

Making progress possible. Together,

SUBCOUNCIL 5

1. ITEM NUMBER:

05SUB 31/8/2019

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES IN RESPECT OF ALEXA'S INN, 55 VOORBRUG ROAD, VOORBRUG, DELFT, 7100

ONDERWERP

AANSOEK OM VERLENGING VAN DRANKHANDELSURE VAN 18:00 TOT 20:00, MAANDAG TOT SATERDAG VIR 'N BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN ALEXA'S INN, VOORBRUGWEG 55, VOORBRUG, DELFT 7100

ISIHLOKO

ISICELO SOKWANDISWA KWEEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA NGEYE-18:00 UKUYA KWEYE-20:00, NGOMVULO UKUYA NGOMGQIBELO KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE KWABE- ALEXA'S INN, 55 VOORBRUG ROAD, VOORBRUG, DELFT 7100

J4340

PURPOSE

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.

4. FOR DECISION BY

Subcouncil 5 in terms of Delegation 24.4.2 -

Approve, refuse or amend applications for extension of trading days and hours on premises where liquor licences have been granted in terms of section 6(2) of the By-law: Control of Undertakings that Sell Liquor to the public, 2013.

5. EXECUTIVE SUMMARY

The City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013, was promulgated on 17 January 2014 and came into effect on 1 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 Subcouncil 5 on 3 May 2018, and was then circulated to abutting neighbours, all organisations included on the Ward 20 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.

6. DISCUSSION

- 6.1 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.
- 6.2 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:
- 6.2.1 Details of application (see attached Annexure A):
 - Alexa's Inn
 - Liquor Licence Number: WCP / 040355
 - Off-Consumption
 - 55 Voorbrug Road, Voorbrug, Delft, 7100
 - Current trading hours: Mondays to Fridays from 09:00 to 18:00 and Saturdays from 09:00 to 17:00.
- 6.2.2 Subcouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
 - Ward Councillor:

Notice of the application was e-mailed to the Ward Councillor on Tuesday 2019/06/18 13:57 PM and comments will be submitted at the Subcouncil meeting when the report is tabled.

Proportional Representative (PR) Councillor:

Notice of the application was e-mailed to the PR Councillor on Tuesday 2019/06/18 13:57 PM and comments will be submitted at the Subcouncil meeting when the report is tabled.

Abutting neighbours:

No comments received. Letters sent to abutting neighbours on 2019/03/19.

• Community Organizations:

No comments received. Notice of the application was e-mailed to the Community Organizations of Ward 20 on Tuesday 2019/06/18 14:07 PM.

Ward Committee of Ward 20:

No comments received. Notice of the application was mailed to the Ward Committee members of Ward 20 on Tuesday 2019/06/18 14:07 PM.

Internal departments:

❖ Town Planning:

Comments received on Thursday 2019/06/20 08:50 AM from the Department, Spatial Planning and Environment: Mr Erhard Pienaar, who stated:

"Please note that a temporary land use departure has been approved for an off consumption liquor shop which has lapsed in April 2019.

A new land use departure application was made prior to the lapsing date to 'extent' the approval for an additional 5 years.

A decision on the matter is eminent."

Health Department:

No comments received. Notice of the application was e-mailed to the Department of City Health on Tuesday 2019/06/18 14:07 PM.

Law Enforcement Squad:

No comments received. Notice of the application was e-mailed to the Department of Law Enforcement on Tuesday 2019/06/18 14:07 PM

Fire and Rescue Services:

No comments received. Notice of the application was e-mailed to the Department of Fire Services on Tuesday 2019/06/18 14:07 PM

7. RECOMMENDATION

That Subcouncil 5 considers the application for the extension of liquor trading hours submitted by Alexa's Inn, 55 Voorbrug Road, Voorbrug, Delft, 7100, as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 18:00 to 20:00, Monday to Saturday for Off-Consumption Premises.

AANBEVELING

Dat Subraad 5 die aansoek om die verlenging van drankhandelsure vir 'n buiteverbruikperseel ingedien deur Alexa's Inn, Voorbrugweg 5, Voorbrug, Delft 7100 asook die verskillende kommentaar wat ontvang is, oorweeg en besluit om die aansoek om die verlenging van handelsure van 18:00 tot 20:00 van Maandag tot Saterdag vir 'n buiteverbruikperseel te oorweeg.

ISINDULULO

Ukuba iBhungana 5 maliqwalasele isicelo sokwandiswa kweeyure zokuthengiswa kotywala esingeniswe ngabe-Alexa's Inn, 55 Voorbrug Road, Voorbrug, Delft 7100, kwakunye nezimvo ezahlukeneyo ezifunyenweyo, lize lithathe isigqibo sokuphumeza, sokukhaba okanye siguqule isicelo sokwandiswa kweeyure zokuthengiswa kotywala ukususela ngeye-18:00 ukuya ngeye-20:00, ngoMvulo ukuya ngoMgqibelo kwizakhiwo ekungaselelwa kuzo.

ANNEXURES:

ANNEXURE A:

Application for Extension of Liquor Trading Hours from 18:00 to 20:00, Monday to Saturday for Off-consumption premises in respect of Alexa's Inn, 55 Voorbrug Road, Voorbrug, Delft, 7100;

ANNEXURE B:

Notice of the application e-mailed to the Chairperson, Councillors, Officials:

ANNEXURE C:

Collection sheet and Mailing List for the delivery of letters to Abutting Neighbours and Ward Committee Members of Ward 20;

ANNEXURE D:

Comments from Town Planning;

FOR FURTHER DETAILS CONTACT:

NAME	Mr George van der Westhuizen
CONTACT NUMBERS	021 444 2963
E-MAIL ADDRESS	George.vanderwesthuizen@capetown.gov.za
DIRECTORATE	Urban Management

MANAGER: SUECOUNCIL 5 MR GEORGE VAN DER WESTHUIZEN	Comment:
DATE 8-8-2019	
Mulyle	Comment:
CHAIRPERSON: SUBCOUNCIL 5 CLLR COURTNEY VAN WYK	
DATE	

	Comment:
DIRECTOR: URBAN MANAGEMENT (AREA CENTRAL) MR WILFRED SOLOMON-JOHANNES	
DATE	
ACTING EXECUTIVE DIRECTOR: URBAN MANAGEMENT MR BRENT GERBER	Comment:
DATE	

Annexure A



Making progress possible. Together.

Beliville Environmental Health Micmar Street Beliville 7530 Ask for: Bruce Neethling

Tel: 021 400 6110
Fax: 021 919 6559
E-mail: Bruse-Neething@capetown.gov.za

Beliville Environmental Health Midmar Street Beliville 7533

Cela: Bruce Neethling Umrixeba: 021 400 6110 Ifeksi 021 919 6559 Betiville Environmental Health Midmar Street Betivitie. 7530 Vra vir: Bruce Neethling Tel. 021 400 6130

Faks: 021 919 6559

COMMUNITY SERVICES AND HEALTH: AREA CENTRAL-ENVIRONMENTAL HEALTH BELLVILLE:

RENEWAL APPLICATION

Memorandum to Manager: Mrs. Lewis

Sub Council 5

This application, with license reference number 184709 is a renewal application for the extension of liquor trading hours, in terms of Section 6 of the City of Cape Town Liquor Trading Days and Hours By-law 2013 as amended, was received from Alexa's Inn (Mon to Sat Trading), and is forwarded to you for consideration and public participation.

Please communicate the decision of Sub Council 5, to the Business Licensing Officer (B Neethling), in order for him to advise the applicant regarding the outcome.

(for) Head: Area Central

Safety & Security Directorate City of Cape Town Law Enforcement Cnr Paarl & Paradyse Road BRACKENFELL 7560

Reference: WCP / 040855

Our reference: AZX / V10162

Date: 30 MAY 2019

Dear Sirs

APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN CONTROL OF UNDERTAKEN THAT SELL LIQUOR TO PUBLIC BY-LAW FOR EXTENSION OF TRADING HOURS FROM 18H00 TO 20H00 //ALEXA'S INN, VOORBRUG, DELFT,

We refer to the above matter and we attach herewith an application in terms of Section 6 of the City of Cape Town Liquor By-Law for Extension of trading hours from 18H00 to 20n00. We attach the following documents:

- 1. Duly completed Form 2
- 2. Motivation Memorandum,
- 3. Special Power of Attorney,
- 4. Liquor Ilcence Renewal Notice.
- 5. Proof of payment of annual licence fee
- 6. Proof of payment of application fee

Please telephone the writer when the ddocuments is ready for collection in order to lodge with the environmental health office.

Yours faithfully MACCALLUMS.

per:

A Z XHASHIMBA

CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD

CITY HEALTH

Bruce Neethling

T: 0219108620 F: 0219196559

E: Bruce.Neethling@capetown.gov.za

13/06/2019

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:

184709

Liquor Licence Number:

WCP/ 040355

Licensee Name:

Alexa April

Premises Name:

Alexa's Inn

Premises Address:

55 Voorbrug Road

Voorbrug . DELFT

7100

Date of Application Submission:

Date Application captured:

2019/06/30

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

13-06-2019

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CITY HEALTH

APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013, FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES
All fields must be filled in
DETAILS OF LICENCEE
1 Liquor license number (WCP/040335
2 Full name of licensee ALEXA A-PRIL
3. If the licensee is not a natural person, state the name, identity number and address of each shareholder, member or partner. (use an annexure il required)
(The state of the
N
4. Name and address of the licensed premises
ALEXA'S INN
55 VOORBRUG ROAD
VOORBRUG
CABLIFT
S. Provide details of the premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment, shop(s) or farm, as the case may be
FOR ALL
THE CITY OF
DELFT
6 Contact number
0718844626
7. State reason(s) why licensee is applying for extension of trading hours (use an armexure if required)
SEE ANNIXURE
i declare that the information humished in this application and in any documents attached to it, is true.
Signature (PAprica) Date (30 C 5-247)
(written authorisation to sign on behalf of licensee to be attached)
Name (printed) (AURIET Z. XHASHIMEA) Application prepared by (A.Z. XHASHIMEA - MACCALLILIAN
Postal address P.O. BOX 53011 Physical address 61 ROWAN LANZ
KENILWORTH KENILWORTH
7708
Work tel: (02) 797 - 1236 (ell: 082 693 5843
ex (021 797-1264) Email: commercial@maccathuns.co.20
Date 322 05- 2619
(written authorisation to sign on behalf of licensee to be attached) Name (printer) (ALCXA FPILL)
more through (TACACK) 11/10/C-

Liquor	licence	number
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NCP	/n.	A31	-
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OFFICE USE ONLY

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

PERTAINING TO THE M	IENTIONED PREMISES, NAMELY, A	ALEXA'S INN, SITUATED AT, 5	5 VOORBRUG ROA	AD, VOORBRUG, DELFT.
IT WAS ASCERTAINED	THAT THE APPLICANT DID RENEW	HIS LIQUOR LICENSE FOR 20	19. NO COMPLAI	NTS WERE RECEIVED BY
THE LIQUOR UNIT WIT	H REGARDS TO THIS ESTABLISHM	ENT. THIS APPLICATION WAS	SUBMITTED TO T	THE PROVINCIAL OFFICE
OF SAPS' LIQUOR CON	TROL FOR COMMENTS, HOWEVER	R, NO FEEDBACK HAS BEEN R	ECEIVED.	
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CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD

Enquiries: Bruce Neethling

Tel: 021 910 8620 Fax: 021 919 6559

Bruce.Neethling@capetown.gov.za

CITY HEALTH - AREA 3 - ENVIRONMENTAL HEALTH BELLVILLE

12 June 2018

Dear Sir/Madam

APPLICATION FOR THE EXTENSION OF LIQUOR TRADING HOURS FROM MONDAY TO SATURDAY TRADING FROM 18H00 TO 20H00 OFF - CONSUMPTION PREMISES

SAIDRDAT, TRADING TROM TOHOG TO ZOTICO CIT	<u> </u>
Extended liquor trading hours reference number	173727
Liquor licence number	WCP/040855
Full name of licensee	Alexa April
Name/designation or the title under which the	Alexa's Inn
business is carried on	
Address of the licensed premises	Erf: 684
	55 Voorbrug Road, Voorbrug
	Delft

Trefer to your application dated 11 April 2018 regarding the abovementioned matter and wish to advise, that your application to extend your trading hours from Monday to Saturday, from 18H00 until 20H00 has been considered by Sub Council 6, and it was approved, subject to the following conditions:

- (a) Should complaints be received concerning noise and unruly behaviour of patrons, these will be investigated and recorded by the City's Law Enforcement Division.
- (b) The applicant is advised that any complaints received concerning the applicant's premises, will be forwarded to the Western Cape liquor Authority to be handled in terms of section 64(1)(e) and 64(2) of the Western Cape Liquor Act 4 of 2008 as amended.

This approval for the extension of liquor trading hours for off-consumption premises from Manday to Saturday Trading is valid for one year, from the date of approval which is 7 June 2018 until 7 June 2019 and remain subject to possession of a valid Liquor Licence.

Yours faithfully

Head: Environmental Health

Area 3

For Director: City Health

ANNEXURE TO QUESTION 7

REASONS FOR APPLYING FOR EXTENSION OF TRADING HOURS

1. INTRODUCTION

- This is an application in terms of Section 6 of the City of Cape Town: Control of Undertaking that sell liquor to the public by-law of 2013 as amended for Extension of liquor trading hours for Monday to Saturday from 18H00 to 20H00 for the licensed off—consumption premises trading under name and style known as Alexa's Inn, WCP / 040855 situate on Erf 684. 55 Voorbrug Road, Voorbrug, Delft in City of Cape Town—Tygerberg sub-district and in the magisterial district of Bellville.
- 1.2 The licensed premises are properly zoned in that they were granted a temporary land use departure by the City of Cape Town Department of Planning and Building Development Management (certificate is attached).
- 1.3 The applicant/licensee was issued with a extended trading hours for Monday to Saturday and the hours will lapse on 07 June 2019.
- 1.4 The licensee/applicant is applying for the renewal and/or extension of the liquor trading hours for a further period of 12 months.

2. THE APPLICANT

- 2.1 The applicant is Alexa April, identity number 850326 0062 083 and she has been licensed for 3 years.
- 2.2 She resides on the property with her family and has been living in this area for a number of years.
- 2.3 Mrs April has been a responsible licensee over the years and the business is carried on in a manner that does not cause a nuisance or disturbance in the area.
- 2.4 The licensed premises are situated opposite a property that is zoned for general business and it is presently occupied by a shopping centre.
- 2.5 The applicant traded under extended training for the past 12 months and our instructions are that no incidents or complaints have been received from the immediate abutting neighbours.
- 2.6 The business has been in existence for a number of years and has never been the subject of any complaints for causing a nuisance and/or disturbance in the area.

- 2.7 It has been carried on in a manner that respects the local community and the licensee adheres to her liquor licensing conditions.
- 2.8 The applicant traded under extended liquor trading hours for the past 3 financial years of the City of Cape Town. The business was not the subject of any complaints and / or investigation by the South African Police Service, City of Cape Town Specialised Law Enforcement Division, the immediate abutting neighbours and community based organisations.
- 2.9 The licensed premises are marked as a restricted area with no access to persons under the age of eighteen. The licensee is involved in the day to day management of her business and ensures that the business remain a restricted area.

3. LOCATION OF PREMISES

- 3.1 The premises are situated on Erf 684, 55 Voorbrug Road, Voorbrug, Delft and are properly zoned for the liquor business.
- 3.2 They are situated on an activity road that links Voorbrug with other areas and are situated opposite a property that is zoned for general business which is presently occupied by a shopping centre.
- 3.3 The licensed premises are not situated in the immediate vicinity of a school or a place of learning. There are schools in the area but they are situated approximately 800 metres away and not in sight of the premises.
- 3.4 They are not situated near or in the vicinity of a church or a place of worship. There are church in Voorbrug but they are situated far away and not in sight of the licensed premises.
- 3.5 The licensed premises are ideally situated on the main road to carry on a licensed business. The business has been carried on in a manner that does not cause a nuisance and/or disturbance. This will not change if and when the trading hours are extended for a further period of 12 months.

4. IMPACT ON SURROUNDING NEIGHBOURS

4.1 It is submitted that the grant of the extension to the liquor trading hours will not have an impact on the surrounding environment. This is because the premises are situated opposite a large property that presently occupied by the Delft Shopping Mall. There whole area in and around the premises is zoned for general business. Therefore the licensed liquor business does not constitute a business creep into a residential area.

- 4.2 This is because the business is small and low key and occupies approximately 24.5m² of the property. The business does not and would not in any way affect or change the residential character of the area. There are no residential properties opposite the licensed business.
- 4.3 The size of the business shows that it does not in any way affect the residential character of the area. The applicant lives on the premises with her family and is in direct and effective control over the business.
- 4.4 It is submitted further that the business has never been the subject of any complaints for public nuisance and disturbance.
- 4.5 It has been licensed for a long time and does not have a history of nuisance and disturbance in the area. The premises traded under extended hours for the past 3 financial years of the City of Cape Town. Our instructions are that during this period no incidents were reported, investigated and confirmed by the local South African Police Service and City of Cape Town Law Enforcement directorate.
- 4.6 They have been licensed since 2015 and have never been the subject of any complaints from the immediate abutting neighbours and the community at large.

5 PUBLIC INTEREST & SECURITY MEASURES

- 5.1 It is submitted that the grant of the extended trading hours is in the public interest and will benefit the people in the area. This is because they will be able to buy from a business that is regulated and controlled in terms of the Liquor Act and the liquor by-law.
- 5.2 The premises are presently trading under extended trading hours and the hours will lapse on 7th June 2019. The applicant would like to get them extended for a further period of 12 months. The business will continue to be carried on in a manner that does not constitute a nuisance and disturbance in the area.
- 6.5 The public will buy from a business that is clearly marked as a restricted area with no access to persons under the age of eighteen (18), pregnant women and people who are accompanied by children.
- 6.6 The applicant has taken measures to curb the problem of nuisance and disturbance by employing security guards to control the area in and around the premises.
- 6.7 The applicant has installed surveillance security cameras to monitor the area in and around the licensed premises.

- 6.8 The applicant has also employed private security guards to patrol the area in and around the premises to ensure that there is no public drinking.
- 6.9 The premises are situated in a controlled environment and are fully lockable and secured with burglar bars and the ADT burglar alarm.
- 6.10 These security measures will mitigate and control potential risk of nuisance.

7. CONCLUSION

The sub-council is requested to grant an extension to the trading hours because the business does not have a history of nuisance and disturbance. It has been licensed for some time and traded under extended hours for past 3 financial years without any incident. It has never been the subject of any complaints and/or investigations for disturbing public peace and/or causing a nuisance. Therefore this application is for the renewal and/or extension of the liquor trading hours for a further period of 12 months. Mrs April has put up security measures to mitigate against potential risk of nuisance. She has employed security guards, installed surveillance security cameras and a burglar alarm security system. She undertakes to continue to ensure that the business is carried on in a responsible manner with no access to persons under the age of eighteen.

SPECIAL POWER OF ATTORNEY

I. the undersigned,

ALEXA APRIL, identity number 8503260062083

Hereby nominate, constitute and appoint:

AUBREY ZUKO XHASHIMBA of MacCALLUMS ATTORNEYS

with powers of substitution, to be my lawful attorneys and agents in my name, place and stead, to prepare, sign and lodge an application in terms of Section 6 of the City of Cape Town Control of Undertakings that sell liquor to the Public By- Law of 2013 as amended for Extension of liquor trading hours for Monday to Saturday from 18H00 to 20H00 for the licensed off consumption premises trading under name and style known as Alexa's Inn, WCP / 040355 situate on Erf 684, 55 Voorbrug Road, Voorbrug, Delft in the City of Cape Town - Tygerberg district and Bellville magisterial district.

And generally for effecting the purpose aforesaid, to do or cause to be done whatsoever shall be required, as fully and effectually for all intents and purposes, as if I might or could do if personally present and acting herein - hereby ratify, allowing, confirming and promising and agreeing to ratify, allow, and confirm all whatsoever my attorneys and agents shall lawfully do or cause to be done by virtue of these present.

Signed at KENILWORTH on this 30 day of APRIL 2019.

AS WITNESSES:

ALEXA APPH



Vestern Cape Liquor Authority

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- 4. A licensed who has foliod to pay the prescribed renewal fee on a fectors the fast day of February of the year in respect of which the classical fee had to be paid may, on or bulen. Is I March of that year, apply is vailing (on Form 23) to the Chief Executive Officer for condensation or present failure, and the Chief Executive Officer may condend the failure and office that payment of the prescribed fee by a date to be determined of the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).

Marian Child 2018

commend economic numbers under the name of

Upon the licensed premises (the plan of which has be approved, and a copy of which is attached hereto as Ar

ERF 684, 55 VOCRBRUG ROAD, VOORBRUG, DELF

MOTICE OF PERSONAL PARTICULARS

Any changes to the personal particulars in your in Book must be communicated to all relevant parties.

MOTICE, OF OHANGE OF ADDRESS

- 1. Keep the NOTICE OF CHANGE OF ADDRESS form in this pocket to report a of some of address or a charge in particular of your present address e.g. name of street and/or street number etc.
- 2: Hand in at or post to the nearest regional/dispict office of the DEPARTMENT OF HOME AFFAIRS



MECHANISM (A)

APRIL

FOREWAYES ALEXA

SOUTH AFRICA BALE OF BRAND 1985:03-26



2013-04-09

ISSUEDIBY GUTHORITY OF GTHE DIRECTOR GENERAL HOME AFFAIRS



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Parew 7499
Ask for: Ingrid Dorman
Teline. 021 444 7930
Fax no: 021 506-8559

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Application no: 237123 Incer 16 16/0/17/2/19/5 (nomb yealedo: 237123 Vianame C-WattaffOomsinDeskiop/MSAb237123/6// 684 03-03-2014-000

ECONOMIC, ENVIRONMENTAL AND SPATIAL PLANNING Department : Planning & Building Development Management

04 March 2014

REGISTERED MAIL Application no 237122

Ајеха Ариј 65 Voorbrug Street DELFT 2100

Dear Sir / Madam

APTILICATION FOR TEMPORARY DEPARTURE: ERF 684, 55 VOORBRUG STREET, DELFT

Your application with reference in the above regard, received on 03 December 2013, refers

The Delegated Authority on 26 February 2014 approved the Land Use Departure in terms of Sention 15(1)(b) of the Land Use Planning Ordinance no 15 of 1985, to permit a liquor shop on Erf 686, and rational or the Land Jose Framming Ordinance no to or rapp, to permit a night of the conditions affected as Annexure B, subject to the conditions affected as

Kindly note, this temporary land use departure approval is valid for a period of 5 years from the date of Council's final notification letter, which is to follow in due course and exercising thereof must commence within a period of 2 years from the date of such final notification letter

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act. No pulleting plan application in Terms of the National pulleting Regulations and Building Standards Act. (No. 1977) and that pullding work may therefore only commance once such plans are formally ଦଶ୍ୟର ଓଡ଼ିଆ

in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000, you may oppeal to the City Manager against the above Council decision (including any conditions imposed to case of approval) by giving written notice of such appeal, in which case you may upon request be given the opportunity to appear in person before the Appeal Authority to state your case. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of making legislation to its mode, about the directed to and society to state your case. A detailed of making legislation to its mode, about the directed to and society to state your case. A detailed of making legislation to appeal), clearly stating in terms motivated appear with reasons therefore (and not only the intention to appear), clearly stating in terms of which legislation it is made, should be directed to and received by Melanie Cloete, Legal Services Private Bag X9181, Cape Town, 8000, or if hand delivered, to 20th floor, Tower Block, Civic Centre, 12 modern contact and process of the contact and the contact a this notification letter tupe posted with such collection of registration at the Post Office where the notification letter was posted (with such registration day not included in the appeal period provided that where the last day for lodging an appeal falls either on a Sunday or public holiday, it shall be deemed to be the next working day (hereafter). Where this letter is collected by hand, me above appeal period will be similarly calculated from the next day after collection. Failure to comoly with the above requirements may result in the appeal being ruled invalid by the Appeal Authonly

Norwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision. Should you take up inis right of appeal in terms of Section 62 of the Local Government Municipe Systems Act, No. 32 of 2000, kindly complete the attached questionnaire and submit it together were your appeal. Also note, appellants are not permitted to canvass the City Manager or members of Council's Pisnning and General Appeals Committee before or after the matter is heard. Should a appeal be received Within such appeal period, or upon conclusion of this appeal process, you (as well as any objectors, if any) will be advised of a further right of appeal in terms of Section 44 of Land Use Planning Ordinance, No 15 of 1985 in due course Kindly note the above Council decision is suspended until such time as the period for lodging appears has lapsed, any appeal has been finalised and you have been advised accordingly. ditenua. for DIRECTOR : PLANNING & BUILDING DEVELOPMENT MANAGEMENT KOBE COMPLETED BY APPLICANTY COMMER DECLARATION (full name), properly authorised in such respect, herewith wish to acknowledge receipt of this decision letter. I confirm that I accept the decision, conditions of approvel and requirements provided therein and do not wish to appeal against this outcome in terms approval and requirements provided therein and do not wish to appear against this outcome in terms of the Local Government Systems Act, Act 32 of 2000 or the Land Use Planning Ordinarice Ordinarice 15 of 1985. As such, I thus hereby relinquish any further right to appeal in this regard. OWNER Date

ANNEXURE A

File Reference: 18/6/1/73/195

Application No.: 237123

in these conditions:

"Council"

means the City of Cape Town.

"The Owner"

MR &MRS APRIL.

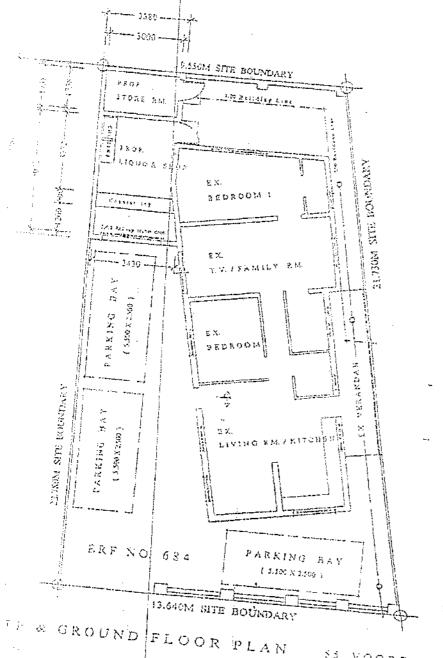
"The property" "Scheme regulations"

means Eff 684 BELLVILLE, DELFT.55 VOORBRUG STREET has the meaning assigned thereto by Ordinance 15 of 1985.

CONDITIONS IMPOSED IN TERMS OF SECTION 42 OF THE LAND USE PLANNING

- That the temporary land use departure approval be valid for a maximum period of live years from the date of Council's final notification.
- That the Liquor snop be restricted to the area, measuring 24.5m², as indicated on the
- That a maximum of two persons, including the occupant/owner of the dwelling house may be engaged in the retail activities on the premises.
- That are no outdoor advertising sign shall be displayed other than one un-illuminated sign or notice, not projecting over a public street or within any street building line in accordance with Council's Outdoor Advertising and Signage By-Law and such sign shall not exceed 0.2m² in area and may only contain the name and contact number of the house shop.
- The land use departure shall automatically lapse if the utilization of the property for the indicated use is being ceased for a period of not more than 5 years or longer.
- The hours of operation of the liquor shop are restricted to the times between 08h00 to 20h30, during the week and on weekends 08h00 to17h00, it Sundays no trade will be permitted.
- Only the sale of liquor or alcohol beverages and the storage thereof shall be permitted on the premises. No on-site consumptions are permitted.
- Compliance with the requirements of Environmental Health Services of the City Health
- 9. The Department of Fire and Recuse Services complies with the condition requirements
- 10. That the conditions attached to this approval do not exempt the owner from compliance
- The Department of Maintenance attached as compliance with the requirements of A 1912 Accept shore COD DRI.

ANNEXURE B



SPECIFICATIONS

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PROSECT

PROPOSED APPLICATION FOR SUCHOS WHILE MR. A.M. APRIL ON ERF 666, MD. O VOORBELLY

ROAD, VOORBRUG, DELEY,

OWNER :

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DATE	19 NOVEMBER 2013	REO HUMBER (1917). DRWG. MUMBER (1914)
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Hillary Lewis

From:

Hillary Lewis

Sent:

Tuesday, June 18, 2019 1:57 PM

To:

Courtney Van Wyk; Delmaine Cottee; Tess Kotze; Andre C Volschenk; Jacobus Kellerman;

Liquor Control; 'DELFTCOMM@SAPS.GOV.ZA'

Cc: Subject:

Anthony Daniels; Sandiswa Faith Mankayi; Nabeel Jackson; Andrea Kline

[FOR COMMENT]: WARD 20 - APPLICATIONS FOR EXTENSION OF LIQUOR TRADING HOURS: ERF 684 - ALEXA'S INN

Attachments:

Alexas Inn.pdf; 2019.06.18 - NOTICE LETTER.doc

Dear Sir / Madam

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS, OFF-CONSUMPTION: NOTICE IN TERMS OF SECTION 6 OF THE CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013

Notice is hereby given of the following application for the extension of liquor trading hours:

APPLICATION

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY - SATURDAY TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF ERF 684 - ALEXA'S INN, 55 VOORBRUG ROAD, VOORBRUG, DELFT 7100 IN WARD 20

This application was lodged at the City of Cape Town. In terms of Section 6(2) of the City of Cape Town: Control of Undertakings that Seil Liquor to the public By-law, 2013, the City may approve, amend or refuse an application for an extension of liquor trading days and hours for both on and off consumption premises.

Please complete your comments on the template below with regard to the application concerned, and submit within Fourteen (14) calendar days from date hereof. This will enable our office to submit the formal comments received to the Subcouncil on the application for a decision.

Kindly note that a hard copy of the application is available for scrutiny at the following locations:

- Office of the Ward Councillor: Ward 20 Cllr Courtney Van Wyk, Delft Civic Centre, Floor 1, corner Delft Main Road & Voorbrug Street, Voorbrug, Delft;
- Subcouncil 5 Administrative Offices, corner of Jakkalsvlei Avenue & Kiaat Street, Bonteheuwel.

Criteria for extension of liquor trading hours:

In terms of Section 6(9) of the City of Cape Town: Control of Undertakings that Sell Liquor to the public By-law, 2013, 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 –

- the validity of the liquor licence; (a)
- where applicable, the validity of a business license issued in terms of the Businesses Act of 1991 (Act No. (b)
- (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.

Should you have any queries in this regard, please contact Hillary Lewis at 021 444 2966.

I thank you in anticipation of your most valued cooperation.

Yours faithfully,

ANTHONY DANIELS MANAGER: SUBCOUNCIL 5

Kind regards,

Hillary Lewis

Administrative Officer Urban Management: Area Central Subcouncil 5 Corner of Kiaat Road & Jakkalsvlei Avenue, Bonteheuwel

Tel: 021 444 2966 Fax: 021 694 2287

E-mail address: Hillary.Lewis@capetown.gov.za

Website: www.capetown.gov.za



Making progress possible. Together.

Please complete the information below and return to Subcouncil 5, Cnr Jakkalsvlei Avenue & Kiaat Street, Bonteheuwel 7764 Subcouncil.5@capetown.gov.za				
Applicant Details	WARD 20 - ERF 684 - ALEXA'S INN, 55 VOORBRUG ROAD, VOORBRUG, DELFT 7100 (MONDAY - SATURDAY TRADING FROM 18:00 TO 20:00)			
APPLICATION	SUPPORTED		NOT SUPPORTED	
	Aged or Frail Care Centre			<u>. </u>
Please indicate whether the business is LOCATED	Rehab, Drugs / Alcohol Centre			
near	School(s) Other			
PARKING	Other			
REASONS FOR NOT SUPPORTING				
	ORGANISATION / OF	SJECTOF	RDETAILS	
NAME				
ADDRESS				
DATE				

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 this notice(s) of application(s) must reach this office before or on Friday, 5 July 2019 at the close of business (16:30).



Making progress possible. Together,

SUBCOUNCIL 5

COLLECTION SHEET

Name & Surname:	Jy walabeel 6
Staff Number:	10006697
Contact Number:	021/4444859
Date:	19/06/19
Time:	15-169
Signature:	

Description

Letters inviting comments from Abutting Neighbors and Ward Committee Members of Ward 20 in respect of the following:

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00 MONDAY – SATURDAY TRADING FOR OFF CONSUMPTION PREMISES IN RESPECT OF ERF 684 – ALEXA'S INN, 55 VOORBRUG ROAD, VOORBRUG, DELFT 7100 IN WARD 20

Mailing List: Abutting Neighbours and Ward Committee Members of Ward 20

APPLICATIONS FOR EXTENSION OF LIQUOR TRADING HOURS - ALEXA'S INN: WARD 20

ASAVELA PEKO BROOM COURT N2GATEWAY DELFT SOUTH, 7100 BONANI MBOLEKWA 59 IVOORHOUT ROAD DELFT SOUTH 7100

DINEO ZANDILE MASIU 3 STAMPERHOUT STREET DELFT SOUTH, 7100

LOUIS PETRUS PHEIFFER 28780, N2 GATEWAY THUBELITSHA DELFT, 7100

SINOXOLO NJILO 27913, HOMEBEAM WAY N2 GATEWAY DELFT SOUTH, 7100

SIZWE KOERIES 191 MANGO STREET DELFT SOUTH, 7100

Dear Resident 59 Voorbrug Road Voorbrug Delft 7100

Dear Resident 57 Voorbrug Road Voorbrug Delft 7100

Dear Resident
53 Voorbrug Road
Voorbrug
Delft
7100

Dear Resident
51 Voorbrug Road
Voorbrug
Delft
7100

Dear Resident 49 Voorbrug Road Voorbrug Delft 7100

Dear Resident 47 Voorbrug Road Voorbrug Delft 7100

SUSAN JANTJIES 8 FAIRHAVEN AVENUE VOORBRUG DELFT, 7100

Hillary Lewis

From:

Erhard Pienaar

Sent: To:

Thursday, June 20, 2019 8:50 AM

Cc:

Hillary Lewis

Subject:

Mpho Mfengwana FW: [FOR COMMENT]: WARD 20 - APPLICATIONS FOR EXTENSION OF LIQUOR

TRADING HOURS: ERF 684 - ALEXA'S INN

Attachments:

2019.06.18 - NOTICE LETTER.doc

Hi Hillary

Please note that a temporary land use departure has been approved for an off consumption liquor shop which has lapsed in April 2019.

A new land use departure application was made prior to the lapsing date to 'extent' the approval for an additional 5

A decision on the matter is eminent.

Regards

Erhard Pienaar

Land Use Management Branch

Department, Spatial Planning and Environment

3rd Floor, Parow Civic Centre, c/o Voortrekker Road and Tallent Street, Parow

Tel: 021 4447507 | Email: Erhard.pienaar@capetown.gov.za | Web: www.capetown.gov.za

Report a fault | Enquiry | 0800 65 64 63 (free call 24/7)



From: Tess Kotze

Sent: Thursday, June 20, 2019 8:02 AM

To: Erhard Pienaar

Subject: FW: [FOR COMMENT]: WARD 20 - APPLICATIONS FOR EXTENSION

OF LIQUOR TRADING HOURS: ERF 684 - ALEXA'S INN

Please provide comment to subcouncil. Many thanks

Regards

Tess Kotze

Senior Professional Officer: Land Use Management

Department, Spatial Planning and Environment Directorate

3rd floor, room 315, Parow Municipal Offices, cnr Tallent Road and Voortrekker Road, Parow

Tel: 021 444 7506 | Fax: 0862029256 | Email: tess.kotze@capetown.gov.za

Web: www.capetown.gov.za