



REPORT TO SUBCOUNCIL 20

1. ITEM NUMBER : 20SUB22/03/19

2. SUBJECT

RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF: WCP015119/A:- OK MINIMARK, OK SHOPPING CENTRE, 43 PALMYRA ROAD, CLAREMONT, 7708 (OFF CONSUMPTION - MONDAYS TO SATURDAYS)

3. PURPOSE

To report to the Subcouncil on comments received for a liquor license application in terms of Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of 2010 and Western Cape Liquor Regulations, 2011 pertaining to the Extension of Trading Days and Hours applicable to Section 6(5)A of the City of Cape Town Liquor Trading Days and Hours By-Law 2013 as amended.

4. FOR DECISION BY

Delegation Part 24-4 (2) To approve, refuse or vary applications for extension of trading days and hours on premises where liquor licenses have been granted

5. EXECUTIVE SUMMARY

The Liquor Trading Days and Hours By-Law, 2010 as amended by the Liquor Trading Days and Hours By-law, 2012 requires that the needs of the community and the liquor license holder are considered by following due administrative processes. The application before Subcouncil 20 is at the stage where public participation was facilitated by the administration of Subcouncil and the comments from the affected stake holders are attached for the Subcouncil to approve, refuse or vary the application for the extension of trading days and hours, Mondays to Saturdays from 18H00 until 20H00 for Consumption OFF premises applicable to the business trading as Ok Minimark, Ok Shopping Centre, 43 Palmyra Road, Claremont, 7708.



6. DISCUSSION

6.1 Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of addresses the Notice of Application process. Section 37(4), (5) and (6) of the Act reads as follows:

"(4) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must, within the prescribed period from the date of lodgement of an application, serve a copy of the application in the prescribed manner on the municipality concerned in order for it to—

(a) where section 36(1)(c) applies—

- (i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;*
- (ii) obtain the comment of the ward councillor;*
- (iii) comment on the application; and*
- (iv) allow for the consideration of the planning application in relation to the application for a liquor licence; or*

(b) where section 36(1)(c) does not apply—

(i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;

(ii) obtain comment of the ward councillor; and

(iii) comment on the application.

*(5) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must or the municipality **may**, within the prescribed time, give notice of the application to—*

(a) neighbouring residents or such persons who in his, her or its judgement may be affected by, or have an interest in, the granting or refusal of the application; and

(b) the community policing forum, if any, of the area in which the premises are located.

(6) Notwithstanding subsection (1), where an applicant has to comply with section 36(1)(c), the notification done in terms of the applicable planning legislation is deemed to be in compliance with the notification requirements in terms of this section: Provided that the Liquor Licensing Tribunal may require such additional notification as it may deem appropriate."

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Liquor License WCP015119/A:- Ok Minimark, OK, Shopping Centre, 43 Palmyra Road, Claremont, 7708 (Off Consumption.
- Mondays To Saturdays)


6.2 The following application for the extension of liquor trading days and hours was received by the Subcouncil from the City's Environmental Health Office:

6.2.1 Details of applicant:

- **WCP015119/A**
- **Antonio Da Nunes Costa**
- **5312065055083**
- **Ok Minimark**
- **ERF 57130**
- **Ok Shopping Centre, 43 Palmyra Road, Claremont, 7708**

6.2.2 Subcouncil Manager confirmation: Advertising extent (Community participation) - Notices served on and received the following Comments -

- **CHAIRPERSON SUBCOUNCIL 20 AND WARD COUNCILLOR: IAN IVERSEN**
Ward Councillor to comment in the meeting
- **Ward 59 Committee:**
No Objection – Amrish Punwasi – **Annexure B**
- **Community Based Organizations: As per CBO Database:**
No Objection - Rondebosch Community Police Forum – **Annexure B**
- **CPF:**
No comment was received during the public participation stage
- **Internal departments:**
 - ❖ **Town Planning:**
Not applicable for extended liquor trading hours
 - ❖ **Health:**
No comment was received during the public participation stage
 - ❖ **City Emergency Services:**
Not applicable for extended liquor trading hours
 - ❖ **Law Enforcement:**
Supported – **Annexure C**

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Liquor License WCP015119/A:- Ok Minimark, OK, Shopping Centre, 43 Palmyra Road, Claremont, 7708 (Off Consumption
- Mondays To Saturdays)

7. RECOMMENDATION

Subcouncil 20 recommends that the application for a liquor licence received from Ok Minimark, Ok Shopping Centre, Erf 57130, 43 Palmyra Road, Claremont, 7708, Reference No WCP015119/A:- for the extension of trading days and hours Mondays to Saturdays, 18H00 until 20H00 for Consumption OFF Premises, be APPROVED, REFUSED or VARIED.

If Not Supported, Note the following grounds for disqualification.

Criteria for granting licences

- 31.(1) *The Liquor Licensing Tribunal or Presiding Officer, as the case may be, **may not grant a licence**, unless it or he or she is satisfied on the balance of probabilities that -*
- (a) the granting thereof is in the public interest;*
 - (b) the applicant is of good character, and not disqualified from holding a licence in terms of section 35;*
 - (c) the premises on which the sale or consumption of liquor will take place are or will upon completion be suitable for use by the applicant for the purposes of the licence;*
 - (d) the applicant has the right to occupy the proposed licensed premises; and*
 - (e) the granting of the application does not prejudice -*
 - (i) the residents of a residential area;*
 - (ii) the residents of an institution for the aged or frail;*
 - (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
 - (iv) the patients of an institution for drug or alcohol related dependencies; or*
 - (iv) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*

Reasons for Non Support:

The granting of the application prejudices-

- (i) the residents of a residential area;*
- (ii) the residents of an institution for the aged or frail;*
- (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
- (iv) the patients of an institution for drug or alcohol related dependencies; or*
- (i) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*

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FOR FURTHER DETAILS CONTACT:

NAME	<i>Richard White</i>
CONTACT NUMBERS	<i>021 444 8112</i>
E-MAIL ADDRESS	<i>Richard.White@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management</i>

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Richard White
MANAGER: SUBCOUNCIL 20

Comment:

DATE 14 march 2014

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CITY HEALTH

CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

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 015119
2. Full name of licensee STILCEN BEITH SPA (PTY) LTD
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 if required)

ANTONIO NUNES DA COSTA ID 5312065055083
14 CONSTANCA ROAD CLARIMONT 7700
MARIA DA GOUVIA CALDEIRA ID 5006130014089
605 GRAYVILLE 105 FIRST AVE KENILWORTH 7700

4. Name and address of the licensed premises

OK MINIMARK
43 PALMYRA ROAD CLARIMONT 7700

5. 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

ERF No. ERF 57130
OK SHOPPING CENTRE
43 PALMYRA ROAD CLARIMONT 7700

6. Contact number

021 671-5709

7. State reason(s) why licensee is applying for extension of trading hours (use an annexure if required)

SEE ANNEXURE "A"

I declare that the information furnished in this application and in any documents attached to it, is true.

Signature [Signature] Date 2019-01-17

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) ANTONIO NUNES DA COSTA Application prepared by A. N. DA COSTA

Postal address 14 CONSTANCA ROAD Physical address 14 CONSTANCA ROAD
CLARIMONT
7700
7700

Work tel: 021-671 5709 Cell: 082 447 3160

Fax: 021-674 1334 E-mail: OKCLARIMONT@TILLOM.SA.NI.V

Signature [Signature] Date 2019-01-17

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) ANTONIO NUNES DA COSTA

OFFICE USE ONLY

Liquor licence number

WCP/D15119

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 MENTIONED PREMISES, NAMELY, OK MINIMARK, SITUATED AT, OK SHOPPING CENTRE, 43 PALMYRA

ROAD, CLAREMONT. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2019. NO COMPLAINTS

WERE RECEIVED BY THE LIQUOR UNIT WITH REGARDS TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE

PROVINCIAL OFFICE OF SAPS' LIQUOR CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED.

Name of Official

Marilyn Holding
10001000

Signature

M Holding

Date

31 JAN 2019

City of Cape Town
Safety and Security
LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environment Health Office. Please note: As from 01 July 2018 a non-refundable. Application fee of R4 035.09 (Vat inclusive) is payable into Profit centre 18070172 G/L 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2018 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date



WESTERN CAPE
LIQUOR AUTHORITY

Western Cape Liquor Authority

Stelco Bottle Store (Pty) Ltd
43 Palmyra Road
CLAREMONT
7708



OFFICE USE

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2019

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/015119

Name of licensee: Stelco Bottle Store (Pty) Ltd
Address of the licensed premises: 43 Palmyra Road, CLAREMONT, 7708

(If the residential or postal address has changed, please also supply the new address to the following e-mail address:
liquor.enquiries@wcla.gov.za.)

Category of licence: Consumption Off

You are hereby notified that the total renewal fees payable to the Western Cape Liquor Authority are:

Annual: R 4,360, payable on or before 31 December 2018

Please Note:

1. Payment must be made by direct deposit into the following bank account of the Authority:

Bank: Nedbank
Account holder: Western Cape Liquor Authority
Account number: 145 206 9883
Branch code: 198 765

Please use your licence number (WCP/015119) as the reference on the deposit slip.

Kindly email proof of payment to Finance@wcla.gov.za

2. A licence lapses on 1 January of the year in respect of which the applicable renewal fee is not paid on or before 31 December of the preceding year. See section 62(2)(b).

3. A licence that has lapsed in this way becomes valid again only if the applicable renewal fee is paid along with a penalty of 50% of the fee on or before 31 January, or with a penalty of 100% of the fee on or before the last day of February of the year in respect of which the renewal fees had to be paid. See section 62(3)(a)(i) and (ii).

4. A licensee who has failed to pay the prescribed renewal fee on or before the last day of February of the year in respect of which the renewal fee had to be paid may, on or before 31 March of that year, apply in writing (on Form 23) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).

Payment Confirmation

Date /Time Actioned : 14/12/2018 07:34:50 AM
Transaction ID : 000138361

Payment Details

From Account : T/A O K CLAREMONT
Amount : 4,360.00 ZAR

Beneficiary Details

Name : WESTERN CAPE LIQUOR AUTHORITY
Account Number : 1452069883
Bank : NEDBANK LTD.
Branch Code : 198765
Reference : WCP 015119

This electronic notification has been auto generated by Mercantile Bank Internal Banking System. To confirm the validity of this payment notification please contact the MBI Call Centre at 0860119923.

This payment confirmation is sent to you on behalf of the Remitter. Mercantile Bank Limited does not warrant the correctness and reliability of the information and/or data transmitted electronically and shall not be liable for any claim, damage, loss, cost or expense of whatsoever nature, pursuant to the transmission of the information and/or data. Please refer any queries regarding this confirmation notice to the Remitter

Disclaimer :

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112 West Street, Sandown, 2196, P.O.Box 792699, Sandton 2146, Tel: 011-302-0300 Fax: 011-302-0700 (<http://www.mercantile.co.za>)

Directors: G P de Kock (Chairman), K R Kumar (Chief Executive Officer), M E L Texeira (Executive Director), L Hyno, A T Ikoloteng,
R S Calico* T H Njikizana**, D R Mosepe ("Portuguese" * Zimbabwean)
Company Secretary: I Singh

Mercantile Bank Limited Reg. No. 1965/006706/06. An Authorised Financial Services and Credit Provider. NCRCP19

ANNEXURE "A"

Our store which is an OKMINIMARK franchise store, stocks a wide range of products from groceries, fruits and vegetable, cooked foods, deli products, fresh baked pastries and wines.

We continue to give excellent service to the local community and open our store from 7a.m. to 8.30p.m. seven days a week. We find that selling wine and food on extended hours and on Sundays, helps with our continued good service to the community of Claremont.

I.D. No. 531206 5055 08 3



S.A. BURGER/S.A. CITIZEN

VAN/SURNAME

DA COSTA

VOORNAME/FORNAME

ANTONIO NUNES

GEBOORTELAND/STREEK/
DISTRICT OF BIRTH

SOUTH AFRICA

GEBOORTEDATUM/
DATE OF BIRTH

1953-12-06

DATUM UITGEREIK
DATE ISSUED

1997-11-28

UITGEREIK OP BEZAG VAN DIE
DIRECTEUR-GENERAAL:
BINNELANDSE SAKE

ISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL:
HOME AFFAIRS



GEREGISTREERDE WOON- EN POSADRES

1. Behaar die data van u GEREGISTREERDE WOON- EN POSADRES in hierdie saak.

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, byvoorbeeld e-pos- en telefoon- en verander het, moet u die KENNINGSKOPPEL VAN ADRESVERANDERING wat in die folder agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of gepos word aan die naaste afdelingskantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the data of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this folder.

2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change, and it must be handed in at or posted to the nearest regional office of the DEPARTMENT OF HOME AFFAIRS.

CO-OPERATION AGREEMENT

made and entered into by and between

N P V HOLDINGS PROPRIETARY LIMITED
Registration Number : 1999/014564/07
(hereinafter referred to as "NPV")

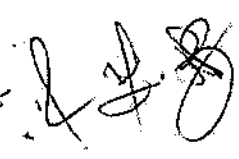
AND ITS SUCCESSORS IN TITLE

Of the one party

and

MANUEL DIAS BRANCO
Identity Number : 511117 5602 184
(hereinafter referred to as "Manuel")

and

MARIA CLEMENTINA AMORES BRANCO
Identity Number : 541126 0021 187 
(hereinafter referred to as "Maria")

Prepared by:
STBB | Smith Tabata Buchanan Boyes Attorneys
2nd Floor, Buchanan's Chambers
Corner Warwick Street & Pearce Road
Claremont, 7708
Tels: 021 673-4700

STBB | SMITH TABATA
BUCHANAN BOYES



PLUMSTEAD CASH UP

OFFICE #1001

SERVED BY - N. Williams

GENERAL LEDGER

VOTE NUMBER : 810400P18070172

TICKET CODE : 00

COMMENTS WCP/015119

0001 AMOUNT

4035 10 CY

0001/442697 14 FEB 2019 16:05 801 USR0351

Thank you for this
payment.

Have a nice day

From: Amrish Punwasi <amrishpunwasi@gmail.com>

Sent: Thursday, March 7, 2019 8:01 AM

To: Subcouncil 20 <Subcouncil.20@capetown.gov.za>

Subject: Re: FW: WCP 015119 Monday-Saturday & Sundays Off Consumption - OK MINIMARK

Dear Stacy

No objection

Amrish

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

FORM

Please complete the information below and return to				
Subcouncil SC 20 Main Road Constantia 7806				
Applicant Details	MONDAY – SATURDAY WCP/015119A – OK MINIMARK CLAREMONT			
APPLICATION	SUPPORTED	√	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre	no		
	Rehab, Drugs / Alcohol Centre	no		
	School(s)	no		
	Other			
PARKING	yes			
REASONS FOR NOT SUPPORTING				
ORGANISATION/OBJECTOR DETAILS				
NAME	Wayne Petersen Acting S/Inspector Station Commander Wynberg Law Enforcement (West) Tel: 021 761 8187 Fax to Email: 086 576 2862 Email: wayne.petersen@capetown.gov.za			
DATE	27/02/2019			

For ease of reference community organisations/residents may submit comments to this office, to aid the Subcouncil in its decision-making. Written comment in respect of this notice(s) of application(s) must reach this office before or on **13 MARCH 2019** (date 14 calendar days for public participation) at close of business (16:30)