

Liquor Licence Application

Application Reference No	LLA1610018		
Section	2016/10/11	Received MSC	2016/10/11
Documents Received and Attached			
Application	Y	Notice section 37(2)	Y
Plan of the Premises	Y	Right of occupation	Y
Site Plan	Y	ID or Registration	Y
Premises Description	Y	Notice of Application	Y
Colour Photographs	Y	Application Fee	Y
Representation	Y	Zoning Certificate	Y
SAPS Office	Pinelands Police Station		Date Received 2016/09/29
Applicants Name	Pinelands Athletic Club		
Applicants ID or Reg No			
Kind of Licence	Consumption ON Premises		
Business Name	Pinelands Athletic Club		
Proposed Address	Erf: 321, The Oval Forrest Drive Service Road Pinelands , Forrest Drive Service Road , Pinelands		
SubCouncil Name	SC15	Ward	
Date Submitted to SC	2016/10/14		

**APPLICATION FOR AN ON CONSUMPTION LIQUOR
LICENCE
[SECTION 36]**

**PINELANDS ATHLETIC CLUB
[PINELANDS – CAPE TOWN]**

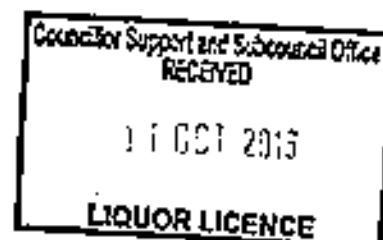
Application prepared by : 
**THE
LICENCE
CO**
The Licence Co (LiquorWiseDivision)

P O Address : 7A, 8th Avenue, Bellville, 7535

Cell No : 084 424 1966

Fax No : 086 2268 346

E-mail address : admin@liquorwise.net



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FORM 3

NOTICE OF LODGEMENT

FORM 3

NOTICE OF LODGEMENT OF APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 0(2)]

Notice is hereby given that below-mentioned applicant has lodged the above-mentioned application, particulars of which appear hereunder, with the Western Cape Liquor

Authority and the relevant designated liquor officer on (date)

1. Local municipality

2. Full name, street and postal address of applicant

Name : Pinelands Athletic Club
Business & Street Address : The Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450
Postal Address : PO Box 35, Howard Place, 7450

3. Kind of licence applied for

4. Kind of liquor to be micro-manufactured and/or sold

5. Name under which business is to be conducted and full street address of business

Name : Pinelands Athletic Club
Street Address : The Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450

6. State whether any consent, approval or authority is applied for in addition to the licence, describe it fully and state the relevant section in terms of which it is applied for.

Place

Date

NAME (Printed)

Footnote:

Complete as follows:

1. State the municipality in whose area the premises will be/situated.
2. State surname of applicant followed by his or her full first names, residential, business and postal address. If the applicant is not a natural person, state the full name of such person, followed by the address of its registered office.
3. State the kind of licence applied for with due regard to section 33.
4. State kind of liquor to be micro-manufactured and/or sold.
5. State the name under which business is to be conducted and describe the situation of the premises where the business is to be conducted with reference to the erf, street and farm number, including such place or other premises upon which any approval is to be exercised.

FORM 4

APPLICATION

FORM 4

APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 9(4)]

ORIGINAL TO BE LODGED WITH AUTHORITY AND TWO COPIES WITH DESIGNATED LIQUOR OFFICER

For official use

Application Fee

Receipt No

Payment Date

Description of Document	Annexure
Application	Form 4
Plan of the premises	A
Site plan	B
Description of the premises	C
Colour photographs	D
Representations in support of application	E
Proof of notice in terms of section 37(2)	F
Proof of right of occupation	G
Proof of identity documents or registration of applicants or members / shareholders or the legal entity	H

Application prepared by

THE LICENCE CO (LIQUORWISE DIV)

Postal Address

PO BOX 278, MOSSEL BAY 6500

Physical Address

7A, 8TH AVENUE, BELLVILLE, 7535

Telephone numbers

Office

0844241966

Mobile

0844241966

Home or other

0844241966

Fax number

0362268346

E-mail address

admin@liquorwise.net

FORM 4

APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 9(4)]

1. APPLICANTS DETAILS

1.1	Full name	Pinelands Athletic Club													
1.2	Identity number	N	/	A											
1.3	Date of birth	N	/	A				(if applicant is a natural person)							
1.4	Registration number/ reference/authorization	N/A										(if applicant is not a natural person)			
1.5	Address	The Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450										Postal code			
												7	4	5	0
1.6	Address for service of documents	PO Box 276 Mossel Bay										Postal code			
												6	5	0	0
1.7	Address for service of documents after application is determined	PO Box 276 Mossel Bay										Postal Code			
												6	5	0	0
1.8	Contact details of applicant (or, if applicant is a juristic person, or contact person):														
	Name	HJ Zietsman										(in the case of juristic person)			
	Telephone Numbers	Office	0844241966												
		Mobile	0844241966												
		Home or other	0844241966												
1.9	Fax number	0862268346													
1.10	E-mail address	admin@lquonvizo.net													
1.11	Nominated Manager (if applicant is a juristic person)														
	Full name	James Kaaro													
1.12	Identity number	4	3	0	8	0	6	5	0	3	5	0	8	4	
1.13	Address	The Oval, Forrest Drive Service Road, Pinelands, Cape Town, Western Cape										Postal Code			
												7	4	0	5
1.14	Telephone Numbers	Office	0215316928												
		Mobile	0724448082												
		Home or other	0844241966												
1.15	Fax number	0862268346													
1.16	E-mail address	jamesmk@iburst.co.za													

FORM 4

APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 9(4)]

2. QUALIFICATION OF APPLICANT

2.1 Is the applicant someone who –

(a) has within sixty (60) months prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(b) has within sixty (60) months prior to the lodgement of the application, been declared to be unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(c) is an unrehabilitated insolvent?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(d) is a minor?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(e) was the holder of a licence which was cancelled in terms of the provisions of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of the application?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(f) is a spouse or life partner of a person described in (a), (b) or (e) above?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(g) anyone who is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

2.2 In the case of an applicant who is not a natural person:

Is any member, shareholder, trustee, beneficiary or partner of the applicant a person described in paragraph 2.1 (a), (b) or (e)?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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2.3 If any of the questions in paragraph 2.1 or 2.2 have been replied to in the affirmative, provide full details.
(Use a separate annexure if necessary)

No questions have been replied to in the affirmative

FORM 4

APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 8(4)]

3. FINANCIAL INTEREST

3.1 State the name, identity number and address of each person, including the applicant, who has any financial interest in the business and in each case the nature and extent of such interest. (Use an annexure if necessary)

[If the applicant is a public company, statutory institution or co-operative as contemplated in the Cooperatives Act, 2005 (Act 14 of 1981), it is sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company, statutory institution or co-operative are furnished and not also the interests of individual members of such company, statutory institution or cooperative.]

Person / Entry with a financial interest - The Pinelands Athletic Club
 Address : The Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450
 Postal Address : PO Box 35, Howard Place, 7450

*The applicant is managed on a non-profit basis. The Club is the only entity with a financial interest in its business. The Club Committee manage the affairs of the Club, but have no financial interest in the Club, its assets or liabilities.

3.2 If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in paragraph 3.1 above - NOT APPLICABLE

(a) has a controlling interest in the company, close corporation or trust?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(b) is a partner in the partnership?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(c) is the main beneficiary under the trust?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

3.3 If any of the questions in paragraph 3.2 (a) to (c) have been replied to in the affirmative provide full details. (Use an annexure if necessary) NOT APPLICABLE

None of the questions in paragraph 3.2 (a) to (c) have been replied to in the affirmative

FORM 4

APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE

[Reg 9(4)]

4. APPLICATION DETAILS

4.1	State the type of licence applied for	On Consumption
4.2	State the kind of liquor the applicant intends selling under the licence	All kinds of liquor
4.3	Under what name is the business to be conducted	Pinelands Athletic Club
4.4	Address of the premises to be licenced with reference to the number of the erf, street, apartment, shop or farm, as the case may be	Remaining extent Erf 321 Pinelands, Division and Municipality of Cape Town, also known as the Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450
4.5	Does the applicant own the premises?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	If no, give details of the owner and the applicant's right of occupation –	See Below
	Owner's name	City of Cape Town
	Owner's address	Civic Centre 12 Hertzog Boulevard Cape Town
	Applicant's right of occupation	Written lease agreement
	Duration of right of occupation	

4.6 In the case of an application for the licence which permits consumption of liquor on the premises, state in which portion of the premises liquor will be served and consumed.

Please see Annexure A

4.7 Is the application made in respect of premises which –

(a) has not yet been erected?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(b) is already erected but require additions or alterations to make it suitable for the purposes of the proposed business?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
(c) is already erected and, in the applicant's opinion, does not require additions or alterations in order to make it suitable for the purposes of the proposed business?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

FORM 4
APPLICATION IN TERMS OF SECTION 35 FOR A LICENCE
[Reg 3(4)]

4.8 If the answer to a question in paragraph 4.7 (a) or (b) was "yes", please state –

(a) the date on which such erections, additions or alterations will be commenced with

N/A

and

(b) the period which will be required for the erection, additions or alterations.

N/A

4.9 Trading hours sought during which it is proposed liquor may be sold or consumed on the licensed premises

As determined by the Cape Town Municipality its Section 59 of the Act

4.10 Jobs created

(a) How many persons will be employed by the business?

None. All committee members serve the Applicant for free.

(b) How many will be employed in a management capacity?

No person will be employed. The management committee will be charged with the management of the licensed Premises.

(c) How many persons will be employed specifically in the regard to the sale of liquor?

No person will be employed. The Chairperson will be in charge of the sale of liquor on the Premises.

FORM 4
APPLICATION IN TERMS OF SECTION 36 FOR A LICENCE
[Reg 9(4)]

6. OTHER LICENCES

6.1 Give full details of any existing liquor licence on the property where the proposed premises is located:

Licensee	N/A. No other licences exist on the proposed premises.
Type of licence	N/A
Authority Reference number	N/A

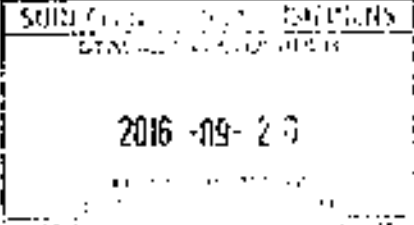
(Location of such other licensed premises in relation to proposed premises to be indicated on a site plan)

6.2 Give full details of all liquor licences held by the applicant in the Western Cape Province, as well as full details of any registration held with the National Liquor Authority in terms of the Liquor Act, 2003 (Act 59 of 2003)


N/A. The applicant holds no other liquor licences in the WC

(Use separate annexure if necessary)

I declare / truly affirm that the information furnished in this application and in the documentation attached to it, is true.

Date	26 September 2016	Signature of applicant if applicant is a juristic person, the person authorized to sign application (written authorization to be attached if not signed by applicant)
		Hans Jurie Zietsman for The Licence Co (Liquorwise Division) duly authorised
		Name (Printed)

I certify that the applicant has acknowledged that he/she knows and understands the contents of this, which was signed and sworn to / affirmed before me at Mossel Bay this 26 September day of 20 16

Commissioner of oaths 

Full name _____

Business address 2 George Road, Mossel Bay, 6500

Designation Warrant Officer / Constable

Area for which appointment is held Mossel Bay

Office held if appointment is *ex officio* Police Officer

FORM 5

SECTION 37(1) NOTICE

FORM 5
NOTICE IN TERMS OF SECTION 37(1) OF LODGEMENT OF AN APPLICATION
IN TERMS OF SECTION 38 FOR A LICENCE
[Reg 10(1)]

Notice is hereby given in terms of section 37(1) that the application for a liquor licence, particulars of which appears hereunder, will be lodged at the Western Cape Liquor Authority (the Authority) and the office of the designated liquor officer at the SAPS Pinelands

The application concerned may, up to and including the twenty eighth (28th) day from date of this notice, upon request and free of charge, be inspected by any person at the offices of the Authority and the designated liquor officer.

In terms of section 39(2), you may lodge representations for or against the said application. Should you wish to do so, the representations must be lodged, in writing, with the Authority and the office of the designated liquor officer.

Place of Lodgement	Western Cape Liquor Authority - 3rd Floor, Sunbel Centre, Voortrekker Road, Bellville, 7535		
Date of Lodgement	30 September 2016		
Full Name of applicant	Pinelands Athletic Club		
Identity number or registration number of applicant	N	A	
Street and Postal address applicant	Street Address: The Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450 Postal Address: PO Box 35, Howard Place, 7450		
Kind of licence applied for	On Consumption		
Kind of liquor to be micro-manufactured and/or sold	All kinds of liquor		
Name under which business will be conducted	Pinelands Athletic Club		
Address of proposed premises	Remaining extent Erf 321 Pinelands, Division and Municipality of Cape Town, also known as the Oval, Forrest Drive Service Road, Pinelands, Cape Town, 7450		
Application Prepared by	The Licence Co (LiquorWise Division)		
Postal address	PO Box 276 Mossel Bay		Postal code 6 5 0 0
Physical address	7A, 8 th Avenue Bellville		Postal code 7 5 3 5
Telephone Numbers	Office	084 424 1966	
	Mobile	084 424 1966	
	Home or other	084 424 1968	
Fax number	086 2288 346		
E-mail address	admin@liquorwise.net		

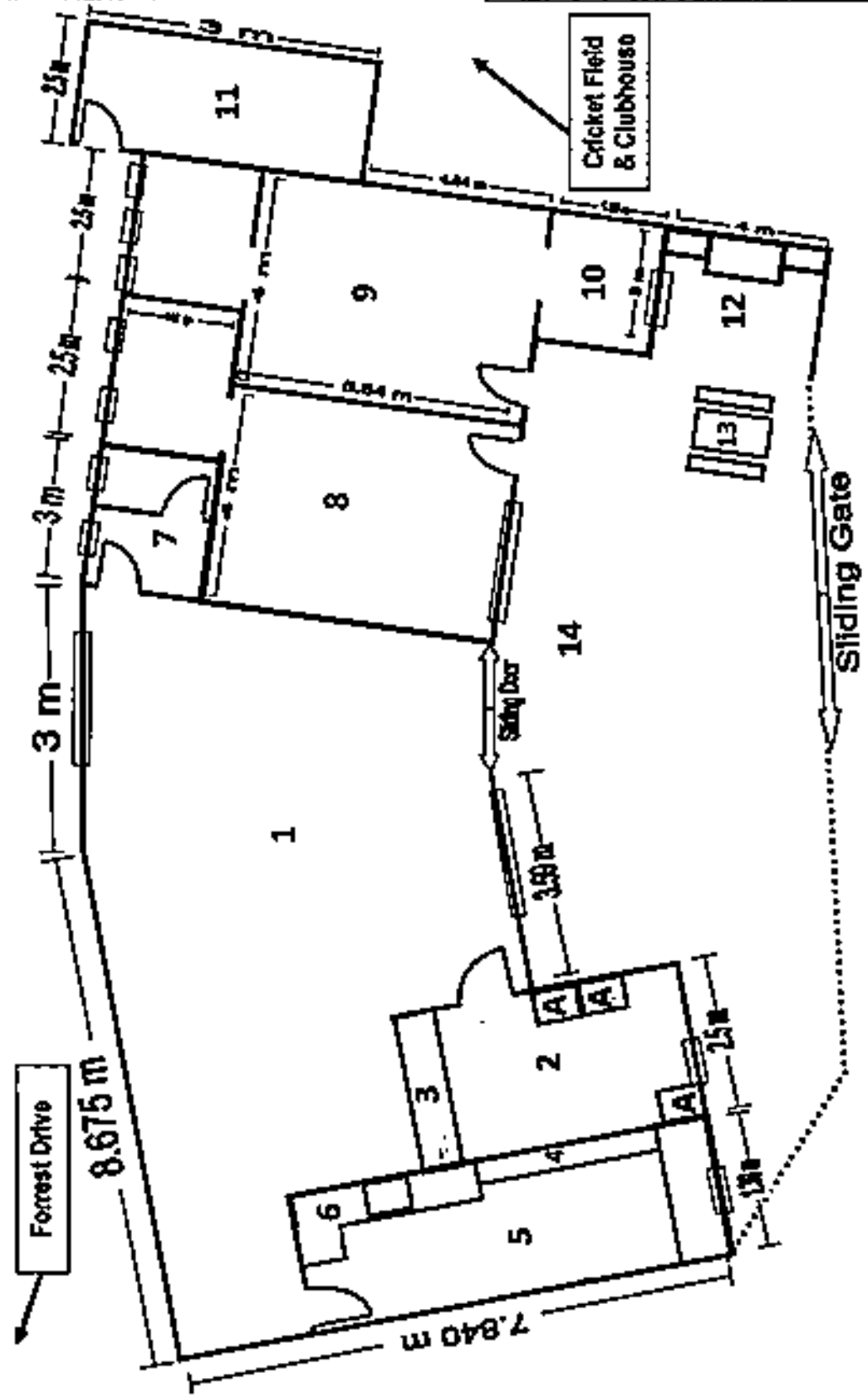
A

**FLOOR PLAN
OF THE PREMISES**

COLOUR LEGEND	
UNLICENSED AREA	
LICENSED - UNRESTRICTED AREA	
LICENSED - RESTRICTED AREA	

NAME	Pinelands Athletic Club
PROJECT	LIQUOR LICENCE APPLICATION TO SECTION 36 FOR PROPOSED NEW ON CONSTRUCTION PREMISES
ADDRESS	Room E11 Erf 221, Pinelands, Municipality and Division of Cape Town, Forrest Dr Pinelands, Cape Town.
PROJECT NO.	107/2015/AM
DATE	10/11/2015
SCALE	AS SHOWN
DRAWN BY	SALE
CHECKED BY	SALE
DATE	10/11/2015

NO	KEY TO FLOOR PLAN DESCRIPTION
1	Main / Dining Area
2	Behind Bar Area - Staff Only
3	Bar Counter
4	Serving Hatch Between Kitchen And Bar
5	Kitchen
6	Preparation Area With Hot Plate
7	Toilets
8	Female Dressing Room
9	Men's Dressing Room
10	En-Suite Showers in Men's Dressing Room
11	Outside Toilet
12	Lapa / Braai Area
13	Outside Seating
14	Under roof Porch
A	Refrigerators



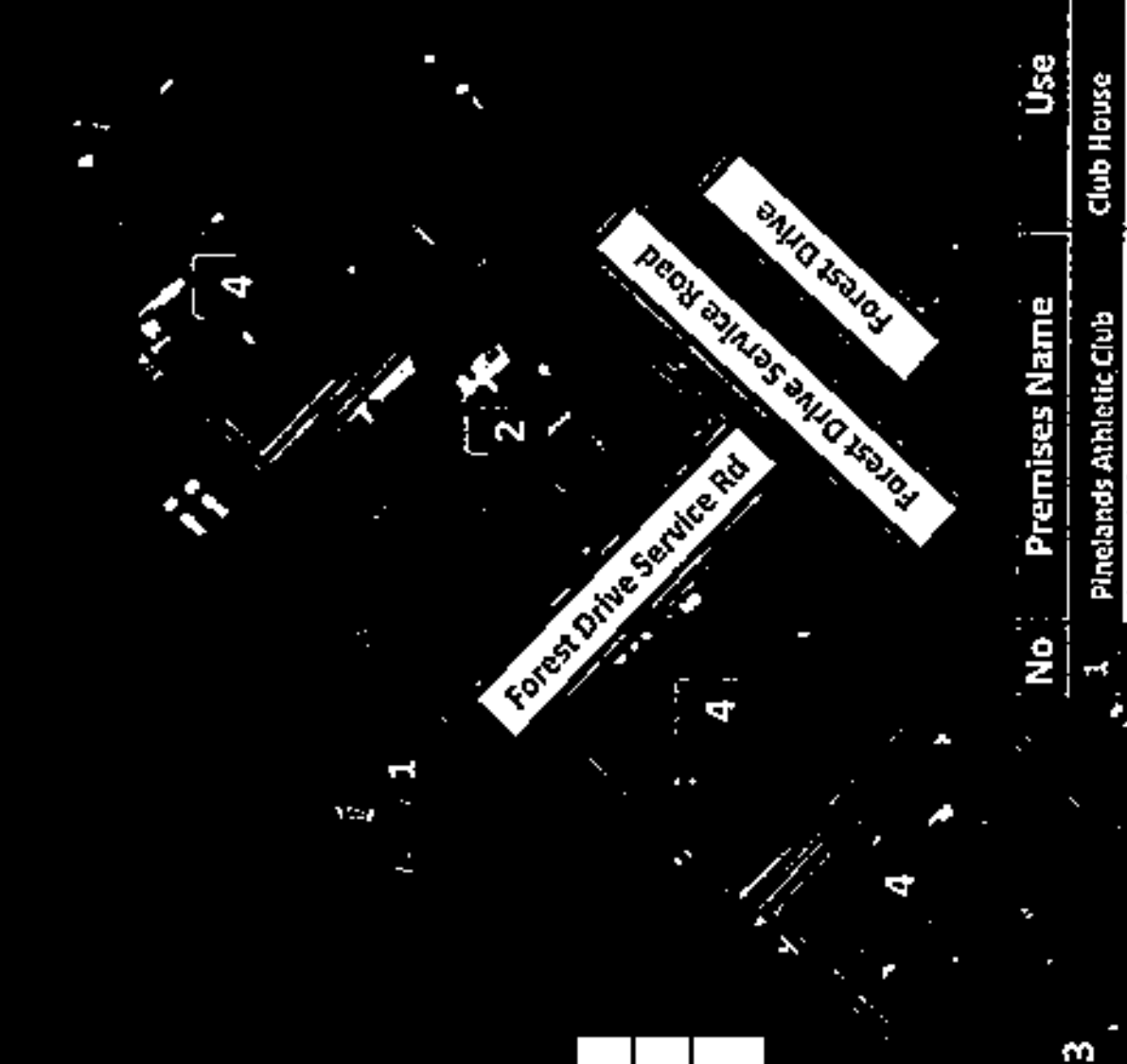
**FLOOR PLAN - LIQUOR LICENCE APPLICATION
PINELANDS ATHLETIC CLUB**

B1

**SITE PLAN OF THE
PREMISES**

Site Plan

B1



Date : 14.09.2016
Prepared by: The Licence Co
Address: 7A, 8th Avenue, Belville, 7500

No	Premises Name	Use
1	Pinelands Athletic Club	Club House
2	The Oval B&B	Bed and Breakfast
3	51 on Forest Drive Lodge	Guest House
4	Private Residential	Residential

B2.1

**AREA PLAN 1 OF THE
PREMISES**

Area Map 1

B2.1



A Premises

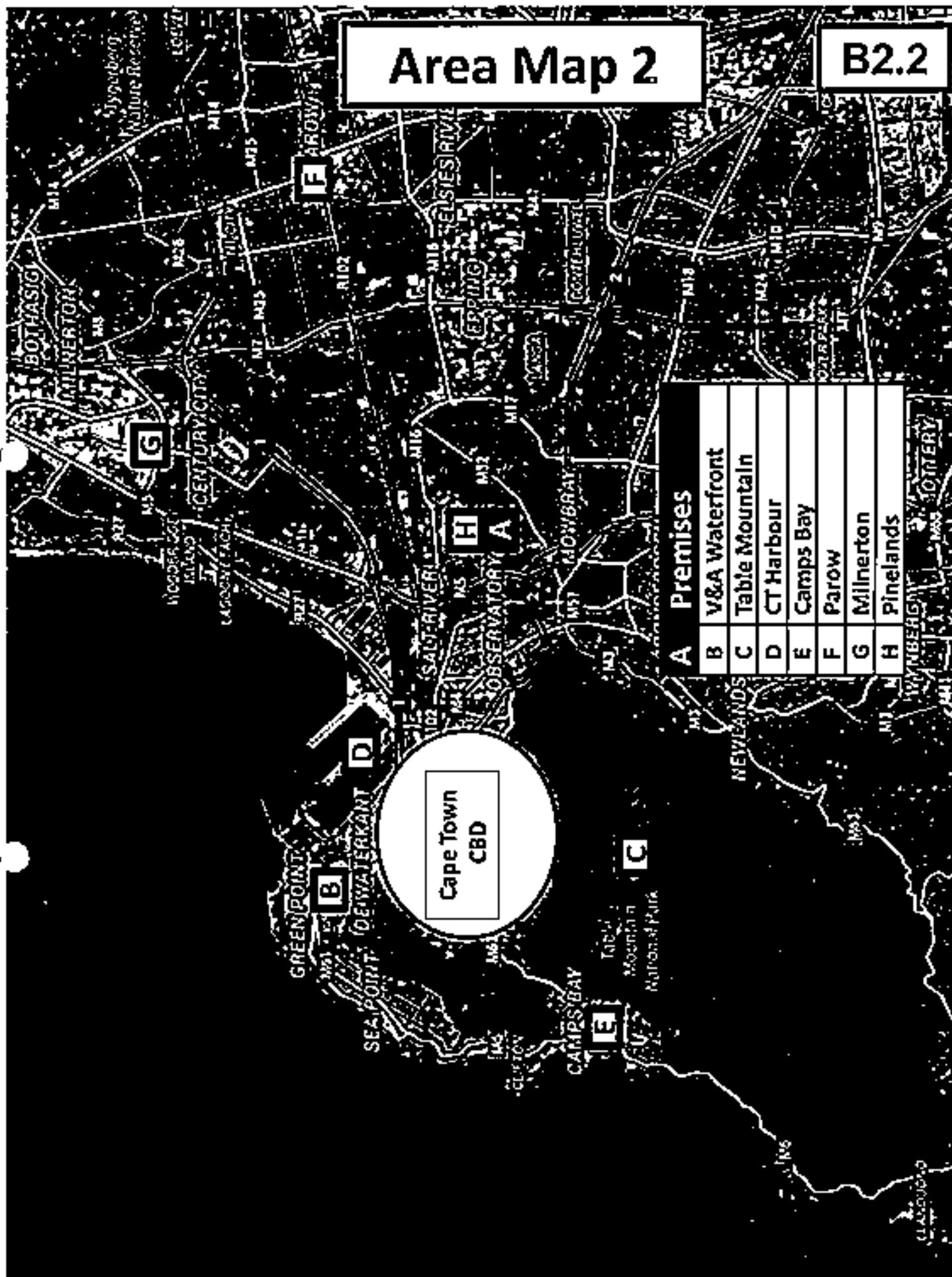
- 1 The Oval B&B
- 2 51 on Forest Drive Lodge
- 3 Pinelands BP Garage
- 4 Pinelands Town Hall
- 5 Pinelands Cricket Club
- 6 Kwikspas
- 7 Spur Restaurant
- 8 Pinelands Presbyterian Church
- 9 Pinelands Municipality
- 10 Methodist Church
- 11 Pinelands Primary School
- 12 Residential

B2.2

**AREA PLAN 2 OF THE
PREMISES**

Area Map 2

B2.2



Cape Town
CBD

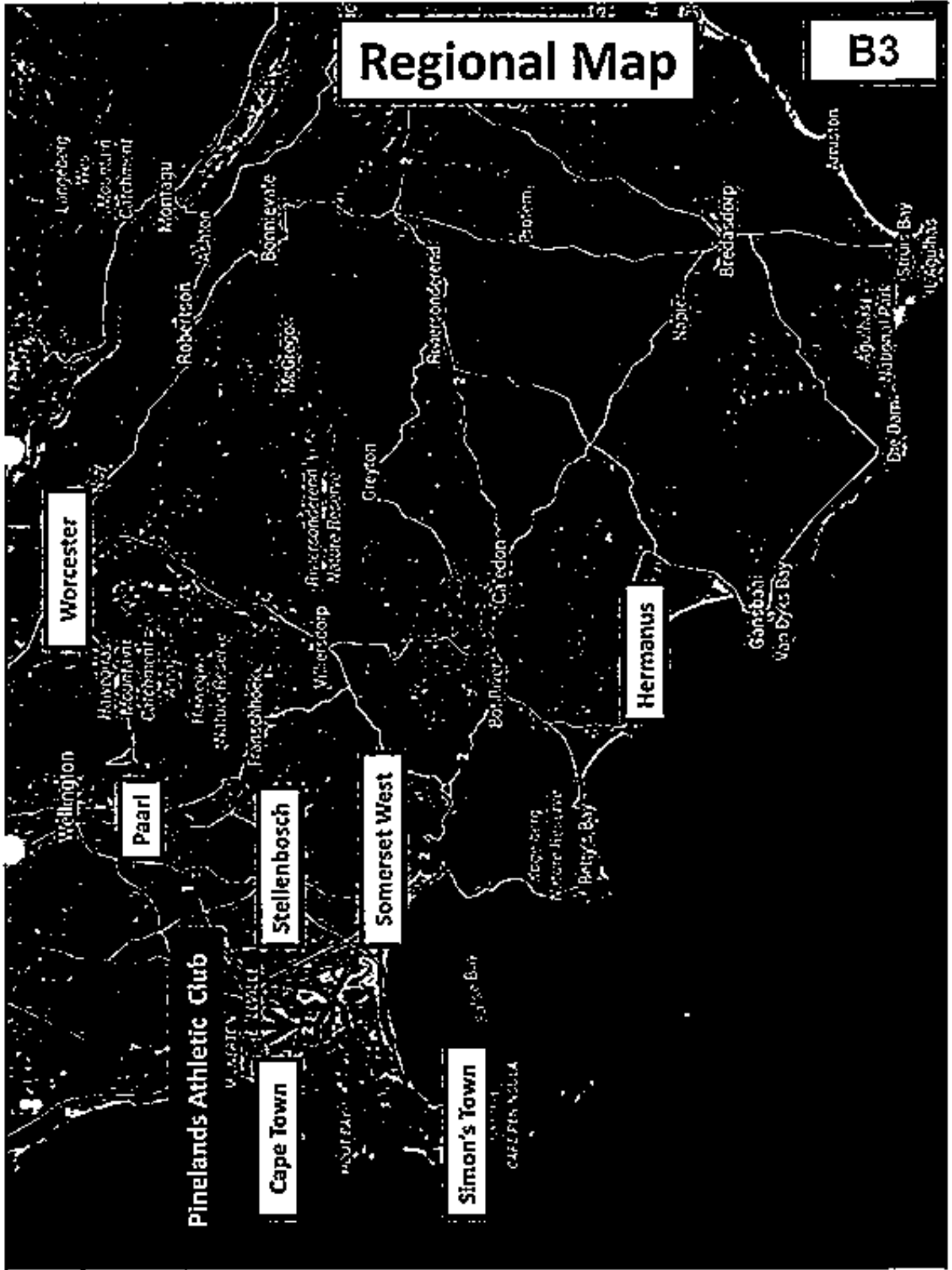
A	Premises
B	V&A Waterfront
C	Table Mountain
D	CT Harbour
E	Camps Bay
F	Parow
G	Millnerton
H	Pinelands

MILLNERTON
LOTTERY

REGIONAL PLAN

Regional Map

B3



Pinelands Athletic Club

Worcester

Paarl

Stellenbosch

Somerset West

Simon's Town

Hermanus

Breda'sdorp

C

**DESCRIPTION OF THE
PREMISES**

ANNEXURE C

DETAILED WRITTEN DESCRIPTION OF THE PREMISES TO WHICH THE APPLICATION RELATES, IN TERMS OF REGULATION 9 (4) (c) OF THE WESTERN CAPE LIQUOR ACT (ACT 4 OF 2008)

Definitions - The following words are used in this annexure with the respective meanings ascribed below.

Word	Definition
liquor	all kinds of alcoholic beverages
Liquor Act	the Western Cape Liquor Act No 4 of 2008
LLT	the Western Cape Liquor Licensing Tribunal
Property	Remaining extent Erf 321 Pinelands, in the Division and Municipality of Cape Town, also known as the Oval, Forrest Drive Service Road, Pinelands, 7450.
Premises	PAC Clubhouse
Applicant	Pinelands Athletic Club (PAC)

1. DESCRIPTION

The following is a description of the premises as required in terms of Regulation 9 (4) (c) of the Western Cape Liquor Act (Act 4 of 2008) ("The Liquor Act"). The description of the premises must be read with the plans and photo's marked Annexures "A", "B" and "D".

2. LOCATION

2.1.1 Premises

The premises of the Applicant is situated on a small portion of the Property. The Property is used to host a number of sports activities for residents of the suburb of Pinelands. The club houses of the local cricket, squash and hockey sport clubs are also situated on the Property – on the side of the cricket ground opposite to the location of the Premises(see No 5 on Annexure B2.1). The Pinelands Tennis Club and Bowls Club is situated adjacent to the Property, only separated by St Stephens Road(adjacent to the town hall – No 4 on Annexure B2.1).

The Premises is easy to access, as its access road – Forrest Drive Service Road is just off one of the main roads of the suburb – Forrest Drive – which extends to the N2 Highway to the south.

2.2 District Municipality and Local Authority

District Municipality - Cape Town Municipality

Local Authority - City of Cape Town Municipality

2.3 Nature, Distance from and Address of Specific Premises - Section 34(1)(e)(i) to (v)

2.3.1 Religious Institutions (Churches, Mosques)

There is a church within 400m from the premises, namely The Pinelands Presbyterian Church. It is situated out of hearing distance of the Premises (No 5 on Annexure B2.1).

The PAC will not generate noise above what may be expected from most sport ground club houses. The club meets only once a week, on Thursdays, which isn't a day on which church activities are usually organised. Therefore, the probability of the applicant's activity causing any prejudice to the members of the public involved with the aforementioned institution or the public in general is negligible.

Name	+ Distance from Premises	Address
Pinelands Presbyterian Church	400m	St Stephens Street
The Methodist Church	600m	Ridge Way
St Stephens Anglican Church	600m	St Stephens Street

2.3.2 Educational Institutions (Schools & Crèches)

The closest educational institution to its Premises, known to the applicant, is the Pinelands Primary School, situated approximately 600m from the Premises. The applicant's activity will not in any way negatively affect the activities of the said school.

Name	+ Distance from Premises	Address
Pinelands Primary School	600m	Union Avenue
Cannons Creek Independant School	650m	Cecil Road

2.3.3 Drug / Alcohol Rehabilitation Institutions

The closest drug / rehabilitation institution to its Premises, known to the applicant, is the Drug / Rehabilitation Centre situated- approximately 3.1km from the Premises. The applicant's activity will not in any way affect the activities of the said institution.

Trading Name	+/- Distance from Premises	Address
Life Vincent Pallotti Rehabilitation Centre	3.1km	Park Road

2.3.4 Old age (frail care) homes

There are no old age homes in the vicinity of the applicant's premises. The closest such institution to the Premises, known to the applicant, is the following :

Trading Name	+/- Distance from Premises	Address
Pinelands Place	900m	Lonsdale Way

2.3.5 Other Retail Licensed Outlets in Pinelands

Trading Name	+/- Distance from Premises	Address
Magica Roma Restaurant	550m	Central Square

There are very few licensed outlets in the vicinity of the premises, to the applicant's knowledge. Pinelands has always been a predominantly residential area with a strong sense of community. Nearly all commercial activity has been restricted to the adjacent commercial and industrial centres of Salt River and Ndabeni. There is only one shopping centre – Howard Centre – and one large business centre, the Old Mutual building in Pinelands.

The demand for the consumption of alcohol from liquor outlets is therefore somewhat limited when compared with other suburbs on the Cape Peninsula

2.3.6 Other Licences on the same property as the Premises

There are two licensed premises situated on the same property as the property on which the proposed premises is situated – the cricket club and the squash club, as far as the Applicant is aware. The Applicant has no specific knowledge of the liquor licences, apart from having been told that these licences exist.

2.3.7 Filling Station

The proposed premises is situated approximately 220 meters from the closest filling station (BP) in Forest Drive.

2.3.8 Police Station

The premises falls under the jurisdiction of the Pinelands police station.

2.3.9 Public Open Spaces

There are no public open spaces in the vicinity of the premises of which the applicant is aware of apart from those mentioned in paragraph 2.1.1 above.

2.3.10 Residential Area(s)

The Premises is mostly surrounded by single residential properties on its eastern side. It is surrounded by the open Oval cricket ground on the south, north and west.

2.3.11 Noise

Noise levels generated by the Applicant's business will not cause a nuisance to neighbours or the general public due to the following:

- The general club activity of the Applicant will not generate excessive noise levels. It is mostly confined to members conversing and also to the inside the Premises.
- Soundproofing will not be necessary.
- Windows and doors will be kept open or shut, depending on operational requirements and weather conditions.
- The effect of opening the doors and windows will be negligible to neighbours or the general public.

- Noise levels from traffic will, in all probability, generate more noise than the applicant's business.

3. LAYOUT

3.1 Plans

3.1.1 Floor Plan

A floor plan showing the layout of the premises has been included (see Annexure A).

3.1.2 Site Plans

A site plan (Annexure B1) has been attached.

3.1.3 Area & Regional Photo Maps

The area photo maps show the premises in relation to the other premises in Salt River and adjacent areas (see Annexure B2.1 & B2.2). The regional map shows the situation of the premises in relation to the Western Cape (Annexure B3).

3.2 Photo's

Photos of the all the public areas on the premises have been included, with descriptive captions (see Annexure D). The applicant refers to the respective photos in paragraph 3.3 below.

3.3 Description and Comment

3.3.1 Complete Property

The Premises is situated on the Property as has been described above.

3.3.2 Prospective Premises

The premises is a rectangular sized building with a slight "bend" in the construction in the middle part of the building. It is very user-friendly as it can be accessed via a wide gate entrance from the north and is on ground level only.

3.4 Different areas of the premises

The premises can be divided into the following areas, namely :

- Access

The public gain access to the interior of the premises via a gate in the perimeter fence which encloses the front (northern) part of the Premises. Access to the indoor section of the Premises is gained via the front door only (see Annexure D). On entering, patrons can choose to sit in anywhere in the dining area, dedicated to the service and consumption of food and drink.

- Lapa area (Number 14 on Annexure A)

This area comprises the complete outdoor section (Patio) of the Premises, situated to the north of the front door, but within the perimeter fence (front gate – see Annexure D). It features a braai area and an area to sit, either on a lawn or a patio.

- Dining / Social area (Number 1 on Annexure A)

This area comprises by far the majority of the interior of the Premises. It is indicated by the tables and chairs in this area, indicated by the numeral "2" on Annexure D. Members enjoy food and drink in this area, while socialising with other members, family or friends. Access to the bar area, kitchen area and toilets is possible from this area.

- Bar area (Number 2 on Annexure A)

This area is situated to the north(left) of the front door as can be seen on Annexures A and D. Drinks are prepared in this area. Liquor will be stored in the Fridges (P14, Annexure D) and counters.

- Kitchen (P12, P16 on Annexure D)

The kitchen is used to prepare all the food which is served on the premises. It is accessed from the Dining Area.

- Bathroom and toilet facilities

Members and guests have access to the toilet and shower facility situated adjacent to the Dining Area (Numbers 7 – 10 on Annexure A). It is easily accessible by members, which makes it convenient. There is also a toilet on the outside of the Premises (Number 11 on Annexure A), which can be used without having to gain access to the Premises via the main gate and front door.

- Parking area

Patrons park on the lawn adjacent to the Clubhouse (P18 on Annexure D), which offers sufficient parking for a full complement of guests and customers at any given time.

4. FURNISHING, FIXTURES, FITTINGS

The premises has been furnished and fitted in accordance with the floor plan (see Annexure A).

ITEM	MATERIAL / TYPE
Chairs	Wood & Plastic
Lighting	Roof Lights, Hanging Lights
Tables	Square & round tables
Lounge suite	Upholstered
Bar chairs	Wood (4)
Fridges	Upright
Electrical	Stove(x2), sound system, microwave, griller

5. CONSTRUCTION

The building containing the premises has been constructed of the following building materials :

AREA	MATERIAL
Roof	IBR
Ceiling	Ceiling Board
Floor	Concrete & Tiles
Windows	Aluminium, wood & glass
Doors	Aluminium, wood & glass
Walls	Facebrick



COLOUR PHOTOGRAPHS

Photo's of Premises



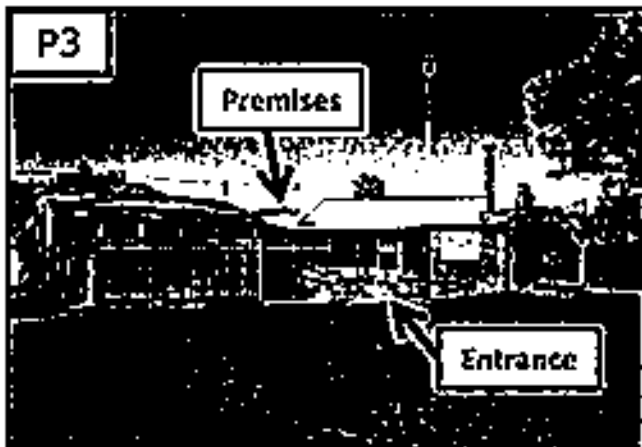
P1

Premises to Forest Drive entrance



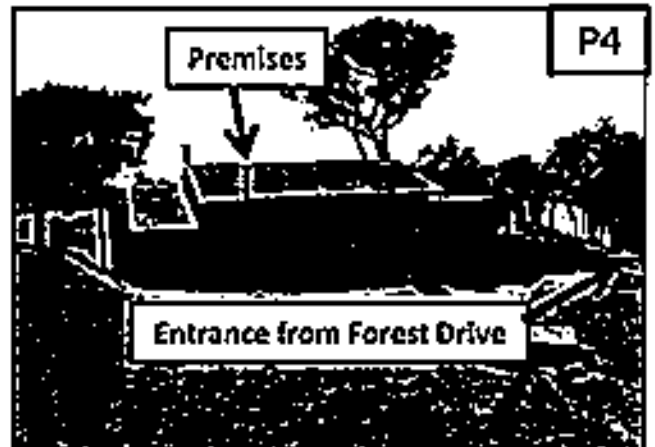
P2

Side view from Forest Drive



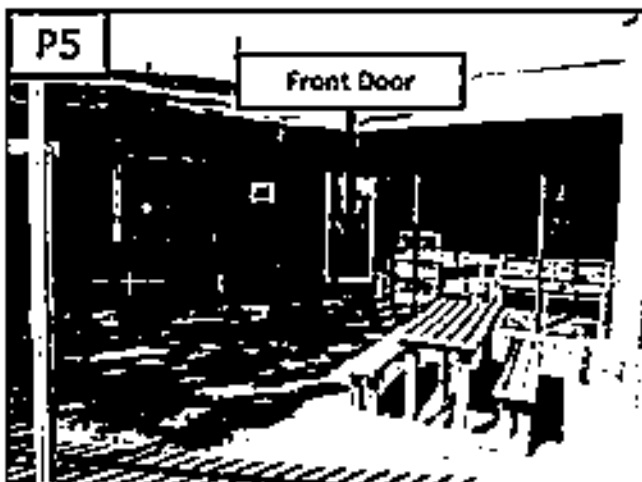
P3

Facade of premises



P4

Back view of premises



P5

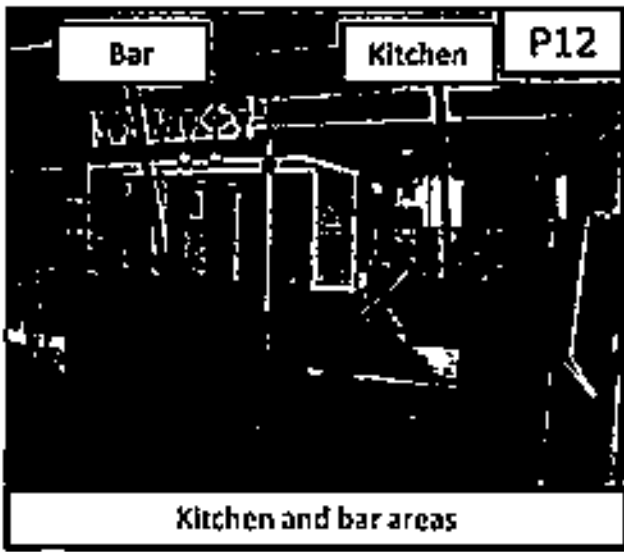
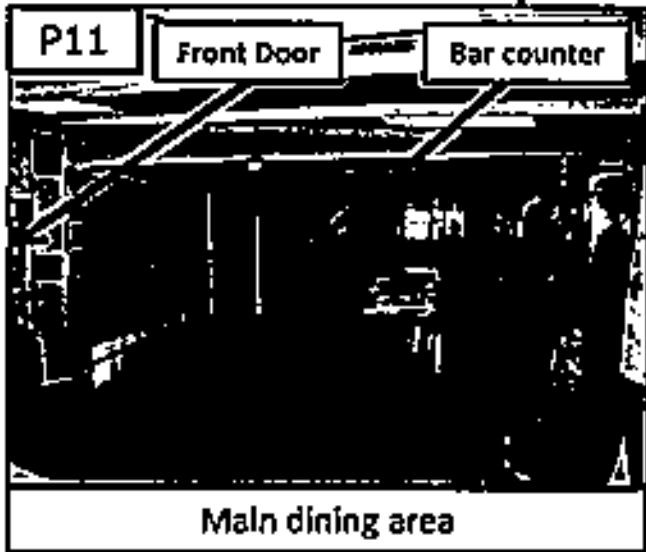
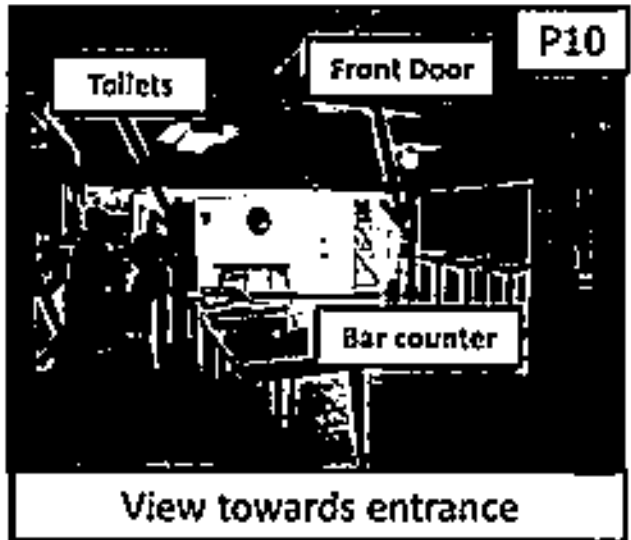
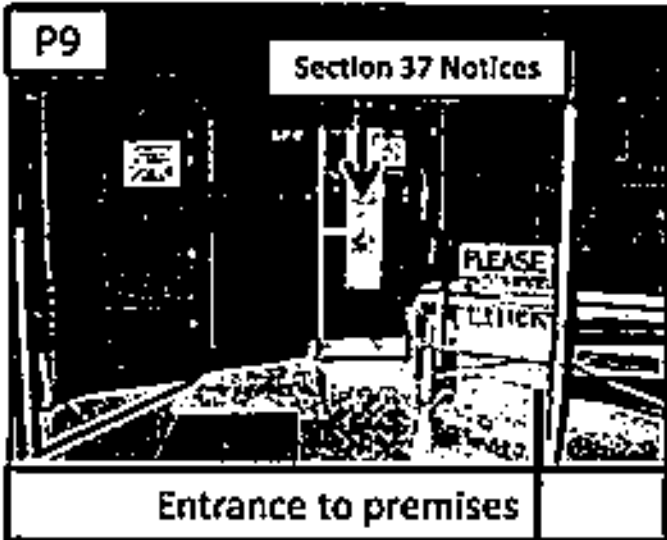
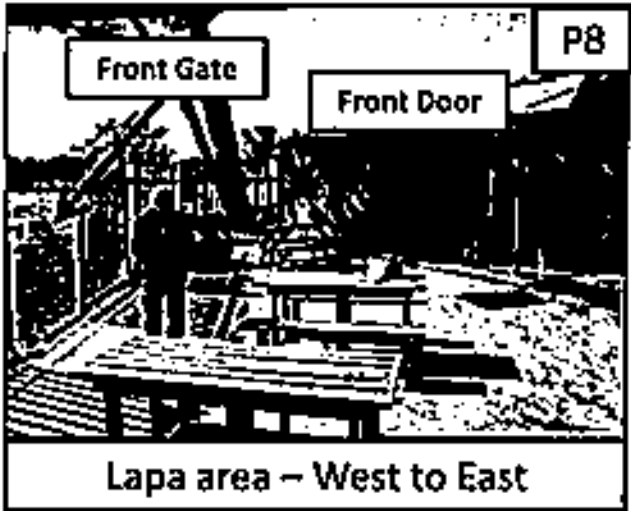
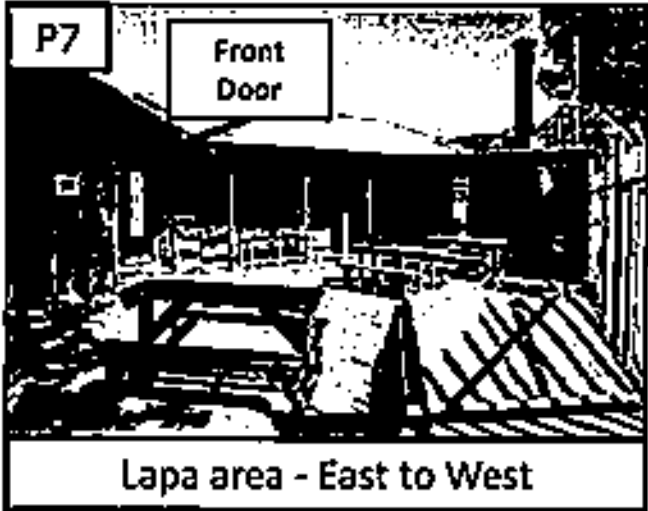
Entrance to clubhouse interior and lapa area



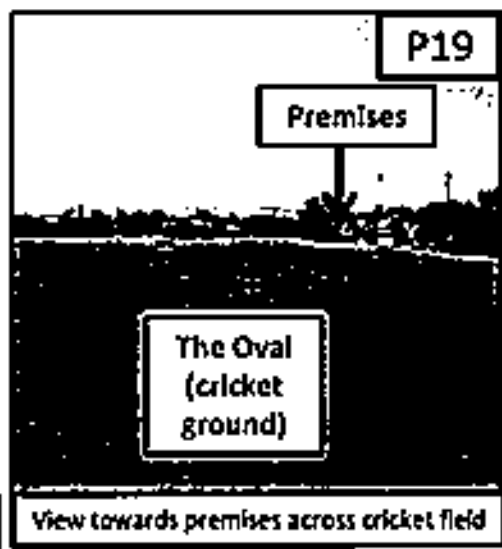
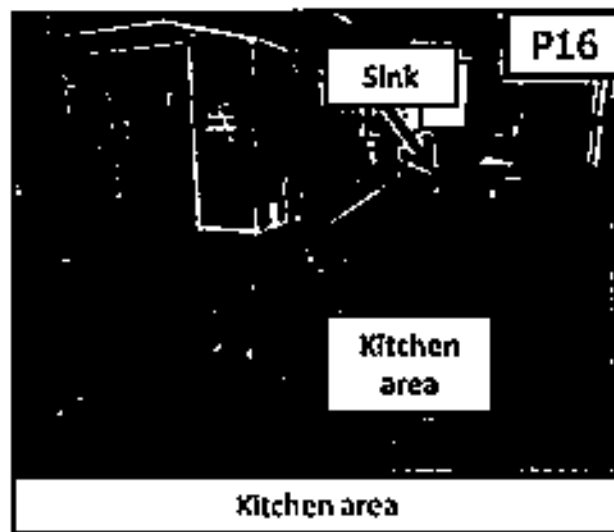
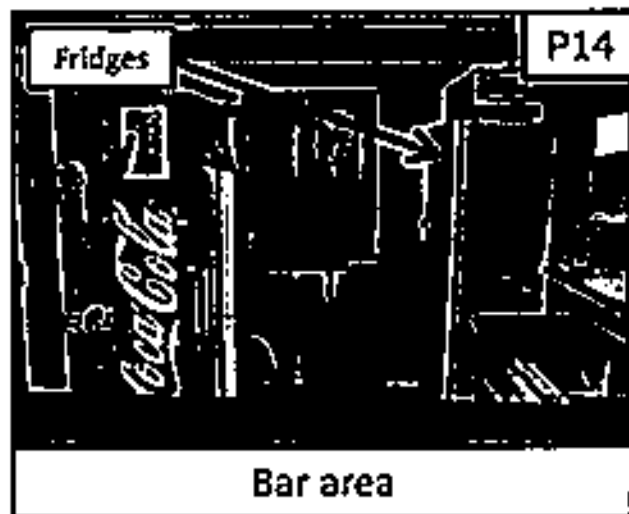
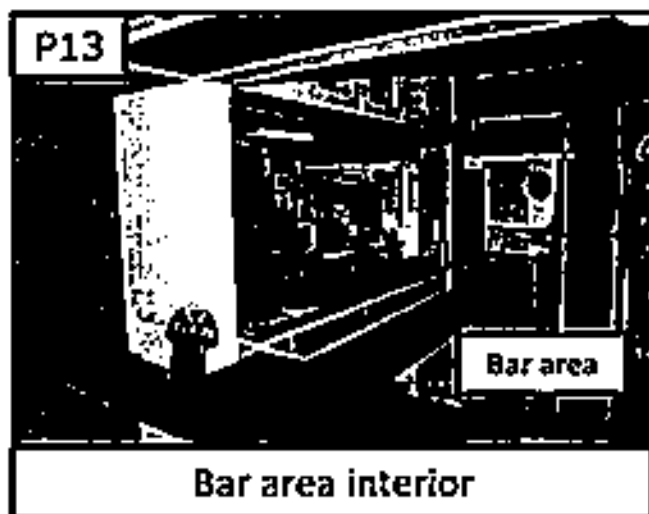
P6

Front door towards lapa area

Photo's of Premises



Photo's of Premises





**COMPREHENSIVE WRITTEN
REPRESENTATIONS
[REG 9 (4)(e)]**

ANNEXURE E

COMPREHENSIVE WRITTEN REPRESENTATIONS IN TERMS OF REGULATION 9 (4)(e) OF THE WESTERN CAPE LIQUOR ACT

Definitions – The following words are used in this annexure with the respective meanings ascribed below.

Word	Definition
liquor	all kinds of alcoholic beverages
Liquor Act	the Western Cape Liquor Act No 4 of 2008
LLT	the Western Cape Liquor Licensing Tribunal
Property	Remaining extent Erf 321 Pinelands, in the Division and Municipality of Cape Town, also known as the Oval, Forrest Drive Service Road, Pinelands, 7450.
Business	The business of managing the PAC on behalf of its members
Premises	PAC Clubhouse
Applicant	Pinelands Athletic Club (PAC)

1. NATURE OF THE APPLICATION

Application is made for an On consumption liquor licence in respect of the applicant's leased premises situated on the Property.

2. FORMALITIES

Notices in terms of regulations 9(2), 10(1) and 10(2) respectively, have been forwarded to the Liquor Board and the designated liquor officer (Woodstock), together with the application in terms of Section 36 of the Liquor Act.

3. THE APPLICANT

The Liquor Act requires the Board to decide whether, based on all the information available to the Board, the Applicant is suitable to be approved as a licence holder. The Applicant should fulfil the general and legislative requirements mentioned below.

3.1 General Requirements – Character of Owner

The Act imposes a subjective test in this regard. It is a matter of the Tribunal exercising its discretion on whether the Applicant is of a good character and otherwise fit to be the holder of the licence. It requires the Applicant to make submissions to the Tribunal, which may be challenged by objectors, and/or the Designated Liquor Officer.

The character of the Applicant is reflected by the President of the applicant. The character of the President of the Applicant can be described as follows:

James Kaare

Identity Number :430806 5035 084

He is a pro-active achiever with strong communication and interpersonal skills, as well as having a drive to pay attention to detail wherever he may be involved.

He is a person who dedicates himself to any task which he sets his sights on. He has strong communication and interpersonal skills, as well as having a drive to pay attention to detail wherever he may be involved.

EDUCATION

Matric

EMPLOYMENT HISTORY (Managing in all cases)

The President is retired and a pensioner. He has served the Applicant in a number of positions during the last number of years with great success.

Personal Attributes

It is evident from the abovementioned that Mr Kaare is a capable, hardworking and reliable person with the required skill to focus and perform the tasks required to manage a large organization such as the applicant, which is constituted of a large group of persons from a wide range of different backgrounds.

He is able to motivate those who work on his committee in order to ensure that all tasks are completed within deadlines and in an efficient manner.

There is every reason to believe that he will be a responsible representative of the licence holder for the premises and that he (and his committee) will enforce the liquor licence conditions when required. His formal details have been presented in Form 17 of this application and the Applicant's details in Form 4.

3.2 Legislative Requirements – Adherence to Laws

The Act requires the Board to evaluate the Applicant's suitability in an objective manner, establishing whether the Applicant:

1. Is qualified in terms of national and provincial liquor laws, and
2. Has adhered to national and provincial liquor laws.

In this regard, the following is applicable to the Applicant:

1. Qualifying in terms of the Act

The Applicant is qualified to be the holder of an On Consumption liquor licence in terms of the criteria stipulated in the Western Cape Liquor Act (No 4 of 2008).

2. Adherence to Liquor Laws in the Western Cape and South Africa

It is submitted that the test is especially aimed at the record of the Applicant in adhering to the laws of the country, including the laws of the Western Cape Province. The Applicant has not been found guilty of any offences listed in the national and provincial liquor laws.

The Applicant has never had any problems with any government authority relating to the enforcement or adherence of conditions applicable to any licensed premises or alcohol abuse in the past. The report of the DLO will confirm this fact.

It is therefore respectfully submitted that the applicant is eminently suitable to be the holder of an On Consumption liquor licence by virtue of the characteristics displayed by its President and his committee.

4. THE TYPE OF BUSINESS TO BE LICENSED- SECTION 33(1):

4.1 Ownership and history

The Applicant manages the Business of the PAC. The Business isn't owned by the Applicant, but by the management committee of the Applicant.

The PAC was founded in 1937. Various members took part in track and field events and gained Springbok colours. They represented the PAC and South Africa on a national and international basis. The PAC grew dramatically during the 1970's when road running became popular and it has remained the same since then. The PAC currently boasts 302 members.

The increase in membership numbers necessitated a venue for meetings of the committee, as well as members. The result was that occupation of the current club house was granted to the PAC – on the lower Oval.

The Business mainly consists of a 5km time trail on Thursday evenings, followed by a light meal and a drink (mostly beer) at the Premises. A social evening is hosted once a month, which mostly consists of a braai ("barbeque").

4.2 Clientele

The Business is supported by PAC members, guests and their family members. These persons will remain the main target market of the Business.

4.3 Menu

There is not set menu as the committee of the PAC decides from time to time what the menu will be for the time trails and social evenings.

5. THE PREMISES

5.1 SAP Jurisdiction

The premises is located under the jurisdiction of the South African Police Station in Pinelands.

5.2 Right to occupy premises- Section 34(1)(c)

The applicant has the legal right of occupation of the premises for its business activity to be managed on the premises, based on the following:

- The applicant leases the premises as depicted on the floor plan (Annexure A). Proof of ownership – A Deeds Officer report has been included, proving ownership of the Property and the Premises. The lease agreement / letter of confirmation confirms the Applicant's right of occupation (Annexure G).

The applicant will not use any outside seating, such as the street or pavement.

5.3 Parking

There is sufficient parking available to accommodate the full complement of customers which may be hosted on the premises. This is evident from the site plan and photos (see Annexures B1 and D).

A detailed description of the premises has been given in Annexure C to this application.

6. PREJUDICIAL CIRCUMSTANCES – SECTION 34(1)(e)

6.1 Educational Institutions, Religious institutions & Rehabilitation Centres, Frail Care Centres

These institutions have been indicated clearly on the Site Plan (B1).

The Applicant's business will not generate noise above what may be expected in a typical sport club's premises, which is negligible and limited to members conversing.

The functions which the Applicant hosts on the Premises takes place after normal business hours and usually finishes by 22h00.

The Applicant submits that the probability of the applicant's activity causing any prejudice to the members of the public is negligible.

No rehabilitation centres or frail care centres situated in the vicinity of the premises. This is evident from the summary presented in paragraph 2.3 in Annexure C.

6.2 Filling Station

The business is not situated on a property on which a filling station is situated or close to such a premises.

6.3 Undesirable Conditions

The granting of a licence will not cause harmful or undesirable conditions, as the proposed business will be conducted in a proper manner. It can therefore be regarded as a low risk licensed premises. The applicant will adhere to, and ensure that the conditions of the licence are properly enforced.

6.4 Harmful Monopolistic Conditions

The Applicant doesn't compete on a commercial basis with any other entity. As such, its Business will not cause harmful monopolistic conditions.

6.5 Unruly behaviour

The applicant does not reasonably foresee that the granting of the licence applied for will cause unruly behaviour. The main activity of the applicant will be to meet 4 – 5 times a month for very short periods. There is no reason to expect this to change. This kind of business activity does not usually lead to unruly behaviour.

6.6 Live Entertainment

The Applicant does not intend offering live entertainment. The Applicant will obtain the necessary consent from the City of Cape Town Municipality to host any such events in case such consent is required.

6.7 Negative Influence

It will not be necessary to take steps to curb any negative influence that the granting of a liquor licence may have, as the applicant does not foresee any negative influence resulting from the granting of the application.

The Premises is relatively small in size (see Annexure D) and has a limited number of tables for patrons to use. The applicant submits that this will result in an environment which will be easy to control and cannot reasonably foresee any negative influence which will have to be addressed.

6.8 Control Measures

It will not be necessary to take any steps to curb any negative influence that the granting of a liquor licence may have, as the applicant does not foresee any negative influence resulting from the granting of the application – for the reason mentioned above. If it is required, the Applicant will take appropriate measures.

6.9 Zoning

The property is zoned to allow the business activity of the applicant. (see Annexure M).

7 PUBLIC INTEREST AND NEED FOR A LIQUOR LICENCE

7.1 Applicants' Right to a Liquor Licence

The honourable Tribunal has to consider the right of the applicant to be the holder of an On Consumption liquor licence and to trade in liquor. South African courts have made it clear that the granting of a licence, such as the one in question, is a right every citizen is entitled to if it meets the requirements of applicable legislation and court judgements.. The applicable legislation is the following:

7.1.1 The South African Constitution (1996) (the "Constitution")

Section 22

The abovementioned is clearly stated in Section 22 of the Constitution which states the following :

"Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by the Law"

Section 36

Section 36 states the following:

- (1) **"The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors, including:-**
- the nature of the right;
 - the importance of the purpose of the limitation;
 - the nature and extent of the limitation;
 - the relation between the limitation and its purpose; and
 - less restrictive means to achieve the purpose."
- (2) **Except as provided in subsection (1) or in any other provisions of the Constitution, no law may limit any right entrenched in the Bill of Rights.**

The abovementioned is a confirmation of principles laid down in various court cases, some of which are the following :

- **"...There is increasingly a tendency to regard permits of all kinds as a form of privilege. I would resist the notion of regarding a permit as a sort of delectable crumb that might or might not be dropped from the bureaucratic dinner table. To withhold such a permit is to affect the citizen adversely of his or her rights."**
- **"....Even the humblest citizens has the right to approach such a Tribunal and he or she is entitled to get that permission he or she requires, unless there are sound reasons to the contrary...."**

7.1.2 High Court Cases

In considering the applicants' right to be the holder of a liquor licence and to trade in liquor the Tribunal must take the following Court decisions into consideration:

(i) **ESTATE AGENTS TRIBUNAL vs LEK 1979 (3) SA 1048 ON 1064**

(D-E):-

"It is, of course, clear that ordinarily a person is free to carry on the trade, calling, or profession of his choice. That is a right, which the Law recognizes and protects from unlawful interference from others... It can be regarded as a real right in the sense that it is an absolute right, one available and enforceable against everybody."

(ii) **TABAIKAN vs DISTRICT COMMISSIONER SALISBURY 1974 (2) SA 604 (RS) ON 606 (E-G)**

(iii) **TAYOB vs ERMELO LOCAL ROAD TRANSPORTATION TRIBUNAL AND ANOTHER 1951 (4) SA 440 (A) ON 449 (A-C)**

Although these cases were decided long before the promulgation of the Constitution, it is in accordance with the provisions of the Constitution, more particularly with the provisions of Section 22 thereof.

The applicant has a responsibility to the public to manage its activities in a legal manner and in this regard the principles of basic fundamental trading rights must be considered.

7.2 Need for an On Consumption Liquor Licence

7.2.2 The need of the public and the applicants' customers

On Consumption

There is no doubt that there is a need for the applicant to sell liquor for on consumption on the Premises if it wants to satisfy the need of its members as described above.

Members expect to have liquor available to consume on the Premises at the time at which the Applicant hosts its time trials and monthly social evening. This is also in line with facilities at other sport clubs.

7.2.3 The need of the applicant's business for such a liquor licence.

The applicant's Business can only compete effectively with other clubs if it is able to compete on an equal footing, one aspect of which is to offer members the option of enjoying liquor of their choice with meals on the Premises.

7.4 Public Interest and the Existing Liquor Trade in the Area

In considering whether the approval of this application will be in the public interest, one has to take certain factors into consideration:

7.4.1 What is public interest?

In answering this question, the applicant refers the honourable Tribunal to the following court case:

LEICESTER PROPERTIES (PTY) vs FARRAM 1976 SA 492 (DCL)

"The court must take a broad common sense view of the position as a whole and it must be considered whether the public would be better served if the applicant were to be allowed to proceed with its scheme than by a continuation of the existing state of affairs"

Although the above case was in connection with rent control, the dictum has been accepted as the correct definition of "public interest" as contained in the Liquor Act (see also Maharaj v Chairman, Liquor Tribunal, 1997 (1) SA273).

"Public Interest" is something which would better serve the public than when it would not be present or available.

"Public", it is submitted, is not necessarily the public at large in a province, a district or even a town. It can be defined as a logical perception of a group of people who will utilize a facility because of its locality (convenience) within their sphere of economic and social behaviour.

It is submitted that the yardstick to be applied to "public interest" is in fact unquestionably that laid down in the Leicester case referred to above.

7.4.2 Public interest in this application

Therefore the "public interest" in this case would pertain to the members and guests of the Applicant who would want to buy liquor of their choice while enjoying a meal.

It would be convenient and the said members will not have to drive to another club or other licensed premises to enjoy the facilities the applicant can offer.

7.4.3 "Public Interest" and Over-trading

The applicant acknowledges the fact that over-trading can lead to offensive business practices. However, unless there is proof and it is subjectively clear from the substantial evidence that a further licence will lead to malpractice and illegal behaviour, which will detrimentally affect the public at large, the licence applied for should be granted.

There is no reason to believe that the public will be negatively affected by the granting of the licence applied for as there is no such a negative effect on any person or body of the general public that may reasonably be foreseen.

7.4.4 "Public Interest" and Free Trade / Competition

Relevant judgement

The following guidelines relating to competition amongst businesses must be taken into account, as stated in by the Honourable Judge Steenkamp in the landmark case of **ASKOBELEGGINS vs CHAIRMAN OF THE LIQUOR TRIBUNAL AND OTHERS 1997 (2) SA 57 (NC)** (our underlining) :

"Gesonde mededinging is die lewensbloed van ekonomiese vooruitgang. Het gewoonlik tot gevolg dat daarmededingende pryse 'n beter diensaan die gemeenskap verskaf word. Dit is die openbare belang dat daargesondemededinging bestaan aangesien die gemeenskap daardeur slegs bevoordeel kan word. Hiermee wil ek nie voorgee dat oorvoorsiening nie 'n faktor is wat by 'n aansoek van hierde aard in ag geneem moet word nie, maar prysoorloë is gewoonlik in die guns van die gemeenskappe wat my betref. moel daar buitengewone omstandighede bestaan alvorens gesonde mededinging nie in die openbare belang sal wees nie. Daar bestaan geen ekonomiese redes waarom bestaande drankwinkels teen mededinging beskerm moet word on sodanige beskerming kan selde in die openbare belang woes." Dit maak egter ekonomiese sin om mededingende drankwinkels in dieselfde omgewing te hê.

Dit kan slegs tot laer pryse en beter diens lei wat weer in die belang van die gemeenskap sal wees en in die openbare belang sal wees."

The applicant is of the opinion that the abovementioned show that the granting of the licence applied for, will lead to greater competitiveness amongst licensed businesses and will result in lower prices, smaller profit margins, increased employment and better service - all factors that will be in the interest of the public.

The Honourable Tribunal is therefore respectfully requested to allow the Applicant an on consumption facility in line with similar facilities granted to numerous other sport clubs on the Cape Peninsula.

9. CONCLUSION

In conclusion, the applicant submits that the abovementioned representation, read with the rest of the application, supports the following conclusion:

- (i) The target market - members of the Applicant, their guests and family members, as well as the aspect of convenience, is of cardinal importance, as those persons have expressed a need to have the use of a licensed, On Consumption facility.
- (ii) The applicant is not disqualified in terms of the Act and is suitable to hold a liquor licence;
- (iii) The premises is suitable, in all respects, to conduct the business to which this application relates as required by the Liquor Act;
- (iv) The applicant, as the lessee, has the right of occupation of the premises.
- (v) The applicant's business will not generate noise levels or other consequence which might cause a nuisance to neighbours.
- (vi) The applicant's business will not contribute to crime or place the safety of patrons in jeopardy.
- (vii) The approval of the application will not have any significant impact on traffic and sufficient parking is available.
- (viii) The granting of the licence herewith applied for would be to the advantage of and in the interest of the public;
- (ix) The aspect of convenience should be decisive to determine where the public interest lies;
- (x) The property and premises is zoned to allow the business activity of the applicant;
- (xi) It is in the public interest to allow businesses to compete, which will be the result of the approval of this application;

The applicant respectfully requests the Honourable Tribunal to consider this application favourably.



**SECTION 37(2) NOTICE
[Form 6) & COLOUR
PHOTOS OF DISPLAY**

SECTION 37 NOTICES



SECTION 37 NOTICES – Close up



SECTION 37 NOTICES – Further Away

G1

**PROOF OF OWNERSHIP
OF PREMISES**

ERF 321, PINELANDS (CAPE TOWN)

Deeds Office Property Erf

Search Information

Summary	
Search Type	DEEDSOFFICE PROPERTY ERF
Search Description	ERF 321, PINELANDS (CAPE TOWN)
Reference	LIQ LIC APPL
Date	25/09/2016

Erf Information

Summary	
Deeds Office	CAPE TOWN
Property Type	ERF
Municipality	CITY OF CAPE TOWN
Province	WESTERN CAPE
Township	PINELANDS
Erf Number	321
Section Number	0 (REMAINING EXTENT)
Registration Division	NOT AVAILABLE
Previous Description	-
Diagram Deed	TB452/1930
Size	10 8746 H
LPI Code	CD16004600000321D0000
Street Address	-

Owner Summary

Owner Name	ID / Reg. Number	Purchase Price	Purchase Date
CITY OF CAPE TOWN	-	R VESTING	UNKNOWN

Owner Information

Owner 1 of 1	
Owner Type	COMPANY
Owner Name	CITY OF CAPE TOWN
ID / Reg. Number	-
Title Deed	TB7476/2004
Registration Date	06/10/2004
Purchase Price	R VESTING
Multiple Owners	NO
Multiple Properties	NO
Share	-
Purchase Date	UNKNOWN
Microfilm Reference No.	2004 1146 2345

Endowment(s)

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TP17Q	-	500-511,657-664	R UNKNOWN
TP9R	-	456-527	R UNKNOWN

History Information

Document Number	Microfilm Ref. Number	Owner	Value
TB7476/2004	2004 1146 2345	-	R UNKNOWN
TB452/1930	-	GARDEN CITIES	R UNKNOWN

G2

**PROOF OF RIGHT OF
OCCUPATION - COPY OF
LEASE AGREEMENT**

H1

**APPLICANT'S
CONSTITUTION**

CONSTITUTION OF PINELANDS ATHLETIC CLUB
(Established 1937)

1 ESTABLISHMENT

- 1.1 It is recorded that Pinelands Athletic was founded in 1937.
- 1.2 The separate corporate existence of the Club is hereby confirmed.
- 1.3 The Club shall be a separate body corporate with perpetual existence, shall be capable of suing and being sued, owning immovable property and otherwise acquiring all rights and incurring all obligations in its own name and as a separate juristic person, subject only to the provisions of this Constitution.

2 NAME

- 2.1 The name of the Club shall be "Pinelands Athletic Club".
- 2.2 The name of the Club may be changed to reflect any change in the Club's principal sponsor by a majority decision at the annual general meeting of the Club to be held in accordance with the provisions of clause 8 below ("the Annual General Meeting").

3 PRESIDENT

- 3.1 The Club shall elect a President at each Annual General Meeting. Candidates for election to this office shall be called for from the floor, provided that each candidate is a member of the Club and has been continuously active as a competitor, official or administrator of the Club for not less than 5 (five) years, and is nominated and seconded by existing members.
- 3.2 The President shall hold office until the next following Annual General Meeting and may be invited to attend meetings of the Committee, but shall not have any vote thereat.
- 3.3 The President shall be entitled to all the privileges of membership of the Club during his term of office, and shall not be required to pay any administration fees and/or annual membership subscriptions, but will however still be liable for the annual WPA licence fee. On termination of his office, the member shall once again be liable for all such fees and subscriptions.

4 ADMINISTRATION

- 4.1 The administration and management of the Club shall be vested in a committee ("the Committee"), which shall be elected annually at the Annual General Meeting, and shall consist of the following office-bearers:
 - 4.1.1 the Club Chairperson
 - 4.1.2 the Club Secretary
 - 4.1.3 the Club Treasurer
 - 4.1.4 such number of additional members (minimum of five but not exceeding ten) as shall be approved of by the Annual General Meeting.
- 4.2 The portfolios and responsibilities of the additional members shall be as nominated by the Committee.
- 4.3 The Committee shall meet not less than once a month. A quorum for the conduct of business at any meeting of the Committee shall be one half the members of the Committee from time to time.

- 4.4 Decisions at a Committee meeting shall be taken by a majority vote. The Chairperson shall have a casting vote in the event of a deadlock.
- 4.5 The Committee shall frame by-laws in respect of the day-to-day administration and management of the affairs of the Club, and shall further be entitled to fill vacancies on the Committee. All by-laws in terms of this clause 4 shall remain in force until the next following Annual General Meeting and shall be subject to ratification thereat.
- 4.6 A member of the Committee shall hold office until the next following Annual General Meeting unless he or she resigns, or is absent from three consecutive meetings of the Committee without a valid excuse, in which event he or she shall be deemed to have vacated his or her office.

5 MEMBERSHIP

- 5.1 Membership of the Club shall be open to all amateur athletes, as determined in accordance with the rules of Athletics South Africa ("ASA") from time to time. Each applicant for membership of the Club shall sign a declaration confirming his amateur status in such form as may be prescribed by ASA from time to time. (To be guided by the WPA Constitution).
- 5.2 Completion of the WPA Registration form also constitutes application as a member of the Club, subject to any bye-laws in place.
- 5.3 Each person applying for new membership to the Club shall pay an administration fee upon entry, and shall further pay the annual membership subscriptions determined in accordance with clause 8 below.
- 5.4 Membership must be renewed annually. Any person failing to pay the annual membership subscription on or before 1 March in any calendar year, his/her membership shall automatically lapse. An administration fee shall be payable upon any application by such member for re-admission to the Club.
- 5.5 The Committee shall be entitled to frame and propose a disciplinary code and code of conduct for members of the Club, which code shall be subject to approval at an Annual General Meeting. Any member failing to comply with the said code shall be subject to the disciplinary procedures set out in such code.

Disciplinary code as was approved in the AGM of 2014 as follows:

Club members shall conduct themselves in an orderly manner while representing the club both on and off the road. Any club member found guilty of assaulting, harassing or interfering or being abusive to another club member, or bringing the club into disrepute, may be expelled, suspended or fined. Every member of the Club shall be subject to the disciplinary code.

Any complaints must be made in writing, stating full details of the complaint and handed to the club secretary or the chairman should the secretary be involved. The secretary will hand the complaint to the disciplinary committee. The disciplinary committee shall consist of three club members each with five years membership and will be chaired by the Club President. Such appointments could be made at the AGM or by the committee should the meeting agree. This committee will investigate the matter and depending on its seriousness, decide what action should be taken. Records will be kept which the secretary will keep on file.

Should the matter not be resolved it may be referred to the disciplinary committee of WPA.

(Proposed and accepted at the AGM 20th November 2014)

5.6

The members of the Committee shall be indemnified by the Club against all claims and demands of whatsoever nature that may be made upon them arising out of the exercise or purported exercise of any of the powers conferred upon them by this Constitution.

- 5.7 Social membership shall be open to all who are not intent on obtaining a WPA licence as yet on payment of the annual fee as determined by the committee. Social members shall have full voting rights on any club matters and may participate in the Club's Annual General Meeting, provided he/she is not a member of another club affiliated to WPA, and may apply to become a fully paid-up member at any time. Social members may partake in organised runs but will need to purchase a temporary licence number and may not run or participate in the club's vest. If during the year they apply to become full club members, they will be required to pay the difference in cost of membership fees and purchase a WPA licence.

6 VICE PRESIDENTS

- 6.1 The Club may, at each Annual General Meeting, appoint such number of Vice Presidents as may be decided upon at that meeting, after approval by the Committee.
- 6.2 The term of office of each Vice President shall be 1 (one) year, and shall terminate at the next following Annual General Meeting of the Club.
- 6.3 A Vice President shall be entitled to all the privileges of membership of the Club during his/her term of office, and shall not be required to pay any administration fees and/or annual membership subscriptions. On termination of his/her office, the member shall once again be liable for all such fees and subscriptions.
- 6.4 The office of the Vice President is a prestigious appointment, to be given only to members who, in the opinion of the Committee are of suitable stature, has been continuously active as a competitor, official or administrator of the Club for not less than 7 (seven) years, have set a standard which is higher than that normally expected of a person in this position, and have set an outstanding example to other members of the Club.
- 6.5 For the avoidance of doubt, it is recorded that the offices referred to herein are of a ceremonial nature only, and the bearers thereof shall not have any administrative or executive authority in respect of the business of the Club.

7 LIFE MEMBERSHIP

- 7.1 Any person who, in the opinion of the Committee has rendered special service to the Club, or to the amateur athletic world and who has been a member of the Club for a period of at least 10 years, may be elected to honorary life membership. The election shall be by vote of the Committee, and shall be referred to the next Annual General Meeting of the Club for approval. Honorary life membership shall commence at the close of the Annual General Meeting at which the election is approved.
- 7.2 The maximum number of life members of the Club shall be determined by the Annual General Meeting from time to time.
- 7.3 Honorary life members of the Club shall be entitled to all the privileges of membership of the Club, but shall not be required to pay any administration fees and/or annual membership subscriptions.

8 ANNUAL GENERAL MEETING

- 8.1 The Annual General Meeting shall be held in November of each calendar year, upon twenty-one day's notice being given to members thereof.

- 8.2 The quorum for an Annual General Meeting shall be not less than 15% or 24, whichever is the lesser, of the registered membership of the Club from time to time. If at any Annual General Meeting the requisite quorum is not present, the meeting shall stand adjourned for a period of twenty-one days, and the Secretary shall give notice of the re-convened meeting. The number of members present at the re-convened meeting shall constitute a sufficient quorum for all purposes.
- 8.3 All members of the Club over the age of sixteen years shall be entitled to vote at an Annual General Meeting.
- 8.4 The business of the Annual General Meeting shall be to deal with all of the matters entrusted to it in terms of this constitution, and further to consider such other matters as may have been placed on the agenda thereof at the written request of any member and are provided to the Secretary not less than fourteen days prior to the Annual General Meeting.
- 8.5 Without limiting the generality of clause 8.4, the Annual General Meeting shall determine the annual subscription and administration fees payable by members of the club.
- 8.6 Decisions of the Annual General Meeting shall be taken by majority vote.
- 8.7 The President for the time being, or in his absence, one of the Vice Presidents nominated by the Committee shall act as Chairperson at the Annual General Meeting. In the absence of the President or any Vice President, a Chairman shall be elected from those members of the Committee present at the meeting, by a majority vote of all members present thereat. Should no member of the Committee be present, the Chairman shall be appointed from amongst the members themselves, by a majority vote.

9 SPECIAL GENERAL MEETING

- 9.1 A special general meeting of the Club shall be held:
- 9.1.1 upon receipt by the Secretary of a requisition in writing from not less than seven members of the Club requesting such meeting, and indicating the matters to be raised thereat; or
- 9.1.2 upon being called by the Committee, and upon the Secretary providing each member of the Club not less than twenty-one days' notice of such meeting.
- 9.2 The provisions of clause 8 shall apply, *mutatis mutandis*, to a special general meeting.

10 FINANCES

- 10.1 The financial year of the Club shall be 1 October to 30 September in the following year.
- 10.2 The funds of the Club shall be deposited in an account in the name of the Club with a registered financial institution, and shall be administered by the Committee in accordance with the following provisions:
- 10.2.1 All payments shall be approved by the Committee;
- 10.2.2 All withdrawal of funds / Payments greater than R10, 000 to agreed to by prior to payment by two of Chairman, Treasurer and Secretary. (Excludes transfers between Current account and Call Deposit account.) Payments below this threshold can be ratified retrospectively by the committee on presentation of monthly Income and Expense Schedule.
- 10.2.3 Any ad-hoc Capital Expenditure in excess of R10, 000 needs to be approved by the Committee subject to receipt of at least two suitable quotations.

- 10.2.4 Payments may be made via Electronic Fund Transfer (EFT) / cheque / cash.
- 10.3 The Committee shall approve a budget for each major event organised and/or presented by the Club, and shall for this purpose be entitled to authorise the organiser of the said event to make payments and withdrawals on behalf of the Club, subject to such conditions as may be determined by the Committee.
- 10.4 The annual financial statements of the Club shall be prepared and audited, and presented to the Annual General Meeting for its approval.

11. CLUB COLOURS

- 11.1 The colours of the Club shall be dark blue (navy blue), light blue and orange, consisting of light blue shorts, dark blue vests and orange wings. Deviations must be approved by the Committee.
- 11.2 The colours of the Club may, subject to the approval of Western Province Athletics, be changed by an Annual General Meeting.

12. AMENDMENTS TO THE CONSTITUTION

- 12.1 This constitution shall be capable only of amendment by a majority vote of not less than two-thirds of all the members of the Club present and entitled to vote at an Annual General Meeting or at a Special General Meeting called for this purpose.
- 12.2 All proposed amendments to this constitution shall be notified to the members not less than 21 (twenty-one) days prior to the Annual General Meeting or Special General Meeting concerned.

.....
CHAIRMAN

.....
PRESIDENT

H2

**COPY OF IDENTITY
DOCUMENTS OF
MANAGEMENT COMMITTEE**

REPUBLIC OF SOUTH AFRICA

RSC 73260 216
201492115 0328

360000

WENDAL
SMITH, W

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360000
360000
360000
360000

PERSONAL PARTICULARS

Changes to the personal particulars of the D Book must be communicated to the relevant parties.

NOTICE OF CHANGE OF ADDRESS

Use the NOTICE OF CHANGE OF ADDRESS form in this pocket to advise of a change of address or a change in particular of your present address, e.g. name of street and/or suburb etc.

Send to the nearest District Office of the DEPARTMENT OF HOME AFFAIRS

I.D. No. 680215 5063 087



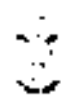
S.AFRICA

SURNAME
SMITH



FORE NAMES
WENDAL EDWARD

COUNTRY OF BIRTH
SOUTH AFRICA



DATE OF BIRTH
1968-02-15

DATE ISSUED
2012-12-21



ISSUED BY AUTHORITY OF
THE DIRECTOR-GENERAL
HOME AFFAIRS

GEFEGOSTREKKE WOON- EN POSADRES

1. Behou die bewys van u GEFEGOSTREKKE WOON- EN POSADRES in hierdie sakke

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, byvoorbeeld u adres-nommer, oms. verander het, moet die vorm KENNEDERING VAN ADRESVERANDERING, wat in die sakke agter in die identiteitsdokument is, gebruik word om die verandering aan te meld. Dit moet de ege aan word by of gepos word aan die Eerste Streeklidkantoor van die DEPARTMENT VAN ERRELANDSE SAKKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this packet.

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 packet at the back of the identity document must be used to report the change and it must be handed in, or posted to the nearest regional district office of the DEPARTMENT OF HOME AFFAIRS.

I.D. No. 780811 0132 08 0



S. A. BURGER/S. A. CITIZEN

MANSLYFNAME
CARELSE

VOORNAM/FORENAME
ARLENE FRANCES

GEBOORTEDISTRIK OF LAND
DISTRICT OF COUNTRY OF BIRTH

SOUTH AFRICA

GEBOORTEDATUM
DATE OF BIRTH

1978-08-11

DAATUM UITGEREK
DATE ISSUED

2008-10-14



STIGHEM BY BAKKE VAN DIE
SUIDAFRIKAANSE
SOSIALE SAKKE

WINKEL VAN WINKEL VAN DIE
SUIDAFRIKAANSE
SOSIALE SAKKE

CEPREGISTREERDE WOOŊ EN POSTADRES

1. Breek de klem met de CEPREGISTREERDE WOOŊ EN POSTADRES in beide kanten.
2. Indien u een adres veranderd het, of indien de woonplaats van u huidige adres, in verandering komt, moet u een verandering aangeven in de klem met de CEPREGISTREERDE WOOŊ EN POSTADRES, met in de klem tegevoegd de verandering van het adres. Het is van belang dat u de verandering van het adres aangeeft bij de afdeling van de klem met de CEPREGISTREERDE WOOŊ EN POSTADRES.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the clasp of the REGISTERED RESIDENTIAL AND POSTAL ADDRESS in the clasp.
2. If you have changed your address, or if particulars of your present address, such as street and postal street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the clasp document must be used to report the change and it must be handed in at or posted to the nearest regional district office of the DEPARTMENT OF HOME AFFAIRS.

I.D.No. 680807 5476 08 5



S.A. BURGER/S.A. CITIZEN

VAN-NAAM

REISSENZAIN

VOORNAAM/FORENAME

JIRI ZDENEK

GEBOORTETITEL OF LAND/
DISTRICT OR COUNTRY OF BIRTH

CZECHOSLOVAKIA

GEBOORTEDATUM/
DATE OF BIRTH

1968-08-07



DATUM WETenskap
DATE ISSUED

1999-06-23

SIEMENS OF BRONK VAN DIE
SIEMENS OF BRONK
SIEMENS OF BRONK

ISSUED BY AUTHORITY OF THE
DIRECTOR GENERAL
1999-06-23

REGISTERED HOME ADDRESS INFORMATION

1. Please fill in the correct REGISTERED HOME ADDRESS INFORMATION

2. If you have changed your address or if you wish to change your present address (e.g. name of street and house number, etc.), have been of using the NOTICE OF CHANGE OF ADDRESS form in the past. If the back of the document must be used to report the change and it must be handed in to the nearest police station or the DEPARTMENT OF HOME AFFAIRS

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Fill in the correct REGISTERED RESIDENTIAL AND POSTAL ADDRESS

2. If you have changed your address or if you wish to change your present address (e.g. name of street and house number, etc.), have been of using the NOTICE OF CHANGE OF ADDRESS form in the past. If the back of the document must be used to report the change and it must be handed in to the nearest police station or the DEPARTMENT OF HOME AFFAIRS

I.D.No. 530916 5102 08 8



S.A. BURGER/S. A. CITIZEN

NAME/SURNAMES

SCHNEHAGE

FORNAMES/FORENAMES

CHRISTOPHER WILLIAM

COUNTRY/DISTRICT OR COUNTRY OF BIRTH

SOUTH AFRICA

COUNTRY/DATE OF BIRTH

1953-09-16



DAY/MONTH/YEAR DATE ISSUED

1998-06-30

SYSTEMS OF RECORDS AND INFORMATION SERVICES
PERMANENT NAME

ISSUED BY AUTHORITY OF THE DIRECTOR GENERAL
HOME AFFAIRS



REPUBLIC OF SOUTH AFRICA
NATIONAL IDENTITY CARD

NAME

JAMES

KAARE

SEX

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ISSUE DATE

15 AUG 1943

ISSUE NO

450004 000404

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15 AUG 1943

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RESOLUTION



RESOLUTION

EXTRACTS FROM MINUTES OF A MEETING OF THE COMMITTEE OF THE PINELANDS ATHLETIC CLUB (the "Club") HELD AT CAPE TOWN ON 22 AUGUST 2016

PRESENT:

1. WENDAL EDWARD SMITH (Identity Number 680215 5063 087)(Chairperson)
2. ARLENE FRANCES CARELSE (Identity Number 780811 01332 080)(Secretary)
3. JIRI ZDENEK REISSENZAHN (Identity Number 680807 5476 085)(Treasurer)

RESOLVED THAT:

1. The Club submits the following applications to the Western Cape Liquor Authority in terms of the Western Cape Liquor Act (No 4 of 2008) :

1.1 In terms of Section 36 : For a permanent, On Consumption liquor licence in terms of Section 36 of the Act for the premises described as remainder Erf 321, situated in the Municipality and Division of Cape Town, also known as The Oval, Forrest Drive Service Road, Pinelands, Cape Town, Western Cape Province, which premises is indicated as a clubhouse premises on Annexure A, attached to the aforementioned application;

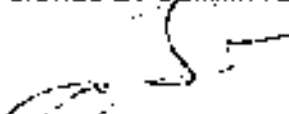
1.2 In terms of Section 52 – For the appointment of the nominated manager, James Kaare (Identity Number 430806 5035 084) to manage the proposed premises in terms of the licence conditions imposed.

2. The Licence Co (LiquorWise Division), represented by Hans Jurie Zetsman, be authorised to attend to the said liquor licence applications on behalf of the club (including the signing of all forms, such as application forms), the annual renewal of the liquor licence and all matters relating to such applications.

3. Wendal Edward Smith (Identity Number 680215 5063 087) be authorised to sign all documents and commit all acts necessary to give effect to this resolution, including a power of attorney to The Licence Co (LiquorWise Division)..

Certified a true extract


SIGNED BY COMMITTEE MEMBERS:



WENDAL EDWARD SMITH



ARLENE FRANCES CARELSE



JIRI ZDENEK REISSENZAHN





POWER OF ATTORNEY

POWER OF ATTORNEY

APPLICANT NAME : PINELANDS ATHLETIC CLUB (the "Club")
ADDRESS : The Oval, Forrest Drive Service Road, Pinelands, Cape Town, Western Cape, (Hereinafter Referred To As The "Applicant")

represented by :

NAME : WENDAL EDWARD SMITH
IDENTITY NO : 680215 5083 087

In his capacity as the chairperson of the applicant, duly authorised, of the address mentioned above, which address the Applicant chooses as its domicilium citandi et executandi for purposes hereof,

do hereby nominate, constitute and appoint :

THE LICENCE CO (Liquor Wine Division) ("TLC")
(represented by Hans Jurle Zietsman and/or Adriaan Johan Hofmeyr)

with power of substitution, to be its lawful agent and in its name, place and stead to prepare and submit the following applications to the Western Cape Liquor Authority in terms of the Western Cape Liquor Act (No 4 of 2006) :

1.1 In terms of Section 38 : For a permanent, On Consumption liquor licence in terms of Section 36 of the Act for the premises described as remainder Erf 321, situated in the Municipality and Division of Cape Town, also known as The Oval, Forrest Drive Service Road, Pinelands, Cape Town, Western Cape Province, which premises is indicated as a clubhouse premises on Annexure A, attached to the aforementioned application;

1.2 In terms of Section 52 – For the appointment of the nominated manager, James Kaare (Identity Number 430606 5035 084) to manage the proposed premises in terms of the licence conditions imposed.

and including, but not limited to, initiating and responding to all correspondence, making any oral presentation and/or payment on its behalf, all attendances at and in the presence of the Designated Liquor Officer, Liquor Inspector, Local Authority, Liquor Authority, requesting and collecting all documents which may be required from third parties (i.e accountants) and all that TLC, in its sole discretion deems necessary, withdrawing any or all of the Applicant's applications if fees due to TLC remain outstanding and generally for effecting the purposes aforesaid, to do whatsoever shall be requisite as fully and effectually, to all intents and purposes as it might or could do, if represented by its employees and acting therein; hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever TLC, shall in its name lawfully do or cause to be done, by virtue of the abovementioned.

Signed at Cape Town on 22 August 2016


For APPLICANT, duly authorised





MEDIA & BACKGROUND



IN TOUCH

NEWSLETTER OF THE PINELANDS ATHLETIC CLUB

April/May/June 2016

It's done and dusted - the Two Oceans and the Comrades. The happy stories and the not so happy stories are over and just about forgotten. Congratulations to all who finished the Oceans Ultra and half and the Comrades within the time limits. The novices in both events put in many hours to achieve their goals. Two Oceans next year is on 15 April, there have been rumours of changes to this event but as yet nothing has been confirmed. There is a rumour that Comrades will be another "down run" next year, the date is 4 June.

And now - we move on! What is next?

We have a few members heading off to Mauritius in July for the marathon and half marathon which sounds very exciting. July 31 is the McKenna Scott 10km in Pinelands which the club organizes. (Hopefully your name is down to assist!) Then it is the "Puffer" - a trail run over the mountains between Cape Point and Granger Bay (next to the Waterfront) a distance of about 80km. Every year Pinelands has about five or six doing this very challenging run. The club also has a water station along the route providing much needed refreshments. It is also a chance to come and support your fellow club mates and other runners.

There are a few runs which will attract some club members. There is the Orak 12 hour on 2 July in Vredendal (running around a grass track for 12 hours). The John Korasie 30km on 14 August is popular with club members although it is up and over Red Hill in Simon's Town.

The Satorf Camel 16km in Noordhoek is very popular (11 Sept.) You need to get in early as entries are limited which get snapped up very quickly.

Then it is the Cape Town Marathon 42.2km (18 Sept.) - many club members are preparing themselves for this. The club has a training program for club members to follow not only for those who want to break 5 hours but for first time marathon runners as well. To qualify for Two Oceans Ultra and Comrades you need to run the marathon in under 5 hours.

The Cape Town Marathon is ideal for those wanting to run a PB, to qualify and the first timer, as it is a flat run but this means that you put your head down and work. One consolation is a generous cut-off of 7 hours. Entry forms are available at the club. Entries close 5 Sept.

See YOU on the road !!
The Editor



Elena Meyer with club members



PINELANDS ATHLETIC CLUB

PO Box 33, Howard Place, 7450

www.pinelandsathleticclub.co.za

<https://www.facebook.com/PinelandsAC/>

Editor: Koore James 0724448082 - 021-5316928

e-mail: jamesmk@iburst.co.za



CHAIRMAN'S CHAT

I congratulate all our members who completed the Two Oceans, whether it was in the Half Marathon or the Ultra, well done you did the club and yourself proud. To all our members that lined up for Comrades Marathon and those who attempted the grueling 89Km for the first time, well done whether you finished or not, you are all winners in my eyes, you gave it your best.

Once again reminder that winter is here and it is dark out there, please wear light colour clothing and reflector gear so that you can be visible at all times to motorists, you might see them but chances are they might not see you, there are still runners that wear clothing that is too dark.

Next on the calendar is our McKenna & Scott 10km race at the end of July and I once again appeal to all club members to avail themselves to come and assist, we are going to need extra helpers so please add your name to the lists if you have not done so by now.

The X-Country is currently on a break although WPA has introduced a Winter Series it doesn't count towards the Incentive. With two cross country meetings left there are about 50 who could qualify for the cross country incentives. BUT you must also run in the WP Cross Country Champs!

Good luck to those of you that are starting to prepare for the Cape Town Marathon and may you all stay injury free.

Please watch the weekly diary for upcoming Social Events.

That's it for now, enjoy your running and see you on the road.

Cheers WENDAL

McKenna Scott

EXCLUSIVE

PINELANDS

On Sunday 31 July is the McKenna Scott 10km and 5km (fun run) which is organized by the club. The route is through certain roads in Pinelands which is a flat course. The start is in Uitvlugt, the finish is in front of the club on the lower Oval.

Last year there were just on 1500 finishers, this year we anticipate a much bigger turnout. Therefore, we need to be prepared, which means that we require your assistance. Marshals, water tables, registration, setting up the start and finish. The finish is set up on the Saturday late afternoon.

Then there is the clearing up after the event, here help is also required.

On Wednesday 27 July at 18h00 there will be a "helpers run" over the 10km route for those who will be assisting on the Sunday.

Hopefully many of the club's newer members will come forward and assist in one of the areas. This gives the newer member a chance to meet other club members and to see how the club organizes an event like the McKenna Scott.

Dion Stevens is the "race organiser" please contact him if you are available, or send your name to the editor who will give your name to the person in charge of one of the areas. dionstevens@gmail.com

Bread Tags



If you are throwing these little white tags away, Don't! Bring them to the club and place them in the box provided. These tags found on the bread packets are a means of raising funds for the disabled.



**PROOF OF PAYMENT OF
PRESCRIBED FEE TO
LIQUOR AUTHORITY**



Date 16/08/2016 Time 7:37 AM

From account details:	CURRENT
My statement description:	Liquor Wise
Beneficiary statement description:	PACSec38TLC
To account number:	1452069883
Amount	1.250 00
Payment date:	16/08/2016
Reference number:	20160816/NEDBANK001169068261

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



ZONING CERTIFICATE



01 September 2016
To whom it may concern

ZONING SCHEME EXTRACT
City of Cape Town Municipal Planning By-Law, 2015

On the date reflected above, the City's records indicated the property(ies) listed below to be zoned for the following purposes:

Property description	Erf 321-RE, PINELANDS
Physical address	51 STEPHENS ROAD
Base zoning	Transport 2: Public Road and Public Parking
Subzoning (if any)	OS2&TR2
Overlay zoning (if applicable)	Heritage Overlay Zone
Primary land uses permitted	See Attached
Other previously approved use rights (if any)	N/A
Road widening / new road schemes (if any)	N/A

The following must be noted when reading the zoning extract:

- The above zoning is subject to various development parameters and land use restrictions which are contained in the Development Management Scheme, a copy of which is either attached or available on request at your nearest district planning office.
- This document is provided for information purposes only.
- It is further noted that the above information doesn't necessarily include reference to all previous land use approvals, restrictions, exclusions, departures or may not reflect lapsing of approvals. The reader is advised to also check the records of any other previous approvals, consents, exclusions, departures granted from the previous zoning scheme regulations or current development management scheme or whether an approval not exercised has lapsed as well as the title deed for other restrictions that might impact on the development of the property.
- Use of the property in accordance with the above specified zoning does not exempt the owner/occupier from compliance with any other legal or statutory requirement affecting the property.

Yours faithfully

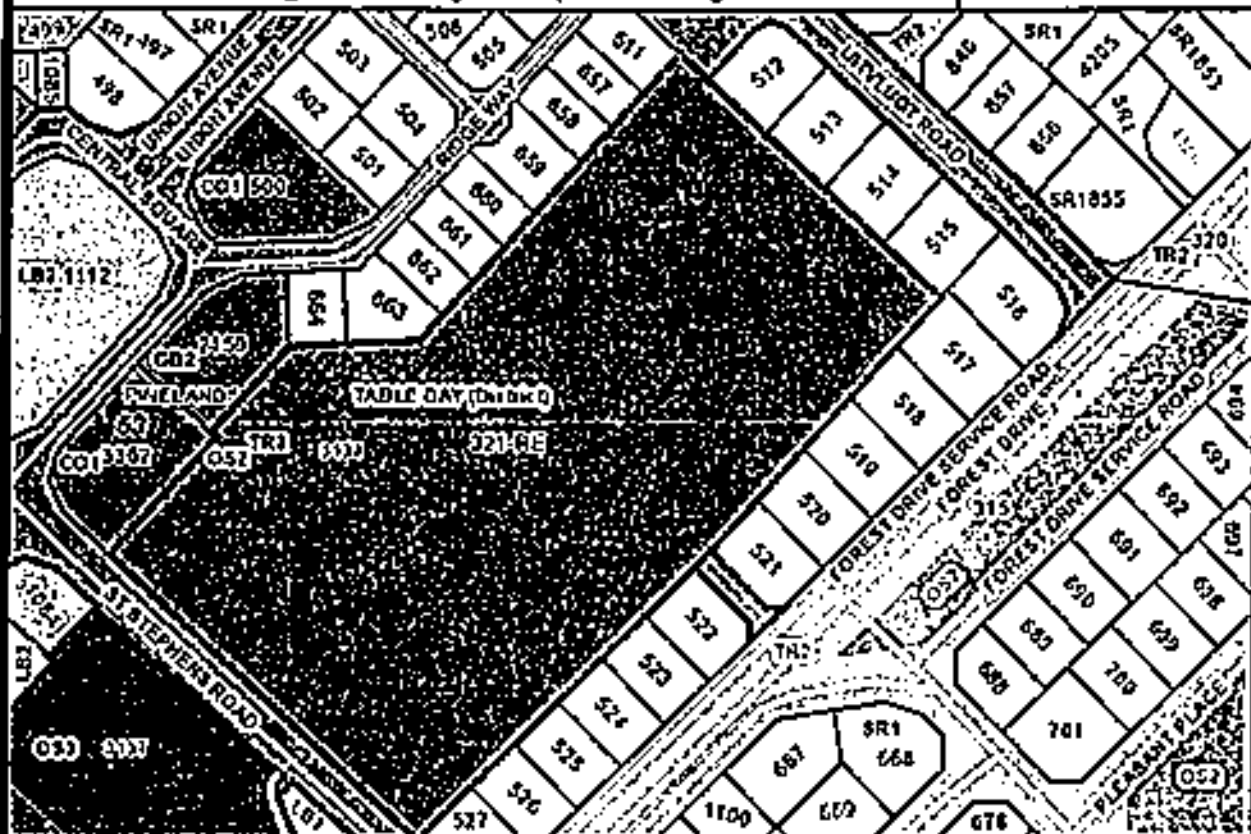
 for DIRECTOR: PLANNING & BUILDING DEVELOPMENT MANAGEMENT

TABLE BAY DISTRICT, MEDIA CITY BUILDING
2ND FLOOR, 648 ADDERLEY STREET AND HEFTOG BOULEVARD, CAPE TOWN 8001, PO BOX 4579
www.capetown.gov.za

Making progress possible. Together.

ZONING MAP
 Planning and Building Development Management

ANNEXURE :



Zoning Legend

Open Space 2 - Public Open Space		OS2
Single Residential 1 - Conventional Housing		SR1
General Residential 1 - Group Housing		GR1
Transport 2 - Public Road and Public Parking		TR2
General Residential 2		GR2
Community 1 - Local		CO1
General Business 1		GB1
Local Business 2 - Local Business		LB2
Local Business 1 - Business Interface		LB1
Community 2 - Regional		CO2
Utility		UT
General Business 2		GB2
Open Space 3 - Special Open Space		OS3

EA 2214RE 3139 ANNEXURE 1: PAVELANDS
 DWK 2214RE 3139 SOUTH PAVELANDS
 YARD 33 SA Council Section 116



1:2 900

Disclaimer: The City of Cape Town makes no warranties as to the correctness of the information supplied. Persons relying on this information do so entirely at their own risk. The City of Cape Town will not be liable for any claims whatsoever, whether for damages or otherwise, which may arise as a result of inaccuracies in the information supplied.

Generated by:

Date: 01 September 2016

File Reference:



CITY OF CAPE TOWN
ISIKEKO SASEKAPA
STAD KAAPSTAD

Making progress with you

UTILITY, TRANSPORT AND NATIONAL PORT ZONINGS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE BASE LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundary		
UTILITY ZONING (UT) PRIMARY USES Utility services, authority use, rooftop base telecommunication station and freestanding base telecommunication station CONSENT USES Cemetery, informal trading, funeral parlour, crematorium, urban agriculture, sport and leisure infrastructure and freestanding pad	As determined by a site development plan (Refer to item 82)						
TRANSPORT ZONING 1 - TRANSPORT USE (TR1) PRIMARY USES Transport use, multiple parking garage, vehicle service warehouse, rooftop base telecommunication station and container site CONSENT USES Business premises, farm, place of assembly, place of entertainment, hotel, conference centre, service station, motor repair garage, service station, freestanding base telecommunication station, and leisure infrastructure, sport recreation, freestanding pad, informal trading, industry and/or and underground rights	2.0	75%	12.0m for stacked shipping containers 18.0m for any other building	0.0m	2.0m	4.0	Planning and access Service station and motor repair garage Informal trading Air and underground rights
TRANSPORT ZONING 2, PUBLIC ROAD AND PUBLIC PARKING (TR2) PRIMARY USES Public street, public road and vehicle service CONSENT USES Multiple parking garage, informal trading, and leisure infrastructure and/or and underground rights	As determined by a site development plan (Refer to item 83)						Covered zoning Control, use and disposal of material Air and underground rights Paved public street, street widening and street closure Informal trading
NATIONAL PORT ZONING (NPZ) PRIMARY USES Land uses as set out in an approved Port development framework plan CONSENT USES None	As determined by an approved Port development framework plan (Refer to item 84)						Deemed zoning Deemed zoning of land transferred to National Ports Authority

- (d) An agreement defining the extent of rights, time period, compensation, ownership and maintenance obligations relating to the property is concluded between the parties concerned and is approved by the City; and
- (e) A servitude in respect of the air or underground rights is registered over the concerned land.

Part 3: Transport Zoning 2: Public road and public parking (TR2)

The TR2 zoning provides for public streets and roads, whether constructed or still to be constructed, as well as premises for the public parking of operable motor vehicles. Such parking may be provided in buildings or open parking areas, with or without the payment of a fee, in order to address the need for off-site parking. On-site parking for a permitted activity in any zoning is considered to be an associated use and do not represent a separate use category that requires separate zoning or approval.

88 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are public street, public road and utility service.
- (b) Consent uses are informal trading, multiple parking garage, wind turbine infrastructure and air and underground rights.

89 Development rules

The following development rules apply:

- (a) The City may require a site development plan for a primary use, and shall require a site development plan for a consent use application.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use if applicable, and a consent use.
- (c) The provisions for a site development plan in item 124 shall apply.

90 Construction and deposit of materials

No person shall:

- (a) construct a private crossing, bridge or culvert onto, under or across a public street;
- (b) construct or lay a sidewalk on a public street;
- (c) construct a verandah, stoep, wall, steps or other projection in or over a public street;
- (d) deposit or leave any goods, articles, building materials or waste in a public street or road reserve other than for a reasonable period during the course of loading, off-loading or removal thereof,

except in accordance with and after the City has given its approval.

91 Air and underground rights

The City may approve a consent use for air or underground rights provided that:

- (a) a site development plan is submitted to the City's satisfaction in terms of item 124;
- (b) the City is satisfied that structural components, clearance and operational characteristics are sufficient to ensure safe and efficient operation of streets, roads or parking;
- (c) such consent use does not compromise the intended primary use of the land;
- (d) an agreement defining the extent of rights, time period, compensation, ownership and maintenance obligations relating to the property is concluded between the parties concerned and is approved by the City; and
- (e) a servitude in respect of the air or underground rights is registered over the concerned land.

92 Proposed public street, street widening and street closure

(1) The City may indicate on the zoning map:

- (a) new public streets and public roads which it proposes to establish;
- (b) public streets and public roads which it proposes to widen; and
- (c) public streets and public roads which it proposes to close.

(2) Any indications referred to in sub-item (1) are intended for the information of the public, and to assist the City in achieving its planning and development objectives. The base zoning of the property in question does not change until the new public street, widening or closure has been approved in terms of relevant legislation, and any further legal procedures relating to rezoning have been complied with.

93 Informal trading

Informal trading shall only be permitted on sites demarcated for informal trading in terms of the City's informal trading by-law.

Part 4: National Port Zoning (NP)

The NP zoning is provided as a zoning in which land use within a national port is controlled by an approved port development framework plan.

94 Use of the property

The purposes for which land may be used in this zoning and any possible land use restrictions thereon are as set out in the Port development framework plan, drafted in accordance with the provisions of the National Ports Act, 2005 (Act 12 of 2005).

95 Development rules

Development rules as contained in an approved Port development framework plan.

96 Port development framework plan

This zoning will only apply where an approved Port development framework plan exists which reflects the National Ports Authority's policy for port development and control of land use within such a port.

97 Deemed zoning of land transferred to National Ports Authority

All land that is zoned Transport Zoning 1: Transport Use (TR1) and transferred to the National Ports Authority is deemed to be zoned National Ports Zoning (NP) and therefore subject to the provisions of this zoning.

CHAPTER 12: OPEN SPACE ZONINGS

Different types of open space fulfil different functions. Certain open spaces have particular importance as nature, cultural heritage or environmental areas and a separate zoning facilitates the management of those areas. Within this zoning provision is made for the development of amenities to meet the needs of tourists and visitors. Other open spaces have a more active role in addressing the sporting and recreation needs of the community. Public open space has an important status because of its contribution to the recreation needs of the general public, and the difficulty of replacing public open space once lost. The development management scheme also recognises special areas of open space that are not designated as public open space, but may be privately owned.

OPEN SPACE ZONING	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE BASE LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundaries		
<p>OPEN SPACE ZONING 1: ENVIRONMENTAL CONSERVATION (OS1)</p> <p>PRIMARY USES Environmental conservation use</p> <p>CONSENT USES Harvesting of natural resources, environmental facilities, tourist accommodation, tourist facilities, utility service, rooftop base telecommunication station, freestanding base telecommunication station, and turbine infrastructure and cultural and social ceremonies</p>				As determined by a site development plan (Refer to item 91)			
<p>OPEN SPACE ZONING 2: PUBLIC OPEN SPACE (OS2)</p> <p>PRIMARY USES Public open space and environmental conservation use</p> <p>CONSENT USES Environmental facilities, tourist facilities, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, and turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading, harvesting of natural resources and air and underground rights</p>				As determined by a site development plan (Refer to item 91)		<p>Deemed zoning</p> <p>Construction and deposit of material</p> <p>Air and underground rights</p> <p>Informal trading</p>	
<p>OPEN SPACE ZONING 3: SPECIAL OPEN SPACE (OS3)</p> <p>PRIMARY USES Open space, private uses and environmental conservation use</p> <p>CONSENT USES Environmental facilities, tourist facilities, place of institution, place of assembly, place of entertainment, plant nursery, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, and turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading and harvesting of natural resources</p>				As determined by a site development plan (Refer to item 91)		<p>Approval of consent uses</p> <p>Informal trading</p>	

92 Proposed public street, street widening and street closure

(1) The City may indicate on the zoning map:

- (a) new public streets and public roads which it proposes to establish;
- (b) public streets and public roads which it proposes to widen; and
- (c) public streets and public roads which it proposes to close.

(2) Any indications referred to in sub-item (1) are intended for the information of the public, and to assist the City in achieving its planning and development objectives. The base zoning of the property in question does not change until the new public street, widening or closure has been approved in terms of relevant legislation, and any further legal procedures relating to rezoning have been complied with.

93 Informal trading

Informal trading shall only be permitted on sites demarcated for informal trading in terms of the City's informal trading by-law.

Part 4: National Port Zoning (NP)

The NP zoning is provided as a zoning in which land use within a national port is controlled by an approved port development framework plan.

94 Use of the property

The purposes for which land may be used in this zoning and any possible land use restrictions thereon are as set out in the Port development framework plan, drafted in accordance with the provisions of the National Ports Act, 2005 (Act 12 of 2005).

95 Development rules

Development rules as contained in an approved Port development framework plan.

96 Port development framework plan

This zoning will only apply where an approved Port development framework plan exists which reflects the National Ports Authority's policy for port development and control of land use within such a port.

97 Deemed zoning of land transferred to National Ports Authority

All land that is zoned Transport Zoning 1: Transport Use (TR1) and transferred to the National Ports Authority is deemed to be zoned National Ports Zoning (NP) and therefore subject to the provisions of this zoning.

CHAPTER 12: OPEN SPACE ZONINGS

Different types of open space fulfil different functions. Certain open spaces have particular importance as nature, cultural heritage or environmental areas and a separate zoning facilitates the management of these areas. Within this zoning provision is made for the development of amenities to meet the needs of tourists and visitors. Other open spaces have a more active role in addressing the sporting and recreation needs of the community. Public open space has an important status because of its contribution to the recreation needs of the general public, and the difficulty of replacing public open space once lost. The development management schema also recognises special areas of open space that are not designated as public open space, but may be privately owned.

Part 1: Open Space Zoning 1: Environmental conservation (OS1)

The OS1 zoning provides for the conservation of environmental resources, although cultural heritage resources may also be included. Provision is made for limited, low-impact uses associated with conservation, such as environmental education, associated infrastructure and facilities for tourists and visitors with the approval of the City.

98 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are environmental conservation use.
- (b) Consent uses are harvesting of natural resources, environmental facilities, tourist accommodation, tourist facilities, utility service, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure and cultural and social ceremonies.

99 Development rules

The following development rules apply:

- (a) The City may require a site development plan for a primary use, and shall require a site development plan for a consent use application, as well as for any dwelling house which may be erected as a consequence of rights granted in terms of this By-Law.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use if applicable, and a consent use.
- (c) The provisions for a site development plan in item 124 shall apply.

Part 2: Open Space Zoning 2: Public open space (OS2)

The OS2 zoning provides for active and passive recreational areas on public land, as well as protection of landscape and heritage areas including woodlands, ridges, watercourses, wetlands and the coastline. It is important to recognise the interests of the general public for access to and preservation of public open space.

100 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are public open space and environmental conservation use.
- (b) Consent uses are environmental facilities, tourist facilities, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading, harvesting of natural resources and air and underground rights.

101 Development rules

The following development rules apply:

- (a) The City may require a site development plan for a primary use, and shall require a site development plan for a consent use application.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use if applicable, and a consent use.
- (c) The provisions for a site development plan in item 124 shall apply.

102 Construction and deposit of materials

No person shall

- (a) construct a private crossing, bridge or culvert onto, under or across a public open space,
- (b) construct or lay a sidewalk on a public open space;

- (c) construct a verandah, stoep, wall, steps or other projection in or over a public open space; or
- (d) deposit or leave any goods, articles, building materials or waste in a public open space;

except in accordance with and after the City has given its approval.

103 Air and underground rights

The City may approve a consent use for air or underground rights if:

- (a) Such consent use does not compromise the intended primary use of the land;
- (b) An agreement defining the extent of rights, time period, compensation, ownership and maintenance obligations relating to the property is concluded between the parties concerned and is approved by the City;
- (c) A servitude in respect of the air or underground rights is registered over the land concerned; and
- (d) A site development plan is submitted to the City's satisfaction in terms of dem 124.

104 Informal trading

Informal trading shall only be permitted on sites demarcated for informal trading in terms of the City's Informal trading by-law.

Part 3: Open Space Zoning 3: Special open space (OS3)

The OS3 zoning provides for active or passive recreation and open spaces on land that is not designated as public open space. This land may be owned by private or public bodies, but does not have the status of public open space which requires particular protection. The OS3 zoning is appropriate for relatively large areas where open space has special characteristics that require a separate zoning to ensure that the purpose and function of the open space is maintained. Many other zonings allow for open spaces as primary, consent or ancillary uses and such open spaces do not need to be zoned as OS3. However some land uses such as golf courses, parklands and landscape areas can benefit from this zoning which provides limitations on development, but also allows a range of consent uses to cater for leisure needs and uses compatible with open spaces.

105 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are open space, private road and environmental conservation use.
- (b) Consent uses are environmental facilities, tourist facilities, place of instruction, place of assembly, place of entertainment, plant nursery, utility service, cemetery, rooftop base telecommunication station, freestanding base telecommunication station, wind turbine infrastructure, cultural and social ceremonies, urban agriculture, informal trading and harvesting of natural resources.

106 Development rules

The following development rules apply.

- (a) The City may require a site development plan for a primary use, and shall require a site development plan for a consent use application.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use if applicable, and a consent use.
- (c) The provisions for a site development plan in item 124 shall apply.

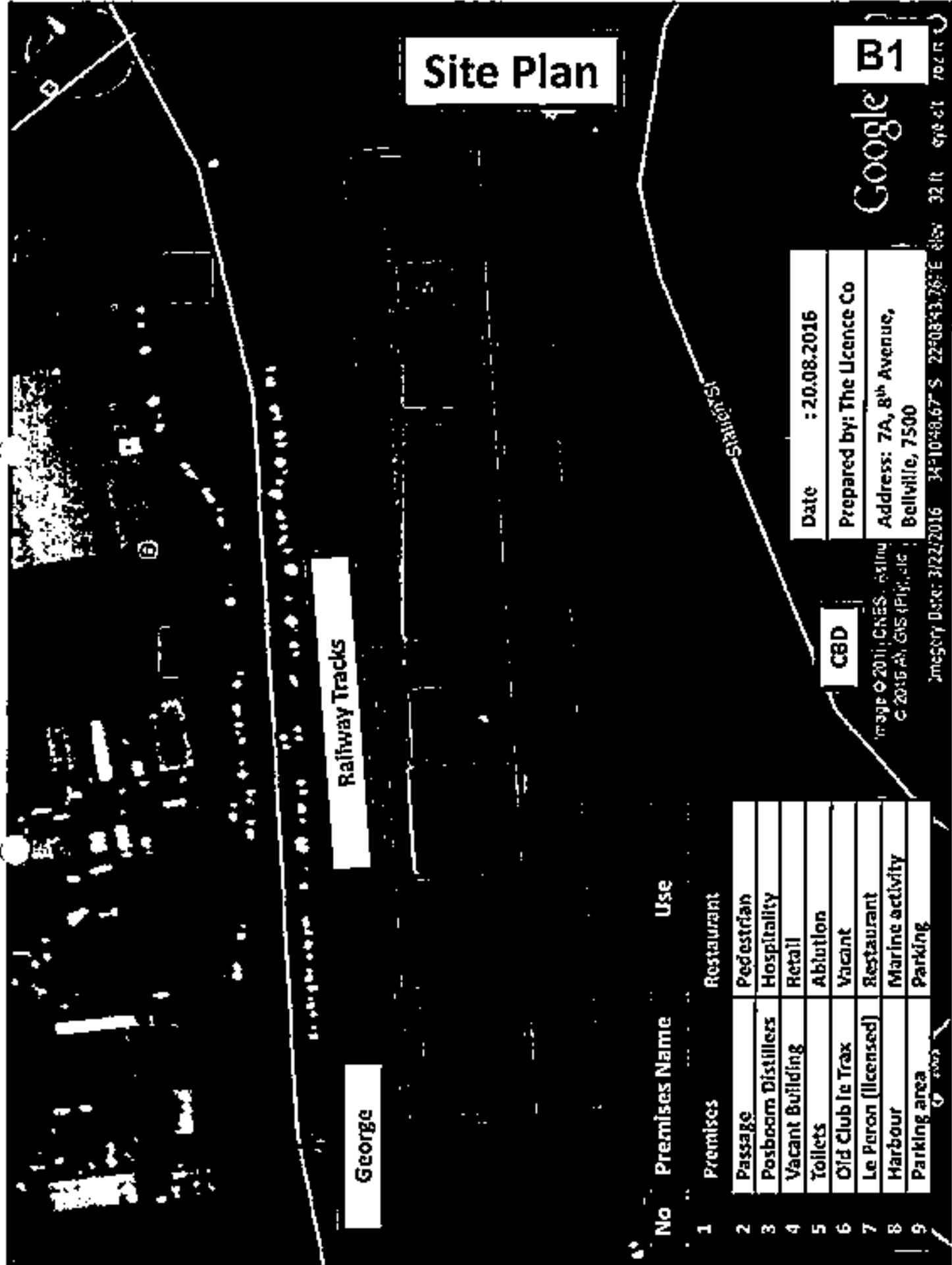
107 Approval of consent uses

The City may only approve a consent use if such use does not compromise the use of land for its primary purpose as open space.

INDEX

P	Description of document	Annexure
1.	Notice of lodgement	Form 3
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3.	Section 37(1) Notice	Form 5
4.	Floor Plan of the premises	A
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6.1	Area Plan 1 of the Premises	B2.1
6.2	Area Plan 2 of the Premises	B2.2
6.3	Area Plan 3 of the Premises	B2.3
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11.	Section 37(2) Notice (Form 6) & Colour Photo of Advert Display	F
12.	Proof of right of occupation - Landlord's Consent	G
13.	Copy of Identity Document of Applicant	H
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15.	Menu (Pro Forma)	J
16.	Proof of payment of prescribed fee to Liquor Authority	K
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18.	Media - Posboom Distillery	M
19.	Copy of Licence WCP / 040715 & Proof of Renewal for 2016	N
20.	Copy of Licence WCP / 029812 renewal – former licence holder	O

Site Plan



George

Railway Tracks

Staircase

B1

Google

702 R

32 ft eye ct

22°08'43.765" E elev

34°10'48.67" S

3/22/2016

imagery Date: 3/22/2016

Date : 20.08.2016

Prepared by: The Licence Co

Address: 7A, 8th Avenue,
Bellville, 7500

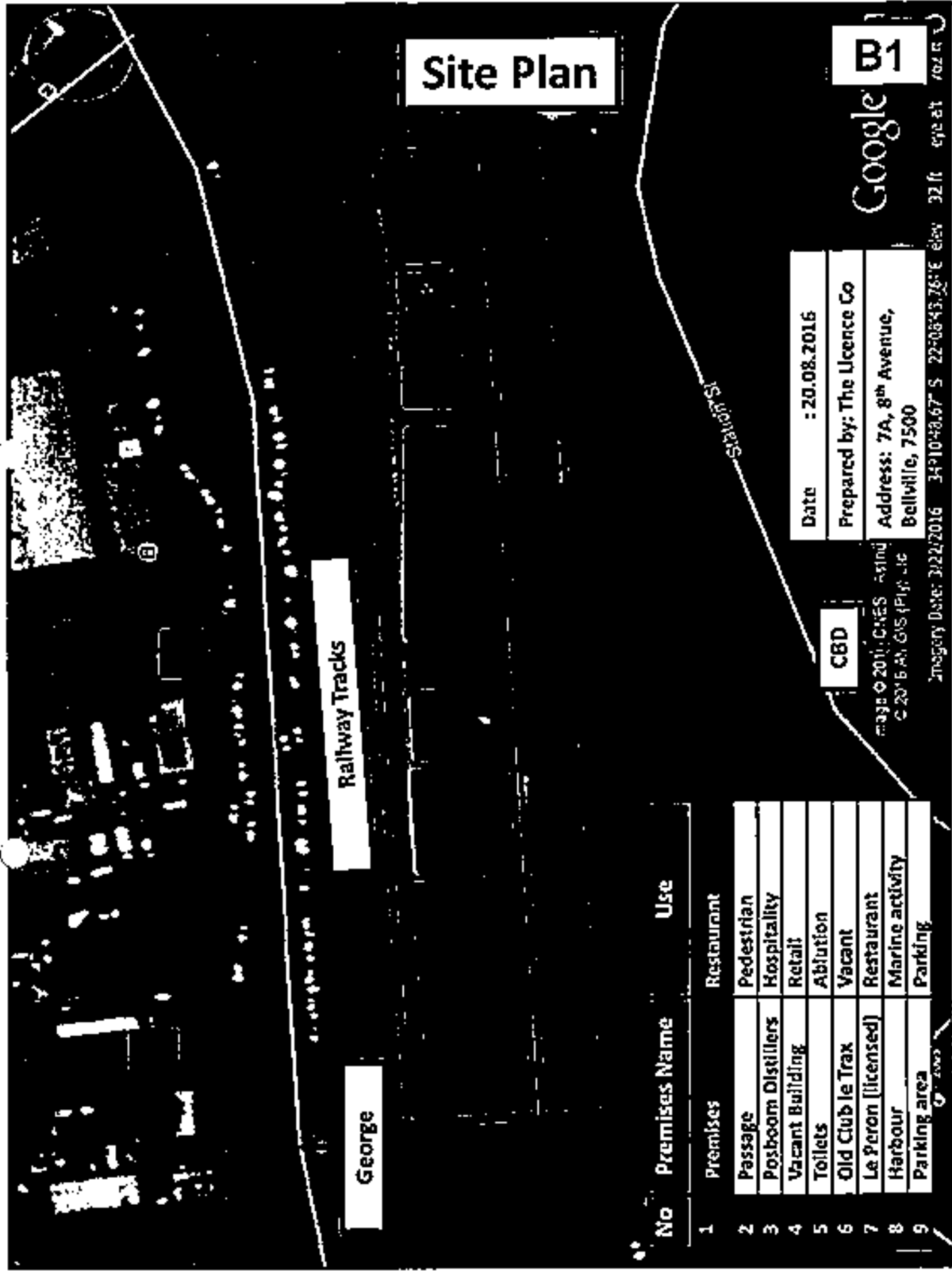
CBD

Image © 2011, CNES, Airbus
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No Premises Name Use

No	Premises	Name	Use
1	Passage	Posboom Distillers	Restaurant
2	Vacant Building	Toilets	Pedestrian
3	Old Club Le Trax	Le Peron (licensed)	Hospitality
4	Harbour	Parking area	Retail
5			Ablution
6			Vacant
7			Restaurant
8			Marine activity
9			Parking

Site Plan



George

Railway Tracks

Salisbury

No Premises Name Use

No	Premises	Name	Use
1	Premises		Restaurant
2	Passage		Pedestrian
3	Posboom Distillers		Hospitality
4	Vacant Building		Retail
5	Toilets		Ablution
6	Old Club le Trax		Vacant
7	Le Peron (licensed)		Restaurant
8	Harbour		Marine activity
9	Parking area		Parking

CBD

Date : 20.08.2016
 Prepared by: The Licence Co
 Address: 7A, 8th Avenue,
 Bellville, 7500

Google
B1

maps © 2016, CNES (France)
 © 2016 AirGIS (Pty) Ltd

Imagery Date: 3/22/2016 34°10'48.67" S 22°08'43.76" E elev: 32 ft eye alt: 102 ft

ANNEXURE C

DETAILED WRITTEN DESCRIPTION OF THE PREMISES TO WHICH THE APPLICATION RELATES, IN TERMS OF REGULATION 9(4)(c) OF THE WESTERN CAPE LIQUOR ACT (ACT 4 OF 2008)

Definitions – The following words are used in this annexure with the respective meanings ascribed below.	
Word	Definition
Act	Western Cape Liquor Act (No 4 of 2008)
LLT	the Western Cape Liquor Licensing Tribunal
Property	Erf 12458 Mossel Bay Municipality and Division, also known as the Old Mossel Bay Station Building, Church Street, Mossel Bay, 6500, Western Cape Province
Premises	A portion of the Property to be utilised to manage the Business
Building	The building on the Property which will house the Micro-Manufacturing business of the applicant, as well as the Business as indicated on Annexure A.
Business	The Pub – style restaurant business of the Applicant, to be managed on the Premises, to be known as "The Steaming Pub"
Applicant	Petrus Jacobus van der Walt (Identity Number 611214 5039 084)
Manager	The Applicant, subject to a successful application to have the Premises licensed to sell liquor for consumption on & off the Premises

1. DESCRIPTION

The following is a description of the premises as required in terms of Regulation 9 (4) (c) of the Western Cape Liquor Act (Act 4 of 2008) ("The Liquor Act"). The description of the premises must be read with the plans and photo's marked Annexures "A", "B" and "D".

2. LOCATION

2.1.1 Premises

The premises of the Applicant is situated on the Property in the coastal town of Mossel Bay, Western Cape Province. It can be accessed from Church Street, which intersects with the main traffic arteries of the Mossel Bay CBD, such as the main road (Marsh Street) and Bland Street.

It forms part of the CBD of Mossel Bay, although situated on the waterfront of the town.

2.2 District Municipality and Local Authority

District Municipality - Eden Municipality

Local Authority - Mossel Bay Municipality

2.3 Nature, Distance from and Address of Specific Premises - Section 34(1)(e)(i) to (v)

2.3.1 Religious Institutions (Churches, Mosques)

There is a church within 850m from the premises, namely the Dutch Reformed Church. It is situated out of sight of the Premises. The Business will not generate noise above what may be expected from most restaurant businesses. Therefore, the probability of the applicant's activity causing any prejudice to the members of the public involved with the aforementioned institution or the public in general is negligible. The trading hours of the Business will also not affect that of the church.

2.3.2 Educational Institutions (Schools & Crèches)

The closest educational institution to its Premises, known to the applicant, is the Park Primary School situated approximately 1 km from the Premises. The applicant's activity will not in any way affect the activities of the said school.

Name	+/- Distance from Premises	Address
Park Primary	1km	Cape Road
Milkwood Primary	1.5km	Point Road

2.3.3 Drug / Alcohol Rehabilitation Institutions

There are no drug and/or alcohol rehabilitation institutions in the vicinity of the Premises. The institution most similar in Mossel Bay, known to the applicant is the following :

Trading Name	+/- Distance from Premises	Address
Municipal Night Shelter	+/- 1km	Montagu Street

2.3.4 Old age (frail care) homes

There are no old age homes in the vicinity of the applicant's premises. The closest such institutions to the Premises, known to the applicant, are the following:

Trading Name	+/- Distance from Premises	Address
Ons Huis	+/- 1.5km	Montagu Street

2.3.5 Other Retail Licensed Outlets in Mossel Bay

Trading Name	+/- Distance from Premises	Address
*Big Blu	> 1km	Point Road
*Ponto's Grill	>1km	Point Road
*PanlaSea Mini Golf	>1km	Point Road
*Delfino's Restaurant	>1km	Point Road
*Kingfisher Restaurant	>1km	Point Road
*Point Village Hotel	>1km	Point Road
*Route 57 Restaurant	>1km	Marsh Str
*Sundowners	>1km	Marsh Str
*Patrick's Pub and Restaurant	>1km	Marsh Str
*Friends Pub	>1km	Marsh Str
*Viking Pub and Restaurant	>1km	Bland Str
*Fijnbos Restaurant	+/- 750m	Marsh Str
*Café Havana	+/- 700m	Marsh Str
*Carola Anns	+/- 500m	Church Str
*The Gannet Restaurant	+/- 500m	Market Str
*Sea Gypsy	+/- 400m	Waterfront
*Kaal 4	+/- 500m	Waterfront
*Oyster Bar	+/- 500m	Waterfront
*Red Bus Fish 'n Chips	+/- 500m	Waterfront
*Le Perron	+/- 50m	Station

There are a number of licensed retail outlets in Mossel Bay. This is to be expected due to Mossel Bay having a citizenship of more than 60 000, as well as a growing tourism industry. The Waterfront businesses have been indicated with an asterisk(*).

Local residents and tourists create a demand for the consumption of alcohol, which demand is in turn being satisfied by the abovementioned licensed retail outlets. During holiday periods tens of thousands of persons flock to Mossel Bay to enjoy the excellent recreational and entertainment facilities it offers. This includes a large number and variety of restaurants and pubs. Most of these businesses are situated in the Mossel Bay CBD, many of which are situated in the vicinity of the Premises, such as those indicated above.

2.3.6 Other Licences on the same property as the Premises

The following two businesses, both licensed to sell liquor, are situated on the same property (Erf 12458) as the property on which the proposed premises is situated :

"Le Perron" -- a seafood restaurant (on consumption)(Number 7 on Annexure B1).

"Posboom Distillery" ("PD") – a micro manufacturing business (Number 3 on Annexure B1).

The PD is the current licence holder of a micro manufacturing liquor licence (Off Consumption) (WCP 040715). The current licensed area of the PD comprises the Building, which the Applicant has divided into two areas, separated by brick walls and doors (see Annexure D and Annexure A). The current licensed premises have therefore been divided into two areas which will be managed independently from the other. The PD has accordingly applied for the reduction of its current licensed premises to Section 53 to exclude the Applicant's proposed restaurant Premises and to allow it to be licensed for On and Off consumption purposes.

One of the other buildings on the Property was previously licensed as a night club – "Club le Trax" – under WCP / 029612 (number 6 on Annexure B1). This business was discontinued when the owner relocated to George. To the best knowledge of the applicant, this premises has now been leased to an art gallery, which is expected to open its doors before December 2016.

2.3.7 Filling Station

The premises is situated approximately 500m from the closest Top Up filling station in Marsh Street.

2.3.8 Police Station

The premises falls under the jurisdiction of the Mossel Bay(Central) police station.

2.3.9 Public Open Spaces

There are no public open spaces in the vicinity of the premises of which the applicant is aware of. The open area surrounding the Mossel Bay station is the property of Transnet.

2.3.10 Residential Area(s)

The closest residential properties to the premises are a number of flats and single residential properties approximately 400m from the Premises.

Due to the fact that the Premises is situated at the bottom of a deep slope, it is out of sight of the majority of all residential areas (see Annexure D, P1)

The applicant therefore submits that its activities will have no negative effect on the residents in the CBD area of Mossel Bay. There are numerous restaurants in this area, which are situated much closer to the abovementioned residential areas and which are licensed to sell liquor. Such restaurants are the Gannet Seafood restaurant, Kaal4 and Sea Gypsey.

2.3.11 Noise

Noise levels generated by the Applicant's business will not cause a nuisance to neighbours or the general public due to the following :

- The general restaurant activity of the Applicant will not generate excessive noise levels, as its focus will be the sale of meals.
- Soundproofing will not be necessary.
- Windows and doors will be kept open or shut, depending on operational requirements and weather conditions.
- The effect of customers engaging will be negligible to neighbours or the general public as any sounds will dissipate before reaching any other area.
- Any sound emanating from the premises will travel toward the harbour or steep slope (which separates it from other areas).

- The sound of traffic and the ocean will, for the majority of the time, be louder than any noise from customers or restaurant activity.
- Previous licensed businesses were managed on the Property without reasonable complaints by members of the public.

3. LAYOUT

3.1 Plans

3.1.1 Floor Plan

A floor plan showing the layout of the premises has been included (see Annexure A). This gives a comprehensive view of the part of the Property on which the Premises is situated. The areas to be licensed have been indicated in yellow (on consumption, non-restricted), red (on consumption, restricted) and green (off consumption, restricted). The blue area indicates the new, reduced area of the micro manufacturing business – trading as Posboom Distillers - licensed under WCP / 040715.

3.1.2 Site Plan

A site plan (Annexure B1) has been attached, complying to Regulation 9 of the Act.

3.1.3 Area & Regional Photo Maps

The area photo maps show the premises in relation to the other premises in its immediate vicinity (Annexure B2.1), the Mossel Bay CBD area (Annexure B2.2) and the Mossel Bay and adjacent areas (see Annexure B2.3). The regional map shows the situation of the premises in relation to the Western Cape (Annexure B3).

3.2 Photo's

Photo's of the all the public areas on the premises have been included, with descriptive captions (see Annexure D). The applicant refers to the respective photos in paragraph 3.3 below.

3.3 Description and Comment

3.3.1 Complete Property – Erf 12458 Mossel Bay

The Property on which the premises will be situated, is the old Mossel Bay Station area. This can be viewed on Site Plan 1.2. The area comprising the Property has been lined with a yellow line. The other properties in the vicinity of the Property has been indicated by erf numbers and has been demarcated with yellow lines. It confirms the Property as being situated adjacent to the Mossel Bay CBD and central to the Mossel Bay waterfront.

Customers of the applicant will be able to stroll along the historic Mossel Bay station platform to view the remaining buildings, as well as other businesses which utilise these buildings.

3.3.2 Prospective Premises

The Premises comprises the areas to be licensed as indicated on Annexure A. Although adjacent to the current, licensed micro brewery, it will be managed as a premises separate from the micro manufacturing premises(see Annexure B1). The door which leads from the passage (between the Premises and the micro brewery premises) will be kept closed at all times, ensuring that no unauthorised person will be able to access the micro – manufacturing premises or the proposed Premises. The manager will exercise strict control over the key to this door to ensure that it will remain closed at all times.

3.4 Different areas of the premises

The premises can be divided into the following areas, namely :

- **Service Counter, Kitchen and Liquor Store**

These areas will comprise the areas of the Premises which will be under the roof inside the Building, as indicated on Annexures B1 and D. All food will be prepared in this area and liquor will be stored here. The area features a counter, basins and other kitchen equipment.

There are two service counters ("halches") – one to the south and one to the north – through which the applicant's waiters will receive food and beverages to be served to customers. Liquor will also be stored in the kitchen area. The Kitchen will be able to be locked and will ensure that only authorised persons will be able to gain access to liquor stock.

This will also allow the applicant to maintain sufficient stock levels and allow staff easy access to replenish stock. The manager of the premises will exercise strict control over all liquor stored.

- **Dining Area (Station Platform)**

This area is the largest area of the Premises. It is situated on the outdoor part of the Premises and comprises the station platform surrounding the Building - as indicated on Annexures A & D. Customers can therefore dine on the open air platform on the northern and southern sides of the Premises, which will allow them to choose whether to enjoy the morning or afternoon sunshine.

The daily activity of the working port of Mossel Bay is a constant source of amusement and interest for tourists and other members of the public who find themselves in the vicinity of the Old Mossel Bay station.

- **Bathroom and toilet facilities**

Patrons will have access to the toilet facilities situated off the Premises and indicated on Annexures A, B1 (number 5) and D. It will be sufficient to accommodate a full complement of customers who may be visiting the premises at any given time.

- **Parking area**

The parking area is situated to the South of the Premises (see Annexure D). It will offer sufficient parking for a full complement of guests and customers at any given time.

4. FURNISHING, FIXTURES, FITTINGS

The premises has been furnished and fitted in accordance with the floor plan (see Annexure A). The chairs and tables for the dining area haven't all been displayed as the applicant will do that when his application has been approved.

ITEM	MATERIAL / TYPE
Chairs	Wood, all weather
Lighting	Roof Lights, Hanging Lights
Tables	Square & round all weather tables
Umbrellas	Canvas & steel
Bar chairs	Wood (8)
Fridges	Upright
Electrical	Slove(x2), sound system, microwave, griller

5. CONSTRUCTION

The building containing the premises will be constructed of the following building material :

AREA	MATERIAL
Roof	IBR
Ceiling	Coiling Board
Floor	Tiles, concrete
Windows	Wood & glass
Doors	Wood & glass
Walls	Brick