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#### SUBCOUNCIL 5

ITEM NUMBER: 05SUB 12/9/2019

#### SUBJECT

RENEWAL APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00, SUNDAY FOR OFF-CONSUMPTION PREMISES IN RESPECT OF: DELFT LIQUOR STORE, CNR OF DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100

#### ONDERWERP

HERNUWINGSAANSOEK VIR VERLENGING VAN DRANKHANDELSURE VAN 11:00 TOT 18:00 SONDAG VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN: DELFT LIQUOR STORE, CNR VAN DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100

#### ISIHLOKO

ISICELO SOKUHLAZIYWA KOKWANDISWA KWEEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA KWEYE-11:00 UKUYA KWEYE-18:00 UKURHWEBA NGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE KWABE- DELFT LIQUOR STORE, KWIKONA YE-DELFT MAIN ROAD NE-THE HAGUE AVENUE, DELFT 7100PURPOSE

To decide on a renewal 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 licenses have been granted in terms of section 6(2) of the By-law: Control of undertaking that Sell Liquor to the public 2013.

#### 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 Manager: Subcouncils and Subcouncil 5 Manager, and was then circulated to abutting neighbours, all organisations included on the Ward 13 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;
- 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
- a motivation from the applicant dealing with the impact of
  - 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.
- The basis and rationale behind all decision-making must be recorded.

#### 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 renewal 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):
  - Delft Liquor Store
  - Cnr of Delft Main Road & The Hague Avenue, Delft 7100
  - Liquor License No: WCP/029632
  - Off-Consumption
  - Current trading hours: Mondays to Saturdays from 09h00 to 20h00, and Sundays from 11h00 to 18h00.
- 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, 03 September, 2019 10:00 AM 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, 03 September, 2019 10:00 AM and comments will be submitted at the Subcouncil meeting when the report is tabled.

Abutting neighbours: - See Annexure D

No comment received. Notice letters was sent inviting comments from the abutting neighbours.

Community Organizations

No comments received. Notice of the application was e-mailed to the Community Organizations of Ward 13 on Tuesday, September 03, 2019 10:34 AM

#### Ward Committee of Ward 13

No comment received. Notice letters was sent inviting comments from the Ward Committee Members.

#### · Internal departments:

#### Town Planning

Comments received on Monday, September 09, 2019 13:43 PM from Tess Kotze

#### See Annexure C

#### Health Department:

No comments received. Notice of the application was e-mailed to the Department of City Health on Tuesday, September 03, 2019 10:00 AM.

#### Law Enforcement Squad

No comments received. Notice of the application was e-mailed to the Department of Law Enforcement on Tuesday, September 03, 2019 10:00 AM.

#### Fire and Rescue Services

No comments received. Notice of the application was e-mailed to the Department of Fire Services on Tuesday, September 03, 2019 10:00 AM.

#### RECOMMENDATION

It is recommended that Subcouncil 5 consider the renewal application for the extension of liquor trading hours submitted by Delft Liquor Store, Delft as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours until 18:00.

#### AANBEVELING

Daar word aanbeveel dat subraad 5 die hernuwingsaansoek vir die verlenging van drankhandelsure wat deur Delft Liquor Store, ingedien is, asook die kommentaar wat daarop ontvang is, oorweeg en besluit om die aansoek om verlenging van drankhandelsure tot 18:00 goed te keur, af te keur of te wysig.

#### IZINDULULO

Kundululwe ukuba iBhungana-5 malithathele ingqalelo isicelo sokuhlaziywa kokwandiswa kweeyure zokuthengiswa kotywala esingeniswe ngabakwa- Delft Liquor Store, e-Delft, kunye nezimvo ezahlukeneyo ezithe zafunyanwa, kwakhona lithabathe isigqibo sokuphumeza, sokukhaba okanye sokulungisa isicelo sokwandiswa kweeyure zokuthengiswa kotywala kude ibeyeye-18:00.

ANNEXURES:

ANNEXURE A: Application for extension of liquor trading hours from 11:00 to 18:00,

Sundays for off-consumption premises in respect of Delft Liquor

Store, Cnr of Delft Main Road & The Hague Avenue, Delft, 7100

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

Officials;

ANNEXURE C: Comments from Town Planning;

ANNEXURE D: Collection Sheet - Abutting Neighbors

#### FOR FURTHER DETAILS, CONTACT:

NAME	Wifred Solomons Johannes	
CONTACT NUMBERS	021 400 1365	
E-MAIL ADDRESS	Wilfred.Solomons@capetown.gov.za	
DIRECTORATE	Urban Management	

Comment:

M.A. E. AOCOMON Pala	uner
MR'WILFRED SOLOMONS JOHANNES SUBCOUNCIL 5 ACTING MANAGER	Recommended for approval
DATE 12/69/2019	hours as supplie out has vested right.
CLLR COURTNEY VAN WYK SUBCOUNCIL 5 CHAIRPERSON	
Date 12/09/2019	



Making progress countrie Together

The Bridge Committee of Land Service Co.

Ceta Bruce Neething

Vrs or Bruce Neething

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

#### RENEWAL APPLICATION

Memorandum to Manager: Mrs. Lewis

ANNEXURE A

Sub Council 5

This application, with license reference number 185102 (WCP/029632) 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 Delft Liquor Store (Sunday 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

# CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD

#### CITY HEALTH

Bruce Neethling

T 0219108620 F 0219196559

E. Bruck Neithing@capetown.gov.za

#### 03-09-2019

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: 185102

Liquor Licence Number: WCP | 029632

Licensee Name: Deift Liquor Store

Premises Name: Deltt Liquor Store

Premises Address: Shop 1, Cro Main Road & The

Hague Avenue

Delft DELFT 7100

Date of Application Submission:

Date Application captured: 2019/08/16

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 03.09-2019

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#### CITY HEALTH

OFFICE ON TANK CORRESPONDED AND HAVE NO

#### THIS CITY WORKS FOR YOU

APPLICATION IN TERMS O	F SECTION 6 OF THE CITY	OF CAPE TOWN: CONTROL OF U	UNDERTAKINGS THAT SELL LIQUOR TO THE
PUBLIC BY-LAW, 2013, FOR	R SUNDAY TRADING FOR	OFF-CORSUMPTION PREMISES I	FROM 11:00 TO 18:00

All fields must be filled in DETAILS OF LICENCEE Liquidamente WCP/029634 DELFT LIQUER STORE LICHUR I declare that the intergraph furnished in this applicabilities yours as you considered to it where 50 16-08-19 Augmenture Youter CAI WOULFEN CAL From SHOP I YOU DEEPT CHAIR Small / MAISON CTOTET CAPETOUN 2520 · Caififents, 2008 @GHail Com Line HAR STREET STREET STREET

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WCP/029632

#### 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

PERTAINING TO THE MENTIONED PRE	MISES, NAMELY, DELFT LIQUI	OR STORE, SITUATED AT,	SHOP 1, C/O МА	IN ROAD &
HAGUE AVENUE, DELFT, IT WAS ASCER	RTAINED THAT THE APPLICAN	IT DID RENEW HIS LIQUOR	R LICENSE FOR 2	019. NO
COMPLAINTS WERE RECEIVED BY THE	LIQUOR UNIT WITH REGARD	S TO THIS ESTABLISHMEN	T, HOWEVER, O	N THE 30 <sup>1H</sup>
AUGUST 2019, A SPOT FINE WAS ISSUE	ED FOR FAILURE TO MAINTAI	N FIRE EXTINGUISHER, TH	IIS APPLICATION	WAS SUBMITTED
TO THE PROVINCIAL OFFICE OF SAPS' I	MMOS ROF LORTHOS ROUDI	MENTS, HOWEVER, NO FE	EDBACK HAS BE	EN RECEIVED.
				7-
Name of Official iarityn Holi 1000100	200100000000000000000000000000000000000	At sicing	Date	
This applicant must now hand the application for Application fee of RB 433 00 (Vatingusive) is pay Proof of payment must from 1 July 2019 accomps	able into Profit centre 18070172 Gr	L 810400. Payment can be ma	de at any cash offic	
Application Fee	Receipt number	pay	ment date	

#### BRACKENFELL CASH OFF

DEFICE #5001

SERVED BY - C Hendracks

#### SUMMARY RECEIPT

DENERAL LEGILLA

0.01E NEMBER 810400P18070172

110KET 030E 00

COMMENTS UCF/029632

0001 PHOURT

8433 CO CD

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DEBIT CAFD

8433 00

EART WIMBER 4278 1944 4444 5087. #27185 02 SEP 2019 03 27 854 054 800

thank sou for thus

Parment -

Have a nice day

## Western Cape Liquor Authority



2450h án3 , amés Tripding CC ₱ 0: Bini 90 (4000W000 2459



#### FORM 21A

### ANNUAL OR BIENNIAL LICENCE RENEWAL NOTICE: FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR

THE YEAR 2018, OR

#### THE TWO YEARS 2018 AND 2019

(REG. 30(1))

#### LIQUOR AUTHORITY REFERENCE NUMBER: WCP/029632

Name of Iconocci Laston and James Traiting CC Address of the Iconocci promises — om Mari React & Hague Associal CELET 19107

(If the residential or postal address has changed, please also supply the new address to the following e-mail address-liquor enquiness(Ewcla.gov.zn.)

California expression - Commission Off

You are hereby ecohord that the total range and feets payable to the Whitsen Capit Littour Authority are

Areus: H 4 000 00, payable on or before 31 December 2017 Evermal R 8 000 00, payable on or before 31 December 2017

#### Please Note:

1. Payment track by made by direct depose with the following back account of the Authority.

Rank Negton's

Account Forger, Washing Copy Establish Authority

Account rungler, 145 256 9863

Branchichde 190 765

are associately our boards number as the retorage on the disposition (the WCP, DT) quantum resolved and become the hooding of this form,

#### Kindly email proof of payment to Finance)(wcla gov.za

- 2. A former latters of it flate any or the year excessor of whom the approach received fee in contract on to before it? December of the preceding area. See receive 60/2/160
- It is remove that has tapped or this way becomes valid agreen only if the equipment enough ten is paid along with a probably of only in the only in tenderal advantage of 100% of the fee on substance the contrary of the vegent engaged of which the tenderal from the point See section 62(1) advantage of only.
- 4. A scanded with his taked to pay the prescribed colored be on a higher the cut day of Explicity of the year in respect of which the renewal for fall to be paid may; and in before 31 Manch of that year, against writing for a min 23) to the Charl Executive Office for conductation of such larger, and the Charl Executive Office may conduce the fallow and the payment of this processed fee by a close to be delenanted by the following a solution by subject to the payment of the payment



Date: 05:10:2918 Time: 6:56 AM

From account details	SAVINGS AC
My stalement description	DelltLigStore 029632 F21A
Beneficiary statement description:	WCP/029532 F21A BelfiLigStore
To account number	1452069883
Branch:	145200
Amount:	R 4 360 00
Payment capture date:	05/10/2018
Reference number	20181005/NEDBANK-001932094377

Please note: Payments to other banks, including Nedbank branches outside South Africa, may take up to three business days.

Tar base Limited Reg No.1951000009000 VAT Reg No.4025110374 135 Roycol Front Sundown Salution 2756, Script Script

ANNEXURE B

#### Subcouncil 5

From:

Subcouncil 5

Sent:

Tuesday, September 3, 2019 4:31 PM

To:

Courtney Van Wyk; Michelle Adonis; Tess Kotze; Andre C Volschenk; Jacobus

Kellerman: Liquor Control; 'homeofcompassion@mweb.co.za';

'DELFTCOMM@SAPS.GOV.ZA'

Cc:

Keith Miller; Wilfred Schrevian Evan Solomons Johannes; Andrea Kline; Sandiswa

Faith Mankayi

Subject:

Extension of Liquor Trading Hours - Delft Liquor Store

Attachments:

Delft Liquor Store - Mon to Sat Trading - Extension of Liquor Trading Hour

Application.pdf; Delft Liquor Store - Sunday Trading - Extension of Liquor Trading

Hour Application.pdf; NOTICE LETTE1.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 applications for the extension of liquor trading hours:

APPLICATION	APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES IN RESPECT OF DELFT LIQUOR STORE, CNR OF DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100 WARD 13
APPLICATION	APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00, SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF DELFT LIQUOR STORE, CNR OF DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100 WARD 13

These applications have been lodged at the City of Cape Town, In terms of Section 6(2) of the City of Cape Town: Control of Undertakings that Sell 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 hard copies of the applications are available for scrutiny at the following location:

 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 –

- (a) the validity of the liquor licence;
- (b) where applicable, the validity of a business license 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 -
  - 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 Nabeel Jackson at 021 444 2975.

I thank you in anticipation of your most valued cooperation.

Yours faithfully,

GEORGE VAN DER WESTHUIZEN MANAGER: SUBCOUNCIL 5

Please complete th	e information below Avenue & Kiaat Str			5, Cnr Jakkalsvlei
Applicant Details	WARD 13 – DELFT LIQUOR STORE, CNR OF DELFT MAIN RO & THE HAGUE AVENUE, DELFT 7100 (Sunday Trading from 11:00 to 18:00)			
APPLICATION	SUPPORTED	X	NOT SUPPORTE	D
	Aged or Frail Care Centre			\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Please indicate whether the business is LOCATED	Rehab, Drugs / Alcohol Centre			
near	School(s)			
	Other			
PARKING				
REASONS FOR SUPPORTING				
	ORGANISATION /	OBJEC	TOR DETAILS	
NAME	Tess Kotze: Acting Section Head: Land Use Management			
ADDRESS	021 444 7506 – Tyge	rberg D	strict Office Parow	
DATE	4 September 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 this notice(s) of application(s) must reach this office before or on FRIDAY 13 SEPTEMBER 2019 AT CLOSE OF BUSINESS (16:30).



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#### SUBCOUNCIL 5

## **COLLECTION SHEET**

Name & Surname:	A wabule
Staff Number:	10006697
Contact Number:	4444859
Date:	06/09/19
Time:	90 <sup>H</sup> 10
Signature:	1/_

#### Description

Letters inviting comments from Abutting Neighbors and Ward Committee Members of Ward 13 in respect of the following:

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES IN RESPECT OF DELFT LIQUOR STORE, CNR OF DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100 WARD 13

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00, SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF DELFT LIQUOR STORE, CNR OF DELFT MAIN ROAD & THE HAGUE AVENUE, DELFT 7100 WARD 13

ABEDAH LAWSON 15 DOUGLAS CRESCENT THE HAGUE DELFT, 7100 BERNARD MAY 15 BEECHCRAFT THE HAGUE DELFT, 7100 CLEVIN CONSUL 3 PERDEBOS CLOSE ROOSENDAL DELFT, 7100

FARIDA RYKLIEF 22 PHANTOM CRESCENT THE HAGUE DELFT, 7100 IVAN MBUDU 6 KURUMAN COURT LEIDEN, DELFT, 7100 NICOLAAS CLOETE 5 MUSTANG CRESCENT THE HAGUE DELFT, 7100

SOERAYA DAVIDS 6 ONDERBOS SQUARE ROOSENDAL, DELFT 7100

SYLVIA GEORGE 97 SILVERSAND AVENUE PORTLAND, DELFT 7100 DEAR RESIDENT 2261,135 DELFT MAIN ROAD THE HAGUE, DELFT 7100

DEAR RESIDENT 2260,133 DELFT MAIN ROAD THE HAGUE DELFT 7100 DEAR RESIDENT 34161,2 HURRICANE STREET THE HAGUE DELFT 7100 DEAR RESIDENT 34158,6 HURRICANE STREET THE HAGUE DELFT 7100

DEAR RESIDENT 34157,8 HURRICANE STREET THE HAGUE DELFT 7100 DEAR RESIDENT 34154,14 HURRICANE STREET THE HAGUE DELFT 7100 DEAR RESIDENT 2263,139 DELFT MAIN ROAD THE HAGUE DELFT 7100

DEAR RESIDENT 2262,137 DELFT MAIN ROAD THE HAGUE DELFT 7100