VERPLIGTINGE MET BETREKKING TOT NOODSAAKLIKE DIENSTE**

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike owerheid mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water-, elektrisiteit- en sanitêre dienste en die installering van stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die plaaslike owerheid, nakom.

**(8) KONSOLIDASIE**

Die dorpseienaar sal op sy eie koste, na proklamasie van die dorp, maar voor die ontwikkeling of oordrag van enige erf in die dorp, Erwe 1638 en 1639 tot die bevrediging van die plaaslike owerheid konsolideer.

**3. TITELVOORWAARDES**

- (1) Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos deur die Administrateur opgelê, ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965.

(i) ALLE ERWE

- (i) Die erf is onderworpe aan 'n 2 m breë serwituut vir riolerings- en ander munisipale doeleindes, ten gunste van die plaaslike owerheid, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike owerheid: Met dien verstande dat die plaaslike owerheid van enige sodanige serwituut mag afsien.
- (ii) Geen gebou of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 m daarvan geplant word nie.

- (iii) Die plaaslike owerheid is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke wat hy volgens goeddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde servituut grens en voorts is die plaaslike owerheid geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike owerheid enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpypleidings en ander werke veroorsaak word.
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### NOTICE 1547 OF 2012

#### JOHANNESBURG AMENDMENT SCHEME 02-6875

The Administrator hereby, in terms of the provisions of Section 89(1) of the Town Planning and Townships Ordinance, 1965, declares that he approved an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the township of Sunninghill Extension 173.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government, (Department of Economic Affairs), Johannesburg, and the Town Clerk, Johannesburg, and are open for inspection at all reasonable times.

The amendment scheme is known as Johannesburg Amendment Scheme 02-6875

DPLG 11/3/9/1/3/02-6875

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### KENNISGEWING 1547 VAN 2012

#### JOHANNESBURGSE WYSIGINGSKEMA 02-6875

Die Administrateur verklaar hierby, ingevolge die bepalings van Artikel 89(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, dat hy 'n wysigingskema, synde 'n wysiging van Johannesburgse Dorpsbeplanningskema 1979, wat uit dieselfde grond as die dorp Sunninghill-uitbreiding 173 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Gautengse Provinsiale Regering, (Departement van Ekonomiese Sake), Johannesburg en die Stadsklerk, Johannesburg, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Johannesburgse Wysigingskema 02-6875

DPLG 11/3/9/1/3/02-6875

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