

SUBCOUNCIL 16

1. ITEM NUMBER : 16 SUB 22/12/19

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF CHECKERS LIQUORSHOP KLOOF STREET, PALMHOF CENTRE, SHOP 2, CNR KLOOF & WELTEVREDEN STREET, TAMBOERSKLOOF: OFF CONSUMPTION SUNDAY 11:00-18:00

To decide on an application for extension of liquor trading hours in terms of Section 6(1) of the City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013

3. FOR DECISION BY

SubCouncil in terms of Delegation 4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licences have been granted.

4. EXECUTIVE SUMMARY

The City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013, was promulgated on 17 January and coming into effect on 01 February 2014.

An application for extension of liquor trading hours in terms of Section 6 (1) of the By-law was submitted to the Health Directorate and circulated to the relevant departments for comment. The fully signed application, including all required comments, was submitted to the SubCouncil 16 Manager, and was then circulated to abutting neighbours, all organisations included on the Ward 115 database and ward committee members for comment.

Clause 9 of the By-law requires that the City must, before approving an application for the extension of trading days and hours, reasonably and fairly consider further factors which must include, inter alia-

(a) the validity of the liquor licence;

- (b) where applicable, the validity of a business licence issued in terms of the Businesses Act of 1991 (Act No. 71 of 1991);
- (c) location category as per the Schedule;
- (d) previous suspension, amendment or revocation of extended trading days and hours including previous records of complaints investigated and confirmed in respect of the last twelve months preceding a current application for extension;
- (e) the proximity of the licensed premises to surrounding residential zoned area, cultural, religious and educational facilities;
- (f) outcome of community consultation and the recommendation of the relevant ward;
- (g) the potential impact on the surrounding environment;
- (h) whether it is in the public interest to approve and grant an extension of trading days or hours; or
- (i) a motivation from the applicant dealing with the impact of -
 - (i) the risks to and nuisances on the surrounding community;
 - (ii) mitigation measures to assist the control of risks and nuisances; and
 - (iii) possible benefits of extended liquor trading hours and days on the surrounding community.
- (10) The basis and rationale behind all decision-making must be recorded.

5. DISCUSSION

- 5.1 Section 6 (1) of the By-Law reads as follows: 6(1) Subject to subsection (5), (6) and (7) a licensee may upon payment of the required fee, submit a written application to the City to extend the liquor trading days and hours of licensed premises.
- 5.2 The following application for extension of liquor trading hours in terms of Section 6 (1) of the By-law has been received by the SubCouncil
- 5.2.1 Details of application (see attached Annexure A):
 - Checkers Liquorshop Kloof Street
 - Liquor Licence No: WCP/040106
 - OFF Consumption Sunday trading 11h00 18h00
 - Palmhof Centre, Shop 2, Cnr Kloof & Weltevreden Street, Tamboerskloof
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) -Notices served on and received the following Comments:
 - Ward Councillor: 2019/11/06
 - No comments received.

- Abutting neighbours: 2019/111/14
 Blooms Chemist: Supported
- Community Organisations: 2019/11/08
 ❖ No comments received.
- Ward Committee of Ward 115: 2019/11/106
 - No comments received.
- Internal departments:
 - Health Department: Compliant – see attached <u>Annexure A</u>
 - <u>Law Enforcement Squad</u>
 Compliant see attached <u>Annexure A</u>.

6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **Checkers Liquorshop Kloof Street**, Palmhof Centre, Shop 2, Cnr Kloof & Weltevreden Street, Tamboerskloof as well as the various comments received, and resolve to approve, refuse or vary the application for Sunday trading hours from 11:00-18:00.

ANNEXURES:

- A. Application submitted by **Checkers Liquorshop Kloof Street**, including comments by Health and Safety and Security.
- B. Email from Blooms Chemist

FOR FURTHER DETAILS CONTACT:

 NAME	Lucille Muller	
 CONTACT NUMBERS	021 487 2005	
E-MAIL ADDRESS	Lucille. Muller @capetown.gov.za	
DIRECTORATE		

Meller	
Lucille Muller (Acting) SUBCOUNCIL16 MANAGER	
DATE 26/11/2019	
11/	Comment:
SUBCOUNCIL 16 CHAIRPERSON: Clir Matthew Kempthorne	
Date 26/11/2019	

ANNEXURE A



CITY HEALTH

Nafeesah Parker

T: 0214006513

F:

E: Nafeesah.Parker@capetown.gov.za

30-10-2019

Confirmation of receipt of application in terms of Section 6(5)A of the City of Cape Town Liquor Trading Days and Hours By-law 2013 as amended.

Liquor Licence Reference Number:

185288

Liquor Licence Number:

WCP/040106, Sunday

Licensee Name:

Shoprite Checkers (PTY) Ltd

Premises Name:

Checkers Liquorshop Kloof

street

Premises Address:

Palmhof Centre shop 2, Corner

Kloof & Weltevreden Street

Tamboerskloof Tamboerskloof

8001

Date of Application Submission:

Date Application captured:

2019/10/30

Disclaimer

- Submission of this application does not grant the right to extend liquor trading hours.
 Approval to be first obtained from the relevant Sub-Council.
- 2. The application fee is non-refundable.

Pages: 1 of 1

30-10-2019

Making progress possible. Together.



CITY HEALTH

	MS OF SECTION 6 OF THE CITY OF CAPE TO 3, FOR SUNDAY TRADING FOR OFF-CONSU			OF UNDERTAKINGS THAT SELL LIQUOR TO THE SES FROM 11:00 TO 18:00
All fields must be filled	lin			
DETAILS OF LICEN	CEE			
1. Liquor license number	WCP / 040106			
2. Full name of licensee	SHOPRITE CHECKERS (PTY) LTD			
3. If the licensee is not a r	natural person, state the name, identity number and ad	dress of eac	h sharet	older, member or partner. (use an annexure if required)
SEE ANNEXURE	Ē A			
4. Name and address of ti	ne licensed premises			
CHECKERS LIC	QUORSHOP KLOOF STREET			
PALMHOF CEN	TRE SHOP 2			
CNR KLOOF & V	WELTEVREDEN STREET			
TAMBOERSKLO	OOF 8001			
5. Provide details of the p as the case may be	premises where the licensed business is conducted with	reference to	o the nu	mber of the erf, street(s), apartment, shop(s) or farm,
ERF No. 96032		-		
		•		
		-		- Aller - Alle
6. Contact number				
021 980 4978		-		April 1 April
	ensee is applying for trading on Sundays (use an anne	xure if reaui	red)	
(SEE ANNEXUR			•	
declare that the indire	on furnished in this application and in any documen	ts attached	to it, is t	rue.
Signature	Date (19/09/2019	\supset		
	sign on behalf of licensee to be attached)			
Name (printed) (IAN	THOMSON	Application	n prepar	ed by (IAN THOMSON
Postal address P.O.E	3OX 1618	Physical ac	dress	SHOPRITE CHECKERS (PTY) LTD
BRACKENFELL		(CN	R OF	OLD PAARL & WILLIAM DABBS ROAD
7561		(BR	ACKE	NFELL
Work tel: 021 980	1 4978	Cell:	083	557 6903
Fax:	97	E-mail:	itho	mson@shoprite.co.za
Signature (/10 100 Date (19/09/2019	$\overline{}$		
	sign on behalf of licensee to be attached)			
Name (printed) (IAN	THOMSON			

356 Liquor licence number

WCP/040106

OFFICE USE ONLY

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Comment or state history of nuisance(s) and/or any complaints received or action taken in respect of the premises or licensee

NR KLOOF & WELTEVI	REDEN STREET, TA	MBOERSKLOOF. IT	WAS ASCERTA	INED THAT THE	APPLICANT DID REI	NEW HIS LIQUOR
ICENSE FOR 2019. NO	COMPLAINTS WEI	RE RECEIVED BY T	HE LIQUOR UNI	T WITH REGARDS	TO THIS ESTABLIS	HMENT. THIS
APPLICATION WAS SUE	BMITTED TO THE P	ROVINCIAL OFFICE	OF SAPS' LIQU	OR CONTROL FO	R COMMENTS, HC	WEVER, NO
EEDBACK HAS BEEN R	ECEIVED.		Te 8 (4 T) T 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
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me of Official	Marilyn Holdin 10001005	g Signat	ure M	siding	Date	14 OCT PRO
me of Official sapplicant must now hand lication fee of R8 433.00 (to of payment must from 1	10001005	at the designated Em	vironment Health C	office. Please note: A	As from 01 July 2019 a	Surviving the
applicant must now hand lication fee of R8 433.00 (v of of payment must from 1	10001005	at the designated Em	vironment Health C 070172 G/L 81040 handing it in at the	office. Please note: 0. Payment can be ridesignated Environr	As from 01 July 2019 a nade at any cash office nental Health Office.	Surviving the

C.# 3 II UCT 700

SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR_FAYMENT ADVICE_CMPF RUN ON 25/09/2019 at 10:21 PAGE 1 PAGE 1 of 1

997 - SHOPRITE CHECKERS PTY LTD - SOUTH AFRICA

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DESCRIPTION	OUR DOCUMENT	YOUR	YOUR DOCUMENT	BRANCH CODE	BRANCH NAME	ORDER / GRV	DISC AMOUNT	DISC %	AMOUNT	(+/-)
**START OF S		/ 25.09	. 2019			EF"	T No: 20000	17524		
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Discount Split :

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W/House Allowance : 0.00%
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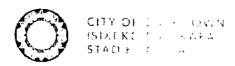
SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR_PAYMENT_ADVICE_CMPF RUN ON 27/11/2017 at 14:36 PAGE 1 PAGE 1 of 1

7100103513 WESTERN CAPE LIQUOR AUTHORITY GROUND FLOOR, ST GEORGES MALL Terms: TC00 CAPE TOWN 8001									
ESCRIPTION	OUR DOCUMENT	YOUR DATE	YOUR DOCUMENT	BRANCH CODE	BRANCH NAME	ORDER / GRV	DISC AMOUNT	DISC %	AMOUNT (+/-)
	SUPPLIBR*** TION: WC24	/ 24.11	. 2017			EF"	T No: 18000	32091	
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nvoice-GRV	5000088161	23,11,17	WCP/002099	92601	LC EIKESTAD MALL		0.00	0.000	8,000.00
nvoice-GRV	5000087970	23.11.17	WCP/002980	49072	LC PAARL	1	0.00	0.000	8,000.00
	5000088060			53728	LC SOMERSET WEST		0.00	0.000	8,000.00 B,000.00
	5000087903			35114	LC HOUT BAY		0.00	0.000	8,000.00
	5000087934			42494	LE CAPE GATE		0.00	0.000	8,000.00
	5000087874		WCP/033249	44975	LC BIG BAY		0,00	0.000	8,000.00
			WCP/033302	44909	LH BRACKENFELL	1	0.00	0.000	8,000.00
	5000087933			44983	LC MOUNTAIN MILL	Ì	0.00	0.000	8,000.00
			WCP/034225	49941	LC STELLENBOSCH	1	0.00	0.000	8,000.00
nvoice-GRV	5000087998	23.11.17	WCP/034270	50479	LC PROTEA HOOGTE	1	0.00	0.000	8,000.00
nvoice-GRV	/ 5000087992	23.11.17	WCP/034384	42509	LH PAROW	1	0.00	0.000	8,000.00
nvolce-GR1	7 5000088107	23.11.17	WCP/034586	48385	CC WILLOWBRIDGE		0.00	0.000	B,000.00
nvoice-GR\	7 5000088066	23.11.17	WCP/034708	53744	LC TABLE VIEW	1	0.00	0.000	8,000.00
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			WCP/036546	57502 58516	LC DE GRENDEL	1	0.00	0.000	8,000.00
			WCP/036670	63470	LC TOKAI	1	0,00	0.000	8,000.00
			WCP/036675	58930	LC WELGELEE PLEIN	i	0.00	0.000	8,000.00
			WCP/037056 WCP/037558	59106	LC HERMANUS	İ	0.00	0.000	B,000.00
			WCP/037724	30009	LC PLUMSTEAD	i	0.00	0.000	8,000.00
			WCF/038756	30724	LC DURBANVILLE	i	0.00	0.000	8,000.00
			WCP/038778	36581	LC VAN DER LINGEN	i	0.00	0.000	8.000.00
			WCP/039143	31495	LH PARKLANDS (SANDOV	7	0.00	0.000	B,000.00
			WCP/039861	36699	LC SEA POINT	İ	0.00	0.000	8,000.00
			WCP/039927	39087	LC VREDENDAL MALL	1	0.00	0.000	8,000.00
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			WCP/040896	82789	LC VERGELEGEN PLEIN	1	0.00	0.000	8,000.00
			7 WCP/040902	82878	LH SUN VALLEY LC OKAVANGO CROSSING	2	0.00	0.000	8,000.00
			7 WCP/040969	82986 67767	LC MALMESBURY	1	0.00	0.000	
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			7 WCP/041272	39582	LC TABLE BAY	l .	0.00	0.000	· ·
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VAT ON DISCOUNT:

Discount Split:
Settlement: 0.00%
Rebate: 0.00%
Adspent: 0.00%
W/House Allowance: 0.00%
END OF SUPPLIER



Ask for: Colleen Fortune

Tel: 0214006513

Cela: Colleen Fortune

Vra Vir. Colleen Fortune

Umnxeba: 0214006513

Tel: 0214006513

Email: colleen.fortune@capetown.gov.za

EXTENSION OF LIQUOR TERM AND HOURS FOR Off CONSUMPTION LIQUOR -SUNDAY

Approval in terms of Section) (b) of the City of Cape Town Liquor Trading Days and Hours By-law 2013 as amended

Extended liquor trading hear in describe

184269

number

16 SUB 16/12/2018

Liquor License number

WCP/040106

Full name of Licensee

Shoprite Checkers (PTY) Ltd

Name/designation or title in a which the

Address of the licensed print in

Checkers Liquor Shop Kloof Street

business is carried on

Palmhof Centre, Shop 2

C/O Kloof & Weltevreden Street

Tamboerskloof

8001

Extended liquor trading I cure permit led for Sundays 11:00 to 18:00hrs off consumption

Please note that this approval for extended liquor trading hours is valid from 11 December 2018 until 10 December 2019 and remains subject to possession of

was gralid liquor licence

CITY OF CAPE TOWN

Extension Llauor Tradity - purs to be displayed together with Liquor License

AREA 1

Head Environmental Health

For Director: City Health



REG. NO. 1929/001817/07 (PTY) LTD

Annexure B

City of Cape Town

Application for extension of trading hours:

- Shoprite Checkers (Pty) Ltd ("Shoprite Checkers") currently has 41 (forty one) liquor shops and 75 grocer wine licenses in die Western Cape, which provides employment for 105 (one hundred and five) full time employees and an additional 31 (thirty one) third party workers consisting of security officers and cleaning assistants.
- 2. The amount of workers in a specific liquor shop is based on the number of shifts scheduled for that particular store. The longer the trading hours of the store, the more shifts are required to ensure that the store achieves maximum productivity and efficiency and jobs and additional income for individuals is accordingly generated in the process. Public consumption of any commodity boosts economic growth.
- 3. We do not believe that there is a downside to longer trading hours or including Sundays to trade. The question should therefore be centralised around public and economic policy. By allowing reputable retailers (such as Shoprite Checkers) to trade on Sundays (for instance), we submit that the playing field, with reference to illegal liquor traders, will be levelled as it stands to reason that their commercial relevance will dissipate. It should be noted that it will remain less challenging to continue policing the compliance of large retailers with liquor laws as the processes of a retailer such as Shoprite Checkers are visible and transparent and Shoprite Checkers prides itself that it trades in strict compliance with the prescribed hours in the Act, and continues to ensure that it does not sell alcohol to minors. Another factor which should not be discounted is that of convenience, especially where time is a valuable commodity for most consumers.
- 4. When consumers therefore go to a grocery store on a Sunday, they want to do all of their family grocery shopping at that time. This could include buying wine other liquor simultaneously.



REGISTERED OFFICE: CNR WILLIAM DABS & OLD PAARL ROADS, PO BOX 215, BRACKENFELL, 7561, SOUTH AFRICA TEL: +27 (0) 21 980-4000 FAX: +27 (0) 21 980-4050 www.shopriteholdings.co.za

DIRECTORS: J W BASSON (CEO), C G GOOSEN, J M ALBERTS, J A L BASSON, C BLAIR, M BOSMAN, S B BRAUDE, J V R BRÖNN, C J C DE W BURGER, A J DE SWARDT, P G DU PREEZ, D F DU TOIT, P C ENGELBRECHT, J FOURIE, G FRITZ, A B GARDENER, A GOUWS, D HALLALE, B HARISUNKER, G HAYES, A M HOWARD, J H HUNTER, W J HUNLUN, A JANSE VAN RENSBURG, M G JOUBERT, A E KARP, G G KRIEL, P J MALAN (NAMIBIAN), G M P MENTZ, F K G MULLER, E L NEL, S SCHIFF, N L SCHEEDLER, P TZELLIOS (GREEK), P B VAN DER MERWE, J G VAN DEVENTER, H J VAN ROOYEN, S M VISSER, A C VOSLOO, B R WEYERS, J J ZWENNIS. ALTERNATE DIRECTORS: A DE BRUYN, T A FORREST, S G GOUWS, D H JACOBS, E L MARAIS, D G MÖLLER, V P SCHOELER, P SOLMS, P G VAN BREDA, J J VAN ZYL, L G VAN DER SPUY, A A WAGENAAR

Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 **Certificate of Confirmation**



Companies and Intellectual Property Commission

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Registration number

1929 / 001817 / 07

Enterprise Name

SHOPRITE CHECKERS (PTY) LTD

Enterprise Shortened Name

None provided.

Enterprise Translated Name

None provided.

Registration Date

05/09/1929

Business Start Date

05/09/1929

Enterprise Type

Private Company

Enterprise Status

In Business

Financial year end

June

Main Business/Main Object

PRIVATE HOUSEHOLDS, EXTERRITORIAL ORGANISATIONS, REPRESENTATIVES OF FOREIGN GOVERNMENTS AND OTHER **ACTIVITIES NOT ADEQUATELY DEFINED**

Postal address

P O BOX 215 **BRACKENFELL**

7561

Address of registered office

WILLIAM DABS AND OLD PAARL ROAD

BRACKENFELL

7560



The Councilin es and Intellectual Property Commission of Booti Africa

PIC BOX 429 PPE (04 A E.O.) Project of South Ahica Doctor 256 FRETORIA in all Cempe Terrosh Mills 2472 Website www.hipe.chiza.



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Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 Certificate of Confirmation



Companies and Intellectual Property Commission

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Active Directors / Officers				
Surname and first names	ID number of date of birth	Director type	Appoint- ment date	Addresses
SHOPRITE HOLDINGS, as a secretary of M1929001817	M1936007721	Secretary (Companies and CC's)	02/11/1998	Postal: PO BOX 215, BRACKENFELL, 7561
		000,		Residential: CNR WILLIAM DABS AND, OLD PAARL ROAD, BRACKENFELL, 7560
BOSMAN, MARIUS	5706015072082	Director	17/06/1999	Postal: P O BOX 215, BRACKENFELL, BRACKENFELL WESTERN CAPE, 7561 Residential: 26 VISVANGER WAY MELKBOSSTRAND, MELKBOSSTRAND, WESTERN CAPE, 7441
NEL. ETIENNE LOURENS	4907135009084	Director	17/06/1999	Postal: 5 TAMBOER STREET, BOSCH EN ZICHT DE ZALZE, WINELANDS GOLF ESTATE, WESTERN CAPE, 7600 Residential: 5 TAMBOER, BOSCHENZICHT, DE ZALZE WINELANDS GOLF ESTATE, WESTERN CAPE, 7600
VAN DER MERWE, PHILIP BAUKE	6009185062085	Director	17/06/1999	Postal: P O BOX 215, BRACKENFELL, BRACKENFELI WESTERN CAPE, 7561 Residential: 5 VYGEBOOMSLOT DURBANVILLE, DURBANVILLE, WESTERN CAPE, 7550
HARISUNKER. BHIKRAM	5112095026082	Director	17/06/1999	Postal: P O BOX 11700, MARINE PARADE, MARINE PARADE, NORTHERN CAPE, 4056 Residential: 7 RIDGE ROAD, LA LUCIA. LA LUCIA, NORTHERN CAPE, 4051



The Complanies and Intellect, a Property Compassion

Pro Blood AND REPORTATION FROM A PROMET AND AN EXPLANATION OF THE PROPERTY OF



SHOPRITE CHECKERS (PROPRIETARY) LIMITED REG. NO. 1929/001817/07 ("THE COMPANY")

REF. SRC 0615-3842

WRITTEN RESOLUTION PASSED BY THE DIRECTORS OF THE COMPANY ON 4 JUNE 2015:

APPLICATION FOR EXTENDED TRADING HOURS - SECTION 6 OF THE PUBLIC BY-LAW OF THE CITY OF CAPE TOWN:

It is hereby resolved that:

- 1. that the Company appoints Mr Ian Richard Thomson with identity number 610405 5128 080 for and on behalf of the Company to undertake an application in terms of Section 6 of a Public By-law ("the Application") issued by the City of Cape Town in 2013.
- Such application will be for a concession that all off-consumption liquor premises of the Company in the jurisdiction of the City of Cape Town be permitted to trade on Sundays and with extended hours (until 20H00) from Mondays to Saturdays.

AUTHORISATION:

It is also resolved that **Mr Ian Richard Thomson** be and is hereby authorised to execute the Application, sign all documentation and to do all necessary to give effect to this resolution.

APPROVED:

PC ENGELBRECHT DIRECTOR

JVR BRÖMY - DIRECTOR

ANNEXURE B

Subject:

FW: Abutting neighbours: Ward 77: Checkers Liquor Shop Kloof Street- Palmhof Centre Shop 2, C/O Kloof & Weltevreden Street- Tamboerskloof

	nformation below and re Floor, 44 Wale Street, Ca							
Applicant Details	Checkers Liquor Shop Kloof Street- Palmhof Centre Shop 2, C/O Kloof & Weltevreden Street- Tamboerskloof OFF CON (SUNDAY)							
APPLICATION	SUPPORTED	yes	NOT SUPPORTED					
	Aged or Frail Care Centre	no	<u> </u>	,,				
Please indicate whether the business is LOCATED near	Rehab, Drugs / Alcohol Centre	no						
	School(s)	yes						
	Other							
PARKING	yes							
REASONS FOR NOT SUPPORTING								
ORGANISATION/OBJE	CTOR DETAILS							
NAME	Blooms Chemist							
DATE	14/11/2019							

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this Subcouncil. Written comment in respect of these notice(s) of application(s) must reach this office before or on **28/11/2019** at close of business (16:30)

Vivienne Sasman Admin Assistant: Good Hope Subcouncil 16 10th Floor,44 Wale Street Cape Town

Tel: 021 487 2759

URBAN MANAGEMENT: AREA 1 (NORTH) Email: <u>vivienne.sasman@capetown.gov.za</u>