



**EMFULENI LOCAL MUNICIPALITY / PLAASLIKE MUNISIPALITEIT**

TEL: (016) 950 5532 (Me L Burger)

FAKS: 086 269 4121 (Me L Burger)

E-MAIL: burgerl@emfuleni.gov.za

Please return to Town Planning, Old Trust Bank Building c/o President Kruger and Eric Louw Street, 1<sup>st</sup> floor, Room 216, Vanderbijlpark

Stuur asseblief terug na Stadsbeplanning, Ou Trustbankgebou h/v President Kruger en Eric Louwstraat, 1ste vloer, Kamer 216, Vanderbijlpark.

COUNCILLOR/ RAADSLID      WARD 5 – P NOTHNAGEL

DATE: 27/02/2017

Application for / aansoek

**APPLICATION FOR CONSENT TO USE ERF 1012 VANDERBIJL PARK SOUTH EAST 2 FOR A PLACE OF ENTERTAINMENT**

File No: 7/3/SE2

aan u gestuur vir kennisname en kommentaar/belange / send to you for your information and comments/concerns.

Please take note that no report can serve on any committee without the comments/concern of the relevant Councillor. Your comments/concerns can be written on this sheet (together with the report) and returned to the abovementioned fax no. or Vanderbijlpark office.

Neem asb kennis dat geen verslag op enige Komitee mag dien alvorens die kommentaar/belang van Raadslede nie aan verslag geheg is nie. U kommentaar/belange kan op hierdie blad (tesame met die verslag) aangeteken word en na bogenoemde faks gestuur word of by Vanderbijlpark kantoor ingedien word.

➤ **\*\* (if a Councillor wants to object as a resident who has direct interest in the matter, it must be done so, in their own private capacity and not on this letter head.**

**IN ORDER TO SPEED UP THE FINALIZATION OF REPORTS, IT WOULD BE APPRECIATED IF COMMENTS/CONCERNS CAN BE RECEIVED WITHIN 10 WORKING DAYS. IF NO COMMENTS/CONCERNS ARE RECEIVED WITHIN THIS PERIOD, IT WILL BE ASSUMED THAT YOU HAVE NO COMMENTS/CONCERNS.**

GETEKEN/SIGNED: *Me L Burger*

YOUR COMMENTS:

.....  
.....  
.....  
.....

# **EMFULENI LOCAL MUNICIPALITY**

## **STRATEGIC MANAGER: DEVELOPMENT PLANNING**

### **APPLICATION FORM AND QUESTIONNAIRE TO BE COMPLETED BY APPLICANTS APPLYING FOR CONSENT IN TERMS OF SECTIONS 12 AND 19 OF THE VANDERBIJLPARK TOWN PLANNING SCHEME 1987, READ WITH THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT**

#### **1. APPLICANT**

- 1.1 Name of applicant: Pace Plan Development and Town Planning Consultants**
- 1.2 Postal address: P O Box 60784, Vaalpark**
- 1.3 Business address: P O Box 60784, Vaalpark**
- 1.4 Capacity of applicant: Agent acting on behalf of the owner.**

**Note. If the applicant is not the owner, the following information must be provided:**

- 1.4 Names of owners: RED TAPE (PTY) LTD**
- 1.6 Postal address of agent: P O BOX 60784 VAALPARK**
- 1.7 Business address of agent: 29 Golden Gate Blvd Vaalpark 1948**
- 2. DESCRIPTION OF PROPERTY IN RESPECT OF WHICH APPLICATION IS BEING MADE:**
  - 2.1 Erf: 1012 VANDERBIJLPARK SE 2**
  - 2.2 Street and street no: CNR OF FRIKKIE MEYER BOULEVARD AND CHOPIN STREET, VANDERBIJLPARK SE 2**
  - 2.3 Name of township or agricultural holdings: VANDERBIJLPARK SE 2**
  - 2.4 Farm and farm portion N/A**

#### **3. EXISTING BUILDINGS AND EXISTING USE**

**SHOPPING MALL WITH VARIOUS USES**

#### **4. PROPOSED BUILDING OR USES ADVERTISED**

The purpose of this application is to obtain special consent from Council in terms of Sections 12 and 19 of the Vanderbijlpark Town Planning Scheme 1987 for the property to be used for "Place of Entertainment".

##### **4.1 What use or uses are applied for? (Note. A full description of the extent and nature of the proposal must be given).**

The purpose of this application is to obtain special consent from Council in terms of Sections 12 and 19 of the Vanderbijlpark Town Planning Scheme 1987 for the property to be used for 'Place of Entertainment'. Currently the property is being used for numerous uses ranging from shops, offices, the sale of hardware and building materials, Places of refreshment, institutional uses and many more. Some of the places of refreshment occasionally invite entertainers to entertain the guests as well as playing music to which the guests can listen.

The council has now insisted that an application be lodged to the council to allow the property to be used as a "Place of Entertainment" in order to allow the activities as mentioned above.

##### **4.2 Will any noise be created?**

No excessive noise will be created and the relevant legislation will be adhered to.

##### **4.3 Will any of the proposed uses result in the emission of:**

- |                        |                         |
|------------------------|-------------------------|
| (a) smoke or fumes: No | (b) Gases or vapour: No |
| (c) dust: No           | (d) smells: No          |

**The development will not result in any of the above.**

##### **4.4 Will any part of the site be used as a scrap yard or for the storage of materials of other goods.**

**NO.**

##### **4.5 Will any solid or liquid trade wastes result from the use? (Give details).**

**NO**

##### **4.6 What provision will be made for the loading and off-loading of goods?**

Loading and off-loading will be done according to the specifications as laid down by the Emfuleni Local Municipality

**4.7 What parking provision will be made?**

As required in terms of the Town Planning Scheme.

**5. ADVERTISEMENTS**

**5.1 State dates of advertisements and attach tear pages**

15/2/2017 and 22/2/2017 in Vaalweekblad. Pages will be submitted in due course.

**5.2 A regulation site notice must be placed in a conspicuous position on the site. Give details of posting such notice.**

Will be done from 15/2/2017 until 1/3/2017. The sworn statement will be submitted in due course.

**6. DRAWINGS**

**6.1 If drawings or sketches are submitted, give details, drawing reference numbers etc. A site development plan will be submitted in due course**

**7. OBJECTIONS**

**7.1 If objections to the proposal are received by the applicant, the names and addresses of such objectors are to be submitted.**

None received to date. Any received will be attached to sworn statement mentioned in 5.2.

**8. REMARKS BY APPLICANT**

**(State here any special reasons which, in the opinion of the applicant, justify the granting of the application).**

As per the attached motivating memorandum.

**NOTE**

- 1. It is stressed that the granting of this application does not override any restrictive conditions contained in the Title Conditions of the property.**

2. If certain questions cannot be answered fully in the space provided, annexures may be attached.
3. Documentation in respect of application to be submitted:
  - 3.1 Application form/questionnaire
  - 3.2 Power of Attorney and/or Company Resolution (if applicable)
  - 3.3 4 Advertisements (2 Afrikaans & 2 English). Full pages must be submitted. Adverts must not be cut out.
  - 3.4 Sworn statement in respect of site notice.
  - 3.5 Title deed. T82724/2010
  - 3.6 Application fee of R1077-04

I, the undersigned, hereby declare that to the best of my knowledge and belief the information given on this form is correct.



**Christo de Jager**  
**PACE PLAN**

**SIGNATURE**

**15 FEBRUARY 2017**

*Pace*

**PLAN**  
Development & Town Planning Consultants

PACE PLAN CONSULTANTS (PTY) LTD, P O Box 60784, Vaalpark, 1948, 29 Golden Gate Boulevard,  
Tel 016 971 3456, Cell 083 446 5872, [christo@paceplan.co.za](mailto:christo@paceplan.co.za)

**PROPOSED SPECIAL CONSENT IN  
TERMS OF THE VANDERBIJLPARK  
TOWN PLANNING SCHEME 1987, READ  
WITH THE RELEVANT PROVISIONS OF  
THE SPATIAL PLANNING AND LAND  
USE MANAGEMENT ACT**

**ERF 1012 VANDERBIJLPARK SE 2**

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## **1. GENERAL INFORMATION**

### **1.1 Local Authority**

The Emfuleni Local Municipality

### **1.2 Property Description**

Erf 1012 Vanderbijlpark SE 2

### **1.3 Extent of Properties**

Erf 1012 Vanderbijlpark SE 2 measures approximately 4.8081H

### **1.4 Locality**

Erf 1012 Vanderbijlpark, is situated on the cnr of Frikkie Meyer Blvd and Chopin Street Vanderbijlpark SE 2 (See attached locality plan.)

### **1.5 Restrictive Title Conditions**

None

### **1.6 Present Land Use**

"Business 1"

### **1.7 Surrounding Land Use**

The development, in general, is of a business and residential nature.

### **1.8 Bond Holder**

**CONSENT TO BE SUBMITTED**

### **1.9 Registered Owner**

**RED TAPE (PTY) LTD**

### **1.10 Applicant**

**PACE PLAN on behalf of RED TAPE (PTY) LTD**

### **1.11 Existing zoning**

In terms of the Vanderbijlpark Town Planning Scheme 1987, Erf 1012 Vanderbijlpark SE 2 is zoned "Business 1"

## **2. PROPOSED ZONING**

"Business 1" with the special consent of the local authority, for a "Place of Entertainment"

### 3. MOTIVATION

#### 3.1 NEED AND DESIRABILITY

Market research and interest from tenants has made it clear that there is a need for a "Place of Entertainment" that will serve the needs of clients of the Riverside Shopping Mall as well as the broader community of Emfuleni. It is common knowledge that the "Capellos Restaurant" has been used for this purpose without any problems for the past 3 years. It is only now that the Emfuleni Local Municipality insisted on the application for a Place of Entertainment to be submitted.

This proposed use is not strange to shopping malls and there is no reason why the application should not be approved without any delay.

Unlike other facilities in the area the subject property has more than adequate parking and does not have a negative effect on the traffic patterns. The subject property is also not in the middle of a residential area such as other facilities in the immediate area and according to our opinion noise pollution will be limited to within acceptable levels.

### 4. POLICIES FRAMEWORKS AND LEGISLATION

In general the application is in line with the Council's policy and also with certain development principles which reads as follows:

- (a) Policy, administrative practice and laws should provide for urban and rural land development and should facilitate the development of formal and informal, existing and new settlements.
- (b) Policy, administrative practice and laws should promote efficient and integrated land development in that they-
  - (i) promote the integration of the social, economic, institutional and physical aspects of land development;
  - (ii) promote integrated land development in rural and urban areas in support of each other;
  - (iii) promote the availability of residential and employment opportunities in close proximity to or integrated with each other;
  - (iv) promote a diverse combination of land uses, also at the level of individual erven or subdivisions of land;
  - (v) discourage the phenomenon of "urban sprawl" in urban areas and contribute to the development of more compact towns and cities;
  - (vi) contribute to the correction of the historically distorted

spatial patterns of settlement in the Republic and to the optimum use of existing infrastructure in excess of current needs; and

- (vii) encourage environmentally sustainable land development practices and processes.

#### 4. SPLUMA

It is our opinion that application is fully in line with the stipulations of the SPATIAL PLANNING & LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013) in that it clearly addresses the following aspects:

- (a) The application is in line with the development principles and set out in chapter 2 of the act
- (b) The application is consistent with the norms and standards, designed to protect and promote, spatial justice, sustainability, efficiency, spatial resilience, and good administration and it is also in line with what has previously been approved in the area.

#### 5. CONCLUSION

In view of the fact that the proposed zoning will have no detrimental effect on the area, it is not undesirable and complies with the Council's policy, national legislation and certain development principles it is suggested that the Council approve the application as proposed.

LOCALITY PLAN *EF 1012 SE 2*  
FREMANTLE STREET SE2

