



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13844

Our File Reference Number: Erf 15 & 16 Klapmuts

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE FOR GAMBLING PLACE TO PERMIT LIMITED PAYOUT MACHINES ON ERF 15 & 16 KLAPMUTS.

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Erf 15 & 16 Klapmuts, namely;

3.1 Consent Use in terms of Section 15 (2)(o) of the said by-law for a gambling place to permit limited payout machines on Erf 15 & 16 Klapmuts.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

4. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
 - 4.1 The approval applies only to the proposed application under consideration as indicated on Site Development Plan Drawn by Blueprints dated 28/01/2015 & layout plan as indicated on project GS/lgm-067 dated 20 Oct 2006, attached as **Annexure A** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
 - 4.2 The approval granted to not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
 - 4.3 The gambling place be limited to **five (5)** Limited payout machines and be restricted to 15m² as indicated on the layout plan, project GS/lgm-067 dated 20 Oct 2006.
 - 4.4 An application for the erection of advertising signs be submitted for approval to the municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the signage policy of the Municipality.

4.5 No directional signage may be erected without the prior approval of the Provincial Roads Engineer and the Municipality.

4.6 The land use to not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

5. The reasons for the above decision are as follows:

5.1 The application would not negatively affect the surrounding environment as the proposed uses are located within the existing establishment and is compatible with current land use activities.

6. Matters to be noted:

6.1. It will be the responsibility of the owners to obtain the necessary and required business license or gambling license.

7. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

8. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

- i. First names and surname
- ii. ID number
- iii. Company of Legal person's name (if applicable)
- iv. Physical Address
- v. Contact details, including a Cell number and E-Mail address

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

- i. that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- ii. grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

(d) Whether the appeal is lodged against the whole decision or a part of the decision.

(e) If the appeal is lodged against a part of the decision, a description of the part.

(f) If the appeal is lodged against a condition of approval, a description of the condition.

(g) The factual or legal findings that the appellant relies on.

(h) The relief sought by the appellant.

(i) Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

(j) That the appeal includes the following declaration by the Appellant:

- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.
9. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za.
10. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
11. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za.
12. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
14. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



MANAGER: LAND USE MANAGEMENT

DATE:

10/1/2023

MAP 1

SYMBOL LEGEND

- 1. Site Data Logger A1
- 3. No under 18 sign 18
- 4. Rope & Rail Demarcation

PREMISES INFORMATION

1. Site accessible by persons under 18%	NO	- Dotted line of sight from bar - Re-entrant waiter service
2. Total floor area of premises:	151m ²	
3. Contained off gaming area:	150m ²	
4. Gaming area % of premises:	9%	
5. Ceiling height in gaming area:	2.5m	
6. Age control measures & method of supervision:		
7. Machine visibility from exterior of premises:	NO	
8. Total LSAs on premises:		
A. Maximum physical capacity	- 5 OFF	
B. Total LSA inspection	- 5 OFF	

PROPOSED ALTERATIONS

- 1. Complete renovation
- 2.
- 3.

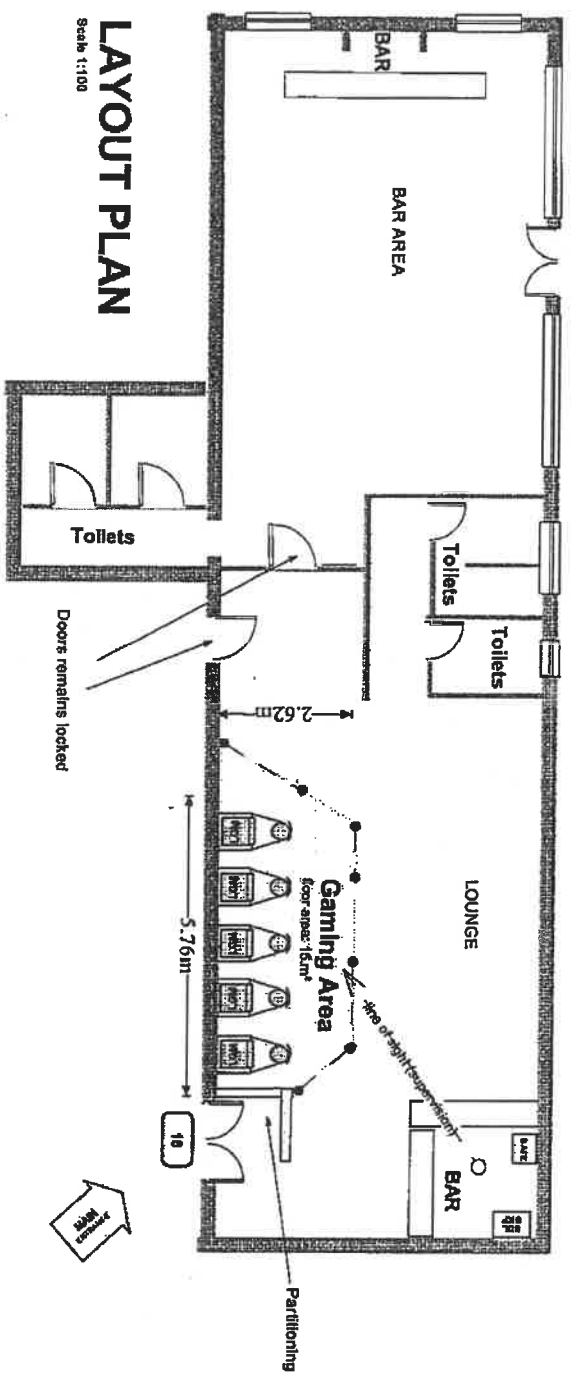
THIRD GAMING WASTEWATER COPE (PT) LAD
 P.O. Box, Regent, Cape Town, 8012
 Tel: (021) 416 2225, Fax: (021) 416 2285

KLAPMUTS HOTEL

Physical Address

OLD BARRACKS, 4th FLOOR
 Training Centre - ZEPHUR

Project #	Local Authority:
GS/figm-067	DRAKENSTEN
Date:	ET number:
24 AUGUST 2004	14 & 15
Revision Date:	Scale:
20 Oct 2006	AS SHOWN
Revision 4	



LAYOUT PLAN

Scale 1:100

OLD PAARL ROAD

37.34M SITE BOUNDARY

0,0M BUILDING LINE

52.63m

74.30M SITE BOUNDARY (OVERALL)

0,0M BUILDING LINE

ENTRY

ERF 15

Garden

EXIT

74.30M SITE BOUNDARY

0,0M BUILDING LINE

18M SITE BOUNDARY

P 10

P 9

P 8

P 7

P 6

P 5

P 4

P 3

P 2

P 1

ERF 16

Line indicates balcony/roof overhang

38M SITE BOUNDARY

EXISTING HOTEL
1078 sqm (Ground & first floors)

0,91m

Line indicates balcony/roof overhang

37.34M SITE BOUNDARY (OVERALL)

0,0M BUILDING LINE

As-built Plan

AREAS

1.	EX. BUILDING FOOTPRINT	808 SQM
2.	ERF SIZE (combined)	2774 SQM
3.	COVERAGE	29%
4.	BULK FACTOR	0.45

PARKING BAY TOTALS

1.	ON-SITE PARKING BAYS	10
2.	OFF-SITE PARKING BAYS (PARKING BAY SIZE : 2.5 X 5.0M)	0

Drawing:

SITE DEVELOPMENT PLAN

ERYEN 15 & 16, Old Paarl Road, Klapmuts

Scale:

1:200

Date:

29/01/2015



www.klapmuts.com

