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SUBCOUNCIL 16

1. ITEM NUMBER: 16 SUB 23/09/2021

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF WOOLWORTHS (THE FORESHORE PRECINCT), 11 DF MALAN STREET, ROGGEBAAI, CAPE TOWN: OFF CONSUMPTION MONDAY – SATURDAY, 18:00-20:00

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):
 - Woolworths (The Foreshore Precinct)
 - Liquor Licence No: WCP/042242
 - OFF Consumption 18:00– 20:00, Monday-Saturday
 - Woolworths (The Foreshore Precinct), 11 DF Malan Street, Roggebaai, Cape Town
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
 - Ward Councillor: 2021/08/02: (See attached Annexure B)
 - No comments received.

- Abutting Neighbours: 2021/08/17:
 - ❖ No comments received.
- Community Organizations: 2021/08/02:
 - No comments received.
- Ward Committee of Ward 115: 2021/08/02:
 - 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 **Woolworths** (The Foreshore Precinct), 11 DF Malan Street, Roggebaai, Cape Town as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 18:00-20:00, Monday to Saturday.

ANNEXURES:

- A. Application submitted by **Woolworths (Foreshore Princinct)** including comments by Health and Safety and Security
- B. Comment from Ward Councillor in support of the application.

FOR FURTHER DETAILS CONTACT:

NAME	Girshwin Fouldien
CONTACT NUMBERS	021 487 2055
E-MAIL ADDRESS	Girshwin.Fouldien@capetown.gov.za
DIRECTORATE	Urban Management Area 1 - North

Girshwa Fouldien SUBCOUNCIL16 MANAGER	Comment:
DATE 14/09/2021	
ML	Comment:
SUBCOUNCIL 16 CHAIRPERSON: Clir Matthew Kempthorne	
Date 14/09/2021	

ANNEXURE A

CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD

CITY HEALTH

Colleen Heldsinger

T: 0214006513

F:

E: colleen.heldsinger@capetown.gov.za

26/07/2021

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:

186461

Liquor Licence Number:

WCP/042242 Renewal 2021

Licensee Name:

Woolworths (PTY) Ltd

Premises Name:

Woolworths (The Foreshore

Precinct)

Premises Address:

11DF Malan Street-Roggebaai

Cape Town

Cape Town CBD

8001

Date of Application Submission:

Date Application captured:

2021/07/23

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	26-07-202
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CITY HEALTH

THIS CITY WORKS FOR YOU

RENEWAL

All fields must be fille	QUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES d in	~~~~
DETAILS OF LICEN	NCEE	
1. Liquor license number	WCP/042242	
2. Full name of licensee	Woolworths (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)	
Annexure A		
The second secon		
4. Name and address of ti		
Jane 18 and 18 11 Section Sections (18 Section	The Foreshore Precinct)	
11 DF Malan S	treet	
Roggebaai		
Cape Town, 8	001	
Provide details of the p as the case may be	remises where the licensed business is conducted with reference to the number of the erf, street(s), apartment, shop(s) or farm,	
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	TO THE AMERICAN CONTROL OF THE PROPERTY OF THE	
7. State reason(s) why lice	nsee is applying for extension of trading hours (use an annexure if required)	
Annexure B	Annabel property of the control of t	
Comment of Children and Association and Children and Chil	A SAME AND ASSESSMENT OF THE PROPERTY OF THE P	
I declare that the informat	tion furnished in this application and in any documents attached to it, is true.	
Signature (1)	Date 18 5 70 3 1	
(written authorisation to a	ign of behalf of licensee to be attached)	
Name (printed)	Application prepared by	I till conside
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Fax:	E-mail:	· · · · · · · · · · · · · · · · · · ·
Signature (Q	Date (XXXI)	>4.
Deliver to the second	gran behalf of licensee to be attached)	
Market Control	Cronje	

Liquor licence number	WCP/042242
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OFFICE USE ONLY

SAFETY	AND	SECL	IRITY

nment or state history of nuisance(s) and/or any complaints received or a	ction taken in respect of the premises or licensee
PERTAINING TO THE MENTIONED PREMISES, NAMELY, WOOLWORTHS (THE FORESHORE PRECINCT), SITUATED AT, 11DF
MALAN STREET, ROGGEBAAI, CAPE TOWN. IT WAS ASCERTAINED THAT	THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR
2021. NO COMPLAINTS WERE RECEIVED BY THE LIQUOR UNIT WITH REC	ARDS TO THIS ESTABLISHMENT. THIS APPLICATION
WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS' LIQUOR CONTRO	DL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS
BEEN RECEIVED DUE TO THE COVID-19 PANDEMIC AND THE SAPS MAIN	TAINING THE LOCKDOWN REGULATIONS.
Marilyn Holding	
me of Official Assistant Chief Signature &	terang Date 04 JUL 2021
10001005	Service and the service of the servi
	11.20.11
is applicant must now hand the application form in at the designated Environment Healt plication fee of R4 428.00 (Vat inclusive) is payable into Profit centre 18070172 G/L 810 por of payment must from 1 July 2020 accompany the application when handing it in at t	400 Payment can be made at any cash office of the City
plication Fee Receipt number	payment date





Proof of payment

	Date: 08/06/2021 Time: 1:09:05 PM	
Profile name:	DANIE CRONJE ATTORNEYS INC	
Batch reference number:		
Reference number:		
Payment date:	08/06/2021	
From account name:	*DANIE GRONJE ATTORNEYS INC	
From account description:	*DANIE CRONJE ATTORNEYS INC	
From account statement description:	WW Ext trad hrs renewal 2021	
Beneficiary account / cell phoле number:	N/A	
Beneficiary/ Recipient name:	CITY OF CAPE TOWN	
Beneficiary statement description:		
Branch code:	N/A	
Amount:	810,263.00	

Additional comments by payer:

View your account to confirm that you have received this payment.

All payments are subject to clearing rules.

Please refer to landing page for cut off times and telephone numbers.

ANNEXURE A

The Applicant is:

Woolworths (Pty) Ltd, registration number 1956/000518/07, with registered address at Woolworths House, 93 Longmarket Street, Cape Town, 8001 and its postal address at P.O. Box 680, Cape Town, 8000.

The sole shareholder of the Applicant is:

Woolworths Holdings Limited (Registration No. 05/01986/06), a public company with limited liability whose shares are quoted on The Johannesburg Stock Exchange. The registered office of Woolworths Holdings Limited is at c/o Woolworths House, 93 Longmarket Street, Cape Town and its postal address is P.O. Box 680, Cape Town 8000.

ANNEXURE B - Form 2

The Applicant was permitted to sell liquor until 20h00 in terms of its licences issued under the Liquor Act 27 of 1989.

The Western Cape Liquor Act was approved after widespread public participation and it is submitted that it reflects the will of the people of the Western Cape.

The Act provides for licence holders with off-consumption liquor licenses to apply for trading hours until 20h00.

It is submitted that the Control of Undertakings that Sell Liquor to the Public Bylaw reflects the will of the citizens of the City of Cape Town.

This includes allowing responsible licence holders to apply for extended trading hours until 20h00. The Applicant has done so successfully in respect of its stores in the City to date.

Due to their working hours a significant percentage of the applicant's customers find it very difficult to purchase liquor before 18h00 on weekdays.

The extension of trading hours until 20h00 will allow them to do so (as they are able to do at the Applicants' other stores).

THE PROXIMITY OF LICENSED PREMISES TO SURROUNDING RESIDENTIAL ZONED AREA, CULTURE, RELIGIOUS AND EDUCATIONAL FACILITIES

The manner in which the business is carried on under the current trading hours does not prejudice the residents of a residential area or the proceedings in cultural, religious or educational facilities and it is submitted that there is no reason why an extension to 20h00 will change this situation.

THE POTENTIAL IMPACT ON THE SURROUNDING ENVIRONMENT

The current activities of the applicant do not have any negative impact on the surrounding environment and it is submitted there is no reason why an extension to 20h00 will change this situation.

THE RISKS TO AND NUISANCES ON THE SURROUNDING COMMUNITY

The current activities of the applicant do not pose a risk or nuisance to the surrounding community and it is submitted there is no reason why an extension to 20h00 will change this situation.

MITIGATION MEASURES TO ASSIST THE CONTROL OF RISKS AND NUISANCES

The applicant submits that its current activities do not cause risk or nuisance to the surrounding community.

No mitigation measures are therefore required.

However, should the applicant become aware of any risk or nuisance in future it will implement suitable measures to mitigate the risk or nuisance.

PUBLIC INTEREST

The proposed extension will improve the shopping experience of the public by allowing customers time after working hours in which to purchase their liquor.

CONFIRMATORY AFFIDAVIT

I, the undersigned

DANIEL LODEWIKUS CRONJÉ

do hereby make oath and declare that:

- I am an adult male attorney and the attorney of record for Woolworths (Pty) Ltd ("the Applicant") in this matter.
- The contents hereof fall within my personal knowledge unless the context indicates otherwise and are true and correct.
- 3. I confirm that the Applicant was the holder of the liquor licenses referred to in Annexure E when the City approved the extended trading hours and Sunday trading in terms of which the stores to which the liquor licenses relate are currently trading.
- I also confirm that these liquor licenses had not been transferred and are still held by the Applicant.

DANIEL LODEWIKUS CRONJÉ



of this affidavit which was signed and affirmed / sworn to before me at State of the Regulations contained in Government Notice R.1258 of the 21st July 1972, have been complied with.

COMMISSIONER OF OATHS

CLEO LUCRETIA CUPIDO

KOMMISSARIS VAN EDE

COMMISSIONER OF OATHS

CLUVER MARKOTTER ING/INC

PRAKTISERENDE PROKUREUR RSA/ PRACTISING ATTORNEY RSA

NR 97651





WOOLWORTHS

18 May 2017

To Whom it May Concern:

I, Chan Pillay, in my capacity as Head of Long Life of Woolworths (Pty) Ltd and duly authorized hereto, hereby confirm that Daniel Lodewikus Cronjé authorized hereto, hereby confirm that Daniel Lodewikus Cronjé (Long Life de Lodewikus Cronjé (Lodewikus Cronjé (Lod

Yours sincerely

Chan Pillay



WOOLWORTHS BULK PAYMENT - RENEWAL 2021

1.	MANA / Add aller Chart	ATIMENAL - KEINEWAL	2021
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3.	WW Liq (Blue Route)	WCP/031589	R4773
4.	WW (Belvedere Square)	WCP/037208	R4773
5.	WW (Big Bay)	WCP/031727	R4773
6.	WW (Cape Gate)	WCP/033562	R4773
7.	WWW (Cape Gate)	WCP/032753	R4773
8.	WW (Cape Town International Airport	WCP/036903	R4773
9.	WW (Capricorn Square)	WCP/041560	R4773
10	WW (Century City)	WCP/030125	R4773
11		WCP/006519	R4773
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25.	WW (Hermanus Station Square)	WCP/039836	R4773
26.	WW (Hout Bay)	WCP/020724	R4773
27.	WW Liquor (Hout Bay)	WCP/037808	R4773
28.	WW (Kenilworth)	WCP/029443	R4773
29.	WW (Kloof Street)	WCP/030882	R4773
30.	WW (Knysna Mall)	WCP/034214	R4773
31.	WW (Laborie Lifestyle)	WCP/041275	R4773
32.	WW (Laguna Mail)	WCP/041704	R4773
33.	WW (Langverwacht)	WCP/041394	R4773
34.	WW (Lakeside)	WCP/033361	R4773
35.	WW (Meadowridge)	WCP/034038	R4773
<u>36.</u>	WW (Mossel Bay, Langeberg Mall)	WCP/031740	R4773
37.	WW (Mossel Bay Mall)	WCP/041413	R4773
38.	WW (Mountain Mill)	WCP/036112	R4773
39.	WW (N1 City)	WCP/011899	R4773
40.	WW (Noordhoek)	WCP/031997	R4773
41.	WW (Okavango Crossing)	WCP/041176	R4773
42.	WW (Online Wine Sales)	WCP/037935	R4773
43.	WW (Paarl Mali)	WCP/033379	R4773
44.	WW (Paddocks)	WCP/033393	R4773
45.	WW (Palmyra Road)	WCP/037471	R4773

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60.	WW (Steenberg)	WCP/033058	R4773
61.	WW (Stellenbosch, Eikestad)	WCP/013690	R4773
62.	WW (Stellenbosch Square)	WCP/032606	R4773
63.	WW (Sunset Beach)	WCP/030214	R4773
64.	WW (Table Bay Mall)	WCP/041649	R4773
65.	WW (Tableview, Bayside)	WCP/022123	R4773
66.	WW (The Birkenhead, Melkbosstrand)	WCP/042084	R4773
67.	WW (The Sanctuary)	WCP/041354	R4773
68.	WW (Tygervalley)	WCP/010698	R4773
69.	WW (Waterstone Village)	WCP/033272	R4773
70.	WW (West Coast Village)	WCP/032206	R4773
71.	WW (West Coast Mall)	WCP/036114	R4773
72.	WW (Westgate)	WCP/035902	R4773
73.	WW (Wellington)	WCP/040829	R4773
74.	WW (Welgemoed)	WCP/030029	R4773
<u>75.</u>	WW (Whale Coast Mall)	WCP/041729	R4773
76.	WW (Willowbridge) - (on-con)	WCP/033359	R4773
77.	WW (Willowbridge)	WCP/033360	R4773
78.	WW (Zevenwacht Mall)	WCP/035794	R4773
79.	WW (Simons Town, Harbour Bay)	WCP/041931	R4773
B0.	WW (V&A Waterfront)	WCP/042607	R4773
31.	WW (Sitari) TOTAL	WCP/042808	R4773



Proof of payment

Date: 01/12/2020 Time: 2:36:07 PN	
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01/12/2020	
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Additional comments by payer:

View your account to confirm that you have received this payment.

All payments are subject to clearing rules.

Please refer to landing page for cut off times and telephone numbers.

WOOLWORTHS (PTY) LTD ANNUAL APPLICATIONS REQUIRED FOR EXTENSION OF TRADING HOURS & SUNDAY TRADING

	Store	Form 2	Form 3
1	Woolworths (Blue Route) – WCP/031589	R4428	R8855
2	Woolworths (Belvedere Square) – WCP/031727	R4428	R8855
3	Woolworths (Big Bay) – WCP/033562	R4428	R8855
4	Woolworths (Cape Gate) – WCP/032753	R4428	R8855
5	Woolworths (Cape Town International) – WCP/036903	R4428	R8855
6	Woolworths (Claremont/Cavendish Square) – WCP/006519	R4428	R8855
7	Woolworths (Century City) – WCP/030125	R4428	R8855
8	Woolworths (Constantia Village) – WCP/029469	R4428	R8855
9	Woolworths (Colloseum) – WCP/034413	R4428	R8855
LO	Woolworths (Cobble Walk) – WCP/035442	R4428	R8855
1	Woolworths (Newlands) – WCP/029810	R4428	R8855
2	Woolworths (Edgemead) – WCP/036317	R4428	R8855
3	Woolworths (Everglen) – WCP/034910	R4428	R8855
4	Woolworths (Gardens Centre) – WCP/030895	R4428	R8855
5	Woolworths (Greenpoint) – WCP/031021	R4428	R8855
6	Woolworths (Gordon's Bay) – WCP/040095	R4428	R8855
7	Woolworths (Hout Bay) – WCP/020724	R4428	R8855
8	Woolworths (Kenilworth) – WCP/029443	R4428	R8855
9	Woolworths (Kloof Street) – WCP/030882	R4428	R8855
0	Woolworths (Lakeside) – WCP/033361	R4428	R8855
1	Woolworths (Meadowridge) – WCP/034038	R4428	R8855
2	Woolworths (N1 City) – WCP/011899	R4428	R8855
3	Woolworths (Noordhoek) – WCP/031997	R4428	R8855
•	Woolworths (Online Wine Sales) – WCP/037935	R4428	R8855
	Woolworths (Palmyra Road) – WCP/037471	R4428	R8855
+	Woolworths (Parow) – WCP/007128	R4428	R8855

27	Woolworths (Plattekloof) – WCP/038878	R4428	R8855
28	Woolworths (Paddocks) – WCP/033393	R4428	R8855
29	Woolworths (Parklands) – WCP/033804	R4428	R8855
30	Woolworths (Piazza da Luz) – WCP/035626	R4428	R8855
31	Woolworths (Promenade) – WCP/032117	R4428	R8855
32	Woolworths (Rondebosch) – WCP/030631	R4428	R8855
33	Woolworths (Rondebosch Village) – WCP/033336	R4428	
34	Woolworths (Sea Point) – WCP/013954		R8855
	-	R4428	R8855
35	Woolworths (Sea Point) – WCP/033743	R4428	R8855
36	Woolworths (Somerset West) – WCP/006524	R4428	R8855
37	Woolworths (Somerset Mall) – WCP/015512	R4428	R8855
38	Woolworths (Soneike) – WCP/035465	R4428	R8855
39	Woolworths (Steenberg) – WCP/033058	R4428	R8855
40	Woolworths (Sunset Beach) – WCP/030214	R4428	R8855
41	Woolworths (Table View) - WCP/022123	R4428	R8855
42	Woolworths (Tygervalley) – WCP/010698	R4428	R8855
43	Woolworths (V&A Waterfront) – WCP/042607	R4428	R8855
44	Woolworths (Welgemoed) – WCP/030029	R4428	R8855
45	Woolworths (West Coast Village) - WCP/032206	R4428	R8855
46	Woolworths (Westgate) - WCP/035902	R4428	R8855
47	Woolworths (Waterstone Village) – WCP/033272	R4428	R8855
48	Woolworths (Willowbridge) – WCP/033360	R4428	R8855
49	Woolworths (Zevenwacht Mall) – WCP/035794	R4428	R8855
50	Woolworths (Sir Lowry's Pass) – WCP/040843	R4428	R8855
51	Woolworths (Flamingo Vlei) - WCP/040680	R4428	R8855
52	Woolworths (The Sanctuary) - WCP/041354	R4428	R8855
53	Woolworths (Langverwacht) – WCP/041394	R4428	R8855
54	Woolworths (Okavango Crossing) – WCP/041176	R4428	R8855

	TOTAL	R810 263	
	SUB TOTAL	R270 108	R540 155
51	Woolworths (Sitari) – WCP/042808	R4428	R8855
50	Woolworths (Durbanville Village Square) – WCP/042110	R4428	R8855
59	Woolworths (The Foreshore Precinct) – WCP/042242	R4428	R8855
58	Woolworths (The Birkenhead) – WCP/042084	R4428	R8855
57	Woolworths (Harbour Bay, Simon's Town) – WCP/041931	R4428	R8855
56	Woolworths (Table Bay Mall) – WCP/041649	R4428	R8855
55	Woolworths (Capricorn Square) - WCP/041560	R4428	R8855

ANNEXURE B

Shireen Maggott

From:

Cllr Ian McMahon (DA)

Sent:

02 August 2021 11:08 AM

To:

Shireen Maggott

Subject:

RE: WOOLWORTHS (THE FORESHORE PRECINCT) - OFF CON: Mon-Sat (W115

CLLR WC COD)

Support

Cllr. Ian McMahon Councillor: Ward 115 Office: 021 487 2025 Cell: +27 83 274 3579

<u>Ian.McMahon@capetown.gov.za</u>

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