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François du Plooy Associates CC (Reg No CK 2007/038254/23)

**MEMORANDUM IN SUPPORT OF THE  
APPLICATION FOR CONSENT USE**

**FOR**

**ERVEN 885 AND 887 FERNDALE  
TOWNSHIP**

**TO PERMIT**

**A PLACE OF AMUSEMENT FOR A  
MAXIMUM OF 5 LIMITED PAYOUT  
GAMBLING MACHINES.**

Reference No.: 0346- Lungile Buthelezi  
Date: May 2010

**Town and Regional Planning  
Environmental Assessment  
Property Development Practitioners**

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## TABLE OF CONTENTS

<b>1.</b>	<b>OBJECTIVE</b>	<b>1</b>
<b>2.</b>	<b>BACKGROUND INFORMATION</b>	<b>1</b>
2.1	Property details	1
2.2	Location	1
2.3	Area	1
2.4	Existing zoning	1
2.5	Surrounding land use structure	1
2.6	Existing land use	2
2.7	Surrounding zoning pattern	2
<b>3.</b>	<b>LEGAL INFORMATION</b>	<b>2</b>
3.1	Deed of Transfer	2
3.2	Ownership	2
<b>4.</b>	<b>MOTIVATION REPORT</b>	<b>2</b>
4.1	Proposed use	2
4.2	Need & Desirability	2
4.3	Merit	3
4.3.1	Compliance with the Regional Spatial Development Framework 2008/2009	3
4.3.2	Compliance with the Principles of the DFA, 1995	4
<b>5.</b>	<b>FINAL CONCLUSION</b>	<b>4</b>
<b>6.</b>	<b>PLANS</b>	
6.1	Locality plan	
6.2	Zoning plan	
<b>7.</b>	<b>APPENDIX</b>	
7.1	Deed of Transfer <b>T24457/1947</b>	
7.2	Deed of Transfer <b>T3037/1964</b>	
7.3	Resolution by the Companies	
7.4	Special Power of Attorney Documents	
7.5	Zoning Certificate	

## **1. OBJECTIVE**

The primary objective is to motivate the application in terms of **Clause 15 of the Randburg Town Scheme, 1976, for consent use from the Johannesburg Metropolitan Municipality for a place of amusement to permit a maximum of 5 limited payout gambling machines on Erven 885 and 887 Ferndale Township.**

## **2. BACKGROUND INFORMATION**

### **2.1 Property details**

In terms of the Deed of Transfer the **T24457/1946** the property is known as:

**Erf 885 Ferndale Township**

In terms of the Deed of Transfer the **T3037/1964** the property is known as:

**Erf 887 Ferndale Township**

**Refer to the attached Deed of Transfer documents Appendix - 7.1, and 7, 2.**

### **2.2 Location**

Erven 885 and 887 Ferndale Township is located at the:

**Corner of Hill Street and High Street.**

**Refer to the attached locality plan - Plans 6.1**

### **2.3 Area**

In terms of the Deed of Transfer **T24457/1946** the area of the erf 885 is **281m<sup>2</sup>** in extent.

In terms of the Deed of Transfer **T3037/1964** the area of the erf 887 is **274m<sup>2</sup>** in extent.

**Refer to the attached Deed of Transfer documents Appendix - 7.1 and 7.2**

### **2.4 Existing land use**

The erven is currently being used for a Pub, Shops and other business purposes.

## 2.5 Surrounding land use structure

The surrounding land use pattern is as follows:

North	Tavern & Shops
East	Shops and Cemetary
South	Shops and dwelling Units
West	Shops and Parking

## 2.6 Existing Zoning

The erf is currently zoned "**Business 1**" and could therefore be conducted as a place of amusement with consent from the City of Johannesburg.

**Refer to the attached Zoning Certificate - Appendix 7.4**

## 2.7 Surrounding Zoning Pattern

The surrounding zoning structure is:

North	Business 1 & Business 2
East	Business 1 & Cemetary
South	Business 1, Business 2 & Residential 1
West	Business 1 Special and Parking

**For further detail refer to 6.2 for the attached zoning plan.**

## 3. LEGAL INFORMATION

### 3.1 Deed of Transfer

In terms of Deed of Transfer **T24457/1946** and **T3037/1964** there are **no** restrictive conditions of title prohibiting the proposed use.

**Refer to the attached Deed of Transfers Appendix - 7.1 and 7.2**

### 3.2 Ownership

In terms of the relevant Deed of Transfers **T24457/1946** and **T3037/1964** the registered owners are,

**ERF 885 FERNDAL CROSSROADS (PROPRIETARY) LIMITED  
AND  
ERF 887 FERNDAL INVESTMENTS (PROPRIETARY) LIMITED**

**Refer to Appendix 7.1 and 7.2** for the Deed of Transfer documentation, **Appendix 7.3** for the Company Resolutions, and **Appendix 7.4** for the Special Power of Attorneys

#### **4. MOTIVATION REPORT**

##### **4.1 Proposed use**

It is the owner's intention to utilize the property as a place of amusement to permit a maximum of 5 limited payout gambling machines.

Hot Slots has been awarded a gaming route license by the Gauteng Gambling Board to place 1000 limited payout machines in and around Gauteng Province. The above-mentioned site has been identified by Hot Slots as a suitable site to place limited payout machines in terms and rules and regulations that are prescribed by the Gauteng Gambling Board. In complying with the requirements of the Gauteng Gambling Board we are requested the City of Johannesburg: Department of Development Planning, and Urban Management to approve the above identified site as suitable to be used as a business site have 5 limited payout machines with a maximum payout of R500-00 only in a specific area as prescribed by the rules and regulations of the Gauteng Gambling Board. The Gauteng Gambling Board requires the municipality to expressly agree to the number of limited payout machines that can be put on site.

It should be noted that as per rules of the Gauteng Gambling Board the above mentioned property will still primarily be operating its usual business, the limited payout machines will only be an ancillary activity to the main business.

##### **4.2 Need and Desirability**

Will provide a form of entertainment and relaxation to the in residents and workers in the area. It will also provide an extra source of income for the owner. A great need exists for entertainment.

The development will not affect the current zoning of the property as it is only a consent use but will help maximize the use of the erf.

No traffic problems are anticipated due to the proposed rezoning as most of the customers will be making use of the closely located and accessible public transport system in the area.

The proposed development is compatible with the area. It will also bring people working in the Ferndale area in contact with recreational opportunities it is also close to public transport facilities.

The proposed development will not have a negative impact on the area.

### **4.3 Merit**

Various such machines have already been installed within the surrounding area.

The merit of the application will be further analyzed in terms of the Regional Spatial development Framework 2008/2009.

The area for the proposed activity will take up approximately  $\pm 5,0m^2$

The proposed land use rights will have no negative impact on the environment and traffic impact.

The proposed gambling machines should have no increase in people and should not generate any traffic as it will be used by existing customers.

The proposed zoning is compatible as the property is situated in a business node therefore it will harmonise with the surrounding development within the area.

#### **4.3.1 Regional Spatial Development Framework, 2008 Region A**

The RSDF indicates no restrictions to a place of amusement being established.

#### **4.3.2 Development Facilitation Act, 1995**

The proposed development of this site is compliant with the principles of the said act in that it will:

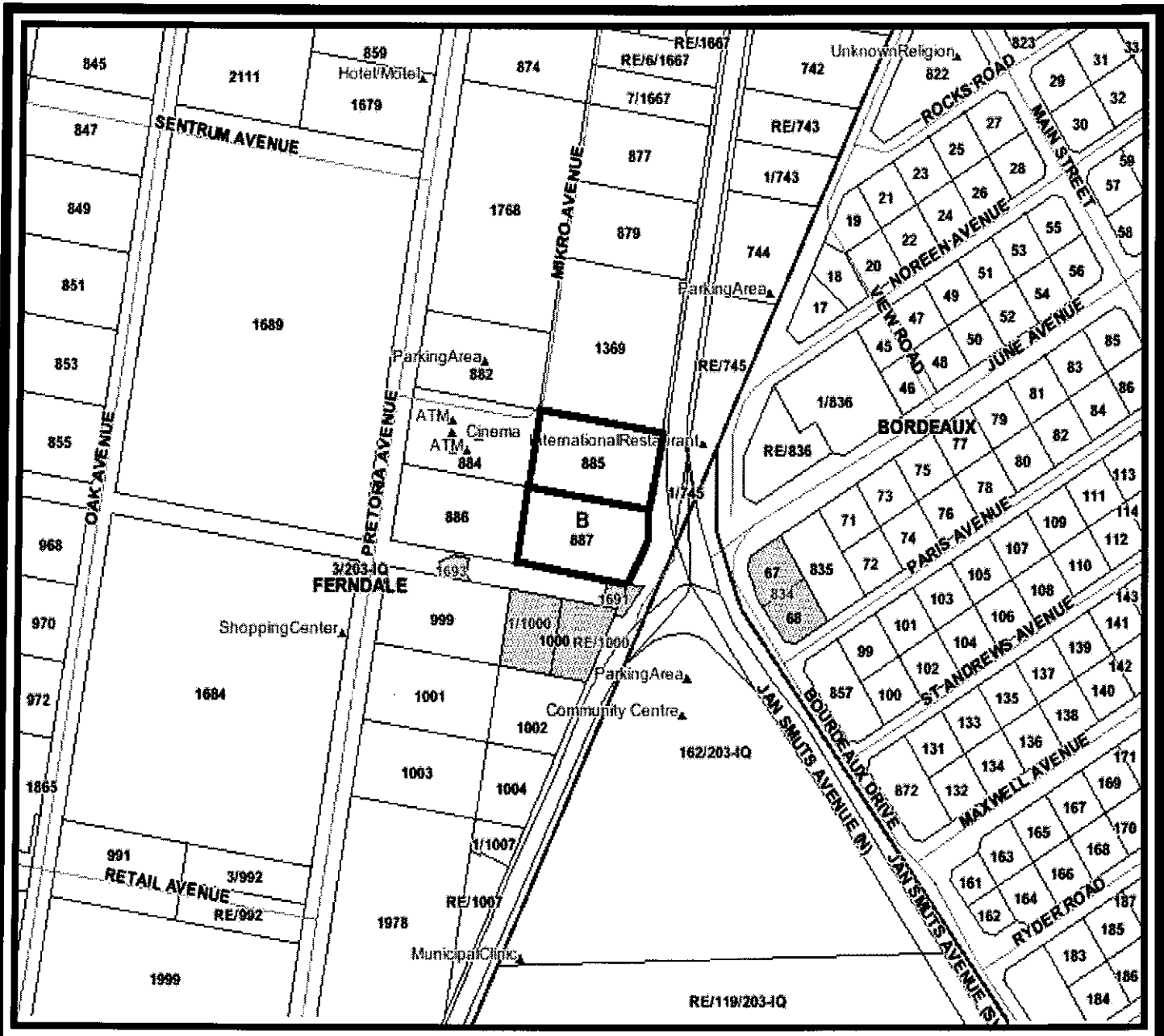
Promote efficient and integrated land development which will ensure that residential, employment and business opportunities will be in close proximity to a diverse combination of land uses while not compromising environmental quality. Flats and residential densification will prevent urban sprawl.

It will also aid in the creation of land infill in the form of a more compact intensive city and land use structures.

### **5. FINAL CONCLUSION**

From the abovementioned aspects it is clear that the proposed change in land use is desirable has merit and that a great need therefore does exist.

**It is our submission that the application be approved for consent use as proposed.**



# LOCALITY PLAN

## ERVEN 885 AND 887 FERNDALE

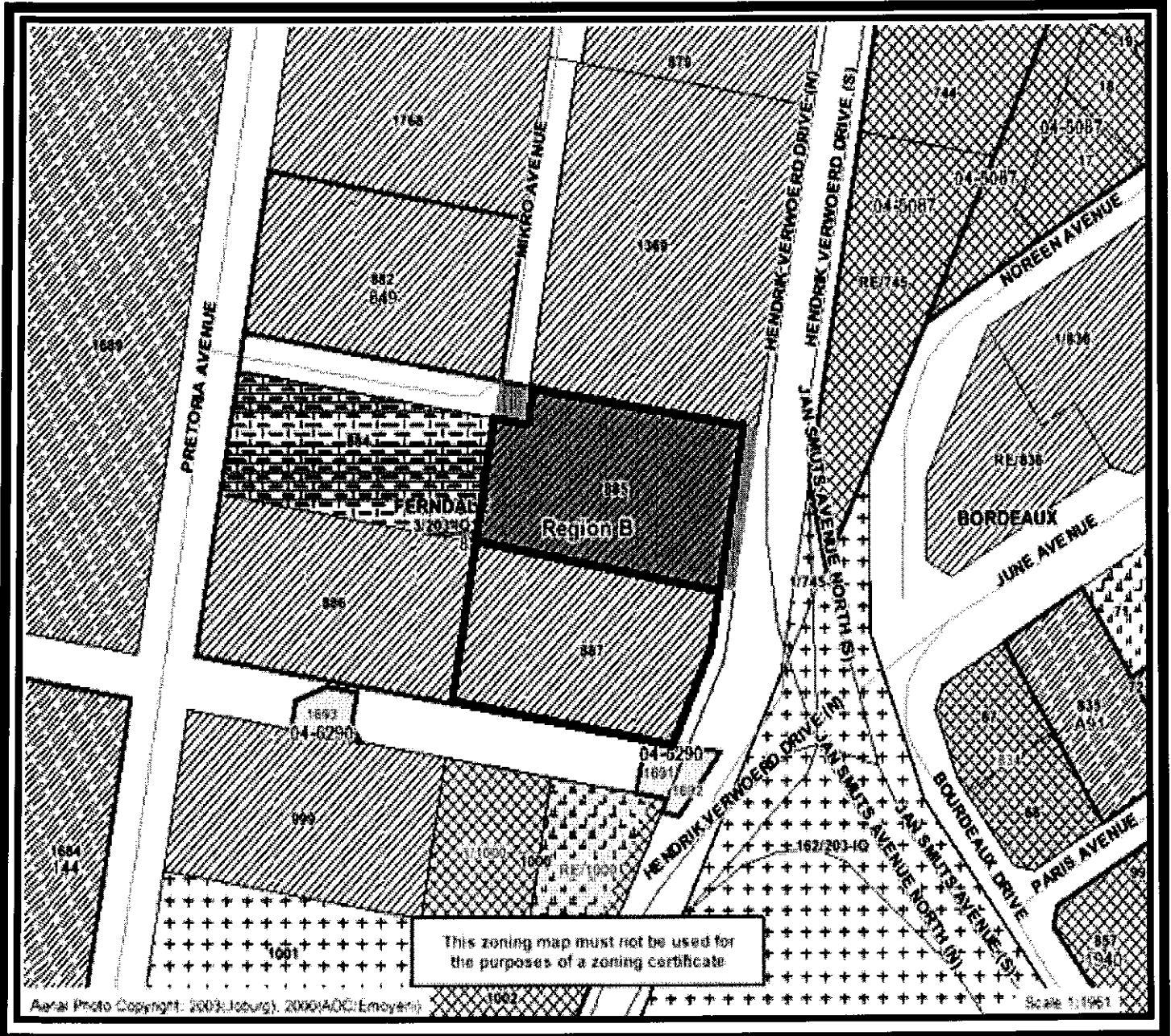


NORTH  
NOT TO SCALE



THE ERVEN





# ZONING PLAN

## ERVEN 885 AND 887

### FERNDALE TOWNSHIP



NORTH  
NOT TO SCALE

- |  |               |  |            |
|--|---------------|--|------------|
|  | RESIDENTIAL 1 |  | BUSINESS 2 |
|  | SPECIAL       |  | PARKING    |
|  | BUSINESS 1    |  | CEMETARY   |

