

LAND USE PLANNING ASSESSMENT REPORT

(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

AANSOEK: VOORGESTELDE HERSONERING VAN ERF 6268, GRANAATBOSSTRAAT 4, ROBERTSON

Reference number	15/4/9/5	Application submission date	30-06-2020	Date report finalised	
PART A: AUTHOR DETAILS					
First name(s) & Surname	Jack van Zyl				
Job title	Assistent Bestuurder: Stadsbeplanning				
SACPLAN registration number	A/1170/2000				
PART B: PROPERTY DETAILS					
Property description (in accordance with Title Deed)	Erf 6268, Robertson				
Physical address	Granaatbosstraat 4		Town	Robertson	
Current zoning	Enkel Residensiële sone I	Extent (m ² /ha)	171m ²	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Langeberg Geïntegreerde Soneringskema				
Current land use	Woonhuis		Title Deed number & date	T41969/2003	
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)		
Any third party conditions applicable?	Y	N	If Yes, specify		
Any unauthorised land use/building work	Y	N	If Yes, explain		
PART C: APPLICATION DESCRIPTION					
Aansoek ingevolge Artikel 15(2) van die Munisipaliteit Langeberg: Verordening op Grondgebruikbeplanning, 2015 vir die hersonering van erf 6268, Robertson vanaf Enkel Residensiële sone I na Sakesone I vir 'n drankwinkel.					
PART D: BACKGROUND & SUMMARY OF APPLICANTS MOTIVATION					

Die aansoekperseel met oppervlakte van 171m² was oorspronklik deel van 'n HOP behuisingsprojek in Droëheuwel, Robertson wat tussen 2000 en 2003 ontwikkel is.

Die voorstel is om die bestaande woonhuis (±32m² vloerarea) uit te brei met 'n stoorkamer (±9m²) en te gebruik as drankwinkel vir die buiteverkoop van drank (liggings- en terreinuitlegplan aangeheg in Bylae 1). Die aansoeker het nie spesifieke parkeerplekke aangedui op die terreinplan nie, maar dui net aan dat 2 – 3 parkeerplekke voorsien kan word. Volgens die ontwikkelingsparameters van die soneringskema, moet daar minstens twee standaardgrootte parkeerplekke op die perseel voorsien word vir die beplande 41m² sakeruimte (teen 1 parkeerplek per 25m² GLA). Daar is wel ruimte op die perseel daarvoor.

Die perseel gaan nie bewoon word nie en dus as volwaardige sakeperseel funksioneer, vandaar die aansoek om dit te hersoneer na Sakesone I.

Die aansoeker motiveer die voorstel aan die hand van die volgende (volledige motiveringsverslag aangeheg in Bylae 2)

- Daar is 'n behoefte vir 'n drankwinkel in die area en dit sal 'n veilige diens aan die gemeenskap bied
- Winsgewende onderneming vir eienaar
- Geskikte ligging ver van kerke, skole en ander maatskaplike inrigtings
- Besigheidsure sal streng beperk word en ander reëls ingestel word om te pas by die residensiële omgewing
- Voldoende parkering kan voorsien word.
- Toeganklik en veilig vir omliggende inwoners.
- Werkskepping (3 geleenthede)

PART E: SUMMARY OF PUBLIC PARTICIPATION

Public participation required in terms of Sections 45- 49 of the By-law?				Y	N
Where participation is required, state method of advertising	Press	Notices	Ward Councillor	Other	

PART F: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

Daar is 1 individuele beswaar en 'n petisielys-beswaar met 181 handtekeninge (vanaf 83 elendomme) vanuit die omliggende gemeenskap ontvang (aangeheg in Bylae 3). Die besware behels in breë die volgende:

Die beswaar behels hoofsaaklik die volgende:

- Geen behoefte aan nog 'n drankwinkel in die area
- Drankmisbruik en gepaargaande misdaad is reeds 'n probleem in die area en nog 'n drankwinkel sal bydra om dit te vererger
- Eienaar (aansoeker) woon nie op die perseel.

Die aansoeker se reaksie op die besware (aangeheg in Bylae 4) was om die motivering soos hierbo opgesom te herhaal, met die klem daarop dat dit 'n veilige en maklik toeganklike fasiliteit sal bied aan die Droëheuwel inwoners en tot hulle voordeel sal wees.

PART G: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS (if applicable)

Siviele Ingenieursdienste

Die aansoek om hersonering vir die gebruik as 'n bottelstoor sal geen impak op die water en rioolverbruik hê nie. Die aansoek vir die bottelstoor is egter in 'n residensiële area en sal aflewering met groot voertuie gedoen word. Die aansoek word nie ondersteun nie weens die impak wat die swaar voertuie op die verkeer sal hê asook die ontwerp van die paaie is nie sodanig gedoen om swaar verkeer te hanteer nie.

Boubeheer

Indien daar enige strukturele veranderinge, interne sowel as eksterne gedoen word aan enige bestaande geboue of indien daar nuwe geboue aangebring sou word of geboue gesloop word, moet daar formeel by hierdie Raad se Bouafdeling aansoek gedoen word vir goedkeuring.

Elektriese Ingenieursdienste

Die Elektriese Departement het geen beswaar teen die aansoek nie.

Die aansoeker is verantwoordelik vir die volgende kostes:

- Indien daar enige verandering aan die bestaande netwerk, meetpunt of aansluitingaangebring moet word.

Die aansluitings sal onderworpe wees aan enige beperkende maatreëls wat die Nasionale Regering mag nodig ag vir die besparing van elektrisiteit.

Wyksraadslid

Geen kommentaar

Omgewingsgesondheid – Kaapse Wynland Distriksmunisipaliteit

Die voorstel word ondersteun indien daar aan die volgende vereistes voldoen moet word nl:

- Indien daar voedsel voorberei word, moet die kantoor skriftelik in kennis gestel word van die beplande aksie en verder moet daar voldoen word aan die vereistes van Regulasie 638.
- Die eienaar moet 'n rookbeleid opstel in terme van die Wet op die Beheer van Tabak en Tabakprodukte.
- Die eienaar moet voldoen aan die vereistes en bepalinge van die Gesondheidsdepartement van die Kaapse Wynland Distriksmunisipaliteit.
- Geen gesondheidsoorlas mag op die perseel veroorsaak word nie.

PART H: MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)

Die beplanningsevaluasie van die aansoek is gegrond op die tersaaklike oorwegings ("relevant considerations") soos uiteengesit in the Wes-Kaapse Departement van Omgewingsake en Ontwikkelingsbeplanning se riglyndokument. 'n Verkorte weergawe van die verduideliking van die begrip "relevant considerations" word aangeheg in Bylae 5.

WENSLIKHEID

Versoenbaarheid met ruimtelike planne

Die Langeberg Ruimtelike Ontwikkelingsraamwerk, (LSDF), 2015 maak nie detail voorstelle vir grondgebruik binne dorpe nie, maar verwys net na voorgestelde stedelike ontwikkeling in die algemeen. Die LSDF stel wel algemene "settlement guidelines" voor, wat insluit: "Intensification Corridors and Linkages" en "Nodes"

Die LSDF stel voor dat die nodale ontwikkeling daarop gerig moet wees om sake-ontwikkeling binne nodusse te konsentreer en, indien dit nodig is om te groei, dat dit toegelaat moet word om langs die aktiwiteitsasse te groei. Die aansoekperseel is ver van enige van die bestaande of moontlike nodusse en groei-asse af geleë. Daar is gevolglik geen ondersteuning vir die voorstel op grond van die ruimtelike beplanningsvoorstelle vir Robertson nie.

Sosio-ekonomiese impak

Soos uitgelig in die beswaar, is daar 'n wesenlike risiko dat 'n drankwinkel binne die woonbuurt sal bydra tot sosiale probleme in die betrokke omgewing. In 'n gespreksdokument vir die hersiening van die drankbeleid in Suid Afrika in 2015, maak die Departement van Handel en Nywerheid die volgende stellings:

- 3.3 The challenge of balancing the effect of liquor abuse and excessive consumption of liquor against promoting the economic imperatives of the industry remains vast.

Alcohol abuse is and has been a serious economic cost to South Africa.

3.4.1 Socio-economic impact of liquor and other costs of alcohol abuse

3.4.1.1 Alcohol abuse is still on the increase, leading to increasing levels of conflict in the family, violence, crime and alcohol related diseases, sexual violence and high-risk sexual behaviours, as well as road accidents feature high on the impact list.

Currently, alcohol is easily available in an estimated 230 000 liquor outlets in South Africa. According to a report by the Medical Research Council ("MRC"), South Africans consume about 5 billion litres of alcoholic beverages per year. The World Health Organisation(WHO) estimated the costs of alcohol abuse in South Africa to be \$1.7 billion (R19, 0729, 000.00)and 2% of South Africa's GDP in 2004.

3.4.1.2 Foetal Alcohol Syndrome ("FAS") has also reached endemic proportions in some parts of the country. In a research conducted in the Western Cape (Wellington), the prevalence of FAS among grade 1 scholars was found to be 41-46 per 1000 in 1997, rising to 65-74 per 1000 in 1999.

3.4.1.3 The anti-abuse provisions in the Act rely heavily on the implementation of anti-abuse programs by manufacturing and distribution licensees; to date industry contribution towards strategies to reduce liquor abuse has not been significant. The

4.1.1.20.4 To reduce the harmful use of liquor, it is also important to regulate the availability of liquor. One of the strategies to reduce the availability of liquor includes the need to regulate days and hours when alcohol sales should be permitted. Liquor authorities and municipalities need to control access to alcohol by for example restricting times for sales of liquor and sales of liquor in zoned areas. The set uniform trading hours within the norms and standards should be integrated in national, provincial and municipal legislation.

Wat die ligging van drankwinkels betref, is daar ook verskeie studies wat 'n sterk korrelasie gevind het tussen die hoeveelheid drankafsetpunte in 'n area en die voorkoms van alkohol misbruik-verwante probleme binne daardie area (sien verwysings, Bylae 6). Die vestiging van meer drankwinkels binne 'n woongebied soos die betrokke een, sal dus na verwagting heel waarskynlik lei tot 'n toename in sosiale probleme wat met alkohol misbruik verband hou.

Skaal van kapitale investering

Daar is nie 'n noemenswaardige kapitale investering ter sprake nie. Die voorgestelde drankwinkel word beplan in die bestaande huis, met 'n klein aanbouing daarby.

Versoenbaarheid met omliggende gebruike

Die aansoekperseel is in 'n residensiële area geleë en is nie versoenbaar met die omliggende gebruik nie.

Impak op eksterne ingenieursdienste

Geen verandering aan die eksterne ingenieursdienste word verlang nie en die Departement Siviele Ingenieursdienste het geen vereistes vir die opgradering van dienste gestel nie. Die impak van afleweringvoertuie op die residensiële strate word egter as negatiewe impak genoem.

Impak op veiligheid, gesondheid en welstand van die omliggende gemeenskap

Soos bespreek onder Sosio-ekonomiese impak hierbo, is daar bepaalde sosio-ekonomiese probleme verbonde aan drankmisbruik. Die vestiging van nog 'n drankwinkel in die Droëheuvel area, binne 'n suiwer residensiële omgewing, sal bydra tot die maklike beskikbaarheid van alkohol binne die betrokke woonbuurt en kan die risiko hê dat dit sal bydra tot die verwante sosio-ekonomiese probleme van drankmisbruik, tot nadeel van die omliggende gemeenskap. Die groot aantal besware teen die hersonering bevestig die gemeenskap se kommer hieroor.

Verkeersimpak, parkering, toegang en ander vervoerverwante oorwegings

Die aansoekperseel lê weg van die hoofroete deur die woonbuurt (in geel gebroke lyn aangedui op die foto hierby). Dit is nie geskik vir aflewering en toegang van ander diensvoertuie nie en sal ook meer verkeer binne die woonbuurt opwek as die huidige woonhuis, wat 'n veiligheidsrisiko vir voetgangers en kinders wat in die straat speel kan skep.



Impak op die lewenskwaliteit van die inwoners in die onmiddellike omgewing

Die voorstel kan 'n negatiewe invloed op die residensiële karakter van die omgewing hê. 'n Drankwinkel is 'n hoër orde sakegebruik wat –anders as byvoorbeeld 'n huiswinkel – 'n wye opvanggebied het en klante van ver buite die onmiddellike omgewing sal lok, wat geen sosiale verbintenis met die inwoners in die onmiddellike omgewing het nie.

Die verwagte samedromming van mense by die besigheid asook die vertoon van advertensietekens wat normaalweg met so 'n besigheid gepaardgaan, kan ook die karakter van die area negatief beïnvloed en inbreuk maak op die privaatheid en lewenskwaliteit van omliggende inwoners.

Kumulatiewe impak

Die negatiewe impakte van drankwinkels in woonbuurt soos hierbo bespreek, word veral 'n probleem weens die kumulatiewe daarvan op 'n area. Indien hierdie drankwinkel op 'n onvanpaste ligging toegelaat word, kan dit 'n presedent skep meer sulke drankwinkels op enige plek binne woonbuurte, wat uiteraard 'n nog groter negatiewe kumulatiewe impak sal hê

PART I: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS (REFER TO ROR GUIDELINE)

NVT

PART J: RECOMMENDATION

Dat die hersonering van erf 6268, Robertson vanaf Enkel Residensiële sone I na Sakesone I vir 'n drankwinkel ingevolge Artikel 60 van die Langeberg Munisipaliteit : Verordening op Grondgebruikbeplanning, 2015, afgekeur word, om die volgende redes:

1. Die voorstel voldoen nie aan die beginsels soos voorgelê in die Langeberg Ruimtelike Ontwikkelingsraamwerk 2015 nie, naamlik dat stedelike ontwikkeling moet geskied deur 'n stelsel van hoër intensiteit nodusse word waarbinne sakegebruik konsentreer moet word, wat oor tyd toegelaat kan word om na mekaar te groei langs geïdentifiseerde aktiwiteitskorridors. Die aansoekperseel is naamlik buite enige geïdentifiseerde of bestaande sakenodus of –groeikorridor.
2. Die aansoek-eiendom is geleë binne 'n residensiële woonbuurt en die voorstel sal na verwagting nie versoenbaar wees met die residensiële karakter van die betrokke omgewing nie, maar eerder afbreuk doen daaraan.
3. Daar is 'n wesenlike risiko dat 'n drankwinkel binne die woonbuurt sal bydra tot sosiale probleme in die betrokke omgewing. Hierdie risiko word versterk deur die verwagting dat die drankwinkel, met sy relatief groot kleinhandel opvangsgebied, klante van buite die onmiddellike omgewing sal trek. Daar word dus verwag dat dit kan bydra tot 'n verlies aan veiligheid, gesondheid en algemene lewenskwaliteit van die betrokke gemeenskap en die inwoners in die onmiddellike omgewing daarvan.
4. Die ligging op 'n hoekerf aan 'n lae orde residensiële straat en weg van die hoofroete deur die woonbuurt, is problematies ten opsigte van toegang vir aflewings- en diensvoertuie, sowel as padveiligheid.
5. Die vestiging van 'n drankwinkel in die voorgestelde ligging buite 'n bestaande of voorgestelde sakenodus kan 'n presedent skep vir die vestiging van soortgelyke ondernemings op onvanpaste liggings, met 'n gevolglike negatiewe kumulatiewe impak.

PART K: ANNEXURES

Bylae 1 - Planne

Bylae 2 - Motivering

Bylae 3 – Besware

Bylae 4 – Reaksie op besware

Bylae 5 – Opsomming van tersaaklike oorwegings ("Relevant Considerations")

Bylae 6 - Bronnelys tov studies oor verband tussen ligging van drankafsetpunte en sosiale problem

PART L: AUTHOR SIGNATURE

.....
J L E R VAN ZYL
ASSISTANT MANAGER: TOWN PLANNING
REGISTERED PROFESSIONAL PLANNER – NO. A/1170/2000

.....
DATE

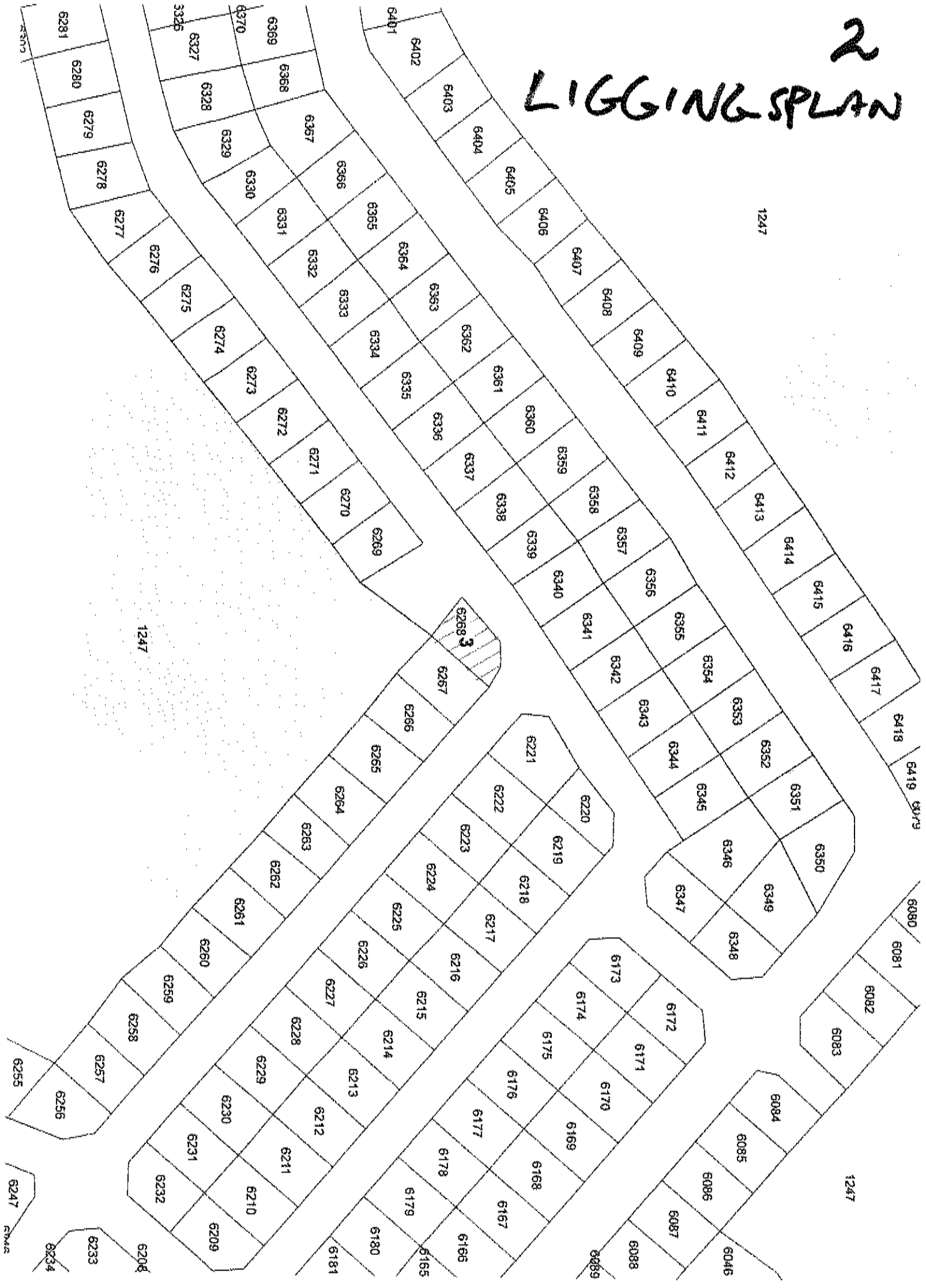
BYLAE 1

Planne



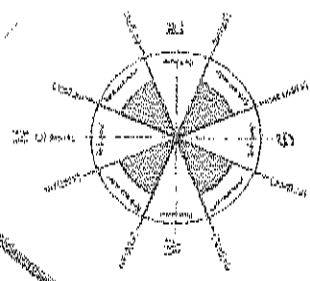
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LIGGING PLAN



3

FILE
AVOUL
BLAN



Motivering

MOTIVATING

1. INTRODUCTION

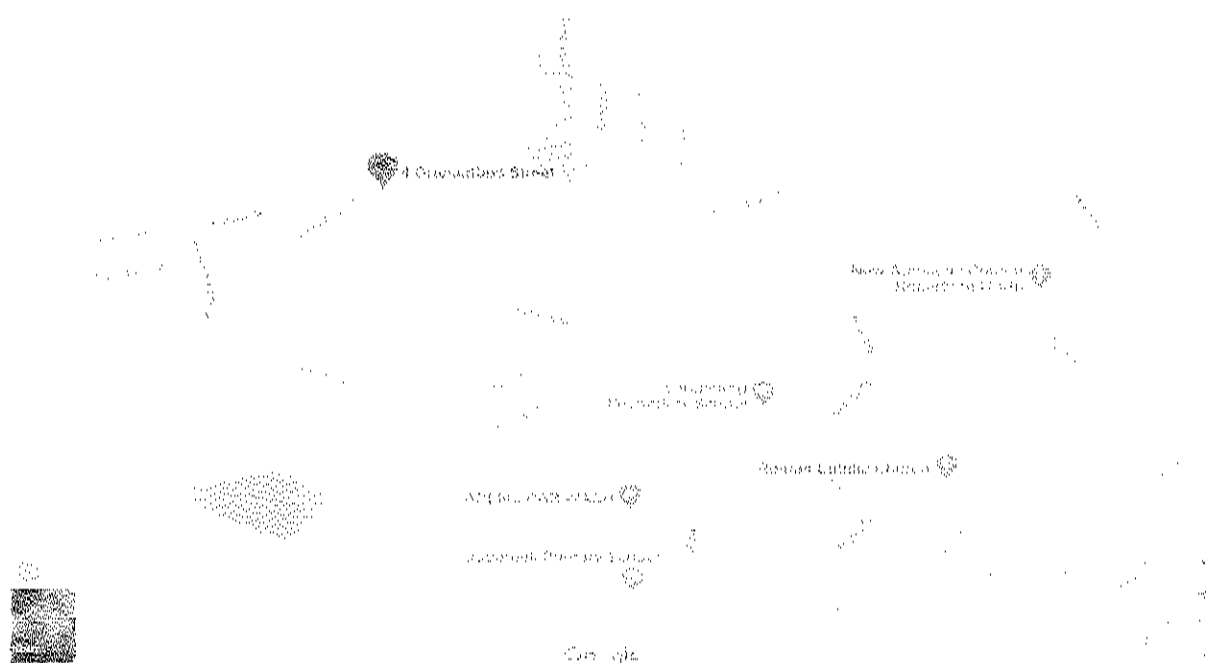
I Nomhle Jacqueline Gxowa with the ID Number 7502120399082 the owner of Erf 6268, Droehewel in Robertson is hereby to submit the rezoning certificate application.

The purpose of this application is to support the rezoning of Erf 6268 Droehewel, herein after referred to as "the site", from "Residential" to "Business" with the Title Deed T41969/2003.

All pertinent information and motivation for the change in land use is detailed in this report.

2. LOCALITY

Droehewel is located on the ridge in the north suburbs of Robertson. The subject site is located at 4 Granaatbos Street, Droehewel, Robertson as indicated on the map below.



All legal information which is relevant and relate to this application is detailed as follows:

Property details	Registered owner	Title deed no	Extent (m ²)
Erf 6268	Nomhle Jacqueline Gxowa	T41969/2003	171 (Een Honderd Een en Sewentig) Vierkante meter

There is no mortgage bond registered against the site, it is the governmental housing scheme also known as RDP.

4. EXISTING AND SURROUNDING LAND USE

The subject site is currently occupied by a dwelling house with an outbuilding. The subject site is surrounded by residential development on the northern, eastern, southern and western side.

5. EXISTING ZONING AND DEVELOPMENT CONTROLS

The subject property is currently zoned as follows in terms of the Robertson Town Planning Scheme:

Development Control	Specification
Zoning	Residential
Area of Erf	171m ²
Area of Existing House	32m ²
Area of New Extension	9m ²
Total Area	41m ²
% Coverage on Erf	24%
Parking	2 to 3 Vehicle

Majority of the surrounding properties are zoned as residential.

6. PROPOSED REZONING

It is proposed that the property be rezoned as follows:

Development Control	Specification
Zoning	Business

7. MOTIVATION

The motivation is expressed in terms of the need and desirability to operate business in respect of the premises mentioned above.

7.1 NEED AND DESIRABILITY

The proposed rezoning is to allow for legalisation of the liquor operation (Dolly's Bottle Store) on the premises as additional rights to the business rezoning. The proposed facility to be included in the zoning is a specialised venue with a targeted audience and strict rules. It is a facility which will aid in enhancing the entertainment in the area without being detrimental to the character of the area or a nuisance to surrounding properties.

The bottle store will be a safe environment to the community as they will walk in and out. There will be security guard on the premises.

The need and desirability of this facility is detailed below:

7.1.1. SPECIALISED FACILITY

Dolly's Bottle Store will be a specialised liquor store, designed to sell alcohol, socialize and entertain the community. The nature of this business will be an off-consumption bottle store.

Owning a liquor store is always very profitable because liquor is in huge demand in almost every part of the world. In addition, the business will generate a high degree of loyalty among customers. This means customers will most likely to continue to shop at only on liquor store, provided there is no decline in the quality they are getting.

The premises where I want to operate the business is suitable for this kind of business as it is far from churches, schools, Old age and Rehabilitation Centres.

7.1.2. OPERATING TIMES

Due to the fact that the bottle store will be operated in a residential are, it is of utmost importance to ensure that the bottle store operates during generally accepted hours and does not impede on the rights of neighbors or detract from the ambiance of the area. The operating hours will be enforced to ensure just that. In addition, due to the fact that the operating hours is so stringent, it avoids issues of having late night selling of alcohol.

Tabulated below, is the schedule of operating hours:

Day	Time
Weekdays	08:00 – 20:00
Friday Afternoons Saturdays	08:00 – 18:00
Sundays & Public Holidays	08:00 – 18:00

7.1.3. PARKING

The proposed use is a small-scale venue which can only accommodate limited number of customers. It would therefore mean that 3 cars can be accommodated.

7.1.4. CONTROL MEASURES

Due to the fact that the premises will be a highly specialised venue (bottle store) in a residential environment, the property owner has enforced a number of strict rules. These ensure minimal impact of the surrounding properties and reduce any negativity which may arise from walk in and walk out customers.

CONTROL MEASURES	
Operating hours	Strict and enforcing operating hours ensure that the business operational on the property do not impede on the rights of the neighbours during odd times of the day. As detailed in paragraph 7.1.2 it is clear that the owner has taken cognizance of the environment in which they are situated and ensured that respect is shown to neighbours and the environment at large
Age group	No selling of alcohol to under age person
Prohibitions	No music is permitted other than soft music for playing indoor. No weapons allowed in the premises

8. REGIONAL SPATIAL DEVELOPMENT FRAMEWORK (RSDF) 2010/11

The property is located in northern suburb area in terms of the Langeberg Municipality. The Langeberg Municipality clearly sets out the objective of the sub area by ensuring that the neighbourhood character and residential amenity of Droeheuwel and the surroundings should be retained and protected.

The approval of the zoning will allow a use which is in support of the operating liquor (off-consumption) to the community of Droeheuwel and the surroundings.

This is largely due to the fact that the operation conditions are strict and enforced the fact as well the primary use of the property will be business.

9. PUBLIC INTEREST

The proposed business rezoning application will legalise the operation of a bottle store on the premises. There will be erection of the building which is additional storage of beverages.

Additionally the proposed facility is in the public interest to operate as it will provide a specialised service for people who would like to buy alcohol.

This business will have a good impact on the public as most of the people in the community go to town to buy the liquor. By opening this business, it will save the community money, safety and time to get what they want (liquor) to entertain themselves.

The business will also provide job opportunities to the community as I will be employing 3 people which is the cashier, cleaner and security guard.

In future we will expand the business to create more jobs in the community.

10. CONCLUSION

It is clear, based on the above motivation that the approval of the rezoning application of Erf 6268 Droeheuwel will result in the provision of highly sought after, well located and high-quality service to the community, safe environment to the people who come in and out to the bottle store.

Besware

THE MGR / TOWN PLANNING
LAWSON MUNICIPALITY
3 NOT REEF STREET
2010

M/S S. FORTUIN
11 (Green) L. SCH. BOS, ST
ROEHEWEL, R / SON
6705

AJITON MONTAGU

24 JULY 2020

6720

CONTACT/CALL 0604049952

REF: 15/11/9/5

ISALATHISO SETHU

I.C.W.

Proposed Rezoning of ERG 6268, 4 GRANAAT BOS STREET, ROBERTSON.

Sirs,

(i) In terms of Section 56 of the said legislation I wish to convey my abhorrence for the Proposed Rezoning.

(ii) The region surrounding the Proposed Rezoning is riddled with an unreported high crime rate, -- and with the building of a. Shop's store will just enhance the already crime statistics. During the Electric shut-down last week, my Gate (just large in size) was stolen. I only perceive it when the lights came on again. I never reported this theft. Theft & burglaries are rife in this area and there are a lot of church-going people on Sundays. To think of them doing business on Sundays will result in ugly demonstrations.

(iii) We don't want this liquor store cum-Shop. Go erect it in Church St. in front of the Mun/ Building. PLEASE -- A Definite "NO!!"

Ajiton

(S. Fortuin)

PETISIE BESWAAR. 11

Gemeenskap van Droeheuwel

PETISIE TEEN OMSKEP VAN WONING TE GRANAATBOS 4 IN N DRANKWINKEL

Hiermee word n petisie saamgestel teen die hersonering van erf 6268, Granaatbosstraat 4, Droeheuwel, Robertson te omskep in n drankwinkel.

Almal se samewerking teen hierdie aansoek word benodig om dit te stop. Droeheuwel is n baie rustige omgewing en moet so behoue bly vir die veiligheid van ons kinders en inwoners.

Drankmisbruik, veral onder ons jeug, is aan die toeneem met gepaardgaande misdaad. Ontwikkeling vir die jeug word benodig om in verantwoordike burgers te word, ons benodig nie nog n drankwinkel nie.

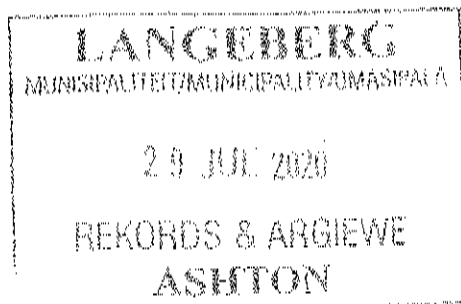
Werkseppingsprojekte moet begin word om die groeiende werkloosheid aan te spreek.

Die eienaars van hierdie woning in Granaatbosstraat 4 bly nou in Nkqubela en verhuur die huis huidiglik

Derhalwe word hierdie aansoek om die huis in drankwinkel te omskep ten sterkste teengestaan.

U word by voorbaat bedank vir u ondersteuning om n veilige woonbuurt te verseker.

Baie Dankie



	Volle naam en van	adres	identiteitsnummer	handtekening
1	Stella Stalleberg	Grammatbos 17	651150050000	S. Stalleberg
2	Wendie Stalleberg	Grammatbos 17	650000000000	W. Stalleberg
3	David Stalleberg	Grammatbos 17		
4	MARSHA HARTNER	GRAMMATBOS 8	7606312235003	M. Hartner
5	MARION HARTNER	GRAMMATBOS 8	4305305230000	M. Hartner
6	MARSHA HARTNER	GRAMMATBOS 8	4406250208001	M. Hartner
7	MARCELENE HARTNER	GRAMMATBOS 8	0102240235000	M. Hartner
8	MAURICE HARTNER	GRAMMATBOS 8		
9	MARCELENE JENCKE	GRAMMATBOS 8	2405030200000	M. Jencke
10	MARCELENE HARTNER	GRAMMATBOS 8		M. Jencke
11	Isabelle Lebrun	Grammatbos 8	712280271087	I. Lebrun
12	Colette Lebrun	Grammatbos 8		
13	ELISABETH MACKES	Grammatbos 6	6908190230000	E. Mackes
14	Isabelle Mackes	Grammatbos 6	8307045167000	I. Mackes
15	Isabelle Mackes	Grammatbos 6	6201220259000	I. Mackes
16	Isabelle Mackes	Grammatbos 21	5601250810000	I. Mackes
17	Annis Thompson	Grammatbos 17	7701011230001	A. Thompson
18	Annis Thompson	Grammatbos 17	5704280411001	A. Thompson
19	Annis Thompson	Grammatbos 17	0700120142000	A. Thompson
20	Patricia Stevens	Grammatbos 32	4809246052000	P. Stevens
21	Angela Staal	Grammatbos 33	6304040220000	A. Staal
22	Henry Staal	Grammatbos 33	5906178200001	H. Staal

23	Corina Interessen	Granaatbos 30	991612764403	J.
24	Leandra Appels	Granaatbos 30	980103012608	L Appels
25				
26				
27				
28				
29				
30	JULIANA BELL	Granaatbos 30	7905310167088	J Bell
31	GOLIAT KARELSE	Granaatbos 30	5810065257088	G Karelse
32	Goliat Bell	Granaatbos 30	9911035259083	G Bell
33	Denise Human	Granaatbos 49	85111010164083	D Human
34	KEVIN Human	Granaatbos 49		
35	Elady Abrahamus	Granaatbos 47	0029772272	E Abrahamus
36	Corneilus Abrahamus	Granaatbos 47	0029770472	C Abrahamus
37	Angela Cupido	Granaatbos 47	0844882572	A Cupido
38	Clara Abrahamus	Granaatbos 47	0834185860	C Abrahamus
39	Noleen Prins	Rooibosbos 26	0738230712	N Prins
40	Magna JETHA	Rooibosbos 27	0270665907578	M JETHA Cye
41	LIZA ABRAHAMS	Rooibosbos 27	071721561	L.A.B.
42	SHARON Abrahamus	Rooibosbos 24	0734427103	S
43	Micha Abrahamus	Rooibosbos	0717207166	M A Abrahamus
44	Olivia Noble	Rooibosbos 138	0734734580	O Noble
45	Chitanga Davids	Rooibosbos 128	0647011311	C Davids

	Volle naam en van	adres	identiteitsnummer	handtekening
46	Octavia Mabele	Rolbosstraat 128	073 473 6586	O. Mabele
47	Sina Muller	Rolbosstr 144		S. Muller
48	Rosealine Sauter	Rolbosstr 146	Flora 617 0186 082	R. Sauter
49	Terence van der	Rolbosstr 146	680425182085	T. van der
50	Flora Sauter	Rolbosstr 146		F. Sauter
51	Margaretha Muller	Rolbosstr 146		M. Muller
52	Daniel Muller	Rolbosstr 146		D. Muller
53	Ernest Sauter	Rolbosstr 146		E. Sauter
54	Frederick Sauter	Rolbosstr 146		F. Sauter
55	Lewis Sauter	Rolbosstr 146		L. Sauter
56	Elaine Oetle	Rolbosstr 152		E. Oetle
57	Anna E. E.	Rolbosstr 156		A. E.
58	John E.	Rolbosstr 156	08263627798	J. E.
59	William E.	Rolbosstr 156	081 757 6862	W. E.
60	Robert Breyse	Rolbosstr 156	0796671520	R. Breyse
61	Rochelle Breyse	Rolbosstr 156	0646613095	R. Breyse
62	Antonia Fielies	Rolbosstr 156	076 896 5557	A. Fielies
63	CHEKIL DU PLOOY	Rolbosstr 143	610930 0701 083	C. Du Plooy
64	BERAND PIETERSEN	Rolbosstr 143	7010025743087	B. Pieterse
65	CHRISTINA MARTINUS	Rolbosstr 141	0635837656	C. Martinus
66	ABRAHAM DU PLESSIS	Rolbosstr 141	11 11	A. Du Plessis
67	ABRAHAM MARTINUS	Rolbosstr 141	6804185671087	A. Martinus
68	DESIREE MOURIES	Rolbosstr 141	9210050083084	D. Mouries

69	Karel Munnick	Granada 551	650812 680812	OT3184581
70	Joset Munnick	Granada 551	1201030130087	OT3184581
71	Josive N. Munnick	"		T. Munnick
72	Karl Munnick	"		C. Munnick
73	Endre V. Wyk	"		OT3184581
74	Bredley V. Wyk	"		B. V. Wyk
75	Katie Johnston	Granada 21	0785700932	K. Johnston
76	Nardine Johnston	Granada 21		N. Johnston
77	William MARGAS	GRANADA 29	5804075216082	William Margas
78	Tresie DuToit	GRANADA 27	710130 181084	T. DuToit
79	Catherine Pongjira	Granada 27	75103005508	C. Pongjira
80	Ernestine Pongjira	Granada 27	0000200021000	Ernestine Pongjira
81	Jerome Pateron	"	11806305137086	Jerome Pateron
82	John Pateron	Granada 25	070430080050	John Pateron
83	Byron Coston	"	761103 529089	Byron Coston
84	Sophie Pongjira	Granada 25	1101030130087	Sophie Pongjira
85	Marius Pongjira	Granada 25	8412700223508	M. Pongjira
86	Debbie Moss	Granada 27	9603045200086	Debbie Moss
87	Janet Mauritz	Granada 28	761065027081	Janet Mauritz
88	Marlene Hendrick	Granada 10	8904070112085	Marlene Hendrick
89	Emil Langer	Granada 05	870314513744	Emil Langer
90	WKA Williams	Granada 11	7107140593000	WKA Williams
91	WKA Williams	Granada 19	8907105391086	WKA Williams

	Volle naam en van	adres	identiteitsnummer	handtekening
92	Micellan Tabet	GENAARD BOS 15	1610238922	<i>M. Tabet</i>
93	Remrick Caden	LUSM BOS 1	9203060155233	<i>R. Caden</i>
94	E. V. B. K.	LUSM BOS 1	8211135148088	<i>E. V. B. K.</i>
95	John Bess	LUSM BOS 1	7101105281082	<i>J. Bess</i>
96	Sufie JAKLS	LUSM BOS 1	4606260518085	<i>S. JAKLS</i>
97	James Johnson	Granadaatbos 2	1905105178081	<i>J. Johnson</i>
98	Irene Beul	Granadaatbos 2	7107060180082	<i>I. Beul</i>
99	Sarah Syster	Granadaatbos 9		<i>S. Syster</i>
100	Arthur W. Bess	Granadaatbos 25	8410080090082	<i>A. W. Bess</i>
101	M. W. Bess	Granadaatbos 25		<i>M. W. Bess</i>
102	E. T. Bess	Granadaatbos 25		<i>E. T. Bess</i>
103	Winchell Slinger	Granadaatbos 7	0005236244083	<i>W. Slinger</i>
104	Anna O'Brien	Granadaatbos 7	8606080143084	<i>A. O'Brien</i>
105	Hannah Slinger	Granadaatbos 7	7807090180081	<i>H. Slinger</i>
106	Vanessa Pike	Granadaatbos 3	8305010280 ⁰⁸³	<i>V. Pike</i>
107	Naren Windvogel	Blombos street 12		<i>N. Windvogel</i>
108	W. J. T. Jeneke	Granadaatbos 22	7509215024085	<i>W. J. T. Jeneke</i>
109	Lizell Jeneke	Granadaatbos 22	0010110704086	<i>L. Jeneke</i>
110	Margaret Jeneke	Granadaatbos 22	7610220181081	<i>M. Jeneke</i>
111	Riaan Jeneke	Granadaatbos 22	9609165192688	<i>R. Jeneke</i>
112	Hendri O'Brien	Granadaatbos 25	76091040135030	<i>H. O'Brien</i>
113	Samuel Slinger	Granadaatbos 17	930407522087	<i>S. Slinger</i>

114	ELIZABETH PETERSEN	KLAPPEBOS 25	731100141000	E. Petersen
115	OTA JANTJES	LANCIESBOOS 136	701017026980	R. Jantjes
116	MALLEN PETERSEN	KLAPPEBOS 105	91001105195080	M. Petersen
117	FRANK CAROLAN	KLAPPEBOS 104	7110215168080	F. Carolan
118	2 WANDER PETERSEN	KLAPPEBOS 25	0005275160000	2 Petersen
119	JOHN PETERSEN	Bokbos 50	6712245107081	J. Petersen
120	PATRICK MENDON	KLAPPEBOS 151	910193221058	P. Mendon
121	JENNIE PETERSEN	KLAPPEBOS 251	9000110152082	J. Petersen
122	PIETERZA MENDON	KLAPPEBOS 16	914019021058	P. Mendon
123	JOHN PETERSEN	KLAPPEBOS 15	1100115102085	J. Petersen
124	DANIEL SLOMAN	KLAPPEBOS 13	7100115389053	D. Sloman
125	KIMBA FAIRME	PETERSEN 41	5001025627000	K. Fairme
126	FRANK MICHIEL	KLAPPEBOS 27	9301250120007	F. Michiel
127	FRANK V. J. J. J.	Klappbos 34	072471544000	F. J. J. J.
128	KATHLEEN PETERSEN	Klappbos 121	6801260190887	K. Petersen
129	J. PETERSEN	Klappbos 17	711150200089	J. Petersen
130	J. PETERSEN	Klappbos 27	0803000302057	J. Petersen
131	CAROLAN B. B.	Klappbos 28	0728919	C. B. B.
132	W. D. B.	Klap 18	07447957252	W. D. B.
133	P. HALL	Langbos 8		P. Hall
134	FIZGL MICHAEL	KLAPPEBOS 27	9112035051000	P. F. Michael
135	DENRIGER PETERSEN	Klappbos 11	0102150284055	D. Petersen
136	JAMIE VISACHE	KLAPPEBOS 31		J. Visache

	Volle naam en van	adres	identiteitsnommer	handtekening
137	Alfreda Kombella	Granatbos 40	15111111111111	A. Kombella
138	Alfreda Kombella	Granatbos 40	15111111111111	A. Kombella
139	Alfreda Kombella	Granatbos 40	15111111111111	A. Kombella
140	Alexia Kombella	Granatbos 40	0012121014083	A. Kombella
141	Delhia Kombella	Granatbos 40	6607070766086	D. Kombella
142	Jim Kombella	Granatbos 40	6410105254085	J. Kombella
143	Ronell Bantom	Granatbos 40	950250073082	R. Bantom
144	Colene Kombella	Granatbos 40	970322014584	C. Kombella
145	Levin Steenke	Granatbos 40	900503251081	L. Steenke
146	Julianina Marthinus	Granatbos 42	9403130138081	J. Marthinus
147	Carmen Malgas	Granatbos 42	7902160096085	C. Malgas
148	Endy-lee Swanepoel	Granatbos 44	9112560223084	E. Swanepoel
149	Arjan Malgas	Granatbos 42	020208833088	A. Malgas
150	ABIGAIL DAVIES	GRANATBOS 48	9504105159085	A. Davies
151	Mythelene Loff	Granatbos 50	6501260114082	M. Loff
152	Sarel Piemans	"	5005105174081	S. Piemans
153	Julien Loff	"	8311033206081	J. Loff
154	Charlani Moos	Granatbos 43	7302080154084	C. Moos
155	Ernie Furze	Granatbos 61	5502050156083	E. Furze
156	Elize Africa	46 Granatbos	1303210761087	E. Africa
157	Kayla Africa	46 Granatbos	0211011096081	K. Africa
158	Callin Africa	Granatbos 4.6	0211011097089	C. Africa
159	Callin Africa	Granatbos 4.6	0211011097089	C. Africa

	Naam	Geboortedatum	Geboorteplaats	Overlijdensdatum	Overlijdensplaats
160	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
161	CHRISTINA	1898	CHORUS	18/11/1985	CHORUS
161	Anna C. Rymmer	1898	CHORUS	18/11/1985	CHORUS
162	Sarah C. Rymmer	1898	CHORUS	18/11/1985	CHORUS
163	Sarah C. Rymmer	1898	CHORUS	18/11/1985	CHORUS
164	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
165	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
166	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
167	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
168	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
169	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
170	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
171	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
172	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
173	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
174	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
175	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
176	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
177	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
178	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
179	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
180	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS
181	CHRISTINA Smit	1898	CHORUS	18/11/1985	CHORUS

Aansoeker se reaksie op besware

REAKSIE OP BESWARE 20

Ronel Ferreira

From: Nomhle Gxowa <Nomhle.Gxowa@westerncape.gov.za>
Sent: 27 September 2020 22:08
To: Ronel Ferreira
Subject: OBJECTION - DOLLY'S BOTTLE STORE

Good day

The premises where I want to operate the liquor store is suitable for this kind of business as it is far from churches, schools, old age home and Rehabilitation Centres.

This business will have a good impact on the public as most of the people in the community go to town to buy the liquor. By opening this business, it will save them money and time to get what they want (liquor).

In Droeheuwel most people drive or walk to town and to Nkqubela location to buy liquor so by opening this bottle store can prevent accidents and people walk at night and get stabbed or robbed to get alcohol from illegal shebeens or far from where they live.

This liquor store will also provide job opportunities to the youth as we all know the unemployment rate is high and most of the people are seasonal workers. Not only me as an owner will benefit also the community will benefit.

I believe people will have a piece of mind knowing that they can buy alcohol in the area and go home to drink.

This will be an off-consumption (Bottle Store), there won't be people sitting at the premises and drinking making noise and there won't be loud music. We will comply with the regulations and laws of the country. There will be no sales to person under 18 years old. We will always operate on the prescribed times. We will not close late and play music.

As a South African citizen, I want to do a rightful thing by selling alcohol legally and contribute to the economy of our country.

I know in South Africa every has the right but the petition is signed in one house by more than 8 people and their age is my concern cause some of them who signed the petition are underage.

I hope you will consider my application.

Regards
Nomhle Gxowa

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Summary of "Relevant Considerations"

Section 33 of the Constitution requires that organs of state make decisions which are **lawful, reasonable and procedurally fair**. It further provides that national legislation must be enacted which provides that those whose rights have been adversely affected by administrative action, are given an opportunity to have the administrative action reviewed in a court of law (or, where appropriate, an independent and impartial tribunal).

In order to give effect to section 33 of the Constitution, the Promotion of Administrative Justice Act (3 of 2000) ("PAJA") was promulgated. Section 6(2) of PAJA sets out the reasons why an administrative decision may be reviewed. Section 6(2)(e)(iii) of PAJA provides that an administrative decision may be reviewed if ***irrelevant considerations were taken into account*** or if ***relevant considerations were not considered by the decision maker***.

When assessing a land use application, there are certain general development principles contained in the Spatial Planning and Land Use Management Act, No 16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act, No 3 of 2014 (LUPA) that must be taken into account, and which are regarded as relevant considerations for the purpose of PAJA.

Furthermore, section 2(2)(d) of LUPA states that a municipality must regulate the criteria for deciding on land use applications. These are determined in the Langeberg Municipal Land Use Planning Bylaw, 2015 (the bylaw). Chapter V, Section 65 (1) (a) to (s) of the bylaw sets out the general criteria that must be considered when deciding on a land use application.

In terms of the above, in considering and deciding on an application, a Municipal Planning Tribunal / Authorised official / Appeal Authority / Official must be guided by

- (a) The development principles of SPLUMA and LUPA;
- (b) The prescribed procedure to be followed in processing the application; (Bylaw S65(1)(b))
- (c) The comments received in response to the notice of the application and the comments received from organs of state and internal departments of the municipality. (Bylaw Section 65(1)(d))
- (d) The response by the applicant to the comments referred to above. (Bylaw Section 65(1)(e))

and, when considering land use applications, must take into account the following key aspects, as drawn from various sections of SPLUMA, LUPA and the Langeberg Municipal Land Use Planning Bylaw:

- (a) Must make a **decision which is consistent with:**
 - (i) norms and standards
 - (ii) measures designed to protect and promote the sustainable use of agricultural land
 - (iii) national and provincial
 - (iv) government policies
 - (v) the municipal spatial development **framework (SPLUMA S42(1)(b))**
- (b) May not make a decision which is **inconsistent** with a municipal spatial development framework **(SPLUMA S22(1))**
- (c) May depart from the provisions of the Municipal Spatial Development Framework in **site specific circumstances (SPLUMA S22(2))**
- (d) Must ensure **alignment** with any relevant structure plans, the PSDF and any applicable Regional SDFs; **(Bylaw, S65(1)(l)(n)(o))**
- (e) Must take into account **public interest (SPLUMA 42(1)(c)(i))**
- (f) Must have regard to at least any **guidelines issued by the Provincial Minister** regarding proposed land uses; **(LUPA 49(e))**
- (g) Must take into account any **applicable national or provincial policies** that guide decision making; **(Bylaw, 65 (1) (p))**
- (h) Must take into account the **impact on existing rights and obligations**; **(SPLUMA 42(c)(iv))**
- (i) Must take into account the **constitutional transformation imperatives**; **(SPLUMA, S42(1)(c)(l))**
- (j) Must take into account the **state and impact of engineering services, social infrastructure and open space requirements**; **(SPLUMA S42(1)(c)(v))**
- (k) Must consider any factor that may be prescribed, including timeframes, for making decisions; **(SPLUMA, S42 (1)(c)(**
- (l) Must take into account **investigations carried out in terms of other laws** which are relevant to the consideration of the application; **(Bylaw 65(1)(f))**
- (m) Must take into account the **relevant provisions of the zoning scheme**; **(Bylaw 65(1)(s))**
- (n) When considering an application affecting the environment, **ensure compliance with environmental legislation**; **(SPLUMA, 42 (2))**
- (o) Must consider the desirability of the proposed land use **(LUPA, section 49(d) and Bylaw S65(1)(c))**

Bronnelys tov studies oor verband tussen ligging van drankafsetpunte en sosiale probleme

"How Alcohol Outlets Affect Neighborhood Violence", Kathryn Stewart, Prevention Research Centre, Pacific Institute for Research and Evaluation (www.resources.prev.org)

"Do Liquor Stores Increase Crime and Urban Decay? Evidence from Los Angeles." , Bing-ru The, University of California, 2007

"The association between Density of alcohol Establishments and Violent Crime within Urban Neighbourhoods" TL Toomey, DJ Erickson et al.

Crime Rate and Liquor Outlets Tied : Research: Study finds direct relationship between number of businesses selling alcohol and the level of violent offenses in an area.

May 01, 1995 | LISA RESPERS | TIMES STAFF WRITER

Urban Crime and Spatial Proximity to Liquor: Evidence from a Quasi-Experiment in Seattle

Andrew Chamberlain¹

February 25, 2014