

**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

*Making progress possible. Together.*

## **SUBCOUNCIL 16**

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**1. ITEM NUMBER : 16 SUB 29/06/2022**

**2. SUBJECT**

**APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF GAME CANAL WALK, SHOP 549, UPPER LEVEL, CANAL WALK CENTRE, CENTURY BOULEVARD, CENTURY CITY: OFF CONSUMPTION SUNDAY 11:00-18:00**

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

**3. FOR DECISION BY**

SubCouncil in terms of Delegation 4(2)

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

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**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 55 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):

- **Game Canal Walk**
- Liquor Licence No: WCP/038036
- OFF Consumption – Sunday trading 11h00 – 18h00
- Shop 549, Upper Level, Canal Walk Centre, Century Boulevard, Century City

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

- Ward Councillor: 2022/05/06: (See attached Annexure B)
  - ❖ Cllr Fabian Ah-Sing: Supported

- Abutting neighbours: 2022/05/09:
  - ❖ No comments received.
- Community Organizations: 2022/05/06: (See attached Annexure B)
  - ❖ Patricia: Paarden Eiland CID: Supported
- Ward Committee of Ward 55: 2022/05/06:
  - ❖ No comments received.
- **Internal departments:**
  - ❖ Health Department:  
Compliant – see attached Annexure A
  - ❖ Law Enforcement Squad  
Compliant - see attached Annexure A.

## 6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **Game Canal Walk**, Shop 549, Upper Level, Canal Walk Centre, Century Boulevard, Century City as well as the various comments received, and resolve to approve, refuse or vary the application for Sunday trading hours from 11:00-18:00.

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## ANNEXURES:

- A. Application submitted by **Game Canal Walk**, including comments by Health and Safety and Security.
- B. Comments from Ward Councillor and Community organisations in support of the application.

## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Girshwin Fouldien</i>
<b>CONTACT NUMBERS</b>	<i>021 487 2055</i>
<b>E-MAIL ADDRESS</b>	<i>Girshwin.Fouldien@capetown.gov.za</i>
<b>DIRECTORATE</b>	<i>Urban Management Area North</i>

  
Gershwin Fouldien  
SUBCOUNCIL 16  
MANAGER

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE

06/06/2022

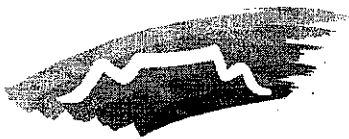
  
Ald Matthew Kempthorne  
SUBCOUNCIL 16  
CHAIRPERSON:

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date

06/06/2022

# **ANNEXURE A**



CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

## CITY HEALTH

Form 3  
SUNDAY OFF-CONSUMPTION TRADING

REF: 187 134

### 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 SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES FROM 11:00 TO 18:00

All fields must be filled in

#### DETAILS OF LICENCEE

- Liquor license number **WCP/038036**
- Full name of licensee **Masstores (Pty) Ltd t/a Game Canal Walk**
- 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)  
**Masstores (Pty) Ltd is a subsidy of Massmart Holdings Limited. Masstores (Pty) LTD registration no: 1991/006805/07**
- Name and address of the licensed premises  
**Game Canal Walk**  
**Shop 549, Upper Level, Canal Walk Centre, Century Boulevard,**  
**CENTURY CITY, 7441**
- 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. **5958**

6. Contact number

7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)

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

Signature **[Signature]** Date **12 January 2022**

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

Name (printed) **PORTIA SIBIYA** Application prepared by **I&P Specialist**

Postal address **[Redacted]** Physical address **[Redacted]**

**[Redacted]** **[Redacted]**

**[Redacted]** **[Redacted]**

Work tel: **[Redacted]** Cell: **[Redacted]**

Fax: **[Redacted]** E-mail: **[Redacted]**

Signature **[Signature]** Date **12 January 2022**

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

Name (printed) **Portia Sibiva**

Liquor licence number

WCP/038036

## 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 MENTIONED PREMISES, NAMELY, GAME CANAL WALK, SITUATED AT, SHOP 549, UPPER LEVEL, CANAL

WALK CENTRE, CENTURY BOULEVARD, CENTURY CITY. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR

LICENSE FOR 2022. NO COMPLAINTS WERE RECEIVED BY THE LIQUOR UNIT WITH REGARD TO THIS ESTABLISHMENT. THE

SAPS REPORT RECEIVED FROM THE DESIGNATED SAPS STATION SUPPORTS THE APPLICATION FOR EXTENDED TRADING HOURS.

Name of Official

J. Mampofu

Signature

[Signature]

Date

2022 01 27

This applicant must now hand the application form in at the designated Environment Health Office. Please note: As from 01 July 2020 a non-refundable Application fee of R8 855.00 (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 2020 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

[Box]

Receipt number

[Box]

payment date

[Box]

# COMMENT ON LIQUOR LICENSE APPLICATION FORM

Please complete the information below and return to Subcouncil SCT5 Pinelands Training Centre, St Stephens Road, Central Square, PINELANDS 7405

Applicant Details	WCP/038036	GAME LIQUORS SHOP 549 UPPER LEVEL CANAL WALK MILLNERTON (SON 11H00-18H00)		
APPLICATION	SUPPORTED	YES	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	N/A		
PARKING	N/A			
REASONS FOR NOT SUPPORTING	N/A			
NOTE: The detailed reasons for opposing an application should be sound town planning or community issues and not moral opposition. See Criteria above for guidelines				
ORGANISATION DETAILS				
NAME	W/O A.P STEYN	SIGNATURE	Signed copy filed	
DATE	2022-01-25	CONTACT NUMBER	021-5283010	





**WESTERN CAPE  
LIQUOR AUTHORITY**

## Western Cape Liquor Authority

Massdiscounters (Pty) Ltd  
Massmart House  
16 Peltier Drive  
Sunninghill X6  
SUNNINGHILL  
Gauteng  
2157



### FORM 21A

#### ANNUAL LICENCE RENEWAL NOTICE:

FEE PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2022

(REG. 30(1))

**LIQUOR AUTHORITY REFERENCE NUMBER: WCP/038036**

Name of licensee: Massdiscounters (Pty) Ltd

Address of the licensed premises: Portion of Game Premises, Shop 549, Upper Level, Canal Walk Centre, Alongside Century Boulevard, CENTURY CITY, 7441

(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](mailto: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 5,002, payable on or before 31 December 2021

#### Please Note:

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

Bank: [REDACTED]  
Account holder: Western Cape Liquor Authority  
Account number: [REDACTED]  
Branch code: [REDACTED]

Please use your licence number (WCP/038036) as the reference on the deposit slip.

Kindly email proof of payment to [Finance@wcla.gov.za](mailto: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% on or before 31 January, or with a penalty of 100% 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 21C) 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%. See section 63(4).



**WESTERN CAPE  
LIQUOR AUTHORITY**

Licence number: WCP/038036

LMaTS number: 2010/1879

Representative: Emil Scheepers Attorneys Inc  
086 1112 791

## ANNEXURE

**PLEASE CORRECT IN THE PROVIDED BOX ON THE RIGHT HAND SIDE, AND RETURN THIS FORM BY  
EMAIL: LIQUOR.ENQUIRIES@WCLA.GOV.ZA**

**PLEASE COMPLETE IN BLOCK LETTERS**

Licence holder	
On record	New details
Full Name:	Massdiscounters (Pty) Ltd
Mobile No:	
Email Address:	
Postal Address:	Massmart House 16 Peltier Drive Sunninghill X6 SUNNINGHILL Gauteng 2157
Identity Number:	
Registration Number:	1971/010815/07

Licence details	
On record	New details
Licence Type:	Consumption Off
Trading As:	Game Liquors
Licensed Premises:	Portion of Game Premises Shop 549 Upper Level Canal Walk Centre Alongside Century Boulevard CENTURY CITY 7441

Licence representative	
On record	New details
Full Name:	Emil Scheepers Attorneys Inc
Mobile No:	
Email Address:	
Postal Address:	
Identity Number:	
Registration Number:	1990/001975/21

**Please Note:**

A licensee who intends to subscribe to a biennial renewal cycle, must lodge with the Authority a notice in the form of Form 21B by no later than 30 November 2021.

Signature of Licence Holder/ Representative  
Date:



2010/1879

1/31/22, 10:56 AM



## Audit Trail

Create Transfer

Mon, Jan 31, 2022 at 10:53:53 AM

Group 27442 - MASSTORES PTY LTD T/A GAME AND  
Operator 013 - BILKISH SHEIK  
Status Finally Approved

	Captured	First Approver	Second Approver	Third Approver	Final Approver
Operator Number	13				56
Operator Name	BILKISH SHEIK				MARION E BOND
Approval Level					A
Date	2022/01/31				2022/01/31
Time	09:41:11				10:45:01

### Transaction Status

From Account	511326 1 T/A GAME AND DION STORES - PAYMENTS ACCOUNT - 0000004052206088
Description	3 WCP/038036
Beneficiary Code	
Your Account Number/Reference with the Institution	
Your Account Name with the Institution	MASSDISCOUNTERS
Date	20220131
Transaction Number	9999

Frequency

### Transaction Detail

Adhoc

Amount  
Immediate Interbank Payment

13,282.00  
No

To View Payment Confirmation Details [click here](#).

# **ANNEXURE B**

## Shireen Maggott

**From:** Cllr Fabian Ah Sing (DA)  
**Sent:** Friday, 06 May 2022 11:38 AM  
**To:** Shireen Maggott  
**Subject:** RE: GAME CANAL WALK: OFF CON: SUNDAY (W115 CLLR WC COD)

### COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

#### FORM

Please complete the information below and return to Subcouncil SC 16, 11 <sup>TH</sup> Floor, 44 Wale Street, Cape Town				
Applicant Details	<b>GAME CANAL WALK OFF CONSUMPTION (Sunday)</b>			
APPLICATION	SUPPORTED	<input checked="" type="checkbox"/>	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other			
PARKING				
REASONS FOR NOT SUPPORTING				
Information provided in the document will be used to process the relevant application/input into the relevant decision-making process. This will involve the processing of such information and may require the information to be shared and included in public reports and documents. By providing information in this document, you are agreeing to further processing.				
<b>ORGANISATION/OBJECTOR DETAILS</b>				
NAME	Cllr Fabian Ah-Sing			
DATE	06 May 2022			

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 **20/05/2022** at close of business (16:30)

**Shireen Maggott**

**From:** Patricia <cidmanager@paardeneilandcid.co.za>  
**Sent:** Friday, 06 May 2022 11:23 AM  
**To:** Shireen Maggott  
**Cc:** les@unitprop.co.za  
**Subject:** RE: GAME CANAL WALK: OFF CON: SUNDAY (W115 CLLR WC COD)

**COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS****FORM**

Please complete the information below and return to Subcouncil SC 16, 11 <sup>TH</sup> Floor, 44 Wale Street, Cape Town				
<b>Applicant Details</b>	<b>GAME CANAL WALK OFF CONSUMPTION (Sunday)</b>			
<b>APPLICATION</b>	<b>SUPPORTED</b>	<b>SUPPORTED</b>	<b>NOT SUPPORTED</b>	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other			
<b>PARKING</b>				
<b>REASONS FOR NOT SUPPORTING</b>				
Information provided in the document will be used to process the relevant application/input into the relevant decision-making process. This will involve the processing of such information and may require the information to be shared and included in public reports and documents. By providing information in this document, you are agreeing to further processing.				
<b>ORGANISATION/OBJECTOR DETAILS</b>				
<b>NAME</b>	Paarden Eiland City Improvement District			
<b>DATE</b>	06 May 2022			