

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Corner Old Paarl Road & R44, KLAPMUTS, 7625

Application Property Number: Erf 15 & 16 KLAPMUTS

Applicant: Bonga Mkuzangwe/Grandslots – 072 362 1008/021 421 7771

Owner: ANINA PROPERTIES (PTY) LTD or heidialport@btinternet.com – 021 875 5215

Application Reference: LU/13844

Application Type: Consent Use for Gambling Place

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a Consent Use for Gambling Place to permit 5 Limited Payout Machines on Erf 15 & 16, Klapmuts.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Bonga Mkuzangwe - bmkuzangwe@grandslots.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **23 June 2022**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (072 362 1008 or 021 421 7771) during normal office hours.

Yours faithfully

Bonga Mkuzangwe

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Hoek van Old Paarl Road & R44, KLAPMUTS, 7625

Aansoek eiendom beskrywing: Erf 15 & 16 KLAPMUTS

Aansoeker: Bonga Mkuzangwe/Grandslots – 072 362 1008/021 421 7771

Eienaar: ANINA PROPERTIES (PTY) LTD of heidialport@btinternet.com – 021 875 5215

Aansoek Verwysing: LU/13844

Tipe Aansoek: Toestemmingsgebruik vir dobbelplek

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:
Aansoek word gedoen ingevolge Artikel 15(2)(o) van die Stellenbosch Munisipaliteit Grondgebruik Beplanningsverordening, 2015 vir 'n toestemmingsgebruik vir 'n dobbelplek om 5 beperkte uitbetalings masjiene toe te laat op Erf 15 & 16, Klappmuts.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskuur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terme van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Bonga Mkuzangwe - bmkuzangwe@grandslots.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **23 Junie 2022**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (072 362 1008 or 021 421 7771) gedurende normale kantoor ure.

Die uwe

Bonga Mkuzangwe

Date: 10 March 2022

Enquiries: Bonga Mkuzangwe

Contact: 021 421 7771 – 072 362 1008



APPLICATION FOR CONSENT USE BY GRAND GAMING WESTERN CAPE (PTY) LTD TRADING AS GRANDSLOTS ON BEHALF OF ANINA PROPERTIES PROPRIETARY LIMITED – REGISTRATION 2016/169816/07.

1. PURPOSE OF THE APPLICATION

This application is made on behalf of the owner of Erven 15 & 16 Klapmuts, Anina Properties (Pty) Ltd and serves to motivate in terms of Section 15 of the Stellenbosch Zoning Scheme By-law (2019) for:

Consent Use in terms of Section 15(2)(O) to permit a gambling place on Erven 15 & 16 Klapmuts, Old Paarl Road.

Attached hereto is the company Resolution (refer to Annexure B) and Power of Attorney (refer to Annexure C) authorizing Grandslots to submit this application to the local authority on their behalf.

For ease of reference, Erven 15 & 16 on this application will be referred to as “the property”.

2. PROPERTY INFORMATION

2.1. Locality

The property is located along Old Paarl Road, surrounded by industrial, mixed use and utility services zones (refer to Annexure A). The building on the property consists of a restaurant and pub within the existing hotel.

2.2. Summary of property details

Registered owner	Anina Properties (Pty) Ltd – 2016/169816/07
Applicant	Grand Gaming Western Cape (Pty) Ltd t/a Grandslots
Erven Numbers	15 & 16
Extent	2141m ² & 714m ²
Title Deed Number	T62784/2021
Restrictive Title Deed conditions	None
Applicable zoning scheme	Stellenbosch Zoning Scheme By-law (2019)
Current Zoning	Mixed-Use Zone
Current Use	Business premises – Hotel, Pub and Restaurant with 5 Limited Payout Machines (LPMs).
Application submitted for	Consent Use for a gambling place to permit 5 LPMs as per the attached plans (refer to Annexure D).
Previous land use approvals	Departure to operate LPMs on the property (refer to Annexure E).

2.3. Zoning

In terms of the Stellenbosch Zoning Scheme Bylaw 2019, the following extract sets out parameters associated with Mixed-Use Zone:

Primary Uses

- Commune
- Business premises** (including shops, markets, restaurants, office)
- Clinic
- Community residential building
- Extramural facility
- Flats
- Guest house
- Hostel
- Hotel**
- Occasional use (one event/year)
- Plant nursery
- Public institution
- Public parking area
- Private road
- Tourist dwelling unit
- Tourist accommodation establishment
- Welfare institution

Consent Uses

- Adult Entertainment
- Builders yard
- Commercial gymnasium
- Conference facility
- Day care
- Filling station
- Freestanding base telecommunication station
- Funeral parlour
- Gambling place**
- Helicopter landing pad
- Hospital
- Indoor sport
- Liquor Store
- Motor vehicle fitment centre
- Motor showroom
- Occasional use (> one event/year)
- Parking garage
- Place of assembly
- Place of education
- Place of entertainment
- Renewable energy structure
- Rooftop base telecommunication station
- Tertiary educational

2.4. Title Deed Conditions

The attached Title Deed contains no restrictive conditions which would preclude a gambling place on the property. A Conveyancers Certificate has also been attached to confirm this (refer to Annexure E).

2.5. Characteristics of the property

The property is predominantly a business premises. It has had two Departure approvals for a place of entertainment in 2006 and 2015, which have lapsed (refer to Annexure F). The proposed use is already in harmony with the existing use as the business has been in operation for almost 15 years now. The proposal will maintain the physical character of the property, no proposed removal of vegetation or any external/internal alteration are envisaged, and the LPMs will continue being accommodated within the existing building.

2.6. Surrounding land uses

The land uses around the property are mixed use zoned, Industrial zoned, and Utility Services zoned. They operate small scale farming, light industry and there is a fuel station located across the subject property. The subject property is also a corner plot surrounded by low density buildings along both roads, thus in uniform with the general surrounding land uses.

2.7. Pre-application scrutiny

A pre-application scrutiny submission was submitted to the municipality regarding the property on 13 April 2021. The minutes from the scrutiny were issued (refer to Annexure G). It should be noted that there was a delay in receiving a zoning certificates with the revised permitted uses for the property. The request was acknowledged in June 2021 and the certificates were received in January 2022. A revised conveyancer Certificate and Title Deed also had to be requested due to a change of ownership that took place in December 2021.

2.8. Municipal services

SERVICE	EXISTING INFRASTRUCTURE	PROPOSED APPLICATION IMPACT
Water	Yes	None
Electricity	Yes	None
Sewage	Yes	None
Access and Egress	Yes	None

3. PROPOSAL

This application proposes that Council grants the property rights to operate the existing gambling place on the property. The property is currently operating as a hotel primarily,

with amenities including a restaurant and pub. Council had previously approved the proposal twice to operate as an ancillary use to the existing hotel and amenities.

The application is of an uncomplicated nature and presents no negative impact to the surrounding properties as it is existing.

4. DESIRABILITY

This application is desirable for the surrounding environment. The site is located along the Old Paarl Road which is a strip of mixed land uses. The proposed LPM's will not impact on the built or natural environment as they are located within an existing business. The total floor space of the venue is 151m². The LPM's are located within the existing structure and only 15m² is dedicated to the LPM's (refer to Annexure D). No further development is proposed or required as the area in which the LPM's are placed does not require any further construction. No additional structures will be added, and no natural vegetation will be removed.

The LPM's are and will not be visible from the exterior of the property as the area in which they are installed is enclosed and monitored by CCTV. The site is an over 18's facility and access is monitored at the entrance. All the personnel that work in the gaming area are and must be licensed by the Western Cape Gambling and Racing Board and participate in a rigorous training for National Responsibility Gambling programme.

5. PLANNING PRINCIPLES

- Spatial Justice

This principle refers to the imbalances in spatial development which need to be addressed. The proposal will allow the property owner to make use of the current structure in accordance with the applicable zoning rights, continue to provide employment, leisure, and entertainment options to the existing business premises.

This secures employment to the current staff, contributes towards their socioeconomic standing, and may allow them access to housing and land opportunities. The proposal also allows for the continued utilisation of the property for economic purposes during these trying times.

- **Spatial sustainability**

The property is zoned mixed use; thus, the proposed use right for the facility will continue contributing to the financial sustainability of the business and allow for the continued operation thereof for the property.

- **Efficiency**

The proposal promotes optimal use of space on the business premises to cater for its customers within the service capacity limits of the property.

- **Spatial resilience**

Spatial resilience refers to the drafting of flexible spatial plans and policies and land use management systems to ensure the sustainable livelihoods in communities most likely to suffer the impact of economic and environmental shock. This proposal is consistent with the PSDF and SDF which promotes resilience.

- **Good administration**

The proposal is consultative as the municipality's town planning department might advertise the proposal to the general public to allow for comments which are also taken into consideration.

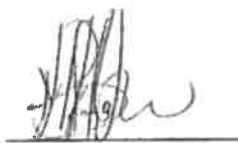
6. SUMMARY AND RECOMMENDATION

- The proposed consent use application will not have a negative impact on the property and surroundings.

- The property has been operating the same business with the proposed consent use for over 15 years.
- The proposed use is in uniform with the surrounding land uses.
- There is enough on-site parking, thus no impact on parking and traffic is envisaged.
- No new structures or additions to the existing building envelope are being proposed.
- There will be no impact on engineering services.
- No additional floor area is applied for.
- The building is adequately serviced.
- There are no adverse impacts envisaged through the approval of the applications; and
- The continued operation of the facility will allow the owner to continue maintaining the property and its current security measures, thus improving the safety and security around the property.

We trust the application will meet Council's positive recommendation. For further information regarding this application, please do contact us.

Yours faithfully

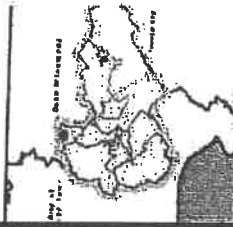


Bonga Mkuzangwe
Business Licensing Officer
Candidate Planner: C/8032/2015

Stellenbosch GIS Map

SCALE
1:2 256,99

Legend



Stellenbosch Municipality
Planning & Economic Development
Created by Corporate GIS

Date: 2022/04/20



Autor: Stellenbosch Municipality



Stellenbosch Municipality
Street Address:
71 Ploeg Street, 7601 Stellenbosch, 760
Tel: 021 808 8000

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