

**4.3****REMAINDER OF ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTYS BAY (PTY) LTD****2989 KBB (4193/2022)****H van der Stoep  
22 January 2025****(028) 313 8900****Hermanus Administration**

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**1. EXECUTIVE SUMMARY**

An application was received on 5 July 2022 from WRAP Project Office on behalf of The Hub Bettys Bay (Pty) Ltd on Remainder of Erf 2989, Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 for a consent use to allow a bottle store on the property.

A Locality Plan of the property concerned is attached as Annexure A. The Motivation Report from the applicant in support of the proposal is attached as Annexure B, while the proposed Site Development Plan is attached as Annexure C.

**2. DECISION AUTHORITY**

Municipal Planning Tribunal

**3. BACKGROUND / SITE HISTORY**

The application shop is situated in The Hub local business node; Betty's Bay and zoned Business Zone 3: Local Business. The property measures 1108m<sup>2</sup> in extent and is developed with existing buildings being utilised for business purposes.

The applicant proposes to utilise and convert an existing shop as a bottle store.

**4. SUMMARY OF APPLICANT'S MOTIVATION**

The main grounds of motivation for the application are as follows:

The proposal is to apply for a consent use to allow a bottle store (boutique liquor outlet) that will afford the residents of Betty's Bay the opportunity to support businesses in their community, rather than commuting to Kleinmond, Hermanus or Somerset West.

The property owners have identified the property as a property with potential to be able to accommodate several businesses. The name and slogan for the new business premises is "The Hub – Think Local". The proposal is to attract more people to invest and support Betty's Bay rather than spending their money in other surrounding towns.

Betty's Bay is known as a small village that is steadily seeing an increase in population over the past few years. COVID has enabled more and more residents to continue to work from home while being able to relocate to a smaller town. Betty's Bay also has a high number of retirees and with the rising fuel prices it may become unfeasible to drive and can rather support a local business.

The businesses will be independently owned mostly by owners residing in the area and will not be part of a corporate group. As mentioned earlier, the prospective business owner's vision is to satisfy a need of the residents of the entire Betty's Bay, which is essentially the core strategy for any new business. If the application is approved, the prospective business owner has indicated that he will move to Betty's Bay to operate and manage the business.

As previously mentioned, the proposed boutique liquor outlet will be one of several businesses on the subject property. These businesses include an eatery with the other shops open for other business opportunities.

According to the OMLUS a "bottle store" is defined as:

***'an establishment where the main purpose is the retail sale of alcoholic beverages for off-site consumption.'***

A bottle store is allowed in terms of the existing zoning with the consent of the local municipality.

The business owner has indicated that a bespoke selection of beer and spirits will be available. Steps will be taken to uphold the genteel clientele which steps will for example include, not selling beer in single units. No mass market products that will attract the wrong elements to the area will be stocked or sold.

The need for the land use application arose from the property owners identifying the need for a small mixed-use development, located in a small business node, combined with as small residential component. The shops will be utilised by various enterprises of which one will be the proposed boutique liquor outlet (bottle store). The owner of the proposed boutique liquor outlet who will be leasing one of the shops, has done his market research and have identified that the only place to buy liquor that residents can consume at home was in surrounding towns. The zoning of the property allows a bottle store with the consent of the local municipality.

The need and desirability are often a personal feeling that is experienced in this case by both the property owners and prospective business owner. Identifying a need and creating a product that is both feasible and desirable that will create a successful business.

To achieve their vision, the property owners have appointed WRAP Project Office to submit this application to ensure the proposed consent use is not in contradiction to any policies, legislation, or title deed conditions.

#### **Impact on views, sunlight, and character of the area**

The proposal is not intended to have an impact of the views, sunlight, and character of the area. The property is being developed according to the approved building plan that is in line with the development parameters of the OMLUS. The building plans have been scrutinized by all relevant departments of the Overstrand Municipality and amendments were required to be made before approval was received.

The subject property is in a small business node in the centre of Betty's Bay and the proposal is not predicted to have a negative impact on the surrounding area. The establishment will be well managed, and the property owners are residents of Betty's Bay with a vision to uplift the area.

There are residential properties surrounding the business node, however when these residential properties were purchased, such purchasers were aware that these business properties will be developed at some stage. The proposal is in line with what is required in terms of the OMLUS with consent from the OM.

### **Economic impact**

The construction currently taking place on the subject property is employing builders, carpenters and other artisans already adding valuable income sources. The property owners have created a business proposal that will employ and create new economic opportunities on several levels. These are long term solutions to address a larger problem within the Overstrand area, which is the lack of job opportunities.

By creating and opening businesses, job opportunities are created alongside this business, putting personal preference before the greater good.

### **Opportunity cost**

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is in line with the existing zoning and the development parameters of the OMLUS. Great care has gone into the design of the proposal, and it is predicted that it will not negatively impact the area.

### **Impact on heritage**

The subject property is not listed in the OM Heritage Register.

### **Environmental impact**

The subject property is not located within a registered environmentally important area. Although Betty's Bay is located in a unique biosphere, it is however not predicted that the proposal will have a negative impact on the area.

### **❖ Planning Principles:**

#### Spatial Justice:

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. There are currently no bottle stores in Betty's Bay and residents must travel to Pringle Bay, Kleinmond or Hermanus. The boutique liquor outlet (bottle store) will occupy one of the shops on the ground floor of the building which has an extent of approximately 37.5m<sup>2</sup>

#### Spatial Sustainability:

Spatial sustainability refers to planning proposals that result in communities that are viable. The proposal is to utilise a property in a mixed-use area in terms of its existing zoning. The property is located within the urban edge of Betty's Bay and will not add to any spatial degradation. The proposal will not have an impact on agricultural land, environmentally sensitive areas of biodiversity rich areas.

Efficiency:

This proposal is intended to maximise the usage of the subject property and to ensure the businesses that are being proposed are viable and successful. There are sufficient parking and access to the property, not impacting on the busier Clarence Drive. The boutique liquor outlet (bottle store) will be located in an existing (under construction) building and will not operate as a freestanding enterprise, however, as part of the entire development business- complex and node

Spatial Resilience:

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

Good Administration:

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process. The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.

**Policies and Regulations:****MSDF**

The SDF's intention is to ensure compliance with national, provincial, and district legislation policies and principles. The SDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

**Consistency of the proposal with the policy**

The policy illustrates that the subject property is located in Jock's Bay Retail Centre, which is identified as a Commercial Node that is earmarked as a local economic opportunity area. The other two Commercial Nodes within Betty's Bay have seen more growth over the past few years and are not proposed to be developed any further.

The MSDF also promotes the infill development and tourism-based development, which is aligned with the proposal and the building being constructed. The property owners have indicated that their main objective is to have businesses that attract more people to the area. Even if only making products more accessible to the customers and residents of the area.

**OVERSTRAND GROWTH MANAGEMENT STRATEGY**

With reference to the Overstrand Growth Management Strategy, 2010 (OGMS) the subject property is located within Planning Unit 7. No specific guidance is given in terms of commercial enterprises.

**CONCLUSION:**

The proposal needs to be evaluated on the basis that the zoning is not proposed to be changed and that the zoning makes provision for a bottle store to be operated with the consent of the Overstrand Municipality.

- No additional services will be required and the building that was approved will accommodate 7 shops. The proposal is only to operate a boutique liquor outlet (bottle store) in one of these approved shops;
- There is sufficient access and parking being provided including a loading bay;
- The boutique liquor outlet (bottle store) will be an independently run liquor outlet, owned by a future resident of Betty's Bay, which allows for a more personal approach to business and how the business will be managed;
- The owner of the proposed boutique liquor outlet (bottle store) has indicated that only a bespoke selection of beer and spirits will be available;
- The subject property does not have a negative impact on the environmental of heritage of the area;
- The building will be easily accessible and will include a baboon proofed refuse area as requested by the building control department of Overstrand Municipality.

In terms of the policies and guidelines of the OM the application adheres to these relevant spatial planning documents. The property has been zoned for business purposes which include the proposal with consent of the municipality. The proposal is in harmony with the surrounding area and business node and all relevant spatial planning policies.

#### 5. ADMINISTRATIVE COMPLIANCE

Methods of advertising		Date published	Closing date for comments
Local newspaper	<b>Yes</b>	14 March 2024	19 April 2024
Registered mail	<b>Yes</b>	20 September 2022	28 October 2022
Internal Departments	<b>Yes</b>	20 September 2022	28 October 2022
Ward Councillor	<b>Yes</b>	20 September 2022	28 October 2022
Total objections / comments	<b>3 – First round 84 – Second round</b>		
Total letters of support			
Was public participation undertaken in accordance with section 46- 50 of the By-law on Municipal Land Use Planning?			<b>Yes</b>
Was the application processed correctly (if no, elaborate below):			<b>Yes</b>
Is the proposal consistent with the principles referred to in chapter 2 of SPLUMA and Chapter VI of LUPA? (can be elaborated further below)			<b>Yes</b>

#### 6. SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS

Name	Date received	Summary of comments
<b>Building Control</b>	21/09/2022	No objection. The building plan application must comply with all applicable law including fire

		safety distances.
<b>Fire Department</b>	20/09/2022	No objection subject to compliance with the provisions of SANS 10400-A:2016, 10400-T:2020 and the By-Law relating to Fire Safety.
<b>District Municipality: Health</b>	11/10/2022	No additional requirements.
<b>Services Report</b>	10/11/2022	See Annexure F.
<b>Western Cape Government: Transport &amp; Public Works (Road Planning)</b>	20/11/2020 & 10/11/2022	See Annexure G.

The Western Cape Government: Transport & Public Works (Road Planning) in their letter dated 10 November 2022 did not support the application, due to an illegal footbridge over the storm water channel. The building itself was approved by the mentioned department on 20 November 2020. See Annexure G.

The application for the bottle store within the approved building cannot be made subject to the illegal pedestrian bridge. This aspect will be dealt with under the conditions.

## 7. SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION

The public participation process took place from 20 September 2022 to 28 October 2022. Registered letters were also sent out to surrounding property owners and the Betty's Bay Ratepayers Association.

Three (3) comments/objections were received from the public participation process which is listed below:

- 1) SA Versfeld
- 2) Betty's Bay Ratepayers Association
- 3) D Blackbeard - LATE

A second public participation process was followed where the application was advertised in the local newspapers, which lead to a second round of objections and comments received. See list of **84** comments/objections/support letters below:

- |                                |                      |
|--------------------------------|----------------------|
| 1. G Kuhn - PETITION (support) | 14. Elly Bates       |
| 2. G Kuhn                      | 15. Carlo Valentini  |
| 3. S van Niekerk               | 16. M Muller         |
| 4. L Schonk                    | 17. L Watermeyer     |
| 5. H & S du Plessis            | 18. Mark Gamble      |
| 6. Y Gray                      | 19. D Hofmeyr        |
| 7. Duncan Anderton             | 20. Brian Edwards    |
| 8. Gavin Stockden              | 21. MC van der Merwe |
| 9. Laurence Weddell            | 22. Tobie Muller     |
| 10. Johann von der Heyden      | 23. Joy Rourke       |
| 11. Carol Clark                | 24. Stefne van Dyk   |
| 12. Emmse Burger               | 25. Graham Clark     |
| 13. Adv Werner Krull           | 26. Louise Sterling  |

- |                             |                           |
|-----------------------------|---------------------------|
| 27. EM Muller               | 56. Y van Zyl             |
| 28. Michelle Aimee          | 57. Eric & Mary Bateman   |
| 29. Y Roozen                | 58. Marina Snelling       |
| 30. Vivienne von der Heyden | 59. Steve Winters         |
| 31. GP Dall                 | 60. Regine Kroger         |
| 32. Stuart Blackbeard       | 61. Sam & Ann Moore       |
| 33. Glenda & Jeremy Muller  | 62. Nicolette Maritz      |
| 34. Ruwaida Matthews        | 63. CM Jacobs             |
| 35. Annatjie Creighton      | 64. Johan & Rhona Gericke |
| 36. CJ Mentz                | 65. Stephen Hofmeyr       |
| 37. Dr Rob Moore            | 66. Bronwen Venkatasami   |
| 38. Trinity Loubser         | 67. Judy New              |
| 39. Esther Niemandt         | 68. Tony Cunningham       |
| 40. John Loubser            | 69. MAE & JHC Whaits      |
| 41. Tammy Fernandes         | 70. Richard Blackbeard    |
| 42. I Combrinck             | 71. D Blackbeard          |
| 43. Dr CAR Bain             | 72. Charlie Taljaard      |
| 44. H & M van Tonder        | 73. Robin Starey          |
| 45. Trevor de Beer          | 74. Sabrina Taljaard      |
| 46. Dr B Ficker             | 75. S & Y King            |
| 47. Janet Longman           | 76. Ellie Bubb            |
| 48. MJ van Wyk              | 77. Mieke Willems         |
| 49. Calvin Nicholson        | 78. Bronwyn Jackson       |
| 50. T Lavery                | 79. Kim Gericke           |
| 51. C van Riet & B Janssens | 80. Rob Gray              |
| 52. Clive Barham            | 81. Catherine Jaussaud    |
| 53. Riana Vogel             | 82. Guy Snelling          |
| 54. Carien de Kock          | 83. Rea Borchers          |
| 55. Sharon Crawford         | 84. JoJo & Wilma Gunnink  |

The objections, the applicant's reply and the Municipal Town Planners response thereon can be summarized as follows:

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### ***1<sup>st</sup> Round of Public Participation - 20 September 2022***

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Three (3) comments and objections were received, which are addressed herein:

**1. Betty's Bay Ratepayers' Association**

In light of the BETTY'S BAY community being somewhat divided on this issue, we the BBRPA cannot make any comments on this rather contentious matter.

**2. D Blackbeard**  
Late Objection

**3. SA Versfeld**

 **COMMENTS - SA VERSFELD**

*I acknowledge receipt of your Notice by registered mail regarding the captioned matter.*

*It would appear that OM has already, in principle at least, recommended/approved the application despite not fully compliant to clear guidelines of the Western Cape Liquor Act of 2008.*

*I stay within 200 m of the envisaged business premises. In terms of Sections 51 and 52 of the said By-Law to the Municipality I object to the application - refer below correspondence to the Western Cape Liquor Authority for your attention please. I have also delivered a copy of same to the Kleinmond SAPS Liquor Control Officer.*

*Objections in terms of Section 39(2) of the Act: The following motivation is submitted in objection to the entertainment and possible approval of the captioned Application:*

- 1. Does the application fit zoning requirements;*
- 2. Clarence Drive/R44, in the identified business premises area at Jock's Bay, already experiences severe traffic volumes associated with speeding and a number of accidents occurring;*
- 3. There is an already definite lack of available public parking (quantity and safety) for customers;*
- 4. There has also been little to no traffic law enforcement in this area, despite numerous requests to authorities;*
- 5. Additional visitors attracted to The Hub / Thirsty's Liquor Boutique will certainly exacerbate the above-mentioned tenuous situation;*
- 6. The envisaged business premises is situated within a 500m radius of the local Catholic Church/Anglican Church;*
- 7. It is alleged that only wine will be sold, yet the license applied for include spirituous beverages and beer;*
- 8. The Hub business cluster facilities include an open roof deck offering 2 x barbeque areas which may be used in future to expand the prospect licensee business activities to include hospitality events and on-premises alcohol consumption;*
- 9. A commonly known impact of liquor stores/on premises consumption venues include attraction of crime "hot spots" and loitering, including control over socially undesirable activities and general safety;*
- 10. Betty's Bay has been identified as a high crime area and has suffered from increased levels of burglary and assault;*
- 11. Betty's Bay has a well-known and established pensioner (older) residential area;*
- 12. There is no guarantee that license conditions may be expanded once initial approval is obtained;*
- 13. Residential property values in the area will be negatively compromised;*
- 14. Earlier applications in a more established business area of Betty's Bay, Centre Shop area, have been rejected.*

<b>APPLICANT'S RESPONSE TO COMMENTS</b>
<p>1. The subject property is currently zoned Business Zone 3: Local Business, as stated in section 8 of the motivational report. The property is not being rezoned as the Overstrand Municipality Land Use Management Scheme, 2020 makes provision for a bottle store as a consent use under the current zoning.</p> <p>2. &amp; 3.</p> <p>No parking is being proposed on Clarence drive.</p> <p>The Overstrand Municipality Land Use Scheme, 2020, requires that all parking required for the property be provided on-site. The parking requirements are determined by the Overstrand Municipality Land Use Scheme, 2020.</p> <p>The property will gain access and egress from a municipal street at the back of the property. The building plans were approved by the Overstrand Municipality indicating that parking provision was regarded as adequate with sufficient manoeuvring space and driving widths.</p> <p>The applicant cannot be held responsible for the dangers of Clarence Drive and although these comments are not considered as unimportant, it is not the correct forum to raise existing traffic issues on a provincial road. It is suggested that these objections be directed towards the Western Cape Department of Transport who has jurisdiction on the road running through Betty's Bay.</p> <p>Important to note, is the applicant will not be serving liquor for on-site consumption.</p> <p>4. The comment is noted, but it is not the correct forum for the objectors to raise existing traffic issues.</p> <p>5. The application was circulated to the engineering department of the Overstrand Municipality, and they will be able to provide their comments on the matter. If there is any feedback from the engineering department, the property owners will address these comments if any is received.</p> <p>6. This is noted. The property is zoned for business purposes, and it not predicted to have an impact on the operations of the church. The business will be operated in same manner as the rest of the Jock's Bay Retail Centre.</p> <p>7. The application clearly states that the proposed bottle store will be for the sale of all kinds of liquor, refer to section 4.1 of the motivation report.</p> <p>8. The application is solely for the bottle store on the ground floor, it is noted that the building has these amenities and may also be used by the occupants of the flats on the first floor.</p> <p>9. These comments are noted, and it is understood that the objector may be concerned.</p> <p>A security firm will protect the property to ensure the property is secured and that no crime occurs on-site. The proposal is to establish a higher end enterprise, than the standard liquor store.</p>

1. The subject property is currently zoned Business Zone 3: Local Business, as stated in section 8 of the motivational report. The property is not being rezoned as the Overstrand Municipality Land Use Management Scheme, 2020 makes provision for a bottle store as a consent use under the current zoning.

2. & 3.

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Important to note, is the applicant will not be serving liquor for on-site consumption.

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7. The application clearly states that the proposed bottle store will be for the sale of all kinds of liquor, refer to section 4.1 of the motivation report.

8. The application is solely for the bottle store on the ground floor, it is noted that the building has these amenities and may also be used by the occupants of the flats on the first floor.

9. These comments are noted, and it is understood that the objector may be concerned.

A security firm will protect the property to ensure the property is secured and that no crime occurs on-site. The proposal is to establish a higher end enterprise, than the standard liquor store.

The type of clientele needs to be evaluated from where the property is located in a strategic position to supply a demand that has been created with the lack of bottle stores in the area.

No liquor will be consumed on site and the applicant will be regulated by the Western Cape Liquor Act, (Act no 4 of 2008) on who may purchase liquor. It is important to note that conditions such as the following are normally included into the approved liquor licence:

*“No liquor may be sold to persons who are drunk and/or disorderly.”*

*“No person who is drunk and/or disorderly may be allowed to stay on the licensed premises”*

*“The licensee and/or the manager must at all times ensure that the activities and business conducted on the premises do not cause any nuisance or disturbance to other, including but not limited to neighbours, residents, other occupiers of building in the area and passers-by”*

*“The licensee/appointed manager shall not allow for the sale of liquor to patrons in containers which are not sealed. Liquor may only be sold in a property sealed container, bearing the seal or label of a registered manufacturer or licensed micro-manufacturer. All containers with liquor must be sealed when sold and remain sealed when leaving the premises.”*

These conditions are only a short list of the conditions that will limit the disturbance on-site and ensure that the business cannot be held responsible for any criminal activities. Should any criminal activities occur is it the responsibility of the SAPS to address the situation and ensure the safety of those involved.

10. The existing crime situation in Betty’s Bay is not as a result of a proposed bottle store and it is not predicted that the existence of the bottle store will have a negative impact on the crime situation in Betty’s Bay.
11. This is noted and they will also be welcomed to the bottle store and limit the travel time if they wish to purchase liquor.
12. The application is for the consent use to allow a bottle store.
13. This is noted, the property owners surrounding the Jock’s Bay Retail Centre bought their properties knowing the Jock’s Bay Retail Centre will be developed in the future and it was unpredicted what business these will be.

There is however no knowledge or evidence being provided by the objector on this statement and cannot be considered.

14. This comment is noted, and the proposal cannot be compared to the previous application and the decision thereof cannot create a precedent, as town planning is a site-specific process and the notion that if one application is refused it is not motivation enough to refuse another land use application.

Each application is evaluated individually and site specific and considered if deemed fit and desirable to approve the bottle store.

The Overstrand Municipality is required to consider various factors that may influence their consideration of the proposed bottle store.

**TOWN PLANNER'S RESPONSE**

The application property, known as The Hub, has gone through a town planning process and is fully compliant with the zoning of Business 3 parameters in terms of parking and the access granted by the Department of Transport. The traffic issues on Clarence Drive are to be dealt with by the Department of Transport.

The comment with regard to the possible impact of the liquor store on the two first floor braai areas in future cannot be verified. At present the first floor consists of flats of which the inhabitants may utilise the facilities with their own liquor. The utilization of the facilities will come down to the management of these facilities and to what extent the owners will allow the public to utilise the facilities.

The proximity of the church in the South African context has various examples where liquor stores and or supermarkets do sell alcohol in proximity less than 500m from a religious building. Therefore, this aspect in itself is not a reason for discarding the application.

 <b>LATE COMMENTS - D Blackbeard</b>
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***I hereby would like to lodge an objection against the proposal to issue consent use to one of the shops in the new development - The Hub, opposite Penguin Place on Clarence Drive. I believe the Erf is 2989 in which they want to sell liquor (alcoholic drinks).***

***I feel that this consent use should not be granted, because it will:***

- ***negatively impact the level of crime in the area,***
- ***attract people who may abuse the use of alcohol,***
- ***result in increased noise pollution,***
- ***not be an asset to the residential area surrounding The Hub, especially seeing that the Catholic Church is less than 100m away from this Erf 2989. A bottle store or shop that can sell liquor will have a negative impact on this church.***
- ***upset the neighbours; all of whom I have contacted are against this.***

<b>APPLICANT'S RESPONSE TO COMMENTS</b>
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This objection received, is acknowledged, but it does not merit a response from WRAP Project Office. The objection was submitted on the 31<sup>st</sup> of October 2022 which is considered a late objection, and the contents thereof will not be addressed, and it should not be considered.

These objections are regarded as invalid as they were not submitted within the time period stated in the notice received. Section 52 of the Overstrand Municipality: Amendment By-law on Municipal Land Use Planning 2020, clearly state the conditions that comments/objections need to adhere to.

Section 52(2) states:

***“Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice **within the time period stated in the notice** and in the manner set out in this Section.”***

And Section 52(5) states:

*“The Municipality may refuse to accept an objection, comment or representation received after the closing date.”*

It is apparent when reviewing the Overstrand Municipality: Amendment By-law on Municipal Land Use Planning 2020, that it provides clear conditions and methods on how comments/objections may be submitted, and a timeframe allowed for submission for such objections to be valid.

It is our opinion that these comments may not be considered by the decision-making authority as it was submitted outside of the time period stated in the notice.

#### **TOWN PLANNER’S RESPONSE**

It is acknowledged that the comment is late; however it will be dealt with.

Every citizen has a right to purchase alcohol, and it is unclear to the segment of people the objector refers to. Statistics shows the following:

Results: Current drinkers were more concentrated among richer South Africans, while binge drinkers were concentrated among the poorer population. For current drinkers, irrespective of sex, race, age, and urban, socioeconomic inequality in alcohol consumption had become less pro-rich between 2008 and 2014/15; while inequality in binge drinking, outside of the Asian/Indian and rural categories, had become less pro-poor between 2008 and 2014/15. (<https://doi.org/10.3389/fpubh.2021.606050>).

The proposed liquor store is located within the building and not a stand-alone shop, thus will be subject to the management rules of the building in total. This also applies to all activities on the property and the business node. There are restaurants, hardware store in the node which all can generate noise.

The comment with regard to the surrounding residential erven of which all bought next to a business node, fully aware of the adjacent business activities.

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#### ***2<sup>nd</sup> Round of Public Participation – 4 April 2024***

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Numerous letters and petitions in support of the proposal were received as highlighted below. As mentioned within the application the proposed consent use will enable the owners to expand their product offering to better serve their existing clientele, without making any other changes to the shop. This adjustment will enhance customer satisfaction while preserving the shop's established character and operations.

**SUPPORT**

*Yolanda Roozen  
Hans and Sandra du Plessis  
Y Gray  
Duncan Anderton  
Gavin Stockden  
L. Schank  
Greta Kuhn*

**We received late support as well as a petition signed by 14 supporters.**

**LATE SUPPORT - Sarah van Niekerk**

**PETITION RECEIVED SIGNED BY**

<i>Riana Van Zyl</i>	<i>Lynne Arundel</i>	<i>W J Maree</i>
<i>Conrad Louw</i>	<i>Yvonne Garnar</i>	<i>R Smit</i>
<i>Keith Anderson</i>	<i>Deidre Serfontein</i>	<i>Liz Buncker</i>
<i>Craig Brown</i>	<i>Martin Wells</i>	<i>Michela Nusca</i>
<i>Willam Kuhn</i>	<i>Richard Starke</i>	<i>J Rabie</i>
<i>Barnie Prinsloo</i>	<i>Sharon Prinsloo</i>	<i>Piet van der Walt</i>
<i>Diane Crossman</i>	<i>Glynis Davidson</i>	<i>Corne Piani</i>
<i>Desmond Davidson</i>	<i>Tienie Louw</i>	<i>Kyra Black</i>
<i>Anita Louw</i>	<i>A Niemandt</i>	
<i>F Swart</i>	<i>Stefan Roos</i>	

**APPLICANT'S RESPONSE TO SUPPORT**

There is significant support for the liquor store at the Hub in Bettys Bay, with strong emphasis on its economic benefits, support for local businesses and the wine industry, job creation, tourism promotion, and overall positive impact on the community.

The shop is seen as a valuable addition supporting local vineyards and is seen as modernising the community without losing its charm.

Despite some objections on WhatsApp groups (which are not official objections within the formal public participation process), many residents support the establishment of a bottle store in Bettys Bay with emphasis on promoting local producers and craft drinks with interest in understanding its unique offerings. The shop in its current form is already promoting social- and community engagement as well as wine education. The existing shop is seen as a tasteful and much-needed addition to the area.

There is general support for new shops and restaurants that can generate employment for local residents. The existing shop is also viewed as beneficial for tourism, saving tourists from driving to nearby towns.

The traffic concerns are overstated by the supporters and apply to other businesses as well. The owners support reducing the speed in the area and have been in contact with the Western Cape Department of Transport on methods to reduce the speed on Clarence Drive running through Bettys Bay. The reduction in speed will address these concerns of traffic safety. The letter of support also mentioned that the proposal will save residents from traveling to neighbouring villages, reducing travel costs and supporting sustainable local shopping.

During the first round of public participation, two (2) individuals as well as the Betty's Bay Ratepayers' Association provided comments on the application, one of which had resubmitted their initial comments.

Please note that the objections are summarized and the detail of the objections are attached as Annexure D.

**LATE COMMENT - RECEIVED AFTER CLOSING DATE BUT THE TOPICS ARE ADDRESSED**

*MM Borchers  
JoJo and Wilma Gunnink*

**OBJECTION: TRAFFIC AND PARKING**

***The objectors have concerns regarding the impact the bottle store may have on the present traffic patterns along Clarence Drive. The location of the bottle store will exacerbate the present traffic volumes on Clarence Drive and the fact that the 80ikm/h are generally not adhered to.***

***The parking availability at The Hub is insufficient to cater for the possible additional traffic the bottle store will generate. People will not necessarily make use of the parking area at the back of The Hub but will make use of the parking provided for in Clarence Drive, which is already a hazard. Accidents have happened due to the illegal U-turns and motorist behaviour in Clarence Drive and the application will only worsen the situation.***

***Related to the parking area is the access from Twist Road to the parking area. The Unknown Street is narrow with no stop sign at the intersection of Twist Street and Unknown Street.***

**APPLICANT'S RESPONSE**

The application submitted is to allow the owners to convert the existing wine shop to a bottle store. The proposed bottle store is not expected to increase both vehicle and pedestrian traffic in the area or lead to a higher demand for parking, nor is it anticipated to impact on the safety and congestion of surrounding roads, particularly Clarence Drive. Several objectors indicated that a bottle store will increase traffic, but no clear reason was provided for how a conversion of an existing shop will increase the traffic 'significantly' when essentially only the products being sold will change, as the shop and the entire development already exist.

The owners cannot be held responsible for existing dangers on Clarence Drive, and such concerns should be directed to the Western Cape Department of Transport, which has jurisdiction over the road running through Betty's Bay. The Western Cape Department of Transport has an approved solution that will have to be implemented should the applicant intend to provide a pedestrian crossing over any of the concrete-lined channels. The applicant decided against encouraging pedestrian crossings Clarence Drive. As mentioned previously, the owners have engaged with Department of Transport on methods to reduce the speed of Clarence Drive, as they are also in support of this.

Access and egress are obtained through two points at the Northern Street boundary, essentially creating a one-way flow of traffic on the subject property, where parking will be accommodated on site. According to the Overstrand Municipality Land Use Scheme, 2020 all required parking for the property must be provided on-site.

The parking requirements for 262m<sup>2</sup> GLA is 10.5 parking bays, but 14 parking bays are being provided, as well as one loading bay.

The building plans approved by the Overstrand Municipality confirm that the parking provisions are deemed adequate, with sufficient manoeuvring space and driving widths. The owners encourage visitors to the Hub to use their allocated parking bays at the rear of the property instead of the public off-site parking running along Clarence Drive, but the owners have no control over where their visitors/clients park. They have fulfilled their obligation by providing safe and sufficient parking on-site for their visitors/clients. The boutique liquor outlet (bottle store) will be located in an existing shop in The Hub building and will not operate as a freestanding enterprise, but as part of the entire development business complex and node.

Residents and visitors will have a convenient local option to purchase alcohol, potentially reducing the need for longer trips to neighbouring towns. A local bottle store can reduce the risk of drunk driving, as it minimises the need for longer drives to obtain alcohol. With a local option, residents can purchase alcohol closer to home, potentially reducing the temptation to drive under the influence. The success of bottle stores in nearby areas demonstrates that such establishments can operate without causing significant disruption.

#### TOWN PLANNER'S RESPONSE

Agree with the Consultant. Clarence Drive falls under the auspices of the Department of Transport and the development on the erf cannot be held liable for problems on Clarence Drive. The development 'The Hub' complies with the Land Use Scheme parking requirements.

The one aspect that needs to be address is the possible stop sign at the intersection at Twist Street and Unknown Street (the latter's name as per GIS).

#### OBJECTION: MARKET SEGMENT AND CRIME

***South Africa has the highest per capita rate of alcohol consumption in Africa, Excessive drinking is especially widespread in the Western Cape. Research indicates that per capita alcohol consumption the province is between 30% to 40% higher than the national consumption. The owner cannot prevent any individual to enter the premises and consume liquor on the pavement. The likelihood of people loitering in the area without a specific reason add to the possibility of incidental theft and unorderliness and increase of assault and rendering the immediate area unsafe for passers-by or bystanders.***

***The motivation refers to a feasible business premises, however over the past 18 months has failed to realise a feasible business premises, witnessed of empty shops and exceptional turnover of business, whilst surrounding businesses have been thriving. The premises has not contributed to the area.***

<b>APPLICANT'S RESPONSE</b>
<p>The proposed bottle store aims to carve out a niche within the alcohol retail market by offering exclusively upmarket products, aligning with the upscale image of Betty's Bay. This focus on high-quality offerings is intended to cater to a specific demographic of residents and visitors who value quality products. By tailoring its inventory to meet the preferences of this target audience, the store hopes to satisfy the needs of the residents as well as connoisseurs and tourists, while contributing to the local economy.</p> <p>There are however concerns that the sale of cheaper alcohol could attract a less desirable clientele, potentially leading to increased crime and safety issues, particularly if individuals with alcohol addiction or those seeking to consume alcohol in public areas are drawn to the store. Not only will the property be protected by a security firm to ensure the property is secured and that no crime occurs on-site, but the security firm is also renting one of the shops in the development.</p> <p>The owners of the wine shop and proposed bottle store are of the opinion that by promoting responsible consumption and fostering a refined drinking culture, the establishment can mitigate any negative impacts on the community. Additionally, the store plans to continue promoting socialising and community engagement, along with liquor education, to further reinforce responsible drinking habits.</p> <p>While the focus on upmarket products may alienate some segments of the population who cannot afford these offerings, the proposed bottle store aims to differentiate itself from competitors in neighbouring towns by positioning itself as a specialised retailer catering to a discerning clientele. By emphasising quality over quantity and promoting a sophisticated shopping experience, the proposed bottle store hopes to create a unique identity within the local market. This is already evident in the fact that the wine shop sells wines from local vineyards.</p> <p>Having a bottle store at The Hub can provide residents and visitors with more options for purchasing alcohol, including a range of wines, spirits, and craft beers. This diversity can cater to different preferences and tastes, enhancing the overall shopping experience.</p> <p>Several objectors have stated that the Spar located at the Centre Shop has been issued a liquor license to open a TOPS, which is incorrect and false. It is important to note that the erf on which the Centre Shop is located is zoned as Business Zone 3: Local Business. This zoning requires the owners to submit a consent use application, similar to the one on which the objectors are commenting on, to obtain consent to allow a bottle store on the erf. According to our records, no such applications have been considered, meaning no license has been granted in the Centre Shop area of Betty's Bay yet. The Western Cape Liquor Authority (WCLA) regulates the retail sale of liquor in the province and such a licence does not appear on their data base.</p> <p>No liquor will be consumed on site and the owners will be regulated by the Western Cape Liquor Act, (Act no 4 of 2008) on who may purchase liquor. It is important to note that conditions such as the following are standard inclusions in the approved liquor licence:</p> <ul style="list-style-type: none"> <li>• “No liquor may be sold to persons who are drunk and/or disorderly.”</li> <li>• “No person who is drunk and/or disorderly may be allowed to stay on the licensed premises”</li> <li>• “The licensee and/or the manager must at all times ensure that the activities and business conducted on the premises do not cause any nuisance or disturbance to</li> </ul>

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- “No liquor may be sold to persons who are drunk and/or disorderly.”
- “No person who is drunk and/or disorderly may be allowed to stay on the licensed premises”
- “The licensee and/or the manager must at all times ensure that the activities and business conducted on the premises do not cause any nuisance or disturbance to

other, including but not limited to neighbours, residents, other occupiers of building in the area and passers-by”

- “The licensee/appointed manager shall not allow for the sale of liquor to patrons in containers which are not sealed. Liquor may only be sold in a property sealed container, bearing the seal or label of a registered manufacturer or licensed micro-manufacturer. All containers with liquor must be sealed when sold and remain sealed when leaving the premises.”

These conditions are only a short list of the conditions that will limit the disturbance on-site and ensure that the business cannot be held responsible for any criminal activities. Should any criminal activities occur is it the responsibility of the SAPS to address the situation and ensure the safety of those involved.

The proposed bottle store will be limited to normal business hours as regulated by the business hours allowed by the Western Cape Liquor Act, (Act no 4 of 2008) and the Overstrand Municipality Liquor Trading Hours By-law, 2011.

### TOWN PLANNER’S RESPONSE

The consultant’s comments with regard to that liquor store will offer exclusively upmarket products and thus will attract fewer desirable clients is not accepted. This aspect is very difficult to control in terms of patrons and the variety of products on offer. The feasibility of the bottle store will be depended on the owner and his willingness to manage the activities in and around the bottle store.

With regard to crime, the proposed liquor store is located within an established business building, which is managed by the owner, who will ensure that the proposed store will be within the rules and regulations applicable to all tenants. To prevent loitering, the consultant indicates that a security firm will be on site to ensure that the premises and its visitors are looked after, however Crime perpetuated off site, is not the responsibility of the applicant, but is the mandate of the South African Police Services.

The application on erf 5580 Betty’ Bay in 2018 was approved by the Municipal Tribunal, but the appeal was upheld by the Appeal Authority. Thus render the application for a bottle store obsolete.

### OBJECTION: POLLUTION

#### **The objectors are concerns are twofold:**

- 1. The littering evident around loose standing bottle stores. This behaviour is sadly not only a problem of bottle stores, but nationwide.***
- 2. The property has not the storage facility to cater for the packaging of products such as pallets and boxes.***

### APPLICANT’S RESPONSE

Individuals should take responsibility for their actions, including properly disposing of their waste. The littering issues observed are due to the irresponsible behaviour of individuals, not the presence of the alcohol outlet itself.

Solid waste is collected every week from a baboon proofed refuse area on the Northern Street Boundary, as requested by the building control department of Overstrand Municipality. The refuse area is secured, and refuse is contained on site.

#### TOWN PLANNER'S RESPONSE

The development has a waste area, approved by the Municipality. The management of waste area is the responsibility of the owner of the Hub. Should this become a problem, the owners of The Hub must make arrangement with a private company and or the Municipality to remove waste should the refuse area fill up before municipal removal days.

#### OBJECTION: NOISE

***Additional patrons and traffic that will be generated by the bottle store will impact on the ambiance of the Biosphere. There is already an indication that wine tasting events has been held, which will further contribute to noise pollution.***

#### APPLICANT'S RESPONSE

The comments about increased noise primarily reflect concerns about potential future developments beyond the proposed bottle store and their impact on the peaceful atmosphere of Betty's Bay, which are speculative. The issue of traffic noise increase has been addressed similarly for certain segments of the population.

The proposed bottle store at The Hub can be managed responsibly, providing positive benefits to the community while also respecting concerns about noise and preserving the unique character of Betty's Bay.

#### TOWN PLANNER'S RESPONSE

The application is located in an existing business node, establish with the establishment of the township, namely Betty's Bay Proper, 1938. The residential erven surrounding the business node may experience a noise factor, however the buying of a residential erf adjacent a business node, the purchaser must take due cognisance of activities related to a business node. The bottle store is a shop and not a Place of Entertainment that are more likely to generate noise.

The assumption that the bottle store will attribute to noise pollution is subjective since a restaurant is more likely to contribute to possible noise pollution. A Bottle store is a shop, which has definite trading hours. The aspect of wine tasting events has not been mentioned in the motivation report and thus cannot be commented in this regard.

#### OBJECTION: PROPERTY VALUES

***The bottle store will have an impact on property values.***

#### APPLICANT'S RESPONSE

The property is situated within the small business node of Betty's Bay, known as the Jock's Bay Retail Centre. This node already hosts several small businesses that will accommodate the proposed bottle store. The objectors' claim that their property values will be affected is not based on facts as there is no evidence to support this statement, and it cannot be quantified or proven.

The issue of crime/security has been addressed.

#### TOWN PLANNER'S RESPONSE

No proof has been submitted indicating that the existing businesses had a negative impact on property values.

#### OBJECTION: JOB CREATION

***A bottle store will not necessarily contribute to the alleviating of unemployment since only a few people will be employed.***

#### APPLICANT'S RESPONSE

The application was submitted during the construction phase of the new Hub retail centre, which created jobs at that time. While these jobs were temporary, this is typical for all construction sites.

It is unfair to compare the failure of businesses in neighbouring towns or other retail centres to the potential success of a new bottle store at The Hub. Opening new businesses inherently creates job opportunities. The proposed bottle store is expected to attract more customers and visitors, thereby creating employment opportunities. It is also incorrect to state that only one or two individuals will benefit from the existing wine shop and the proposed bottle store. These establishments support other enterprises, such as local vineyards, distributors, and small businesses that supply goods and services. For instance, local vineyards gain exposure and revenue by having their wines featured in the shop. Distributors benefit from increased business and transportation needs, while local artisans and food producers can have their products showcased alongside the wines. Additionally, these stores create job opportunities for the community, contributing to the local economy and fostering economic growth in the area.

There is no conclusive evidence that the current wine shop is unfeasible, and such claims by individuals lack substantiation. It is unrealistic to expect a single business owner to be solely responsible for uplifting the township community.

The proposed bottle store will serve not only the residents of Betty's Bay but also holidaymakers and tourists, reducing the need to travel to neighbouring towns. This will encourage visitors to support other local businesses in Betty's Bay, benefiting from increased local spending and boosting local turnovers. Consequently, this will lead to more job creation, fewer vacant shops, and a more sustainable local economy.

#### TOWN PLANNER'S RESPONSE

The proposed bottle store will contribute to job creation, which is a major problem in South Africa and the Overstrand. It is relevant that even if the proposed business only provides limited work opportunities, the ripple effect on the families has far reaching social consequences.

#### OBJECTION: IMPACT ON LOCAL BUSINESSES

***There are restaurants and local pubs that do sell alcohol, albeit not as an off-sale entity. The bottle store will have a detrimental impact on these facilities and bottle stores are available in the neighbouring towns.***

**APPLICANT'S RESPONSE**

The comments received indicate that Betty's Bay does not need a bottle store given the ample supply of liquor outlets in nearby towns. The same individuals express concerns about increased traffic and noise. They also state that residents do not mind driving to neighbouring towns for shopping and supporting businesses outside of Betty's Bay.

The argument that a proposed bottle store would negatively impact local restaurants with liquor licenses is unjustified. The bottle store could potentially serve as a supplier to these restaurants. It is accurate that most restaurants in Betty's Bay serve liquor, though not for off-premises consumption. The comments refer to concerns about accidents due to the use of liquor and drinking and driving, yet they support local restaurants that have on-premises liquor licenses.

Local businesses at the Hub centre are encouraged, and the existing wine shop's application for a bottle store is part of this centre. The reference to the TOPS bottle store has been addressed.

There is growth in the area for various reasons, and the current 30% occupancy rate based on built-up properties is expected to increase. Reviewing the Overstrand Municipality Spatial Development Framework, it is estimated that the population of Betty's Bay will almost double from 2016 having approximately 1711 residents to 2031 having approximately 3265 residents, which is expected to support the local businesses such as the liquor store, which in turn will also have benefits for visitors and tourists when they visit the area.

While some may cite the lack of a bottle store or large shops as a reason for purchasing property in Betty's Bay, others see the potential for growth in the area. The proposal aims to utilise a property in a mixed-use area according to its existing zoning. Property owners cannot object to the zoning or the zoning impact of existing property on their properties as the application being submitted does not propose altering the existing zoning.

**TOWN PLANNER'S RESPONSE**

The proposed business or any business for that matter in Betty's Bay will contribute to local economic development. To indicate that Betty's Bay does not need a bottle store, since the service is provided at the surrounding towns, clearly indicates the selfishness of the objectors. Why should other towns be the service providers for the residents of Betty's Bay? The town has grown substantially since COVID in terms of dwellings being built and permanent residency.

This influx of people will attribute to the uptake of business erven and services not previously available or rendered by the local business community of Betty's Bay, which is not limited to the only the bottle store.

It is acknowledged that restaurants do sale alcohol and thus catering for the need. However as mentioned before, it is not the responsibility of neighbouring towns to cater for alcohol users of Betty's Bay. The business node has been in existence since the establishment of Betty's Bay Proper in 1938. Jock's business node is not fully developed and still has vacant business erven which can be developed. The development of these vacant erven can generate more traffic and pedestrians and therefore to comment that the other business nodes where such a use will be more favourable cannot be use as an objection. The residents in that area may not see a bottle store as favourable from their point of view. The Hub has been established as per the erf's primary rights and complies with the development parameters.

 **OBJECTION - Impact on services**

**APPLICANT'S RESPONSE**

The comment is noted. The objector is correct in stating that the property is not physically connected to a sewage network, but it is still serviced by the municipality's operational department, which can be classified as part of their servicing network.

Changing the use from a wine shop to a bottle store is not expected to have any impact on the sewage situation on the subject property.

**TOWN PLANNER'S RESPONSE**

The Hub as a development has been approved and developed with all services in place. The application is not an extension of the development parameters of the land use category but will be located in the approved building compliant with all services rendered.

The Engineering Department did not indicate that the consent use will trigger any additional services.

 **OBJECTION: IMPACT ON THE KOGELBERG BIOSPHERE**

***The application will damage the ambiance of the natural environment and eco-tourism activities, employment and income should be fostered rather commercial developments not attributing to the spirit of the Biosphere.***

**APPLICANT'S RESPONSE TO AREA IMPACT**

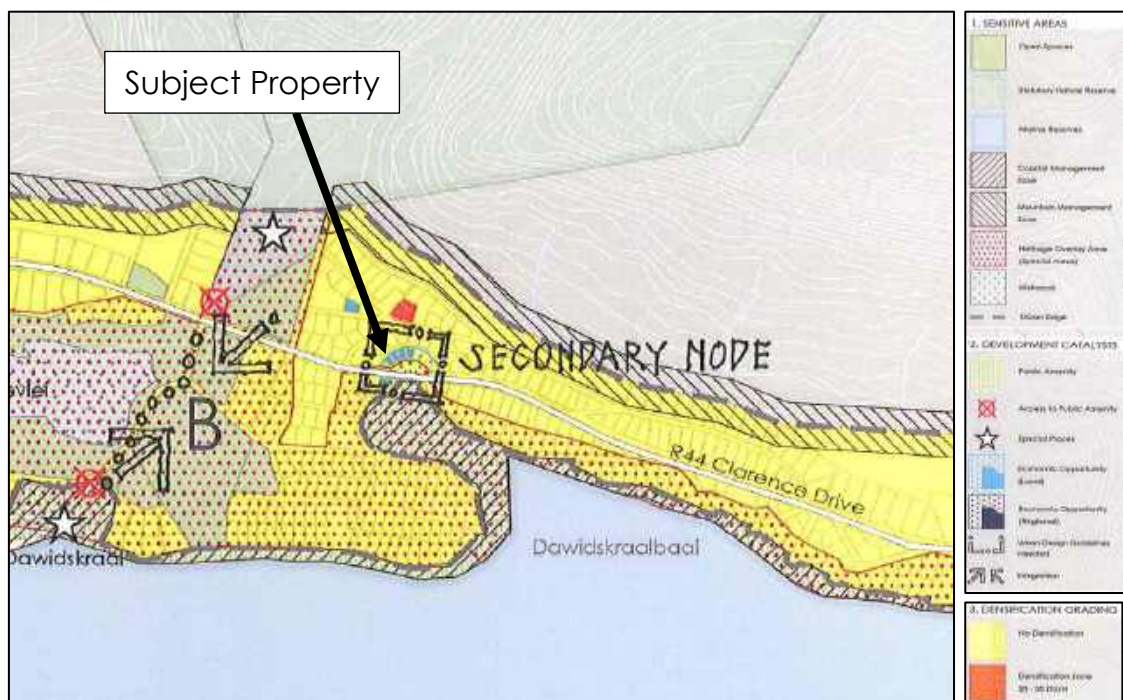
Betty's Bay has special features like the biosphere, marine reserve, and botanical garden, which residents have historically sought to preserve by limiting commercial activities. Bettys Bay lies within the Kogelberg Biosphere Reserve, the first UNESCO declared Biosphere in South Africa and is fiercely protected by the town's occupants. The proposed bottle store is not predicted to have any impact on the on the Biosphere and the applicant is also a supporter of the status of Betty's Bay.

No formal reasoning or factual statements are made on how or why the objectors feel that the bottle store will affect the biosphere, only statements that it should not be supported or that Betty's Bay is located in the Kogelberg Biosphere. The owners re-affirm their support for these conservation efforts and understand the concerns about maintaining the unique character of Betty's Bay.

The proposed bottle store is not intended to alter the village's ambiance but rather to provide a service that meets local demand while respecting the area's environmental and cultural values. The owners remain committed to upholding the principles of sustainable development within the biosphere, ensuring that any business activities contribute positively to the community and environment.

The control of alcohol consumption within the Harold Porter Botanical Garden, leading to potential environmental and social issues cannot all be because of this proposed bottle store. The owners acknowledge and agree with the need for responsible consumption practices. However, it is important to note that the control of alcohol consumption within the Harold Porter Botanical Garden and surrounding areas cannot solely be attributed to the proposed bottle store. Visitors may already bring alcohol into these areas from elsewhere. The owners commit to working closely with local authorities and stakeholders to ensure that any potential issues are effectively managed through responsible retail practices and community engagement.

The Hub is located within a business node, which is located next to a residential area. The property is located within the small business node of Betty's Bay which is identified as the Jock's Bay Retail Centre.



The node has several small businesses that have been established and that accommodate the existing wine shop and other commercial enterprises. The development of these properties is not out of the ordinary and the property owners (The Hub) had a vision to add value to the surrounding area by establishing a new business premises.

The fact that a church used by two congregations is within the business node is also not a reason for refusal of a bottle store. In the Overstrand Municipal area many liquor licences are within walking distances from a church. The presence of a church nearby should not automatically preclude the establishment of a licensed business. Businesses and places of worship often coexist within communities across the region.

It is also essentially to note that the existing wine shop endured an extensive liquor licence process that also considered the proximity of the religious institutions in the area.

Additionally, the area is noted for its recreational use, particularly during holidays, which raises concerns about potential disruptions from a bottle store. However, it is worth emphasising that businesses within The Hub, including other commercial enterprises, have not historically disrupted the area's residential tranquillity. The management and operational practices of any new establishment would need to align with local regulations and community expectations to minimize any potential negative impact. Please refer to the market segment of this document.

The comments predict negative impact on the surrounding area without providing a basis for this assertion. The claims are unsubstantiated, lacking evidence, placing the burden of proof on the owners, which they have not met.

### **TOWN PLANNER'S RESPONSE**

Betty's Bay Proper was established as a fully-fledged town in 1938. The Biosphere came into being in 1998. The town within the Biosphere is in terms of the Kogelberg Biosphere Framework classified as Settlement SPCs, also classified as Transition areas in terms of Man and the Biosphere Programme. These areas are acknowledged and catered for since it is in existence and has legal rights attached to it.

The framework makes provision for these settlements and the rights that exists and the impression that nothing may happen in these towns because it is located within the Kogel Biosphere is a misconception that exists. The Municipality evaluates applications in these settlements with due cognisance of the Biosphere Framework and existing rights applicable to the land and owners.

The principle of the Settlements SPC's are that settlements and services cannot be ignored and have legal standing. The principle of care is that existing settlements be contained and any expansion if any must be considered taken the Biosphere into consideration. Thus, in terms of land uses allowed in the extension areas. Therefore, Beety's Bay has no industrial areas and Business zone 1 zonings in order to be in keep of UNESCO: Man and the Biosphere principles.

### **OBJECTION: PUBLIC PARTICIPATION**

#### **APPLICANT'S RESPONSE TO GENERAL CONCERNS RAISED**

The application has followed legal procedures outlined by the Western Cape Liquor Authority, ensuring transparency and adherence to regulations. Concerns regarding transparency, particularly regarding agreements with business owners, are not relevant to the current application for a consent use for a bottle store.

While residents express concerns about potential disturbances to the peaceful nature of the area due to the liquor outlet, these concerns have been previously addressed.

Some residents feel the municipality is not adequately considering community wishes, but the Overstrand Municipality has a strong history of transparent administration, including robust public participation processes. Public participation is integral to the land use planning process, providing an avenue for all stakeholders, whether in support or opposition, to voice their concerns or suggestions for improvement.

This inclusive approach ensures that both residents opposing the application based on assumptions and those supporting it, acknowledging the need for change, have an opportunity to contribute to the decision-making process.

It is important to note that both the land use application and the liquor licence application followed a public participation process. On-site notices, public newspapers, and the government gazette were used for public notification of all the relevant processes.

### TOWN PLANNER'S RESPONSE

The concerns have been dealt with adequately. The applicant followed the public participation, and the Ratepayers were informed as well as the Ward representative of the community.

During the public participation process of applying for a **LIQUOR LICENCE** the following objectors' comments and concerns were received and addressed. This formed part of their comments submitted on the consent use application, but all of the topics have been responded to.

#### **COMMENTS RECEIVED RELATED TO THE LIQUOR LICENCE APPLICATION**

<i>E Bates</i>	<i>Louise Sterling</i>
<i>Lenore Watermeyer</i>	<i>Prof SW and Dr HA Moore</i>
<i>Mark Gamble</i>	<i>Christina Maria Jacobs</i>
<i>Brian Edward</i>	<i>Johan &amp; Rhona Gericke</i>
<i>Mary Clair van der Merwe</i>	<i>Stefne van Dyk</i>
<i>Carol Clark &amp; Graham Clark</i>	<i>M.M. Muller</i>
<i>Tobie Muller</i>	<i>David Hofmeyr</i>

Most of these comments have been addressed as per above but they were raised again with referral to an application for a liquor licence other than for a wine shop.

**Traffic and Parking:** This issue has been responded to (refer to the paragraph "RESPONSE TO TRAFFIC AND PARKING COMMENTS"). Many residents of Betty's Bay prefer to keep the area quiet and free from commercial businesses like bottle stores, opting to commute to other towns for various services and products.

**Commercial Interests vs. Community Needs:** Residents have expressed concerns about prioritising a bottle store over other services, such as pharmacies and police stations. While local residents should have a say in shaping their community's future, they should also consider the potential benefits that well-planned business centres, including bottle stores within a centre, can bring to the community as a whole.

**Church Location:** The fact that the church burnt down and was later rebuilt suggests that its influence on the community might have changed during that time. Additionally, the presence of a religious institution nearby does not inherently make a bottle store unsuitable for the area. The decision regarding the establishment of a bottle store should be based on a comprehensive assessment of factors such as community needs, zoning regulations, and potential economic impacts, rather than solely on proximity to a religious institution.

**Environmental Impact** on the Kogelberg Biosphere Reserve: This issue has been responded to (refer to "RESPONSE TO AREA IMPACT").

**Social Issues and Safety Risks:** This concern has been addressed (refer to "RESPONSE TO MARKET SEGMENT AND CRIME").

**Tranquillity:** Preserving Betty's Bay's tranquillity and natural beauty is a commendable goal that many residents deeply value. However, it is important to consider that the presence of a liquor outlet does not necessarily equate to a significant disruption of this tranquillity or a departure from the area's unique character. Although rising fuel prices might make commuting less feasible for a significant retiree population, most residents are still willing to drive elsewhere for their purchases to maintain the tranquillity of Betty's Bay (Traffic and pollution)

**Transparency Concerns:** These were addressed (refer to "RESPONSE TO GENERAL CONCERNS RAISED").

**Ward Councillor Comments:** There has been no response to comments and allegations from the applicant regarding the Ward Councillor.

#### **TOWN PLANNER'S RESPONSE**

The comments during the liquor application are not a town planning process and must be dealt with by the Liquor Board.

#### **CONCLUSION**

In conclusion, the responses provided address the concerns raised by public regarding the proposed establishment of a bottle store at The Hub in Betty's Bay. The owners acknowledge and respect the community's commitment to preserving the unique character and environmental integrity of Betty's Bay, including its designation within the Kogelberg Biosphere Reserve.

The owners remain committed to transparency, responsible business practices, and ongoing dialogue with the community and relevant authorities. The owners are confident that through collaborative efforts and adherence to established procedures, any potential impacts can be effectively managed while contributing positively to the local economy.

Moving forward, the owners will continue to engage constructively with all stakeholders to ensure that the interests and values of Betty's Bay residents are upheld, while striving to enhance the area's appeal as a cherished residential and natural haven.

Considering the response to objections, it is recommended that the planning application be approved as submitted.

### **10. MUNICIPAL PLANNING EVALUATION (REFER TO RELEVANT CONSIDERATIONS GUIDELINE)**

#### **10.1 Background**

N/A

**10.2 (In)consistency with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)**

The application is in line with the planning objectives applicable to this application. The objectives relating to:

Spatial Justice

The proposal will not further perpetuate historic spatial imbalances.

Spatial sustainability

Sustainability concept is to limit the human impact on the environment and improve the quality of life of communities. The application is located within an existing building earmarked for business purposes. Thus, there is no impact on the environment since the erf has been in existence since 1938.

The erf is located within the transition area or settlement area within the urban edge of the town of Betty's Bay, earmarked for human development. Thus ensuring the sustainability of the area, with limited impact on the buffer and core of the Kogelberg Biosphere.

Efficiency

The proposed development intends to make optimal use of existing infrastructure, thereby optimising existing resources.

Spatial Resilience

The development of the property will be in synchrony with the relevant spatial planning policies that adhere to the principle of spatial sustainability in terms of the Spatial Development Framework.

The building does comply with the National Building Regulations and SANS requirements who advocate resilience buildings.

Good administration

The application followed the required planning procedures to ensure that land use activity is in line with Municipal By-Laws and a public participation process had been followed.

**10.3 (In)consistency with the principles referred to in Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014)**

Same as Point 10.2 above.

**10.4 (In)consistency with the IDP/Various levels of SDF's/Applicable policies**

Consistent.

**10.5 (In)consistency with guidelines prepared by the Provincial Minister**

N/A

**10.6 Impact on Municipal Engineering Services**

No additional services will be required. The proposed development is supported by the Engineering Services Department, subject to conditions (attached as Annexure E).

**10.7 Outcomes of investigations/applications i.t.o other legislation**

The additional application once the land use application is finalised, related to an application to the Liquor Board.

**10.8 Existing and proposed zoning comparisons and considerations**

Not Applicable.

**11. ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS**

N/A

**12. THE DESIRABILITY OF THE PROPOSAL**

The objections have been adequately dealt with under point 7. The following remarks are of importance since it consistent points raised by the objectors.

**KOGELBERG BIOSPHERE:**

The town of Betty's Bay is identified as a settlement in terms of the Biosphere Framework and a transition area in terms of the Man and the Biosphere UNESCO program. Both the documents recognise man's role, activities and rights within the Biosphere. It is thus incorrect to assume that man does not exist within the Biosphere and has not rights. The application is within a town in existence before the Biosphere was designated in 1998. In 1938 Betty's Bay Proper was established with land use rights, which cannot be ignored or disputed. The application is located in a business node and within a business building and it is unclear the impact the use may have on the Biosphere).

**IMPACT ON THE TOWN:**

Consumption habits of the residents are not the responsibility of the applicant. In effect, it is shown that the illegal trade in alcohol contributes to the irresponsible behaviour patterns of the general public. South African adult per capita alcohol consumption in 2005 equalled 9.5 litres of pure alcohol. Of this consumption, 26.3% or 2.5 litres per person, was homemade and illegally produced alcohol or, in other words, unrecorded alcohol. The consumption of homemade or illegally produced alcohol may be associated with an increased risk of harm because of unknown and potentially dangerous impurities or contaminants in these beverages. (<https://www.gov.za/Alcoholandsubstanceabuse>).

The fact that the proposed business is located in a managed building with tenants and not a stand-alone building, mitigate behaviour of patrons to a great extent. This fact is clearly reflected in shopping complexes where liquor stores are located within a managed building with various tenants and security.

**IMPACT ON CHURCH/ EDUCATIONAL INSTITUTIONS:**

The church did not object in their own capacity against the proposed use. The proposed store operating hours will be subject to the Overstrand By-law on trading hours for liquor stores as well as the Liquor Board conditions. The operation of restaurants who sells liquor does not seem to pose a problem or adjacent residential dwellings where there is no restriction put of alcohol use. It should be noted that the Overstrand land Use Scheme does not prohibit a liquor outlet adjacent an educational facility and or a Place of Worship. This aspect is dealt with in terms of the Liquor Act, and should they decide that the proximity is deemed a risk, the liquor license will not be issued.

With regard to educational institutions, if they are any, it is illegal.

**LESS DESIRABLE/ CERTAIN SEGMENT OF THE POPULATION:**

This object is very vague and none of the objectors commit to indicate who they are referring to and thus cannot be verified and is dismissed.

**TOPS/ SPAR**

The application was supported by the Tribunal should it be coupled with a grocer or supermarket. Thus, no stand-alone shop. The appeal against the application was successful due to this point, that it would have been a stand-alone shop.

**CONCLUSION:**

The application is supported.

**13. RECOMMENDATION**

1. that the objections be noted.
2. that the application in terms of Section 16.(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 on Remainder of Erf 2989, Betty's Bay for a consent use to allow a bottle store on the property, **be approved** in terms of the provisions of Section 61 of the By-Law subject to the following conditions:
  - (a) that the bottle store be limited to Shop 4 within the existing building as indicated on Plan number 2989 dated 2022, as submitted with the application;
  - (b) that this approval is not an approval in terms of any other legislation;
  - (c) that building plans be submitted to the Building Department for approval, and that all conditions of the Building– and the Fire Department be complied with at that stage;
  - (d) that a Health Certificate be obtained from the Health Department of the Overberg District Municipality and a Fire Prevention Certificate from the Municipal Fire Department;

- (e) that only one un-illuminated sign, that complies with the Municipal By-Law on Signage, may be displayed on the premises;
  - (f) that commercial rates and service tariffs as determined by the annual budget, be made applicable, which tariffs are automatically adjusted in terms of the annual budget;
  - (g) that no accumulation of refuse may occur on the premises;
  - (h) that the Overstrand Municipality retains the right to enforce any relevant legislation and or By-Laws;
  - (i) that approval for a liquor licence be obtained from the Western Cape Liquor Authority;
  - (j) that the bottle store or the first storey deck may not have tasting events;
  - (k) that the bottle store operating hours be limited as per the Overstrand By-Law Liquor Trading Hours from Monday to Saturday. Sundays are restricted to 08h00 - 13h00;
  - (l) that no delivery vehicles for "The Hub" may utilise Clarence Drive as a loading area;
  - (m) that all the conditions in the Services Report (attached as Annexure F), be complied with;
  - (n) that all the conditions imposed by Western Cape Government: Transport and Public Works (Road Planning) (attached as Annexure G), be complied with;
  - (o) that this approval does not absolve the applicant from compliance with any other relevant legislation, and
  - (p) that all other development parameters as prescribed in the relevant Land Use Scheme be complied with.
3. that the applicant and persons who commented be notified of their right of appeal in terms of Section 78 of the Overstrand Municipality Amendment By-Law on Land Use Planning, 2020 with regard to the above decision.

#### 14. REASONS FOR RECOMMENDATION

- ❖ The bottle store is located in an existing business node.
- ❖ The bottle store will be located in an existing building.
- ❖ The building has an approved building plan and complies with the development parameters as per the Overstrand Municipality Land Use Scheme.
- ❖ The refuse area was approved by the Municipality.
- ❖ The use of parking bays on Clarence Drive is not the responsibility of the applicant.
- ❖ Betty's Bay proper falls under the category of a Settlement SPC which has existing land use rights in terms of the Kogelberg Biosphere Framework.
- ❖ The proposed bottle store is located adjacent Clarence Drive, which in itself is a noise polluter.

**15. ANNEXURES**

- Annexure A: Locality Plan  
Annexure B: Motivation Report  
Annexure C: Site Development Plan  
Annexure D: Comments / objections / support letters received (2022 & 2024)  
Annexure E: Applicant's response  
Annexure F: Services Report  
Annexure G: Comments: Western Cape Government: Transport and Public Works (Road Planning) dated 2020 and 2022

**SIGNATURES****REGISTERED PLANNER**

Name: **H VAN DER STOEP**

SACPLAN registration number: **A/1708/2013**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Locality Plan Erf 2989 - Betty's Bay

 Subject property

Plan prepared by: Thian Jansen

Tel: 028 313 1411

Email: admin@wrapgroup.co.za

Unit B, Standard House,  
Corner of Royal and Dirkie Uys  
Street Hermanus, 7200

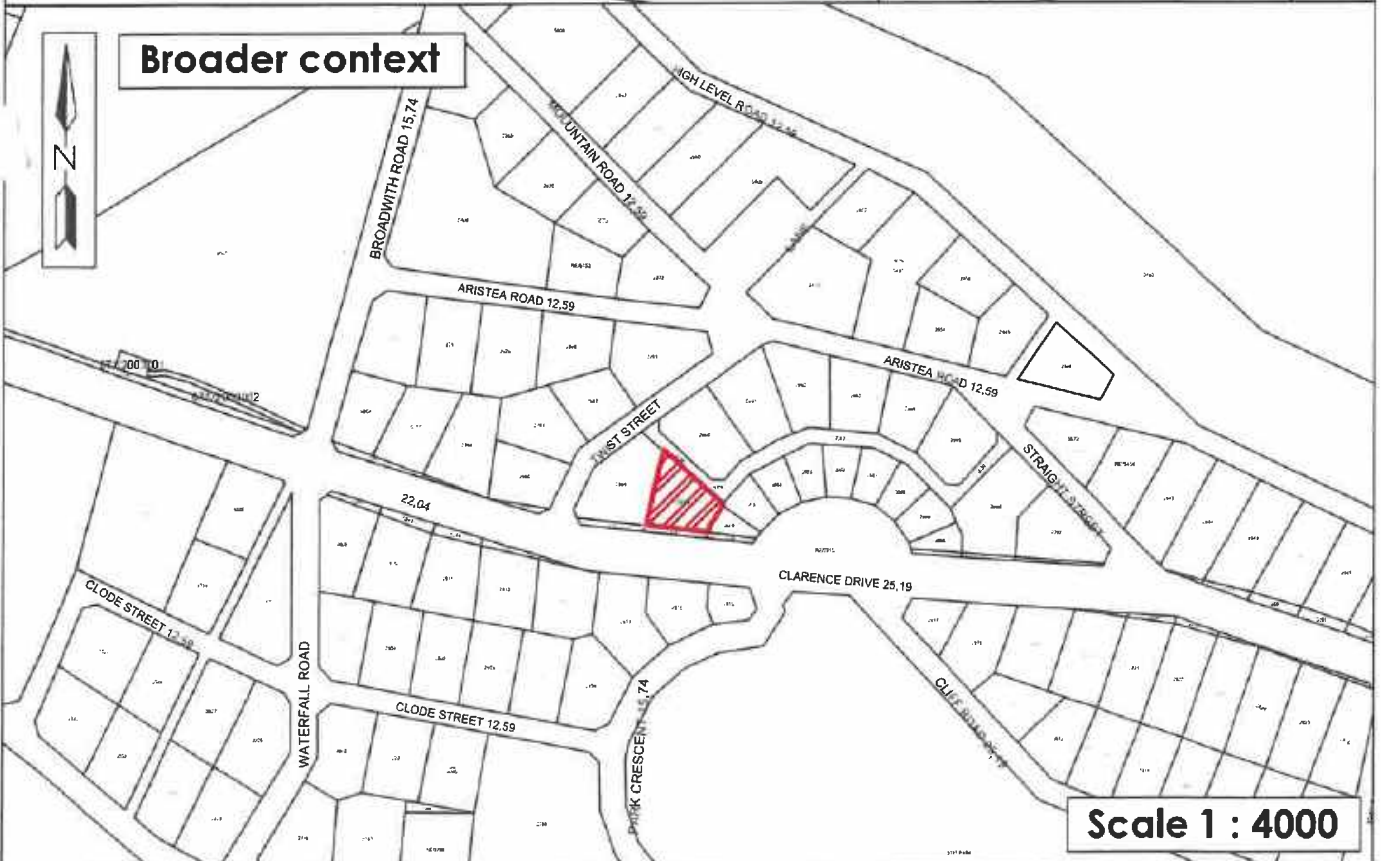


**Project Office**  
Town Planning & Project Management

**Inset**



**Broader context**





## MOTIVATION

### 1. ABBREVIATIONS

<b>OM</b>	Overstrand Municipality
<b>OMLUS</b>	Overstrand Municipality Land Use Scheme, 2020
<b>BY-LAW</b>	Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020
<b>LUPA</b>	Western Cape Land Use Planning Act, 2014.
<b>MSDF</b>	Overstrand Spatial Development Framework, 2020

### 2. PROPERTY DETAILS

<b>Consultant</b>	WRAP Project Office
<b>Erf Number</b>	Erf 2989, Betty's Bay
<b>Extent</b>	1 108m <sup>2</sup>
<b>Zoning</b>	Business Zone 3: Local Business

### 3. BACKGROUND AND INTENT

Erf 2989 Betty's Bay, hereafter referred to as the subject property (Refer to **Plan 1** for the locality), is owned by The Hub Betty's Bay (Pty) Ltd. The two directors of the company are residents of Betty's Bay and purchased the subject property to develop a functional and feasible business premises that will attract businesses, customers and to create employment opportunities. The directors have appointed WRAP Project Office to submit this land use application on their behalf (refer **Annexure A – Power of Attorney**).

The subject property is zoned Business Zone 3: Local Business which allows the property owners to utilise the property for various business-related uses. Building plans that were approved for the building currently being constructed are for seven leasable 'shops' on the ground floor with two small flats above the ground floor.

These 'shops' will each be rented out to various businesses to operate within the parameters that are allowed in terms of the zoning. The property owners have signed an agreement with a prospective business owner to operate a **boutique liquor outlet** in one of the shops on the ground floor.

The business is proposed to provide a service and product not currently being supplied in Betty's Bay. The prospective business owner has been in the liquor industry working on wine farms and being active in this market for more than three decades.

To achieve the property owners' and prospective business owner's vision, the following application is being applied for:

- Consent Use for a bottle store.



## MOTIVATION

### 4. PROCEDURE TO ACHIEVE THE PROPERTY OWNERS' INTENT

**4.1 Consent Use** for a Bottle Store on Erf 2989 Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

The proposal is to apply for a consent use to allow a bottle store (boutique liquor outlet) that will afford the residents of Betty's Bay the opportunity to support businesses in their community, rather than commuting to Kleinmond, Hermanus or Somerset West.

The property owners have identified the property as a property with potential to be able to accommodate several businesses. The name and slogan for the new business premises is "The Hub – Think Local". The proposal is to attract more people to invest and support Betty's Bay rather than spending their money in other surrounding towns.

Betty's Bay is known as a small village that is steadily seeing an increase in population over the past few years. COVID has enabled more and more residents to continue to work from home while being able to relocate to a smaller town. Betty's Bay also has a high number of retirees and with the rising fuel prices it may become unfeasible to drive and can rather support a local business.

The businesses will be independently owned mostly by owners residing in the area and will not be part of a corporate group. As mentioned earlier, the prospective business owner's vision is to satisfy a need of the residents of the entire Betty's Bay, that is essentially the core strategy for any new business. If the application is approved, the prospective business owner has indicated that he will move to Betty's Bay to operate and manage the business.

As previously mentioned, the proposed boutique liquor outlet will be one of several businesses on the subject property. These businesses include an eatery with the other shops open for other business opportunities.

According to the OMLUS a "bottle store" is defined as:

*'means an establishment where the main purpose is the retail sale of alcoholic beverages for off-site consumption.'*

A bottle store is allowed in terms of the existing zoning with the consent of the local municipality.

The business owner has indicated that a bespoke selection of beer and spirits will be available. Steps will be taken to uphold the genteel clientele which steps will for example include, not selling beer in single units. No mass market products that will attract the wrong elements to the area, will be stocked or sold.

The boutique liquor outlet will not be a freestanding bottle store (refer to **Annexure C – Approved Building Plans**). The plans also indicate that access will be obtained from the rear of the property limiting access to Clarence Drive on the front of the property.



## MOTIVATION

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### 5. APPLICATION

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Considering the above, the application is made for the following:

**5.1 Consent Use** for a Bottle Store on Erf 2989 Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

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### 6. LAND USE ENVIRONMENT

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The subject property is located within a small business node, namely Jock's Bay Retail Centre in the center of Betty's Bay. The business node is surrounded by residential properties and the surrounding area's zonings are illustrated in **Plan 2** (zoning plan).

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### 7. TITLE DEED

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The title deed of the subject property was perused (T31118/2020, refer **Annexure B**) and it contains no restrictive conditions.

A conveyancer has also provided a certificate indicating that the property may be utilised for the purposes proposed (refer **Annexure D – Conveyancing Certificate**).

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### 8. ZONING

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The following zoning parameters were assessed in conjunction with the B3 OMLUS zoning as this is a relevant consideration in terms of Section 66 (1) (q) of the OM By-Law:



**MOTIVATION**

<b>BUSINESS ZONE 3: LOCAL BUSINESS (B3)</b>	
<b>Land Use Restrictions</b>	
<b>Primary use</b>	Shops, Dwelling Unit (above ground floor) in accordance with 6.3.2, <b>Flats (above ground floor)</b> , Offices, Restaurant, Caretaker's Accommodation and Self-Catering.
<b>Consent that use may be applied for</b>	<b>Bottle Store</b> , Business Premises, Clinic, Conference Facility, Dwelling Unit (on ground floor) in accordance with 6.3.2, Flats (On Ground Floor), Town Housing in accordance with 6.3.2, Tourist Accommodation, Hotel, Institution, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Recreational Facilities, Residential Building, Sale of Alcoholic Beverages, Service Station, Service Trade and Transmission Apparatus (subject to the provisions of chapter 16.10)
	Shops and Flats
	Bottle Store
	Comply
	Applied for and motivated
<b>Development parameters</b>	
<b>Parameters</b>	<b>Proposal</b>
<b>Coverage</b>	34%
<b>Floor Factor</b>	0.34
<b>Setback</b>	
	Comply
	Comply
	Comply
<b>Building Lines</b>	No fuel pumps are proposed.



**MOTIVATION**

	<p>ii. The side building line is 0 m, provided that where any Business Zone 3 abuts another zone, the side building line is 3,0m;          iii. The rear building line is 3,0 m, provided that where any Business Zone 3 abuts another zone, the rear building line is 3,0m; and          Provided that the Municipality may require more restrictive building lines in the interests of public health or safety or the environment or in order to enforce any applicable law or right.</p>	<p>A western 3m side building line is being adhered to.</p>	<p>Comply</p>
<p><b>Window and door placement</b></p>	<p>i. Where a 0 m building line applies and where a wall of a building is erected 1,0 m or less from the side or rear building line, no door or window shall be permitted in the wall concerned.          ii. Any portion of the building which contains a door or window onto a side or rear boundary shall be at least 1,5 m away from such boundary.</p>	<p>N/A</p>	<p>Comply</p>
<p><b>Parking and access</b></p>	<p>According to section 17.1 of the OMLUS:</p>	<p><b>Parking requirements:</b>  <b>Flats:</b>          1,5 parking bays required per flat.          3 Parking Bays required.  <b>Shops:</b>          262m<sup>2</sup> GLA – requires 10.5 parking bays          14 Parking Bays are being provided          1 Loading Bay has been provided</p>	<p>Comply</p>
<p><b>Loading Bays</b></p>	<p>The minimum off-street loading must be provided to the satisfaction of the Engineering Department.</p>		<p>Comply</p>



## MOTIVATION

### 9. SERVICES

The availability of services is a relevant consideration in terms of Section 42(1)(c)(v) of SPLUMA and is herewith illustrated.

#### **Electricity, Water, Sewage and Solid Waste**

The subject property is connected to the OM's networks which include electricity, water and sewage. The approved building plans were circulated to the engineering department for comment before it was approved by Building Control. The proposal of this application will not have a larger impact on existing network than what was proposed.

Solid waste is collected every week by the OM from the baboon proof refuse room.

#### **Access and Egress**

Access and egress are obtained through two points at the Northern Street boundary, essentially creating a one-way flow of traffic on the subject property where parking will be accommodated on site.

### 10. NEED AND DESIRABILITY

The need and desirability of the approval and implementation of this proposal in accordance with Section 66 (1)(c) of the OM By-Law can be illustrated as follow:

#### **Need and desirability**

The need for the land use application arose from the property owners identifying the need for a small mixed-use development, located in a small business node, combined with as small residential component. The shops will be utilised by various enterprises of which one will be the proposed boutique liquor outlet\_(bottle store). The owner of the proposed boutique liquor outlet who will be leasing one of the shops, has done his market research and have identified that the only place to buy liquor that residents can consume at home was in surrounding towns. The zoning of the property allows a bottle store with the consent of the local municipality.

The need and desirability are often a personal feeling that is experienced in this case by both the property owners and prospective business owner. Identifying a need and creating a product that is both feasible and desirable that will create a successful business.

To achieve their vision, the property owners have appointed WRAP Project Office to submit this application to ensure the proposed consent use is not in contradiction to any policies, legislation, or title deed conditions.



## MOTIVATION

### **Impact on views, sunlight, and character of the area**

The proposal is not intended to have an impact of the views, sunlight, and character of the area. The property is being developed according to the approved building plan that is in line with the development parameters of the OMLUS. The building plans have been scrutinized by all relevant departments of the Overstrand Municipality and amendments were required to be made before approval was received.

The subject property is in a small business node in the centre of Betty's Bay and the proposal is not predicted to have a negative impact on the surrounding area. The establishment will be well managed, and the property owners are residents of Betty's Bay with a vision to uplift the area.

There are residential properties surrounding the business node, however when these residential properties were purchased, such purchasers were aware that these business properties will be developed at some stage. The proposal is in line with what is required in terms of the OMLUS with consent from the OM.

### **Economic impact**

The construction currently taking place on the subject property is employing builders, carpenters and other artisans already adding valuable income sources. The property owners have created a business proposal that will employ and create new economic opportunities on several levels. These are long term solutions to address a larger problem within the Overstrand area, which is the lack of job opportunities.

By creating and opening businesses, job opportunities are created alongside this business, putting personal preference before the greater good.

### **Opportunity cost**

An opportunity cost in the context of land use planning refers to a development proposal that leads to the devaluation or foregoing of valued land use rights of interested and affected parties when an application is approved. The proposal is in line with the existing zoning and the development parameters of the OMLUS. Great care has gone into the design of the proposal, and it is predicted that it will not negatively impact the area.

### **Impact on heritage**

The subject property is not listed in the OM Heritage Register.

### **Environmental impact**

The subject property is not located within a registered environmentally important area. Although Betty's Bay is located in a unique biosphere, it is however not predicted that the proposal will have a negative impact on the area.



## MOTIVATION

### 11. POLICIES AND REGULATIONS

#### 11.1 Overstrand Municipality Environmental Protection Overlay Zone (EMOZ)

The subject property is not located within this zone.

#### 11.2 Overstrand Municipality Heritage Protection Overlay Zone (HPOZ)

The subject property is not located within this zone.

#### 11.3 Spatial Planning Policies

The compliance of this proposal with the applicable spatial development policies was assessed. These policies are instrumental in guiding spatial development and providing prescripts of what constitutes sound town planning development patterns. The compliance of this proposal in conjunction with provincial and local policies which are key development informants will be illustrated.

### MSDF

#### **Policy Preface**

The SDF's intention is to ensure compliance with national, provincial, and district legislation policies and principles. The SDF aims to provide sufficient guidance regarding what constitutes appropriate spatial development land uses and direction within the urban edge. The SDF was drafted after considering input from other state departments and the public and provides a shared spatial vision which the development proposal should ideally attempt to synchronise with.

#### **Consistency of the proposal with the policy**

The policy illustrates that the subject property is located in Jock's Bay Retail Centre, which is identified as a Commercial Node that is earmarked as a local economic opportunity area. The other two Commercial Nodes within Betty's Bay have seen more growth over the past few years and are not proposed to be developed any further.

The MSDF also promotes the infill development and tourism-based development, which is aligned with the proposal and the building being constructed. The property owners have indicated that their main objective is to have businesses that attract more people to the area. Even if only making products more accessible to the customers and residents of the area.



MOTIVATION

**OVERSTRAND GROWTH MANAGEMENT STRATEGY**

With reference to the Overstrand Growth Management Strategy, 2010 (OGMS) the subject property is located within Planning Unit 7. No specific guidance is given in terms of commercial enterprises.

The node has been identified as a secondary node as illustrated in the figure below:

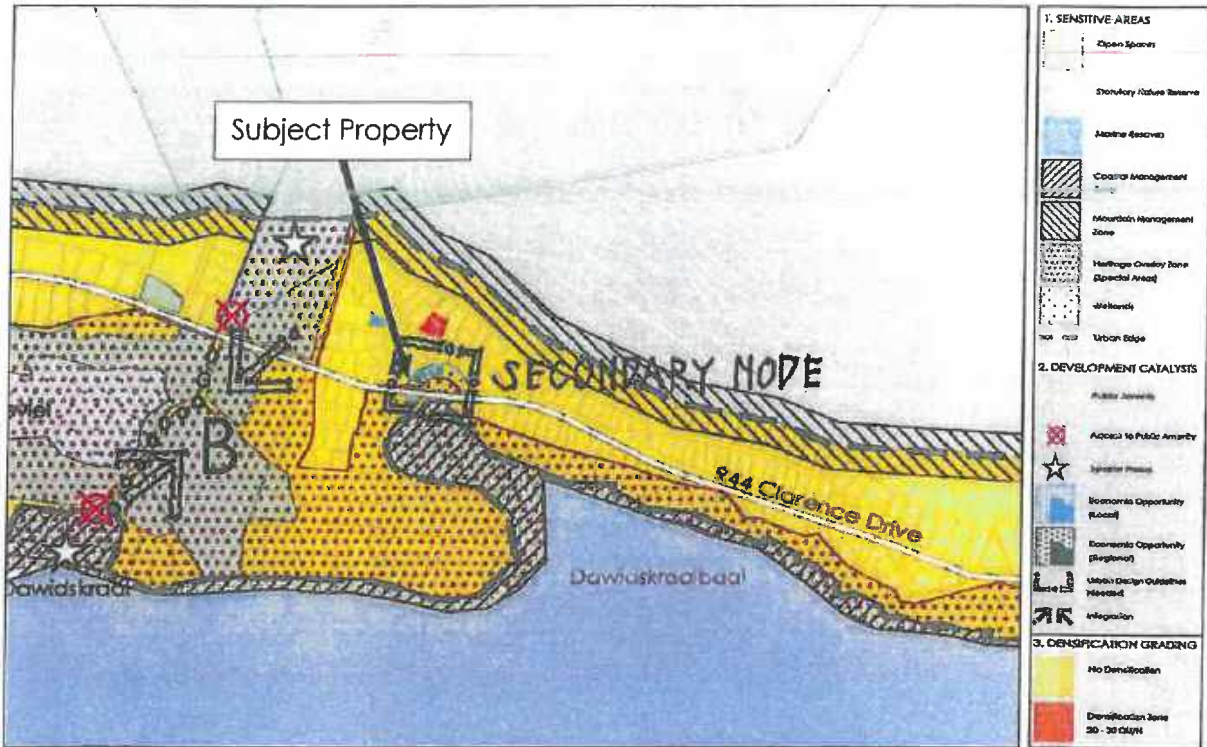


Figure 1: Snippet of the OGMS



## MOTIVATION

### 12. PLANNING PRINCIPLES

Chapter 2 of SPLUMA contains 5 uncompromisable planning principles by which each development application must be guided. Policy proposals in SPLUMA which are pertinent to this proposal are recorded below:

#### **Spatial justice**

Spatial justice refers to planning proposals that do not contribute towards the perpetuation of apartheid spatial development imbalances. There are currently no bottle stores in Betty's Bay and residents must travel to Pringle Bay, Kleinmond or Hermanus. The boutique liquor outlet (bottle store) will occupy one of the shops on the ground floor of the building which has an extent of approximately 37.5m<sup>2</sup>.

#### **Spatial sustainability**

Spatial sustainability refers to planning proposals that result in communities that are viable. The proposal is to utilise a property in a mixed-use area in terms of its existing zoning. The property is located within the urban edge of Betty's Bay and will not add to any spatial degradation. The proposal will not have an impact on agricultural land, environmentally sensitive areas of biodiversity rich areas.

#### **Efficiency**

This proposal is intended to maximise the usage of the subject property and to ensure the businesses that are being proposed are viable and successful. There are sufficient parking and access to the property, not impacting on the busier Clarence Drive. The boutique liquor outlet (bottle store) will be located in an existing (under construction) building and will not operate as a freestanding enterprise, however, as part of the entire development business- complex and node.

#### **Spatial resilience**

This proposal is not in conflict with any spatial planning policies or other OM regulations which is a hallmark of resilience.

#### **Good administration**

The OM has a credible track record of good administration regarding the method of public participation. Public participation forms an integral part of the land use planning process.

The public participation process provides people who may be affected by the proposal with an opportunity to provide comment and to raise issues of concern about the proposal or make possible suggestions that may result in an enhanced outcome of which both parties benefit. Comments will be reviewed and considered after which it will be addressed accordingly.



## EVALUATION & RECOMMENDATION

### 13. EVALUATION

The proposal needs to be evaluated on the basis that the zoning is not proposed to be changed and that the zoning makes provision for a bottle store to be operated with the consent of the Overstrand Municipality.

- No additional services will be required and the building that was approved will accommodate 7 shops. The proposal is only to operate a boutique liquor outlet (bottle store) in one of these approved shops;
- There is sufficient access and parking being provided including a loading bay;
- The boutique liquor outlet (bottle store) will be an independently run liquor outlet, owned by a future resident of Betty's Bay, which allows for a more personal approach to business and how the business will be managed;
- The owner of the proposed boutique liquor outlet (bottle store) has indicated that only a bespoke selection of beer and spirits will be available;
- The subject property does not have a negative impact on the environmental of heritage of the area;
- The building will be easily accessible and will include a baboon proofed refuse area as requested by the building control department of Overstrand Municipality.

In terms of the policies and guidelines of the OM the application adheres to these relevant spatial planning documents. The property has been zoned for business purposes which include the proposal with consent of the municipality. The proposal is in harmony with the surrounding area and business node and all relevant spatial planning policies.

### 14. RECOMMENDATION

Based on the abovementioned motivation, it is recommended that the following be approved:

- 14.1 Consent Use** for a Bottle Store on Erf 2989 Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020.

Site Development Plan  
Erf 2989 - Betty's Bay

Development Parameters

14 Parking Bays  
Coverage - 34%  
FAR - 0.34  
262m<sup>2</sup> - GLA

Proposed Off - Consumption  
(41.8m<sup>2</sup>)



Plan 2989 dated 2022

Plan prepared by: Thian Jansen  
Based on Plans by Padla

All distances are approximate  
and subject to a survey

Tel: 028 313 1411

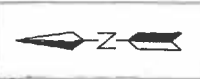
Email: admin@wrapgroup.co.za

Unit B, Standard House, Corner of Royal and Dirkie Oys  
Steel Hermanus, 7200



Project Office  
Town Planning & Project Management

SCALE 1:250



Annexure D 1/242

**Loretta Gillion**

**From:** Wilma Jungschlager < \ >  
**Sent:** Wednesday, 01 May 2024 11:16  
**To:** Loretta Gillion  
**Subject:** Bottle store at Hub

Hi Loretta,

I do strongly object to the opening of a bottle store at the hub as it draws an unsavoury element of people to the spot. The wine bar is a tasteful shop and I feel that it's enough.

Let's keep Betty's Bay as safe and wholesome as possible for as long as we can.

Thank you,

Warm regards

Jo jo and Wilma Gunnink

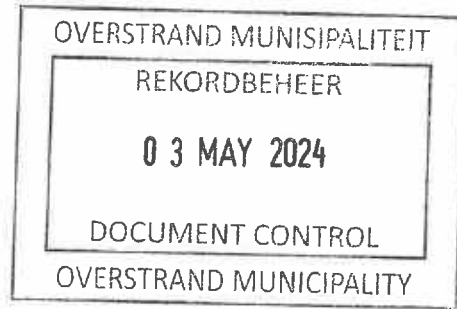
4543 Lanaria Road

Betty's Bay

7141

Wilma. i

Sent from my iPhone



FILE NO. ERF 2989
Betty's Bay
SCAN NO.
COLLABORATOR NO.
2040687

02 MAY 2024

2/202

**Loretta Gillion**

**From:** Sarah van Niekerk  
**Sent:** Tuesday, 23 April 2024 15:22  
**To:** Loretta Gillion  
**Subject:** SPUPPORT LOCAL WINE/ALCOHOL SHOP Betty's Bay

Dear Loretta

There have been a lot of resistance against the wine shop in Clarence drive in the Hub.

I have found it very neat and a classy wine boutique.

I have NO OBJECTION to a further liquor license and liquor store.  
If it is like the liquor store in Pringle there should be no problems like stated in the objections.

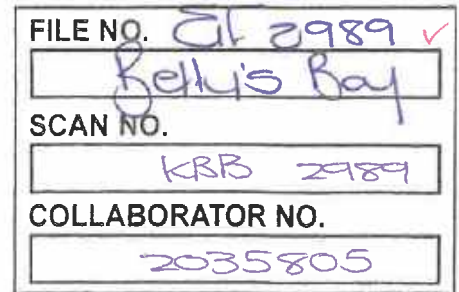
It is time with the high influx of people from other areas that Betty's Bay have a growth in much needed shops.

Kind regards

Sarah van Niekerk  
Sunnyseas, Betty's Bay



*TP. N. Theak  
(H. ud Skoop)*



TP. A. Theaak  
(H. ud Sloep)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Mr Johann von der Heyden  
7 Waterfall Rd, Erf 2796  
Jock's Bay  
Betty's Bay  
Cell:

19 April 2024

**Objection: with respect to Consent use – Erf 2989 – as listed in municipal notice 44/2024**

The application for a Bottle Store (herinafter referred to as BS) should be scrapped, and replaced with a ringfenced application for a 'upmarket wine outlet' (herinafter referred to as UWO). A granting of a BS license will result in beer and spirits to be sold whereas the original application and motivation by the property owner was to sell only up-market wines. This was thus targeted to Betty's Bay residents and visitors as customers, but making the wines unaffordable to 'bergies' and general low-income public. I was in favour for this space usage.

I am against a BS as this will draw any person to come and purchase beer, liquor, spirits and wine with an associated increase in foot and vehicle traffic in this area, which is serviced by a high speed (80km/h) road. The BS definition states that the sold alcoholic beverages be consumed off-site. Cheap beer, wines, spirits may thus be bought and in reality be consumed by low income persons, or alcoholics, within a close proximity to the BS where a variety of opportunities for consumption exist, such as overgrown properties, empty plots, or closeness to the Jock's Bay beach and cliffs. These areas will not be monitored by Law Enforcement as the latter does not have the capacity to do so on a continuous basis. The way to negate this is to sell only fairly expensive wines – a minimum sale price should therefore be attached to the sale of UWO bottles of 750ml size.

The granting of a BS license will result in:

- More pedestrians
- More need for parking
- More visits by alcoholics
- More pollution (due to discarded bottles after consumption)
- More noise (bergies and alcoholics tend to be noisy, argumentative and even become aggressive)
- More 'undesirables' visiting the area and thus resulting in an impact on property and residents security and value of assets.

Recommendation:

Disallow the application for the Bottle Store license and replace it with an up-market wine outlet (where 'upmarket' will have to be properly defined and the license ring-fenced).

Yours sincerely



Mr J von der Heyden

19 APR 2024

FILE NO.	GF 2989
	Betty's Bay ✓
SCAN NO.	Johann
COLLABORATOR NO.	2035118

**Loretta Gillion**

---

**From:** Harry vdHeyden  
**Sent:** Friday, 19 April 2024 17:42  
**To:** Loretta Gillion  
**Subject:** Objection to granting of Bottle Store license on Erf 2989, 205 Clarens Drive, Betty's Bay  
**Attachments:** Objection 1 24\_0419.pdf

Please refer to attached letter.

OVERSTRAND MUNISIPALITEIT  
 REKORDBEHEER  
 22 APR 2024  
 DOCUMENT CONTROL  
 OVERSTRAND MUNICIPALITY

207  
 P.N. Theark  
 (H. ud Sloep)

3422 Dolphin Drive  
 Bettys Bay  
 19 April 2024

5/242  
 FILE NO. 21 2989  
Betty's Bay ✓  
 SCAN NO. Carol  
 COLLABORATOR NO. 2035105

**Consent Use for a Bottle Store on Erf 2989 Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land**

"The property owners have signed an agreement with a prospective **business owner to operate a boutique liquor outlet** in one of the shops on the ground floor. According to the OMLUS a "bottle store" is defined as: 'means an *establishment where the main purpose is the retail sale of alcoholic beverages for off-site consumption.*'. A bottle store is allowed in terms of the existing zoning with the consent of the local municipality."

I find the "motivating points" scattered within this application very weak and self-focused.

I hereby object to the application for a consent use for a bottle store at The Hub on the following points.

Motivation/Point from the Application	Objection/Comment
The business is proposed to <b>provide a service and product not currently being supplied in Betty's Bay.</b>	There are many services/products currently not available in Betty's Bay and it is likely to always be the case
Bottle store (boutique liquor outlet) that will <b>afford the residents of Betty's Bay the opportunity to support businesses in their community, rather than commuting to Kleinmond, Hermanus or Somerset West.</b>	Weak point: Residents commute to other towns for a wide variety of reasons and will continue to do so. Many prefer to keep Betty's Bay quiet and without shops like bottles stores and to drive elsewhere
The proposal is <b>to attract more people to invest and support Betty's Bay rather than spending their money in other surrounding towns.</b>	Weak point: Re this bottle store - they would be just supporting an individual business owner who is not even currently a resident of Betty's Bay
Betty's Bay is known as a small village that is steadily seeing an increase in population over the past few years.... <b>Betty's Bay also has a high number of retirees and with the rising fuel prices it may become unfeasible to drive and can rather support a local business.</b>	Really? Weak point: will they just be stuck in Betty's Bay and cut off from family and the rest of the world if its "unfeasible to drive"?!
The business owner has indicated that a <b>bespoke selection of beer and spirits will be available. Steps will be taken to uphold the genteel clientele</b> which steps will for example include, not selling beer in single units. No mass market products that will attract the wrong elements to the area, will be stocked or sold.	Lacks integrity: And previous promises that it would just stay as a wine boutique were also made and broken – so on what basis does the business owner expect people to believe this now? What they predicted would happen regarding the initial application is now happening.
The owner of the proposed boutique liquor outlet who will be leasing one of the shops, has done his market research and have identified	Weak point: Residents are going to town anyway for many other reasons and those who want to purchase liquor can then do so.

19 APR 2024

that the **only place to buy liquor that residents can consume at home was in surrounding towns.**

<p>The need and desirability are often a <b>personal feeling that is experienced in this case by both the property owners and prospective business owner.</b></p>	<p>Yes- it is just their personal feeling! Of those who will gain financially from this bottle store. And not those of the surrounding residents</p>
<p>The subject property is in a small business node in the centre of Betty's Bay and the proposal is <b>not predicted to have a negative impact on the surrounding area.</b></p>	<p>According to whose predictions?</p>
<p>The establishment will be well managed, and the property owners are residents of Betty's Bay <b>with a vision to uplift the area.</b></p>	<p>When does a bottle store <b>uplift</b> an area?</p>
<p>The business node is <b>surrounded by residential properties.</b></p>	<p>And those are people who will be the most impacted by a bottle store in their neighbourhood, who pay rates and who should have the biggest say and <b>BE HEARD</b> by the Overstrand Municipality! Not people who are out to make money from a proposal and who aren't even current residents in Betty's Bay</p>
<p>Although Betty's Bay is located in a unique biosphere, it is <b>however not predicted that the proposal will have a negative impact on the area.</b></p>	<p>Predicted by whom? Alcohol, driving and the safety of the wildlife are not a good combination!</p>
<p>The property owners have indicated that <b>their main objective is to have businesses that attract more people to the area.</b></p>	<p>Perhaps the local surrounding property owners, permanent residents and ratepayers don't want that? They like the quiet, less traffic etc.</p>
<p>There are sufficient parking and access to the property, not impacting on the busier Clarence Drive.</p>	<p>This has already shown not to be correct. <b>MOST</b> people access The Hub off Clarence Drive and it is becoming an increasing problem – especially with an 80km speed limit and a blind corner approaching The HUB from the Harold Porter Gardens side.</p>
<p>There is <b>sufficient access and parking being provided</b> including a loading bay;</p>	<p>As per above – and insufficient parking. Spend a weekend morning there in off-peak season and any day during peak season and see what Clarence Drive looks like there.</p>
<p>The boutique liquor outlet (bottle store) will be an independently run liquor outlet, <b>owned by a future resident</b> of Betty's Bay, which allows for a more personal approach to business and how the business will be managed;</p>	<p>Will he stay in the flat on top or across the road and get a first-hand experience? Does he "own" the shop/bottle store or just rent the space?</p>
<p>The owner of the proposed boutique liquor outlet (bottle store) has indicated that <b>only a bespoke selection of beer and spirits will be available;</b></p>	<p>The previous application said it would only be a wine boutique – so why would we believe this?</p>

7/242

<p><b>The building will be easily accessible and will include a baboon proofed refuse area as requested by the building control department of Overstrand Municipality.</b></p>	<p>It is accessed predominately from Clarence Drive which is causing extra traffic and safety issue</p>
<p>The proposal is in <b>harmony with the surrounding area</b> and business node and all relevant spatial planning policies.</p>	<p>Really? According to the surrounding residential area or the prospective business owner?</p>
<p>"This application is therefore for a licence for the sale of liquor for consumption off the premises."</p>	<p>Not so: on-site wine tastings take place and it seems further plans for on-premises sales are being planned</p>

Why would be objections of ratepayers and property owners in the surrounding area, who have a long-term investment in the area, be overlooked for the financial gain of someone who currently doesn't even live in the area – and might move away again!

There are many business who could be added to The HUB who would UPLIFT the area, are a better option and could be family or children orientated.

My objections included in the initial objection to the application still stand.

Yours sincerely



Carol Clark

Property owner  
3422 Dolphin Drive, Betty's Bay

Chair of the Betty's Bay Conservancy

**LIQUOR LICENCE APPLICATION FOR THIRSTY'S LIQUOR BOUTIQUE  
IN THE HUB, Erf 2989 (205) CLARENCE DRIVE, BETTY'S BAY**

I hereby object to the application for a liquor license for Thirsty's Liquor Boutique (shop 4) in the new building called The Hub. This is situated on Erf 2989 (205) Clarence Drive in Betty's Bay.

I object for the following reasons:

**1. The Catholic Church is still 150 m down the road: the application is incorrect.**

The application states, both on the map provided and in the written application, that the Catholic Church that was situated 150m away from the Hub, has burnt down.

Considering that this Application for a liquor license was submitted in July 2022, the applicant has not done due diligence in finding out and including accurate information regarding the church.

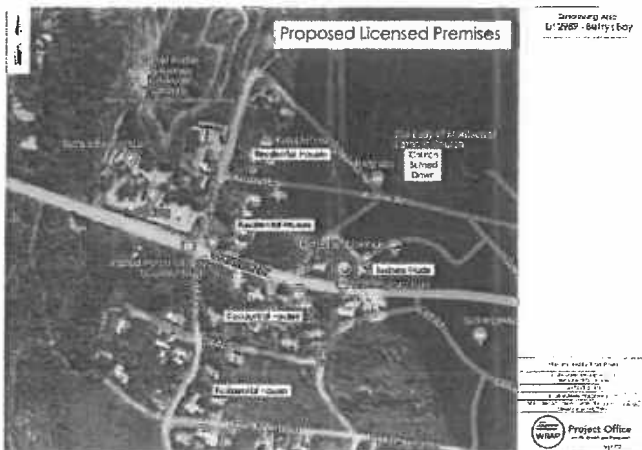
The application states:

v) *The congregants of a religious institution located in the vicinity of the proposed licensed premises:*

***"There was a chapel located 150m from the proposed licensed premises, but it burnt down.  
There are other churches approximately 3.5km from the proposed licensed premises"***

This is incorrect:

The church was rebuilt after the 2019 fire and is fully operational as per photo below.



The applicant states on their map that that **Our Lady of Montserrat Catholic Church** "Church Burned Down"



Left : Photo of the church taken in August from the back of The Hub

Right: New Catholic Church which has been open for many months.

## 2. Learners under the age of 18: the application is incorrect

The learners of an educational institution who are under the age of (18) years:

Applicant incorrectly states regarding: " ***There are no such institutions located in Betty's Bay. Some unregistered preschools may exist however as per the Liquor Act the applicant may not sell to under 18's.***"

3. The **Disakloof Jeugkampterrein** /campsite is situated two blocks away from the HUB. Many youth camps are held here and it is a very popular camp site for holidaymakers with children. The youth walk into the shopping area where the Hub is now situated.



4. The **Harold Porter National Botanical Gardens** is situated in the block in-between The Hub and Disakloof campsite and is a place where many families with young children picnic.



4. The Hub is situated on Clarence Drive which is a Provincial Road, the R44, where the speed limit though Betty's Bay is 80km. This spot is already known as a dangerous area with pedestrian's crossing the road to the current few shops there. The Hub and wine boutique will add more traffic and cars parking on Clarence Drive, and increase the number of pedestrians crossing the road in an 80km zone.

**5. Current application versus future possibilities:**

The application shows that that it is "for the sale of liquor for consumption off premises"

The application says is for a licence to sell wine.

Is this just a "wine application" or does applying for a liquor license grant permission to sell all forms of liquor?

I have heard that to extend this to other types of liquor would require a secondary application to the WCLA -but that there is no public participation process in this secondary application i.e. that it can just take place without residents, especially the neighbours, knowledge or consultation. The shop's range can be extended into a full bottle store range over time and this would not be what residents were originally informed of.

**6. Betty's Bay is predominantly a holiday and seasonal village.**

The chances are high that a wine boutique will not make "sufficient profit" only selling wines during "off season" time. The owner could therefore use that as a reason/justification that they "need" to expand this range beyond wine. This would then happen without further public participation. Many shops have come and gone in Betty's Bay due to its seasonal population.

7. The name **THIRSTY'S LIQUOR BOUTIQUE** gives the impression that the owner intends to sell all forms of liquor. If it was only intended as a wine boutique, it would have been named as such. The names sounds like a bottle store.

**8. Agreement of Lease for a commercial property:**

Document is incomplete

- 8. USE OF THE LEASED PREMISES The Leased Premises are for the sole purpose of conducting therefrom the business of a..... not filled in
- 10.1 –Domicilium section: not filled in by the Lessee
- Document is not signed on page 044 by the lessee
- There are no witness's signatures on this lease agreement document on page 26, when signed in Hermanus on 24 June 2022

**9. Comment on ANNEXURE D: DESCRIPTION OF THE PREMISES**

Motivation by Stuart Reith Buchan

- The applicant identified the property as an appropriate and suitable location to open a wine shop  
Who deems this an "appropriate and suitable" location – on whose criteria?
- There is currently no liquor being sold for consumption off the premises within Betty's Bay, and once approved, this will be the first off-consumption liquor license in the area.  
The residents of Betty's Bay have always opposed the application for liquor licenses in Betty's Bay for many reasons.

- The wine shop will only sell wines and no other liquor will be sold on the premises.  
The applicant is able to apply to sell all forms of liquor and this statement is no guarantee that the shop will remain as a wine boutique.
- The wine shop will add value to the proposed premises and attract residents and tourists as there is no other place in Betty's Bay to buy liquor for consumption off the premises.  
In whose perspective will this "add value"? - just to the owners financial situation?  
Residents have stated many times in previous applications that they shop for liquor when they do their other shopping at neighbouring villages or at malls. The village is 13km long and it is closer for villagers at each end to drive to their neighbouring village to shop.
- Upon entering the premises, one will immediately enter the wine shop which will stock a large collection of higher end estate wines  
For a centre in a village that is supposed to attract the range of residents and holidaymakers in Betty's Bay, including those with children especially during the holidays, the fact that one "immediately enters the wine shop when entering the premises", is not seen as a positive factor.



- As can clearly be seen from the attached plan and photographs, the premises more than adequately meets the requirements of the Liquor Authority for the granting of an off-consumption liquor license and because healthy competition is the cornerstone on which the current Liquor Act is based.

*"the premises more than adequately meets the requirements of the Liquor Authority"* - based on what?

*"because healthy competition is the cornerstone on which the current Liquor Act is based"* - this statement contradicts the prior statements that "There is currently no liquor being sold for consumption off the premises within Betty's Bay,"

## 10. COMMENT on ANNEXURE F: WRITTEN REPRESENTATIONS IN SUPPORT OF THE APPLICATION

- The property has a primary right that allows a shop to be operated as a primary right. The subject property is zoned as Business Zone 3, as confirmed by the zoning certificate, refer to Annexure M.
- It is zoned Business Level 111: Local Business (B3)
- Primary use: shop **Shops**, dwelling unit (above ground floor) in accordance with 6.3.2, flats (above ground floor), offices, restaurant caretaker's accommodation and self-catering.
- Consent use: to be applied for to Council: **includes bottle store, sale of alcoholic beverages**

- Consent Use approved: **none**
- Departures approved: none

Annexure M states that **no consent uses have been approved** by council for a bottle store or sale of alcoholic beverages on erf 2989!

- The applicant has identified the premises that is currently being constructed as an ideal location to open the wine shop.  
Ideal from whose perspective?
- The property is located on the main road (the premises will not gain direct access from the main road) which was determined to be an ideal location to construct the proposed business complex. The location will invite more customers and prospective wine buyers to the Betty's Bay area.  
The "main road" is a provincial road with a speed limit of 80km. There is very limited parking behind the HUB so for the most part the majority of people WILL have to access if from Clarence Drive. This spot on Clarence Drive is already known for being a dangerous section with cars coming fast around a curve in the road and pedestrians crossing in an 80km zone.
- This proposal aims at ensuring the wine shop has a valid liquor license to trade in the sale of liquor for consumption off the premises.  
According to Annexure M there is no consent use approved by Council for a bottle store or sale of alcoholic beverages on erf 2989.
- This application is for a licence for the sale of liquor for consumption off the premises where the liquor is sold in in terms of Section 36 of the Western Cape Liquor Act.  
The above does not specify the sale of wine- but the "sale of liquor"
- The applicant has the right of occupation by virtue a valid lease agreement.  
There are no witness signatures on the lease agreement and as well as other information missing

The approval of this license will contribute to perpetual development of the wine industry in the surrounding area and will contribute to the creation of employment opportunities. The public interest will also be served as the public will be afforded the opportunity to buy liquor within their own town and not have to travel to neighbouring towns to buy wine.

- The application states that only 2 jobs will be created.
- Residents have repeatedly said in previous objections to liquor license applications that they prefer NOT to have a bottle store in Betty's Bay as they buy liquor where they do their other food shopping or en route for those who commute to work
- Betty's Bay is 13km long and the residents at both "far ends" are closer to the neighboring villages and drive there instead.

In terms of Section 34 of the Western Cape Liquor Act 2 of 2008 the Liquor Licensing Tribunal or the Presiding Officer, as the case may be the officer may not grant a licence, unless it or he or she is satisfied on a balance of probabilities that -

- (a) "The granting of *the* licence is *in the public* interest"

- (b) It means that *the public* would be *better* served if the applicant were *granted the licence that that the existing state of affairs was to continue*
- (c) *It is not the national interest that is intended but that of the inhabitants in the areas for which the licence is sought or visitors to that area."*

As above- in previous applications, the most recent being in 2021, residents list the reasons why they **prefer the existing state of affairs to continue**. The **inhabitants of the area** state their reasons why they prefer Betty's Bay not to have a bottle store and rather to shop for alcohol elsewhere.

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

FROM MONDAY TO FRIDAY 10:00 TO 18:00

SATURDAY - 10:00 TO 14:00

Contradicts the application which is for off consumption.

**I find this application contains weak motivation for this liquor licence, has inaccurate information in it and the documentation is not complete – sections of information and signatures are missing – in additional to my other objections.**

**I object to this application for a liquor license.**

Carol Clark  
21 September 2022

Property owner in Betty's Bay

Chair of the Betty's Bay Conservancy

**Loretta Gillion**

---

**From:** Carol Clark  
**Sent:** Friday, 19 April 2024 17:35  
**To:** Loretta Gillion  
**Cc:** Tosca Korver; Dean O'Neill  
**Subject:** FW: objection to the Application for Consent Use for a bottle store at Erf 2989 The Hub on Clarence Drive, Betty's Bay  
**Attachments:** Objection to the Consent use application for erf 2989 The Hub on Clarence Drive Betty's Bay April 2024.pdf; Objection to the Application for a liquor licence for Thirstys Liquor Boutigue at erf 2989 The Hub in Betty's Bay 21 09 2022.pdf  
**Importance:** High

Resending this as I received a system error message to my prior email to Loretta's email

**From:** Carol Clark  
**Sent:** Friday, 19 April 2024 17:30  
**To:** 'L Gillion' <loretta@overstrand.gov.za>  
**Cc:** 'Municipal Manager' <mm@overstrand.gov.za>; 'akover@overstrand.gov.za' <akover@overstrand.gov.za>  
**Subject:** objection to the Application for Consent Use for a bottle store at Erf 2989 The Hub on Clarence Drive, Betty's Bay  
**Importance:** High

Hi Loretta

Please see my objection letter attached, and the September 2022 one as supporting document

Please confirm receipt –thanks.

Best wishes  
Carol Clark

TP-11.1/Heart  
(11.ud Stoop)

15/242

Loretta Gillion MUNICIPALITEIT

From: REKORDBEHEER Emmse Burger  
Sent: 22 APR 2024 Friday, 19 April 2024 14:12  
To: Loretta Gillion  
Subject: Objection letter: Liquor outlet, The Hub Betty's Bay

DOCUMENT CONTROL  
OVERSTRAND MUNICIPALITY  
To whom it may concern

FILE NO.	BT 2989
	Betty's Bay ✓
SCAN NO.	
	Burger
COLLABORATOR NO.	
	2035138

Objection letter: Liquor outlet at The Hub in Betty's Bay

We moved to Betty's Bay in July 2023. It was an easy choice for us to move here as we wanted to live in this beautiful biosphere, where animals walk freely, lights are limited at night, and you can walk for kilometres, feeling safe as you admire the beauty of nature, the smell of the sea and the quiet streets. We wanted to be close enough to amenities but not have it in the village where we live.

We were aware of the wine shop application at the time but did not voice a concern as we were still in the process of buying our house.

We are however very concerned that the wine shop will now become a full-blown liquor store, which was not mentioned in any of the letters and messages we have received at the time of the application of the wine shop. In fact, it was clearly stated that it was not the applicant's wish to run a full-blown liquor store but only a boutique wine shop. As residents of Jock's Bay, we are against the granting of a license to operate a liquor outlet from that premises in Jocks Bay. Our reasons are as follows:

1. Jocks Bay is an upmarket suburb of Betty's Bay, and having a bottle store will attract less desirable clientèle. This is a concern for the residents of Jocks Bay and the other small businesses in our area. Many people of the main village of Betty's Bay want this to become a bottle store but as residents of Jocks Bay, 500 meters from the current wine shop, we vote against it. There are plans for a bottle store to open in the main village of Betty's Bay in the near future, and we are not against that if that is what the residents of that area wants. We do not want a liquor outlet in our area.
2. Having a liquor store will impact the traffic in an already very sensitive part of Jocks Bay as far as speed, parking and safety of pedestrians go. There is a 80kmph speed limit, no pedestrian crossing and a very difficult to navigate turn off coming from Twist Street, where the current parking of the Hub is situated.
3. We run an Airbnb from our house and our guests come to Jocks Bay because it is different. They love the quietness, the quiriness and that there is nothing but a few small shops with a lovely family friendly feel to them. Our guests make use of these family friendly shops and return for those reasons. This is such a unique part of Betty's Bay, and we need to keep the essence of it, which will definitely change with a bottle store.
4. As residents of Jocks Bay, we are proud of how safe our part of Betty's Bay is. Once there is a bottle store and less desirable characters start to hang around in our streets, will this not take away from what we have invested in? Will it still be safe enough for me as a woman to walk or jog past that premises alone? I think not.

5. The deceitful way this application has been made, has us wondering what will be next? The applicant's promises of it only being a wine shop and having no intention to run a bottle store has been completely dishonest. We have heard stories of the roof of the hub being turned into a sundowner bar, a gin tasting bar and birthday and wedding venue. If a liquor outlet gets approved, even when the residents disapprove of it, do we have any say in what happens next? The residents of Jocks Bay's wishes have already been disregarded, as many have voiced their concerns about the wine shop turning into a full-blown liquor outlet before it was approved, but approval was given despite the resident's concerns, which was called unfounded and speculative.

6. The counsellor of our area does an amazing job, and we are really grateful for the time and effort she puts in to help our town run smoothly. We are however concerned that she did not take the resident's concerns to heart on the matter of the wine shop and only had her own voice heard by sending a letter of her approval. Since then, we have not received any clear communication on the matter.

7. We are not against growth and development, and understand that it is necessary, but then the development should be in favour of the residents and to the betterment of the area as the needs of the area change. We do not need a or want a liquor outlet in our beautiful Jocks Bay.

Regards

Francois and Emmse Burger

Erf 2944 Bettys Bay

Kind regards

**Emmse Burger**



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219

17/242

TP. N. Thearle  
(H. vd Stoep)



Adv. Werner Krull

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

E-mail:

The Municipal Manager  
 Overstrand Municipality  
 P.O. Box 20  
 7200 HERMANUS

By email: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

FILE NO. <u>ERF 2989</u>
<u>Betty's Bay</u> ✓
SCAN NO.
<u>Krull</u>
COLLABORATOR NO.
<u>2035134</u>

For attention: Mrs. H. van der Stoep ( Senior Town Planner)

Dear Sir/Madam

MUNICIPAL NOTICE NO. 44/2024: APPLICATION FOR CONSENT USE: ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTY'S BAY (PTY) LTD

Attached please find our objection to the above –mentioned application.

We are the owners of the property at 10 Broadwith Road, Betty's Bay, and lodge this objection in that capacity. We can be contacted at the above email address.

Kindly acknowledge receipt hereof.

Yours faithfully

WP Krull

19 April 2024

19 APR 2024

## Objection: Application for Consent Use: Erf 2989, 205 Clarence Drive, Betty's Bay

### A. Introduction

1. Betty's Bay is situated in the first United Nations Educational, Scientific and Cultural Organisation (UNESCO) Biosphere in South Africa. A biosphere is a place for sustainable development and is declared precisely to prevent unbridled commercial expansion in sensitive areas. UNESCO's strategic objectives include contributing to building *sustainable, healthy and equitable* societies, thereby creating a **sustainable future for people and nature**. It is clear that sustainability of a healthy environment is a key component of this programme.

2. The Biosphere is managed by the Kogelberg Biosphere Company, a non-profit company established in 2002 as per the requirements of the UNESCO Man Biosphere Programme and its 17 sustainable development goals. The objectives of the Kogelberg Biosphere ("KBB")<sup>1</sup> include –

- executing the UNESCO Man and Biosphere Programme, which focuses on conserving biodiversity and cultural biodiversity; and
- fostering economic development which is *socio-culturally and environmentally sustainable*.

3. The area where the bottle store is to be located falls just outside of a **formal protected area** of the biosphere. One of the main **threats** to the biosphere identified by the Kogelberg Biosphere Company is<sup>2</sup> economic growth.

4. We are the owners of a residential property at 10 Broadwith Road, Betty's Bay, situated approximately 245 meters away from the proposed bottle store. We (and our families) have come to Betty's Bay respectively as from 1966 and 1995, and know the area and its people very well. We have owned our present property from 2001 and have witnessed the growth in the area over these decades. We will be directly impacted by the proposed bottle store on a regular basis and therefore object to the application on the grounds set out below.

---

<sup>1</sup> <https://kogelbergbiosphere.org.za/about/>

<sup>2</sup> <https://kogelbergbiosphere.org.za/wp-content/uploads/2023/12/KBR-Newsletter-December-2023.pdf>

## B. The Application: Municipal Notice No. 44/2024

1. The motivation in many instances refers to a “boutique liquor outlet”, which is misleading, as it is clear that the real intention is to run a **traditional bottle store** which sells spirits, wine and beer, and other beverages, much of which is colloquially known as “hard liquor”. It is not to be a wine tasting emporium or *maison de vin* aimed at a particular clientele (referred to in the application as “genteel”), but one which will sell **all liquor to any person** over the age of 18 years, irrespective of the intended use, the place to be consumed or the amounts in which it is to be consumed. The undertaking that the bottle store will only sell a “bespoke selection of beer and **spirits**” attests to this. Furthermore, the promises to not sell beer in single units, or to sell mass market products that “will attract the wrong elements (*sic!*)”, are just that, and unless expressly contained in a license, not binding or enforceable, and therefore not worth the paper it is written on. Ultimately, the underlying object of a business – correctly - is to make a profit, and as such, all major business decisions will be driven by that requirement, also – or rather, especially – in respect of bottle store.

2. The motivation states that the property owners have signed an agreement with a prospective business owner, but no details are provided as to what the agreement entails (not referring here to confidential commercial information) or conditions which may apply or who that person is, which may be critical in the consideration of the application. No mention is for example made of whether there are limitations in respect of on-selling the business once established to third parties, the consequences should the business underperform financially or the liabilities of the respective parties if the business causes injuries or damages to other parties, all of which may influence the consideration of the application. No mention is made of the promises made (referred to in the previous paragraph, and contained elsewhere in the application) in this regard, which have a direct bearing on the consideration of the application, which renders them meaningless.

3. The motivation states that the subject property was purchased to develop “a *feasible* business” premises to attract businesses and customers, and “to create employment opportunities”. This may have been the original intention, but it is clear from developments over the past 18 months that it has so far failed to realise something constituting a “feasible” business premises, as is witnessed by the shops standing empty on the premises and exceptional turnover of businesses during that period (of which not mention is made in the application), in contrast to the surrounding businesses which during the same period have been thriving. Measured against the declared objective of the KBB in respect of sustainability, the premises have not contributed to the area. The

heart of this application lies in its inability to be a feasible business, and it is precisely because of the problems encountered that financial salvation is now sought in opening a bottle store. This ties in with the recurring line in this application that local businesses ought to be supported. It should also be noted that the current licence (i.e. a wine-only merchant) apparently did not make it feasible for the current business to continue, and a different owner is now to be substituted. The major difference, of course, is that the application is now intended *to extend the scope* of goods to be sold, to include – above wine – beer and spirits; a major departure in law from what was previously stated and allowed.

4. As to creating employment opportunities, this is severely limited, and given the population composition of Betty's Bay, not a particular essential element. It is also implausible that job creation was a direct objective of this exercise, rather than a fortuitous consequence to be included in this application. In any event, the number of jobs to be created will be minimal. In addition, the claimed "current construction" which employs builders, carpenters and artisans is at best temporary. A bottle store will not provide significant employment opportunities. (There is no construction currently being undertaken, and this claim seems to be referring to the period two years ago when the premises were being erected. Changing from the current store to a bottle store will at best require shop fitting, which will not provide permanent employment.)

5. In paragraph 4.1 of the application, it is stated that a bottle store will afford residents of Betty's Bay the opportunity "to support businesses in their community", as if residents currently are unable to do that. This application is not made in respect of "businesses", but a particular business, which is a bottle store, with all its concomitant issues. This is said to liberate residents from the need to "commute" to Kleinmond, Hermanus or Somerset West. It is hardly imaginable that residents will specifically commute (i.e. regularly travel) to Hermanus or Somerset West, and given that residents in any case travel to Kleinmond to purchase the many goods and services not available in Betty's Bay, this can hardly be an overriding reason for granting the application. It is a severe deficiency of the application in that it makes several unsubstantiated claims and contains many instances of conjecture, some of which are pointed out below, and which are probably only included in the application in an attempt to make the application more palatable. No mention is made of Pringle Bay, for example, where residents - like in Kleinmond - can purchase liquor from a bottle store, in addition to effecting major purchases of food and other necessary goods.

6. The application claims that due to the rise in fuel prices “it may become unfeasible to drive”. Why then is the application not made to open a supermarket for essential goods, given that the local businesses at best provide a limited range of food items to temporarily provide ongoing sustenance? This application is not principally driven by the altruistic motive it attempts to suggest.

7. If the concern is to assist residents, who are estimated to only constitute 30 percent of the possible number inhabitants as measured against built up properties in Betty’s Bay, why is the business not located in the most densely populated area in Betty’s Bay, which is to the west of where the application is situated, and where more suitable premises are available? The truth is that this bottle store will be heavily dependent on passing travellers – non-residents - (which is why this particular location is ideal) to be a sustainable business, especially on Fridays, over weekends and during the holidays, with all that that implies. Other parties have previously indicated interest in obtaining a liquor license for premises which form part of Betty’s Bay’s main business node (across from municipal offices). The submission is also made that residents when purchasing their properties knew that the business properties would be developed. This is incorrect, as the property in question was only rezoned for business purposes after a number of residential properties had already been purchased, and a general business zoning is not indicative of a bottle store, which is a special type of commercial undertaking requiring special permissions and requirements. The true positions can probably be found in paragraph 10, where the applicants probably inadvertently concede that this business is “... putting personal preference before the greater good”.

8. The claim is also made that the product (i.e. wine, beer and spirits) is currently not being supplied, whilst it is also common knowledge that most restaurants in Betty’s Bay also provide liquor to patrons, albeit not for off-premises consumption. The essential difference, of course, is that food is served together with the liquor, and as such must be consumed on the premises.

9. The application correctly states at paragraph 6 that the business is in a node “surrounded by residential properties”, but does not in any way whatsoever attempt to quantify the impact of a bottle store on the residents living next to a bottle store. It also does not mention the presence of a church is situated within approximately 135 metres of the premises, which is used by two congregations, not only on Sundays, but also on Saturdays for Mass and during the week for services like Evensong. The thought of a funeral being held whilst liquor is being delivered (using the same street) is unbearable. Apart from providing housing, the area is also widely used for walking and other recreational purposes, and the number of participants during the holidays increases significantly. It

should also be noted that the other businesses in the area conduct business on a scale and in respect of goods and services that have a low or little impact on the residences surrounding the node. Lastly, it is very important to note that the Western Cape Liquor Authority lists “premises situated within a residential area” as one of the main reasons<sup>3</sup> for objection against a liquor licence.

10. The application furthermore makes to no effort to determine the impact of a bottle store on activities in the Harold Porter Botanical Garden (approximately 256 metres from the proposed bottle store) and surrounding undeveloped properties, which house the famous fynbos. Not only is the Garden a protected area, but it is always promoted – also by the Overstrand Municipality – as a destination within the KBB, but as a key attraction within Betty’s Bay and the greater Overstrand area. There is no guarantee that alcohol bought at the bottle store – given its proximity – will not be consumed in the Garden, with all the consequences that flow from it. The restaurant in the Garden already serves liquor, provided a visitor also purchases and consumes food within the restaurant’s premises.

11. On the development parameters, the application states that 14 parking bays are provided, and that access to the bottle store will not be from Clarence Drive. Casual observation of the premises indicates that the parking bays are primarily used by employees or owners of the current businesses on the premises, which means that the number of parking bays indicated only constitute a nominal figure, and do not adequately address the increased traffic to and from the parking area via an untarred road. In addition, the claim that access to the bottle store will not be primarily from Clarence Drive defies reality. Currently, the parking provided in Clarence Drive on either side of the business node is already inadequate, both during the week and over weekends, when visitors flock to the area. It is inevitable that parking in Clarence Drive will be used, as it is much more comfortable and quicker to park there. This will also include parking on the southern side of Clarence Drive, i.e. in the opposite side of the road, which will require crossing the road with packages or trays of beer, and given the 80 km/h speed limit which is often disregarded, will pose a major security risk, not only to the pedestrian but also to other road users.

12. Other than indicating that a loading bay is provided for, no attempt is made to address the issues of delivery vehicles. Not only will such vehicles be inclined to use the Clarence Drive access and use parking spaces provided, but if the delivery vehicle is a larger one, access to the loading bay will be difficult if not impossible. Liquor distributors, such as beer companies, do not make individual

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<sup>3</sup><https://www.wcla.gov.za/sites/default/files/2019-10/OBJECTING%20TO%20A%20NEW%20LIQUOR%20LICENCE.PDF>

deliveries to a specific client, but deliver their goods to all their clients in a wider area, and therefore use large vehicles for that purpose. The road giving access to the loading bay is not one that will be usable for such large delivery vehicles. Such large vehicles will probably also find it difficult to turn when leaving the site, meaning that they will have to pass over untarred roads (Mountain Road, Aristea Road, Straight Road and High Level Road) in between the residential properties in order to leave the area. The impact on these roads during the rainy season, and the resulting absence of safety on those roads for residents needs no further discussion.

13. The application in paragraph 9 claims that the subject property is connected to the Overstrand Municipality's "networks which include ... sewage." There is no sewage network in Betty's Bay, other than sewage tanks which must on request and payment of fees be emptied by the Municipality's sewage trucks.

14. Other than stating that a baboon-proof refuse area is included does not satisfactorily analyse this problem. The area where the premises are situated are directly within the walking routes baboons (which live in the kloofs of the Harold Porter Botanical Garden) use daily, both in the mornings and in the evenings. Greater human activity – and more refuse - will attract greater numbers of baboons and increase baboon activity. A baboon-proof area is only that if the measures are adhered to correctly and all the time, which especially during delivery, collections and recycling, will prove to be difficult. Baboons entering businesses have been witnessed, threatening patrons and employees.

15. Bottle stores typically make use of a huge amount of packaging, packaging material, trays and pallets which need to be cleaned, stored until disposal or return to the liquor merchants. There seems to be very little space designed to provide for this, which means that such materials will from time to time be stored outside the designated refuse area. Given the climate features especially prevalent in the Betty's Bay area, especially the wind, this could prove difficult if not impossible to control and attend to in an ecologically-sensitive manner.

16. The main deficiency in the application is a total failure to provide substantive evidence of the claims that are made. Although the application in paragraph 10 acknowledges that "(t)he need and desirability are often *a personal feeling* (sic!) that is experienced ... by both the property owners and prospective business owner... creating a product that is both feasible and desirable that will be a successful business.. .", the application also attempts to portray itself as an attempt to "satisfy a need

of the residents of the entire Betty's Bay ...". There is no proof of this; it is an empty statement devoid of substance, especially as the applicants are quite open that the application is based on personal feelings which are designed ensure a successful business, and that this business is "... putting personal preference before the greater good". In other words: the application is made to make money for the applicants, in itself a lawful goal if not based on flimsy assertions and incorrect statements, but definitely not as a way to benefit the people of Betty's Bay. The claim that the business owner intends to move to Betty's Bay is meaningless for this application and creates an impression that promises are included to sweeten the application and detract from its many deficiencies.

17. The application claims that the two other commercial nodes (both in the western part of Betty's Bay) are not "to be developed any further". What knowledge do the applicants have in this regard which even remotely underpins this assertion? If they have any, none is included in the application. It is well-known that a number of entrepreneurs have plans to open more businesses in these nodes, including opening a bottle store across from the municipal offices in Betty's Bay.

18. The application at paragraph 10 also asserts that it is "not predicted to have a negative impact on the surrounding area". On what is this prediction based, given the many lacunae in the assessment of this application? The "property owners' ... vision (*sic!*) to uplift the area."? (Apart from the fact that the business owner will be responsible for managing the bottle store, not the property owners.) There is no guarantee that "the establishment will be well managed", not from what is provided in this application. In addition, "... it is predicted that it (*i.e. the proposal*) will not negatively impact the area. Furthermore, whilst acknowledging that "Betty's Bay is located in a unique biosphere", the applicants again "predict", without motivation or evidence, that the proposal will not negatively impact the area. The onus to substantiate and prove the claims, predictions, slogans and visions rests squarely on the applicants, which they have failed to do.

19. The application contains no reference to advertising or marketing, which is an important issue in this type of business. In order to have a successful business, the business will have to be advertised and marketed principally to non-residents passing through Betty's Bay, who probably do not have access to local media and would not know of such a business unless marketing is done on Clarence Drive. This, in turn, would cause problems with parking and road safety. Bottle stores in Kleinmond and Pringle Bay regularly advertise in the local media, and unless the offering from the proposed bottle store presents a special opportunity at a special price, residents will probably support those bottle stores when doing their regular shopping. In order to compete with those well –

established businesses, the proposed bottle store would have to undercut their pricing, which puts the success and sustainability of the proposed bottle store at great risk. This would then increase the need for non-residential clients and non-“genteel” clients, which in turn would require more marketing and advertising. (The proliferation of unlawful advertising – including barely 100 metres – is indicative of what this might bring.)

20. The application alludes to a claim that beer, wine and spirits will not be sold to “wrong elements” (paragraph 4.1). How will the applicants decide what constitutes a wrong element, and on what basis in law will they refuse to sell liquor to a person whom they deem to fall in this category? Any such refusal will constitute will prima facie offend against constitutional rights in respect of equality, non-discrimination and fairness. The fact is that they cannot in ordinary circumstances (i.e. excluding unlawful or anti-social behaviour) prevent any person from accessing the bottle store or purchasing any of the liquor on offer. They cannot prevent that person from leaving the business premises to consume the bought liquor on the pavement, five metres away, and disposing of the container of the liquor. The absence of public ablution facilities further darkens this issue. It can be accepted that bottle stores attract people from many different backgrounds, who access a bottle store for different reasons and whose subsequent behaviour differs greatly.

21. The likelihood of people loitering in the area without specific purpose adds to the possibility of incidental theft and disorderliness, and an increase of assault amongst drunken persons, rendering the immediate area unsafe for passers-by or bystanders. South Africa has the highest per capita rate of alcohol consumption in Africa. Excessive drinking is especially widespread in the Western Cape<sup>4</sup>. Research estimates that per capita alcohol consumption in the province is between 30% and 40% higher than the national consumption. Alcohol use contributes to over 200 different diseases, injuries and conditions. It is also a risk factor for gender-based violence and violent crime.

22. The Hub’s property owners – not the prospective business owner – “have indicated that their *main* objective is to have businesses that attract more people to the area”, which stands in stark contrast to the applicants’ indication that the application is “not intended to have an impact on the character of the area.”. Again the applicants’ own words contradict the claims they attempt to make of a “vision ... to satisfy a need of the residents of the entire Betty’s Bay.”.

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<sup>4</sup> <https://theconversation.com/drink-up-its-closing-time-south-african-study-calculates-that-limiting-opening-hours-will-save-lives-205700>

23. Betty's Bay is a unique area with special features, such as the biosphere, the marine reserve, the Harold Porter Garden, the penguins and the fynbos. Betty's Bay has a unique character, evidenced by residents steadfastly refusing to agree to the installation of street lights or the excessive tarring of dirt roads. By and large, it is a peaceful area with very little crime or anti-social behaviour, with residents taking part in many initiatives to serve the biosphere we live in, such as the hacking group and others working for the upliftment of the area. We can also attest to the fact that there has always – over decades – been a consensus that in order to retain this unique character, and to preserve its atmosphere, very little commercial activity should be allowed within its area. The Overstrand Municipality and its predecessors have up to now always honoured this consensus, and the commercial activity has been limited and subdued. Businesses only provide essential services and sell a limited range of products – as is evidenced by the nature of the businesses at the Hub -, as main purchases are effected elsewhere. This also underlies the Overstrand Municipality's policy on supporting tourism, and ensuring that the biological diversity and ecological sustainability of Betty's Bay is not compromised, but maintained and enhanced.

24. We therefore respectfully request a full consideration of this document, and that our strongest objection to the application be registered and honoured. We are available for further consultation should the Municipality require further information.

S.M. Krull

W.P. Krull

19 April 2024

**Loretta Gillion**

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**From:** Werner Krull  
**Sent:** Friday, 19 April 2024 16:33  
**To:** Loretta Gillion  
**Subject:** MUNICIPAL NOTICE NO. 44/2024: APPLICATION FOR CONSENT USE: ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY  
**Attachments:** Objection Covering letter.docx; Objection.docx

Kindly see the attached documents.

Kindly acknowledge receipt hereof.

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**Notice and disclaimer:** This e-mail, its attachments or its encoding and transmission information may be subject to legal privilege. Any unauthorised use, publication, duplication or interception of this e-mail and its attachments is expressly and strictly prohibited. If you are not the intended recipient of this e-mail, please delete it immediately and arrange for the complete deletion thereof on your server and any other recording or storage facilities. You may not without the author's express written authorisation copy, forward, publish, distribute or disclose the contents of this e-mail, its attachments or its encoding and transmission information to anyone. No responsibility or liability is accepted for any damages or any other reason whatsoever arising from or as a result of the use of or reliance on the contents of this message or its attachments. No representation or guarantee is made or given in respect of the confidentiality, integrity or security of the e mail system. Sending this email does not constitute consent for purposes of section 11(1)(a) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), or of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679), unless expressly stated. This notice and disclaimer forms part of the content of this e-mail for purposes of section 11 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002).

**Loretta Gillion**

**From:** OVERSTRAND MUNISIPALITEIT Eily Bates  
**Sent:** REKORDBEHEER Friday, 19 April 2024 19:50  
**To:** Loretta Gillion  
**Subject:** 22 APR 2024 FW: Re: Bottle store at The Hub, Betty's Bay OBJECTION

DOCUMENT CONTROL  
 OVERSTRAND MUNICIPALITY

TP-N. Theaak  
 (H. ud Staep)

FILE NO.	OK 2989
	Kelly's Bay ✓
SCAN NO.	
	Bates
COLLABORATOR NO.	
	2035090

**From:** Eily Bates  
**Sent:** Friday, 19 April 2024 12:51 PM  
**To:** 'mm@overstrand.gov.za' <mm@overstrand.gov.za>  
**Cc:** 'akorver@overstrand.gov.za' <akorver@overstrand.gov.za>; 'edw@mweb.co.za' <edw@mweb.co.za>; 'Stefné van Dyk' <svdbarok@gmail.com>; 'louise@eduwrite.org' <louise@eduwrite.org>  
**Subject:** Re: Bottle store at The Hub, Betty's Bay OBJECTION

Dear Sir/ Madam

In spite of the fact that a licence has been given to Thirsty's Bottle Store in Batty's bay I object in the strongest terms to any extra permission being given to expand the original terms of the licence.

There is already a liquor outlet nearby at the Village Centre

There is already a bar nearby at Camelot.

Having closer access to spirit and beer sales is likely to cause unwanted negative social repercussions in a sadly impoverished and uneducated community at Mooi Uitsig. The nearest police station is at Kleinmond. It serves Kleinmond, Betty's Bay, Pringle Bay and Rooi Els. Its resources are spread thinly on the ground. I am sure the authority would not welcome extra possible criminal activity resulting from drunkenness and poor social behaviour.

This business outlet is on a busy through road in an 80 km zone. It is dubious that patrons (especially is there is a plan ahead to establish a rumoured gin bar) will bother to park at the back of the outlet or even in the designated parking zone. Humanity on the whole seeks the easiest way out.

Even if the rear, mountain side parking IS used this will have a negative result on the residents in the area and the church.

Betty's Bay is a Unesco World Heritage area, it will damage the ambience of the natural environment and encourage further commercial challenges in the area which many residents feel need to maintain its special character. This is now unique in 21<sup>st</sup> century expansion of urban areas. I suggest that the natural environment should be creatively used to encourage tourism, employment and income rather than focusing on expanding commercial projects. Why throw away what is unique and cannot be recreated. Foolishness to my mind!!!

The Porter gardens are very close to the commercial outlet and extra traffic, parking problems, possible beggars, Drunk patrons and excess traffics take away from this project. I am dubious that nature and commerce mix unless creatively and carefully manipulated by those who have profession expertise.

My last comment and objection is that one person should not be in a position to rough-ride over the objections of numerous residents in this matter. In my experience, in cape town such an issue which has numerous objections has to be decided by a municipal committee attended by the objectors and their legal representatives and town planners.

Yours

E Bates erf 2140 Betty's Bay



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OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
Duplikaat
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**Loretta Gillion**

**From:** Dean O'Neill  
**Sent:** Friday, 19 April 2024 14:33  
**To:** Loretta Gillion  
**Subject:** FW: Bottle store at The Hub, Betty's Bay OBJECTION

FYA

*TP- D. Aheale  
(H. ud Sloep)*

FILE NO. <i>ET 2989</i>
<i>Betty's Bay</i>
SCAN NO.
<i>Bates</i>
COLLABORATOR NO.

**Dean O'Neill**  
 Municipal Manager | Munisipale Bestuurder | Umphathi Kamasipala  
 Overstrand Municipality | Munisipaliteit | Umasipala

T: 028-313-8003 | M: 076-911-6497 | E: mm@overstrand.gov.za

**From:** Eily Bates  
**Sent:** Friday, April 19, 2024 12:51 PM  
**To:** Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Tosca Korver <akorver@overstrand.gov.za>; edw@mweb.co.za; 'Stefné van Dyk' <svdbarok@gmail.com>; louise@eduwrite.org  
**Subject:** Re: Bottle store at The Hub, Betty's Bay OBJECTION

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Even if the rear, mountain side parking IS used this will have a negative result on the residents in the area and the church.

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My last comment and objection is that one person should not be in a position to rough-ride over the objections of numerous residents in this matter. In my experience , in cape town such an issue which has numerous objections has to be decided by a municipal committee attended by the objectors and their legal representatives and town planners.

Yours

E Bates erf 2140 Betty's Bay



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**Loretta Gillion**

**From:** Carlo >  
**Sent:** Friday, 19 April 2024 23:01  
**To:** Loretta Gillion  
**Subject:** Re: Bottle store Bettys Bay  
**Attachments:** Annexures, Erf 2989 Betty's Bay (Consent Use - Bottle Store) (1).pdf

Objection

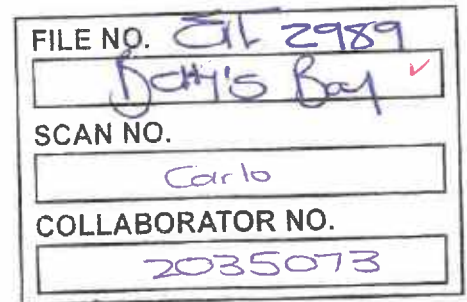
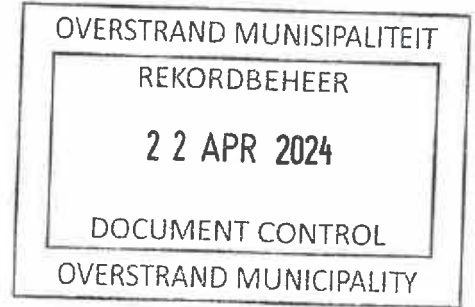
Dear Loretta

Hope you are well

Please find our objection re the attached notice:

Our contact:  
 erf 3703 Nivenia  
 Bettys Bay  
 CONFIDENTIAL, NOT FOR PUBLICATION OR DISTRIBUTION.  
 Resident Betty's Bay  
 Reason:  
 Undesirable socio economic effect of a Bottle Store in Betty's Bay:

*TP- n/Alcohol  
 (H. ud Stoop)*



Crime statistics show that the majority of violent crimes, domestic abuse cases and substance abuse related crimes directly involve alcohol abuse and especially so in the Mooiuitsig community settlement in Betty's Bay as per statistics.

It is a well documented fact that accessibility is a major role player in substance abuse. A bottle store in Betty's Bay will make alcohol readily available and only exasperate the already significant socio economic problem that has persisted and remains unresolved in the Township community.

Most domestic violence and abuse cases in Betty's Bay are alcohol related. A bottle store will only be adding fuel to the fire.

There is no great economic benefit to Betty's Bay to introduce a Bottle store. It will not create any significant employment, and it will only serve to help enrich one or two individuals outweighed by the real risks alcohol on tap poses to the community.

Most bottle stores also attract a community of alcohol abusers who lurk around the bottle store throughout the day waiting for their next drink, it's inevitable and undesirable for a tourist town with mostly families.

Pringle Bay does not have a township community with socio economic problems, Betty's Bay does.

Kleinmond is constantly faced with challenges and real risks to safety concerning the Township in Kleinmond and alcohol plays a very real and undeniable part of the issues and risks and problems and challenges Kleinmond faces.

To introduce a Bottle store in Bettys Bay is counter intuitive to the real work that needs to be done with the local socio- economically challenged township community which needs real initiatives from the community and municipality to uplift the Township community.

I assure you there is great risk to introducing a bottle store to this small town and the problems and criminal cases and resultant issues will be felt for years to come if you approve a bottle store in Betty's Bay.

This is not just a Holiday town. This is a community and this community also has risks and entrenched problems, and to ignore what is really going on and acting to exacerbate the situation and the problems will be irresponsible of the Municipality.

It was only a few years ago there was rampant crime in Bettys Bay with several house break-ins every week, if not every day. (Alcohol always stolen whenever available). It's the efforts of the community which has brought these stats down, please don't make things harder for us.

I hope this is of assistance,

Kind Regards  
Carlo Valentini

On Thu, 28 Mar 2024 at 12:54, Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Carlo

Below please find requirements for comment/objection in terms of the By-Law.

**52. Requirements for submission of comments**

- (1) A person may in response to a notice received in terms of Sections 47, 48 comment or make representations in accordance with this Section.
- (2) Any objection, comment or representation received as a result of a process must be in writing and addressed to the person mentioned in the the time period stated in the notice and in the manner set out in this Section
- (3) The objection must state the following:
  - (a) the name of the person or body concerned;
  - (b) the address or contact details at which the person or body concerned notice or service of documents;
  - (c) the interest of the body or person in the application;
  - (d) the reason for the objection, comment or representation.
- (4) The reasons for any objection, comment or representation must be set out in detail in order to—
  - (a) indicate the facts and circumstances which explains the objection, representation;
  - (b) demonstrate the undesirable effect which the application will have on the environment;
  - (c) demonstrate any aspect of the application which is not considered in accordance with applicable policy.
- (5) The Municipality may refuse to accept an objection, comment or representation received after the closing date.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:** Carlo  
**Sent:** Wednesday, March 27, 2024 1:34 PM  
**To:** Hanneen van der Stoep <[hvdstoep@overstrand.gov.za](mailto:hvdstoep@overstrand.gov.za)>  
**Subject:** Re: Bottle store Bettys Bay

Hi thank you

Pls kindly let me know how to object thanks

Kind regards Carlo

On Wed, 27 Mar 2024, 12:38 Hanneen van der Stoep, <[hvdstoep@overstrand.gov.za](mailto:hvdstoep@overstrand.gov.za)> wrote:

Good Afternoon Carlo

The Bottle Store is still in process. Please note not to confuse with a wine shop. In terms of the Liquor Act, any objection should be lodged with the Liquor Board . The Municipality is a comment party but does not have the mandate to approve liquor licenses.

Regards

hanneen

**From:** Carlo  
**Sent:** Friday, March 22, 2024 8:13 AM  
**To:** Hanneen van der Stoep <[hvdstoep@overstrand.gov.za](mailto:hvdstoep@overstrand.gov.za)>  
**Subject:** Bottle store Bettys Bay

Hi Haneen

Please may I kindly enquire as to whether a liquor liscence for a bottle store has been awarded in Bettys Bay (the Hub)

If the liscence is in process please let me know the objection process.

36/242

Thank you

Kind Regards Carlo

Resident Bettys Bay



**Overstrand Municipality**

**A:** 1 Magnolia Street, Hermanus, 7200

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**T:** +27 (0)28 313 8000 | **F:** +27 (0)28 312 1894

**E:** [enquiries@overstrand.gov.za](mailto:enquiries@overstrand.gov.za)

**W:** [www.overstrand.gov.za](http://www.overstrand.gov.za)

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**Loretta Gillion**

**From:** Monica Muller  
**Sent:** Friday, 19 April 2024 16:29  
**To:** Dean O'Neill; Tosca Korver  
**Subject:** Fwd: ONTVANGSERKENNING: Erf 2989 Clarencerylaan 205 Betty's Bay: Aansoek om vergunningsgebruik: WRAP project office namens THE HUB Betty's Bay (Pty) Ltd

Goeie dag Burgermeester en Munisipalebestuurder,

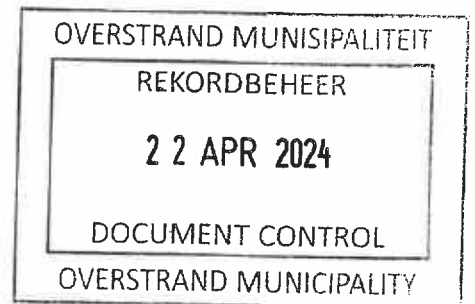
Vir u aandag, onderstaande besware teen vergunningsgebruik van bottelstoor in wynwinkel.

Dit het alreeds onder ons aandag gekom dat daar wynprosessies op die perseel aangebied is. Dit word in die vooruitsig gestel daar in die toekoms ook onthale op die daar aangebied sal word waar alkohol bedien sal word. Dit sal lei na geraas in hierdie tot dusver rustige see- en bergnatuurwoongebied.

Ons as inwoners is ten sterkste daar teen gekant.

Groete,  
Monica Muller

*TP. N. Theart  
(H. ud Sloep)*



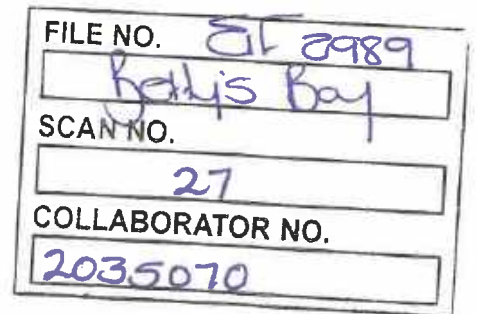
----- Forwarded message -----

**From:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Date:** Fri, 19 Apr 2024, 08:58  
**Subject:** ONTVANGSERKENNING: Erf 2989 Clarencerylaan 205 Betty's Bay: Aansoek om vergunningsgebruik: WRAP project office namens THE HUB Betty's Bay (Pty) Ltd  
**To:** Monica Muller

Beste MM Muller

Ontvangs word hiermee erken van onderstaande epos.

Groete



**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**Loretta Gillion**

---

**From:** Lenore Watermeyer ·  
**Sent:** Thursday, 18 April 2024 20:13  
**To:** Loretta Gillion; Dean O'Neill; Tosca Korver  
**Subject:** OBJECTION THIRSTY'S LIQUOR BOUTIQUE

Dear Loretta,

I initially raised objections to the above application. As I previously stated, my main objection was that once a licence was granted for a "wine boutique", the Applicants would want to apply for a Full Bottle Store, including the sale of spirits and beer. This has subsequently transpired, despite many objections from local residents and ratepayers of Betty's Bay.

To now want to apply for a full bottle store is both dishonest and not done in good faith.

My previous correspondence and original objections still apply.

Sincerely,

Lenore Watermeyer/  
BB Resident

*TP. N. Theart  
(H. ud Skoop)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO.	<i>2F2989</i>
	<i>Betty's Bay</i>
SCAN NO.	<i>18</i>
COLLABORATOR NO.	<i>2034971</i>

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

40/242

**Loretta Gillion**

**From:** Eily Bates  
**Sent:** Friday, 19 April 2024 12:51  
**To:** Dean O'Neill  
**Cc:** Tosca Korver; edw@mweb.co.za; 'Stefné van Dyk'; louise@eduwrite.org  
**Subject:** Re: Bottle store at The Hub, Betty's Bay OBJECTION

TP-N. Sheals  
(H. ut Sloep)

Dear Sir/ Madam

In spite of the fact that a licence has been given to Thirsty's Bottle Store in Batty's bay I object in the strongest terms to any extra permission being given to expand the original terms of the licence.

There is already a liquor outlet nearby at the Village Centre

There is already a bar nearby at Camelot.

Having closer access to spirit and beer sales is likely to cause unwanted negative social repercussions in a sadly impoverished and uneducated community at Mooi Uitsig. The nearest police station is at Kleinmond. It serves Kleinmond, Betty's Bay, Pringle Bay and Rooi Els. Its resources are spread thinly on the ground. I am sure the authority would not welcome extra possible criminal activity resulting from drunkenness and poor social behaviour.

This business outlet is on a busy through road in an 80 km zone. It is dubious that patrons (especially is there is a plan ahead to establish a rumoured gin bar) will bother to park at the back of the outlet or even in the designated parking zone. Humanity on the whole seeks the easiest way out.

Even if the rear, mountain side parking IS used this will have a negative result on the residents in the area and the church.

Betty's Bay is a Unesco World Heritage area, it will damage the ambience of the natural environment and encourage further commercial challenges in the area which many residents feel need to maintain its special character. This is now unique in 21<sup>st</sup> century expansion of urban areas. I suggest that the natural environment should be creatively ujuded to encourage tourism, employmet and income rather than focusing on expanding commercial projects. Why throw away what is unique and cannot be recreated. Foolishness to my mind!!!

The Porter gardens are very close to the commercial outlet and extra traffic, parking problems, possible beggars, Drunk patrons and excess traffics take away from this project. I am dubious that nature and commerce mix unless creatively and carefully manipulated by those who have profession expertise.

My last comment and objection is that one person should not be in a position to rough-ride over the objections of numerous residents in this matter. In my experience , in cape town such an issue which has numerous objections has to be decided by a municipal committee attended by the objectors and their legal representatives and town planners.

Yours

E Bates erf 2140 Betty's Bay

 Virus-free [www.avg.com](http://www.avg.com)

FILE NO. 21-2989
Betty's Bay
SCAN NO. 22
COLLABORATOR NO. 2035022

**Loretta Gillion**

**From:** Mark Gamble  
**Sent:** Friday, 19 April 2024 16:06  
**To:** Tosca Korver; Dean O'Neill; Loretta Gillion  
**Subject:** Objection to Proposed amendment to Liquor License for Thirsty's Liquor Boutique - 2022/639

To Whom It May Concern,  
 I am the owner and rate payer for ERF 5153, Aristeia Road Betty's Bay.

I have been informed that the owner of Thirsty's Liquor Boutique is applying for a full liquor license. This inspite of a response from our local councillor, Theresa Els on social media that this is not the case.

I was one of the residents living in close proximity to the new commercial development known as 'The Hub' to object to any sale of liquor in the area.

Stated reasons for objection are as follows:

1. Misleading the public. In spite of numerous objects to the issuing of a license to sell boutique wines and a commitment from the parties concerned that this would be the only sale of alcohol allowed, we now have an application for a full liquor license - this is deceptive and totally destructive of trust between all parties, included in this is Ms Els clear bias to support this entity, with little consideration given to the local residents of the area.
  2. As per my original objection, the same applies viz.
    - 2.1. Availability of parking, access to parking off a quiet residential road and associated risks due to traffic flow, pedestrians crossing the road etc
    - 2.2. Detrimental change to a quiet residential area - research indicates a clear change in social structure re. noise, vagrancy, crime etc with the introduction of a retail liquor outlet. I have purchased a property in a quiet rural village for the specific reasons of solitude, and access to a beautiful biosphere nature reserve
    - 2.3. Proximity to a place of worship -
    - 2.4. As a person working in social development I am well aware that alcohol is one of the greatest causes of GBV and IPV. One has to ask, what is our municipality thinking in increasing the number of sales outlets for alcohol in the area?
- Thank you for your attention to my stated objections.

Regards,  
 Mark Gamble

*TP - n. Theat  
 (H. ud Sloep)*

OVERSTRAND MUNISIPALITEIT
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**Mark Gamble**  
 Founder and Executive Director

[www.aspireyouth.co.za](http://www.aspireyouth.co.za)

FILE NO. <i>CF 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>24</i>
COLLABORATOR NO. <i>2035012</i>

22 APR 2024

TP-n. Aheal  
(H. ud Sloop)



Mr Johann von der Heyden  
7 Waterfall Rd, Erf 2796  
Jock's Bay  
Betty's Bay  
Cell:

19 April 2024

**Objection: with respect to Consent use – Erf 2989 – as listed in municipal notice 44/2024**

The application for a Bottle Store (herinafter referred to as BS) should be scrapped, and replaced with a ringfenced application for a 'upmarket wine outlet' (herinafter referred to as UWO). A granting of a BS license will result in beer and spirits to be sold whereas the original application and motivation by the property owner was to sell only up-market wines. This was thus targeted to Betty's Bay residents and visitors as customers, but making the wines unaffordable to 'bergies' and general low-income public. I was in favour for this space usage.

I am against a BS as this will draw any person to come and purchase beer, liquor, spirits and wine with an associated increase in foot and vehicle traffic in this area, which is serviced by a high speed (80km/h) road. The BS definition states that the sold alcoholic beverages be consumed off-site. Cheap beer, wines, spirits may thus be bought and in reality be consumed by low income persons, or alcoholics, within a close proximity to the BS where a variety of opportunities for consumption exist, such as overgrown properties, empty plots, or closeness to the Jock's Bay beach and cliffs. These areas will not be monitored by Law Enforcement as the latter does not have the capacity to do so on a continuous basis. The way to negate this is to sell only fairly expensive wines – a minimum sale price should therefore be attached to the sale of UWO bottles of 750ml size.

The granting of a BS license will result in:

- More pedestrians
- More need for parking
- More visits by alcoholics
- More pollution (due to discarded bottles after consumption)
- More noise (bergies and alcoholics tend to be noisy, argumentative and even become aggressive)
- More 'undesirables' visiting the area and thus resulting in an impact on property and residents security and value of assets.

Recommendation:

Disallow the application for the Bottle Store license and replace it with an up-market wine outlet (where 'upmarket' will have to be properly defined and the license ring-fenced).

Yours sincerely



Mr J von der Heyden

FILE NO.	21 2989
	Betty's Bay
SCAN NO.	
	26
COLLABORATOR NO.	
	2035067

**Loretta Gillion**

---

**From:** Dean O'Neill  
**Sent:** Monday, 22 April 2024 14:02  
**To:** Loretta Gillion  
**Subject:** FW: Objection to granting of liquor license to Erf 2989, 205 Clarence Drive, Betty's Bay  
**Attachments:** Objection 1 24\_0419.pdf

FYA

Dean O'Neill  
Municipal Manager | Munisipale Bestuurder | Umphathi Kamasipala Overstrand Municipality | Munisipaliteit | Umasipala

T: 028-313-8003 | M: 076-911-6497 | E: mm@overstrand.gov.za

-----Original Message-----

**From:** Harry vdHeyden  
**Sent:** Friday, April 19, 2024 5:46 PM  
**To:** Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Tosca Korver <akorver@overstrand.gov.za>  
**Subject:** Objection to granting of liquor license to Erf 2989, 205 Clarence Drive, Betty's Bay

Please see attached letter

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

44/242

**Loretta Gillion**

**From:** Dean O'Neill  
**Sent:** Monday, 22 April 2024 13:16  
**To:** Loretta Gillion  
**Subject:** FW: FW: Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

FYA

TP. N. Theobald  
(Hud Stoop)

FILE NO. 21 2989
Betty's Bay
SCAN NO. 25
COLLABORATOR NO. 2035063

**Dean O'Neill**  
 Municipal Manager | Munisipale Bestuurder | Umphathi Kamasipala  
 Overstrand Municipality | Munisipaliteit | Umasipala

T: 028-313-8003 | M: 076-911-6497 | E: mm@overstrand.gov.za

**From:** David Hofmeyr  
**Sent:** Monday, April 22, 2024 11:11 AM  
**To:** Tosca Korver <akorver@overstrand.gov.za>; Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Wayne Jackson BBRA <wayrayjack@gmail.com>; Theresa Els <tels@overstrand.gov.za>; edw@mweb.co.za  
**Subject:** Re: FW: Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

Dear Dr Rabie and Mr O'Neill,

I have read Mr Edwards submission on the application for consent use.

I endorse and support all that he has written in his submission and in his email to you.

This matter requires urgent attention.

Kind regards,  
 David Hofmeyr  
 Beneficial owner and part-time resident, Erf 2464, Angler's Road, Betty's Bay

On Mon, 22 Apr 2024 at 11:05, > wrote:

Dear Dr Rabie and Mr O'Neill

I write to you about a matter that is causing great consternation among well informed ratepayers in Bettys Bay, particular those in the vicinity of Jock's Bay, of which I a one. Superficially it is a town planning matter, but it is my contention and that of others who support my approach that the matter requires intervention at the level of your respective offices.

At the superficial level, the operator of the operator of the liquor outlet at he Hub building asks for consent to operate a Bottle Store in the premises. But there are much more serious issues:

- A traffic and parking crisis is developing around the shops on either side of the Provincial Road with parking on both sides of the road, which is on a curve, making visibility for approaching cars difficult. I don't think it needs a traffic flow expert to see the problem is acute and needs a solution. The liquor operator is making the situation worse by various efforts to increase customer flows.
- It is clear from the liquor licence and town planning applications of the liquor operator that they see the parking problem as serious, for they give an undertaking that all access will be from a side street at the rear of the building. THIS UNDERTAKING HAS BEEN IGNORED FROM THE START, with full cooperation from the operator and building owner.
- There are various other signs of a lack of integrity that you will find set out in my objection. We appeal to you to lend your political and administrative influence to restrict an aggravation of the parking problem and by taking a stand against such tactics, which I need hardly point out have become a national disgrace.

Whilst the refusal of the applied-for consent will send a signal to all concerned, it will not fully address the parking and traffic problems. So please can your municipality engage with the local community to seek suitable solutions? To keep them apprised of the appeal I am copying the Chair of the local Ratepayers Association and the Ward Councillor in the hope that they will also contribute to a solution.

Thank you in anticipation of your action to address this situation.

Yours faithfully

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa Cell: +27

46/242

**From:**

**Sent:** Friday, April 19, 2024 5:32 PM

**To:** 'loretta@overstrand.gov.za' <loretta@overstrand.gov.za>

**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

Dear Maam

Attached please find my comments and objections to the referenced application.

Yours sincerely

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa

Cell: +27

FILE NO.	47/2024 SF 2989 Bally's Bay
SCAN NO.	
COLLABORATOR NO.	24 2035048

Loretta Gillion

OVERSTRAND MUNICIPALITY

From: REKORDBEHEER  
 Sent: Monday, 22 April 2024 10:15  
 To: 22 APR 2024 Loretta Gillion  
 Subject: FW: Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay  
 Attachments: DOCUMENT CONTROL Hub Consent application - B Edwards comments & opposition.pdf

OVERSTRAND MUNICIPALITY

Attention Mrs H van der Stoep

TR N. Theaie  
(H. vd Stoep)

Dear Maam

With reference to the above, I forward to you here with the objection I filed on Friday 19<sup>th</sup>. May I however draw your attention to a very serious, related matter?

In corresponding with BB ratepayers who had objected to the liquor licence application regarding this matter I discovered that many who were strongly opposed to any extension of the trading rights of the wine shop operator at the Hub, had taken no further action after receiving the following posts on Facebook [see especially the post of Ward counsellor Thresa Els] – emphasis mine:

**Mark Gamble**

Hi to all.

A couple of months ago the owners of 'The Hub' got approval for their application to operate a wine boutique. This application was opposed by many residents for various reason. On approval we were assured that this was only for the sale of wine and that it would not be converted to a full liquor license. A notification to apply for a license to operate a bottle store was on display at The Hub this morning. (Picture below). If there are residents who are opposed to this license can they please submit objections to [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) by the 19th April.

Reasons for the objection have included: negatively affects our protected biosphere; increased crime and vagrancy; increased noise and traffic; within 500m of Catholic and Anglican Church; need to protect our village community atmosphere; not needed as a TOPS license has been granted at the Centre Shop zone; restricted licence for exclusive upmarket wines “ approved; to now want a bottle store is highly dishonest and flies in the face of any good faith and former promises.

Thanks

**Theresa Els**

This is not a new application for a bottle store, but it is **part of the original application**.

The Liquor Board approved the application, but the owners also had to apply for CONSENT USE in terms of the Zoning from OM.

It was approved, but **it was suggested to advertise** in the newspapers as well.

They will still operate a BOUTIQUE LIQUOR OUTLET.

This application is **not to change their current operations**, BUT **only consent** use.

I took up with Ms Els the fact that her version of the Consent application was wrong on several levels, which I doubt I need to repeat to you, she responded by saying that the information she conveyed came from your department “My post on FB was as it was communicated to me by the town planning department.”

22 APR 2024

I accept the good faith of Ms Els, but ask you to consider how your department can correct the distortion that she distributed. What about a statement setting the facts right and an extension of time for additional comments/objections?

Yours faithfully

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa            Cell: +27

**From:**

**Sent:** Friday, April 19, 2024 5:32 PM

**To:** 'loretta@overstrand.gov.za' <loretta@overstrand.gov.za>

**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

Dear Maam

Attached please find my comments and objections to the referenced application.

Yours sincerely

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa            Cell: +27

## Observations and objections to “CONSENT USE” application by The Hub Bettys Bay [Pty]Ltd – Municipal Notice 44/2024

1. UNDERSTANDING THE PROCESS. I realise that this is not a liquor licence application. However, since the business being conducted as a wineshop in the Hub, now wishes to become a Bottle Store, it now needs Municipal Town Planning approval. Zoning approval is a must – not merely desirable as suggested by the local Ward Counsellor. My understanding is based on the following:

1.1. I have confirmed that despite the many objections lodged, the W Cape Liquor Licencing Tribunal [LLT] issued a licence on 5 January 2024. The original applicant has sold the business to a new party who has applied for transfer of the licence. I was not able to establish if the licence was for wine sales only, but the applicant gave undertakings in the application that wine only would be sold. The Town Planner at Overstrand Municipality [OM] confirms this understanding.

1.2. The consent now applied for, for a Bottle Store for the “Sale of Alcoholic Beverages” is given to the building owner, but without it the owner may not permit the liquor sales referred to.

1.3. For ease of reference, here is the relevant zoning information, contained in full in the application.

BUSINESS ZONE 3: LC	
Land Use R	
Primary use	Shops, Dwelling Unit (above ground floor) in accordance with 6.3.2, Flats (above ground floor), Offices, Restaurant, Caretaker's Accommodation and Self-Catering
Consent use that may be applied for	Bottle Store, Business Premises, Clinic, Conference Facility, Dwelling Unit (on ground floor) in accordance with 6.3.2, Flats (On Ground Floor), Town Housing in accordance with 6.3.2, Tourist Accommodation, Hotel, Institution, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Recreational facilities, Residential Building, Sale of Alcoholic Beverages, Service Station, Service Trade and Transmission Apparatus (subject to the provision of chapter 16.10)
Development	

## 2. WHY IS CONSENT USE ONLY BEING APPLIED FOR NOW?

Mrs H van der Stoep, Senior Town Planner at OM says that in her view a wine shop is not a “bottle store” and therefore does not require consent. She

could not quite explain how this interpretation fitted into the Regulations quoted above, but stressed that the operator of the store now wishes to sell beer and spirits and in her view, this makes a difference to the existing wine sales activity and requires consent.

3. GROUNDS FOR OBJECTION. The following seem to me to be some of the key issues that the OM should rely on to refuse consent:

3.1. PARKING NIGHTMARES – Spatial planning and maintenance ones.

3.1.1. The applicant refers to 14 bays available for use by customers of the Hub shops. Whilst this is true, access to the bays requires a person to drive up Twist street from Clarence Drive and then right down another road [name ?] to the Hub. Motorists simply do not make the effort and the parking is not much utilised – see evidence of other objectors. It follows that Clarence Drive is the preferred access and parking area.

3.1.2. The Applicant says that “the plans indicate that access will be obtained from the rear of the property limiting access to Clarence Drive on the front of the property” The claim that access to Clarence Drive will be limited is simply not true and has not been since opening day, long before this application was filed. A large bridge has been built over the drainage canal at the front of the building with most customers using this point of access. The diagrams used by the applicant also show that this access clearly, from inception.

3.1.3. There simply is not enough parking in Clarence Drive on some days, but whatever the load, parking on both sides of a Provincial Road, on a bend, is a serious spatial planning challenge and should be controlled and limited by all means possible.

3.1.4. The speed limit through the area, which is admittedly not controlled by OM, but by W Cape government, is 80kph, creating huge safety threats. Immediate neighbours will, I believe, give evidence on this topic.

3.1.5. Although the liquor licence is for off-site consumption, the operators regularly advertise wine tasting events at the premises and wine is served to those attending, who on inspection were found to fill up the walkways through the building. This is not only inconvenient to other users of the building but increases the parking load. The operator has let it be known that they have plans to further increase consumption of

liquor on the premises through opening of a gin bar in another part of the building. Even without such, more products on sale must be intended to attract more customers, further aggravating the problem which I believe OM MUST address.

- 3.2. INTEGRITY ISSUES: The original liquor application and this application reveal very worrying integrity issues which lead one to question whether any assurances on the conduct of this business can be trusted, especially so since the OM and the Liquor authority are unlikely to have resources to ensure compliance with conditions attached to permissions granted. The following should be noted:
- 3.2.1. Annexure D to the liquor application states unambiguously: “The wine shop will *only sell wines and no other liquor* will be sold on the premises.” There are numerous other references to a wine shop, in the application. The current consent application states that it was being written up before completion of the building. By the time the liquor application was considered, well after completion of the building, the applicant was therefore already planning to sell beer and spirits – how else does one interpret such contradictions except as being evidence of bad faith?
- 3.2.2. Annexure D of the liquor application states, “This application is therefore for a licence for the sale of liquor for consumption off the premises.” As indicated above this undertaking is being ignored through on-site wine tastings and the operator has revealed further plans for on premises sales – see above and other representations.
- 3.2.3. Of relevance to a liquor licence application is the question of whether there is a religious institution in the vicinity of the premises. In response to this question the applicant stated in Annexure F: “There was a chapel located 150m from the proposed licensed premises, but it burnt down” By the time of the liquor application the said chapel had been completely rebuilt and occupied many months before. Why tell this untruth? It points to a lack of integrity.
- 3.2.4. Annexure F of the liquor application makes the following statement: “The property is located on the main road (the premises *will not gain direct access from the main road*)”. As indicated above the current

consent application makes a similar claim. This statement has been untrue at all relevant stages – in fact the site plans attached to both applications reveal an access point off Clarence Drive [the “main road”] is planned. Clearly the applicants in both cases recognised the sensitivity of the access issue and seem intent on misleading the body to whom the application is addressed.

3.2.5. I am informed by the Liquor Authority that whilst an application to LLT for transfer of the liquor licence and to conduct business pending such transfer has been lodged, same has not yet been granted. It seems the current operator has no permission to trade!

4. CONCLUSION: The creation of this business has been objected to by numerous local residents of Bettys Bay, with about 34 written objections lodged to the liquor licence application, and many expressing the fear that the applicant’s undertaking on “wine only” should be doubted! I submit that the Liquor Authority made a severe error in granting a licence, perhaps lacking sensitivity to local conditions. This is an error that OM should not repeat and instead should seek to better protect the interests of the local community, both ratepayers and occupants. This application should not be granted on town planning considerations. This venture is a mistake.

Brian Edwards

Ratepayer: Erf 2888, Youldon Road, Bettys Bay.

17 April 2024

#### REASONS FOR COMMENT AND INTEREST THEREIN:

In addition to the above concerns, I wish to record that my interest in this matter arises from part time residence in Youldon Road, Bettys Bay, about 1 km from The Hub, for over 50 years. I am committed to the wholesome development of the area for the benefit of, not only commercial owners, but also pedestrians, vehicle users, families and the community at large. Integrity issues arise all the time in our society and need to be promoted at every opportunity. The history and successful growth of our town is undergirded by the love of these issues and selection of those leaders who will promote them. OM should endorse this value proposition.

Brian Edwards

**Loretta Gillion**

---

**From:** Dean O'Neill  
**Sent:** Monday, 22 April 2024 13:40  
**To:** Loretta Gillion  
**Subject:** FW: Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay  
**Attachments:** Hub Consent application - B Edwards comments & opposition.pdf

FYA

**Dean O'Neill**

Municipal Manager | Munisipale Bestuurder | Umphathi Kamasipala  
 Overstrand Municipality | Munisipaliteit | Umasipala

T: 028-313-8003 | M: 076-911-6497 | E: mm@overstrand.gov.za

**From:**  
**Sent:** Monday, April 22, 2024 11:05 AM  
**To:** Tosca Korver <akorver@overstrand.gov.za>; Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Wayne Jackson BBRA <wayrayjack@gmail.com>; Theresa Els <tels@overstrand.gov.za>  
**Subject:** FW: Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

Dear Dr Rabie and Mr O'Neill

I write to you about a matter that is causing great consternation among well informed ratepayers in Bettys Bay, particular those in the vicinity of Jock's Bay, of which I am one. Superficially it is a town planning matter, but it is my contention and that of others who support my approach that the matter requires intervention at the level of your respective offices.

At the superficial level, the operator of the liquor outlet at the Hub building asks for consent to operate a Bottle Store in the premises. But there are much more serious issues:

- A traffic and parking crisis is developing around the shops on either side of the Provincial Road with parking on both sides of the road, which is on a curve, making visibility for approaching cars difficult. I don't think it needs a traffic flow expert to see the problem is acute and needs a solution. The liquor operator is making the situation worse by various efforts to increase customer flows.
- It is clear from the liquor licence and town planning applications of the liquor operator that they see the parking problem as serious, for they give an undertaking that all access will be from a side street at the rear of the building. THIS UNDERTAKING HAS BEEN IGNORED FROM THE START, with full cooperation from the operator and building owner.
- There are various other signs of a lack of integrity that you will find set out in my objection. We appeal to you to lend your political and administrative influence to restrict an aggravation of the parking problem and by taking a stand against such tactics, which I need hardly point out have become a national disgrace.

Whilst the refusal of the applied-for consent will send a signal to all concerned, it will not fully address the parking and traffic problems. So please can your municipality engage with the local community to seek suitable solutions? To keep them appraised of the appeal I am copying the Chair of the local Ratepayers Association and the Ward Councillor in the hope that they will also contribute to a solution.

Thank you in anticipation of your action to address this situation.

Yours faithfully

Brian Edwards

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa            Cell: +27

**From:**

**Sent:** Friday, April 19, 2024 5:32 PM

**To:** 'loretta@overstrand.gov.za' <loretta@overstrand.gov.za>

**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

Dear Maam

Attached please find my comments and objections to the referenced application.

Yours sincerely

Brian Edwards

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa            Cell: +27

**Loretta Gillion**

---

**From:** Stefné van Dyk <  
**Sent:** Thursday, 18 April 2024 20:26  
**To:** Dean O'Neill  
**Cc:** Tosca Korver  
**Subject:** Fwd: Thirsty's Liquor Boutique - 2022/639 URGENT - another chance to object  
**Attachments:** Hub Consent application - report on investigations.pdf; Hub - Consent application Annexures Erf 2989 Betty's Bay (Consent Use - Bottle Store) .pdf

Dear Friends

You objected to this application in 2023, which sadly was granted in January 2024.

HOWEVER, it turns out that as many of us feared the operator now wants to add beer and spirits to the offering. For this additional consent is needed from OM. A copy of the application for consent is attached.

WE HAVE UNTIL 24.00 ON FRIDAY 19 APRIL 2024 TO OBJECT if we wish to be eligible to appeal later. Objections after cut-off will apparently be considered so do not hold back if you wish to object again.

It has taken me quite a bit of sleuthing to get what seem to be the facts on this matter and so because of your status as legitimate objectors, identified as such by the W Cape Liquor Authority, I believe you are entitled to hear the result of my investigations and to draft your own response. I have no intention to maliciously defame any person, but have very real concerns about the integrity issues raised by this matter. I ask you to come to your own conclusions and add any facts known to you. With this in mind I attach an investigation report, which forms the basis of my own submission. Please treat this disclosure as one made for your attention only and do not distribute or copy to any other party without my permission.

Go well.

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa      Cell: +27

TP-259/Incoat  
(H. ud Skoop)

57/242

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:**  
**Sent:** Friday, 19 April 2024 15:06  
**To:** loretta@overstrand.gov.za  
**Cc:** Dean O'Neill; Tosca Korver  
**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

To Whom It May Concern

**Erf 2989, 205 Clarence Drive, Betty's Bay : Application for consent use to open a Bottle Store on the Property: WRAP Project Office on behalf of The HUB Bettys Bay (Pty) Ltd. Municipal Notice No 44/2024**

**Name of Objector** Mary Clair van der Merwe  
**ID**  
**Address** Flip se Klip , 2940 Clarence Drive, Betty's Bay  
**Additional property** Erf 2941 Clarence Drive, Betty's bay  
**Tel** (  
**Email**  
**Interest** Home owner in close proximity

FILE NO. 2989
Betty's Bay
SCAN NO. 23
COLLABORATOR NO. 2035029

I strongly object to the application by The Hub to open a bottle store on the premises.

The Hub is situated on the mountain side of Clarence Drive, also known as the R44, a provincial road which runs through the small coastal town of Bettys Bay . Yes, a provincial road, with a speed limit of 80kph, includes a stretch of 11km across a municipal area. Fortunately it is a quiet town, with only two small commercial areas - one of them is at Penguin Place, near Jock's Bay. This is just where The Hub is situated, just where the road curves towards the mountain, with associated limited visibility.

Betty's Bay is a very special place. It may be described as a sleepy hollow, and history shows that for years there has been a demonstrated desire by property owners to keep 'development to a minimum' and to preserve the unique ethos of the area. Conservation is key, with a reduced footprint on our planet. For example, there is no large supermarket, no bottle store, pubs have been tried but never quite made it, electricity only arrived in about 1990, few roads are tarred, there is no clinic, no chemist, no doctor's practice, no clothing shops, no school, no bank, no ATM, no police station. Both Kleinmond, and Pringle Bay , less than 10 min away, offer these as a welcome excursion , and residents are used to going there to conduct their business. In 2011 the population of Bettys Bay was 1380, consisting mainly of holiday makers, retired persons, and more recently younger people who have moved in following the improvement in internet communications allowing work from home options . It was the quiet atmosphere of BB which attracted these newer residents, and now somebody wants to change it.

Residents such as myself, many of whom, have lived there for decades of years, do not want more commercial activity, let alone a bottle store. There is no need for a bottle store. We love Bettys Bay as it is, a place where nature rules supreme. There are few places left like this on the planet, and so many of us want to keep it just like this!. It is special, and its very uniqueness holds opportunities for tourism as well.

Bettys Bay is situated within the Kogelberg Biosphere Reserve registered by UNESCO in 1998, and is the first internationally registered Biosphere in South Africa. As privileged property owners and residents, we are custodians of this rich natural heritage of the KBR, hence the recent formation of the Betty's Bay

Conservancy.. It is incumbent on us all to make the right decisions regarding lifestyle choices, construction practises in order to protect this place of global significance, not only for ourselves, but for future generations as well. Our Municipality, Overstrand, is called upon to take a leading role in ensuring that everyday living, proposed development, property maintenance and recreational activities are appropriate with the conservation ethos of the KBR. A bottle store cannot be part of the plan!

The building of The Hub was a contentious issue. Many residents were against it, and objected strongly when the Thirsty Wine Boutique applied for a liquor license. I was dismayed to hear that the Ward Councillor Theresa Els approved it, but without so much as a meeting to determine public opinion. And now that the Whine Shoppe, AND the restaurant Koring n Kaf (which sells wine, with or without a licence?) are up and running, it can be seen that many of our fears have actually materialised:

- The original applicant has supposedly sold and moved on. Surely the licence cannot be transferred to someone else? (Da Costa Inc, attorneys, stated on August 14, 2019 that this is not allowed). There were all sorts of conditions and promises set out with the initial application, such as the owner would live in Bettys Bay, only wines would be sold for off sales consumption etc – how is it possible to monitor these, have they been registered and carried forward to the current owners. Or was this the original intent, and was the liquor board hoodwinked into something they should have not agreed to? Our Ward Councillor still insists this ‘Consent approval request’ is part of the original application for a wine boutique??? But a bottle store is something very different...
- Much emphasis was put on the 14 parking spots at the rear of the building, which would provide off-street parking for patrons. I regularly drive in to check the parking area, and have never noted anyone who might be a Liquor store patron having parked there. There is no sense of encouragement to divert parking to the rear of the building.. and why should they when there is parking on both sides of Clarence Drive in front of the building.. what does it matter about the blind corner on an 80kph road. There is even a nice wide bridge to cross the furrow, and a big welcome sign out in front...
- The Hub has added significantly to the number of people parking on Clarence Drive, or walking along to the little complex of shops. In fact it gets very busy there at times, especially on a Saturday morning (aggravated by the fact the Whine Boutique hosts wine tastings every Saturday lunch time (despite the licence stating off-site consumption only!). Cars travelling at 80kph (or more at times!) as they approach the area have to navigate a narrowed road with parked vehicles on both sides, cars pulling in or out of parking areas, pedestrians jaywalking across the road, cyclists, children, people in holiday mode, and even baboons and monitors trying to control the traffic. Regular passers by know this is an accident waiting to happen, but passers by do not and can so easily be caught unawares, with disastrous consequences.
- Pictures of The Hub show a lovely deck area on top of the building. A party venue perhaps??? A place to have wine-paring dinners on a starlit evening? Why build this, without some sort of future plan? How much have the owners actually disclosed? The mere fact that the wine boutique, for off-site consumption of wine only, has now turned into a planned bottle store, (which was flatly denied at the time), causes one’s imagination to run riot. What else has not been disclosed? Even a little bit of dishonesty is still dishonesty.
- Numerous studies, all over the world, have shown that easy access to alcohol, leads eventually to more crime. It is a worry that there will be more vagrants around, and nearby property owners, especially those with holiday homes, have every right to be concerned – even if only nuisance factors like trespassing, garden equipment going missing, taps left on etc. Women on their own get nervous when they see a lone person aimlessly walking past the house.. I would not want to encourage that

- I also attend the church situated 150 m away on Twist street.. regulations say a bottle store may not be that close to a religious institution. The church burnt down in the 2019 fire, but has been beautifully rebuilt and is supported by both the Anglican and Catholic congregations.
- I believe too that the Overstrand Municipality has the responsibility to consider the wishes of the local ratepayers , especially those like me, who have been rate payers for many many years. They should assess accurately what has happened from the start of the development of The Hub, and could well have been a very well -orchestrated scheme from the start in order to include a bottle store. Some of the timing just doesn't match up, and there is a possibility this has all been false pretences. There is enough doubt not to rush into granting this consent now.

In conclusion, I feel very strongly that Consent must not be given to the Bottle Store application, and I hope and trust that Overstrand Municipality will not agree to it.

Thank you for your attention.

Regards

Mary van der Merwe

Erf 2940 and 2941, Bettys Bay  
18<sup>th</sup> April 2024

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 22:07  
**To:** loretta@overstrand.co.za; Dean O'Neill  
**Cc:** Tosca Korver  
**Subject:** Shop 4, Erf 2989 (205) Clarence Drive, Betty's Bay  
**Attachments:** image001.png

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Dear Sir/Madam

Herewith receive my objections to the application to accommodate a bottle store on the above mentioned property.

My previous comments and objections (see my previous email below) appear to have been completely ignored.

It is clear that the previous application that had been granted was merely a stepping stone towards the current application for the right to a full scale bottle store on the property that was supposed to have remained a specialty wine boutique.

No satisfactory reasons were provided for the rejection of my and several other objections in the past. Therefore I expect a thorough investigation into what lead to the previous approval that was completely unauthorized by the immediate residents.

I do trust that you are not blind to the tactics of the applicant to find loopholes in your system, thereby potentially harming the peaceful environment and residential nature of the Jock's Bay area.

I am looking forward to your response and assurance that a bottle store will not be permitted in the Jock's Bay area.

Kind regards  
Tobie Muller

*TP-n /heark  
(H. ud Stoop)*

FILE NO. <i>AF 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>20</i>
COLLABORATOR NO. <i>2034995</i>

----- Forwarded message -----

**From:** Robin Petersen <[Robin.Petersen@wcla.gov.za](mailto:Robin.Petersen@wcla.gov.za)>  
**Date:** Fri, 23 Sep 2022, 10:36  
**Subject:** RE: Your communiue is herewitch acknowledgedThirsty's Liquor Boutique - Shop 4, Erf 2989 (205) Clarence Drive. Betty's Bay  
**To:**

Good day

Your communique is herewith acknowledged.

Kind regards

22 APR 2024

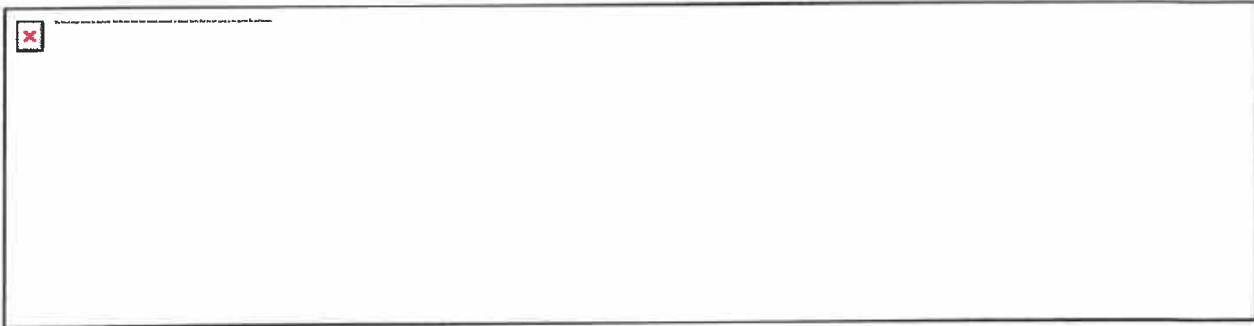
**Robin Petersen**

Liquor Administrator: Liquor Licensing Administration

**Tel:** +27 (0) 21 204 9826 | **Email:** [Robin.Petersen@wcla.gov.za](mailto:Robin.Petersen@wcla.gov.za)

3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530

[www.wcla.gov.za](http://www.wcla.gov.za)



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**From:**

**Sent:** Thursday, 22 September 2022 5:40 PM

**To:** Robin Petersen <[Robin.Petersen@wcla.gov.za](mailto:Robin.Petersen@wcla.gov.za)>

**Cc:** Liquor\_Enquiries <[Liquor.Enquiries@wcla.gov.za](mailto:Liquor.Enquiries@wcla.gov.za)>; Kutlwano Maphike <[Kutlwano.Maphike@wcla.gov.za](mailto:Kutlwano.Maphike@wcla.gov.za)>

**Subject:** Your communiue is herewitch acknoewledgedThirsty's Liquor Boutique - Shop 4, Erf 2989 (205) Clarence Drive, Betty's Bay

Dear Sir/ Madam

Herewith receive my objection against the application of Thirsty's Liquor Boutique - Shop 4, Erf 2989 (205) Clarence Drive, Betty's Bay.

As an owner and resident of Erf 2939 and 2938 Betty's Bay, close by, I object to aforementioned application.

Not only is Shop 4 of Erf 2989 in close proximity to a religious institution, but it has the potential to change the character of the Jocks Bay area. Traffic and parking is already a huge challenge at that shopping Center next to Clarence Drive. Adding a wine or liquor store is likely to worsen the problem. Intoxicated people and drivers may be a potential safety risk to an otherwise satisfying residential atmosphere.

The current application might be for wine sales off premises. However, no public participation process would be required to extend the application to allow other types of liquor to be sold.

Therefore I strongly object to the application.

It would be appreciated if you would keep me in the loop.

Kind regards

Tobie Muller

265  
T. D. Anhalt  
(H. Ud Sloep)

63/242

FILE NO.	2989
	Betty's Bay
SCAN NO.	
	19
COLLABORATOR NO.	
	2034975

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
From: REKORDBEHEER
Sent: 22 APR 2024
To:
Cc:
Subject: DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Friday, 19 April 2024 01:03  
 Loretta Gillion  
 Dean O'Neill; Tosca Korver  
 OBJECTIONS TO BOTTLE STORE AT ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY

Dear Loretta,

re. OBJECTION TO BOTTLE STORE Erf 2989, Clarence Drive, Betty's Bay, on behalf of The Hub.

Thank you for allowing me to register here again my strong objection to the granting of a liquor license for a bottle store in the HUB precinct of Betty's Bay

My prior objection recorded among many others (on 22 September 2022) was based on the following:

1. We have little need or call for a liquor outlet in this location. This has long been a quiet residential area where the majority of residents prefer to access wine and other liquor elsewhere.
2. This fails to recognize priorities of need, particularly of the less mobile, elderly or otherwise disadvantaged residents of our community, with whom vested commercial interests tend to trump majority care requirements (as in the call e.g. for a local pharmacy, police station or transport service) . -The granting of a liquor license here sends entirely the wrong message.
3. Local (easier) access to liquor encourages alcohol dependency, domestic abuse and vagrancy in those susceptible (already a problem in more indigent sectors of our community). This is well documented.
4. Regardless of parking provisions to its rear, the location of the Hub presents serious safety concerns for parking and traffic flow in this commercially dense area of Clarence Drive, with no traffic lights, no slowing device, crosswalk or policing of the 80km speed limit where approaching visibility is poor and accidents occur regularly. To introduce a liquor outlet of any sort is asking for trouble.
5. The hub is located well within 500 meters of the Catholic church in Twist St, which currently serves also the Anglican congregation. Legally I believe this prohibits a liquor outlet in this vicinity.
6. The Harold Porter Gardens, Jocks Bay itself and nearby coffee houses attract young families for some of whom the proximity of a liquor outlet is likely to be off-putting.

Despite these and many other registered objections, the liquor licensing tribunal saw fit to grant a conditional approval on 31 October 2023 for a limited liquor license, having dismissed our objections as "relying heavily on speculation and lacking any factual basis".

Given the following, how can such objections be regarded as speculative or non-factual?

- Beyond commercial interests there is still no need, especially as a Tops Liquor outlet is currently being planned for the central precinct of Betty's Bay.
- The priority of need for improved health access and safety above liquor availability within our community cannot be denied.

22 APR 2024

- We have all observed the consequences of vagrancy and anti-social behavior associated with drunkenness here and elsewhere, even prior to the granting of this application. -Especially in the vicinity of liquor outlets (witness the riotous invasion of the Tops liquor store in Kleinmond in late 2022 and an unprovoked violent attack close to the Hub on an innocent visitor by a drunken vagrant not long before.)
- The traffic safety issues of access with several accidents observed in this commercial node cannot be regarded as speculative, and parking is limited. Despite appeals, traffic speed has not been addressed nor policed and further accidents will inevitably occur as congestion around the Hub continues to increase.
- The proximity of the Catholic church cannot be disputed. (Following the fire, the rebuilt chapel was consecrated early in 2022).

A liquor license was granted on 5 January 2024 and shortly after Thirsty's Liquor Boutique opened for business.

In answer to our concerns, we were previously reassured that this would be a restricted "up-market" boutique wine outlet strictly for off-site consumption.

*-Refer: Correspondence from Cameron Isaacs, Inspector Compliance and Enforcement, Western Cape Liquor Authority on 14 Dec 2022 to the Deputy Presiding Officer of the Liquor Licensing Tribunal where he noted that the applicant "is only planning to sell high end wines, which will exclude papsak and other low end products", that "all sales will be for off- site consumption only and no liquor will be consumed on the premises". He saw no objection on this basis against granting the application, provided proper training were to be provided to the license holder with regular inspections by the Inspectorate to ensure that the conditions of this license were met.*

This has patently proven not to be the case, wine tasting events since having repeatedly been advertised on the premises, with reports of consumption of wine observed at such events drawing crowds and creating congestion for traffic and obstruction to other tenant access in the precinct. We learn that similar promotional events are planned and a future gin bar is also proposed for the Hub.

We have been reliably informed (via the Overstrand Municipality) that the license has recently been sold to a new party and the present operator now seeks additional consent for an unrestricted license to include beer and spirits. – A very different story.

Communication however continues to be murky and conflicting, with insistence, for instance (in writing) from our Ward 10 counsellor, Theresa Els, that the consent presently sought is simply a confirmation of the previous application for nothing more than a boutique wine outlet.

Understandably what has been observed and reported has generated a disturbing level of distrust, reflecting as it does a blatant disregard for the sentiments of local and other residents who wish to preserve here a wholesome village community atmosphere where integrity counts. It would appear that there has been duplicity in dealings by the original applicant who, while pursuing the original restricted application for a boutique up-market wine outlet, (consumption strictly off premises) at the same time planned for on-site wine tasting and expansion to include beer, spirits and gin, anticipating that restrictions would either not be enforced or cease to apply. If this were to be allowed it will be perceived as a betrayal.

As a permanent resident (retired medical practitioner) of Jock's Bay, and for many prior years a visitor, I recognize that change and commercial development is inevitable. But please can our municipal officers and licensing authorities look into this further, with due consideration to the bigger picture, to the sentiments and future of our community, and be transparent and consistent in dealing with this matter?

With kind regards,

Joy Rourke  
(Erf 5124, Betty's Bay)

**Loretta Gillion**

**From:** Stefne van Dyk  
**Sent:** Thursday, 18 April 2024 19:30  
**To:** Dean O'Neill  
**Cc:** Tosca Korver  
**Subject:** Fwd: Thirsty's Liquor Boutique - 2022/639  
**Attachments:** Thirstys Liquor Boutique - 2022-639 - Inspectorate Report.pdf

See below for the previous rounds of objections - also the attachments where Theresa Els gives her approval!! despite our objections. The push for a bottle store is years in the making and despite the objections they just keep pushing.....

Good day

*TP - n. / theark  
(H. ud Skoop)*



I trust that you are well.

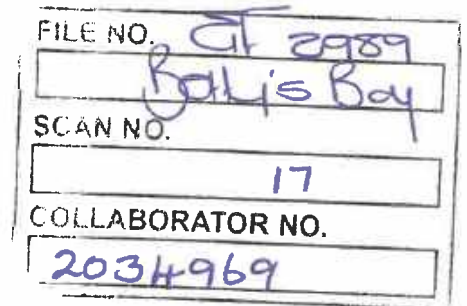
The Application of Thirsty's Liquor Boutique, at 25 Clarence Drive, Betty's Bay, refers.

The Application has been considered, and have been postponed for a request from the WCLA to yourself, to peruse the Attached Inspectorate Report, and provide your written view/replication after having perused the Report.

We kindly request that you provide our offices with your replication within 14 days hereof, by 21 June 2023.

We thank you for your assistance, and await your response.

Kind regards



**Robin Petersen**

Liquor Administrator: Liquor Licence Administration

Tel: +27 (0) 21 204 9826 | Email: [Robin.Petersen@wcla.gov.za](mailto:Robin.Petersen@wcla.gov.za)

3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530

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22 APR 2024

67/242



**WESTERN CAPE  
LIQUOR AUTHORITY**

-  @\_WCLA
-  @\_wcla
-  @WCLiquorAuthority
-  Western Cape Liquor Authority
-  Western Cape Liquor Authority

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**WESTERN CAPE**  
LIQUOR AUTHORITY

270

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530  
**Postal:** Private Bag X6 | Sanlamhof | Bellville | 7532  
**Email:** Liquor.Enquiries@wcla.gov.za  
**Tel:** +27 (0) 21 204 9700 | [www.wcla.gov.za](http://www.wcla.gov.za)

68/242

**TO: THE DEPUTY PRESIDING OFFICER**

**DATE: 14/12/2022**

**LIQUOR LICENSING TRIBUNAL**

**WESTERN CAPE LIQUOR AUTHORITY**

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**APPLICATION IN TERMS OF SECTION 36 OF WESTERN CAPE LIQUOR ACT 4 OF 2008 (AS AMENDED)- LMATS/2022/639**

**Thirty's Liquor Boutiques**

**Shop 4, Betty's Bay**

**PURPOSE/BACKGROUND**

To report on the request of the LLA/LLT dated

**REQUEST:**

1. Crime Stats of the Area.
2. Where the premises is situated and whether the location of the premises will negatively affect the surrounding community
3. Any further comment/recommendation from the Ward Councillor
4. Make an assessment on the validity of the objections/grounds for the objections received from the community objecting to the premises



### Crime Stats

Crime stats of the area was unavailable upon request.

### Location of Premises

The premises is located at The Hub Centre, adjacent to Clarence Drive Betty's Bay. The Hub is a newly built centre with +- 7 Shops, tenants varying from Pet shops, Restaurants and Security Control Centre. There are parking lots behind the centre. **Photos of The Hub Centre marked as Annexure CLI1. Photo of premises marked as Annexure CLI2. Photo of parking lot marked as Annexure CLI3**

The premises is built with Brick and Mortar, the mentioned shop is empty and not yet fitted. There are no educational institutions in the vicinity of the premises. The closest church is the Catholic Church +- 150 meter. **Photo of Catholic church marked as Annexure CLI4**

The closest off consumption is in Kleinmond +- 9km from applicant premises.

### Comments from the Ward Committee

Ward councillor Theresa Els comments is marked as Annexure CLI5

### Assessment of Objection/Grounds for the Objections

The objections are mostly based on the premises possibly drawing vagrants, loitering in and around the area. It must be noted that the applicant is only planning to sell high end wines, which will exclude "papsak "and other low-end products.

There's also concerns of the dangerous for road safety with the Boutique Liquor license been approved. It must be noted that all sales will be for off consumption only, no liquor will be consumed on the premises. As mentioned, there's a Security control centre at the Hub, which will ensure patrons not consuming at the premises.



**WESTERN CAPE  
LIQUOR AUTHORITY**

272

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530  
**Postal:** Private Bag X6 | Sanlamhof | Bellville | 7532  
**Email:** Liquor.Enquiries@wcla.gov.za  
**Tel:** +27 (0) 21 204 9700 | [www.wcla.gov.za](http://www.wcla.gov.za)

70/242

With proper training provided to the prospective license holder and regular inspections by the Inspectorate, it will ensure that the prospective license holder trade within the conditions of his license.

### **RECOMMENDATION**

In the light of the above, this office has no objection against granting the application in terms of section 35 of the Western Cape Liquor Act 4 of 2008 (as amended).

**Cameron Isaacs  
Inspector: Compliance and Enforcement  
Western Cape Liquor Authority**



**WESTERN CAPE**  
**LIQUOR AUTHORITY**

273

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530  
**Postal:** Private Bag X6 | Sanlamhof | Bellville | 7532  
**Email:** Liquor.Enquiries@wcla.gov.za  
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CLI1



Mr Ronald Kingwill (Chairperson) | Dr Gregory Grootboom (Deputy Chairperson) | Ms Carol-Ann Foulis  
Mr Andreas Le Roux | Adv. Sibonile Khoza | Ms Tanya Wainwright | Ms Crystal Abdoll | Mr Simion George (CEO)



**WESTERN CAPE  
LIQUOR AUTHORITY**

274

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530

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**CLI2**



Mr Ronald Kingwill (Chairperson) | Dr Gregory Grootboom (Deputy Chairperson) | Ms Carol-Ann Foulis  
Mr Andreas Le Roux | Adv. Sibonile Khoza | Ms Tanya Wainwright | Ms Crystal Abdoll | Mr Simion George (CEO)



**WESTERN CAPE  
LIQUOR AUTHORITY**

275

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530

**Postal:** Private Bag X6 | Sanlamhof | Bellville | 7532

**Email:** Liquor.Enquiries@wcla.gov.za

**Tel:** +27 (0) 21 204 9700 | [www.wcla.gov.za](http://www.wcla.gov.za)

73/242

**CL13**



Mr Ronald Kingwill (Chairperson) | Dr Gregory Grootboom (Deputy Chairperson) | Ms Carol-Ann Foulis  
Mr Andreas Le Roux | Adv. Sibonile Khoza | Ms Tanya Wainwright | Ms Crystal Abdoll | Mr Simion George (CEO)



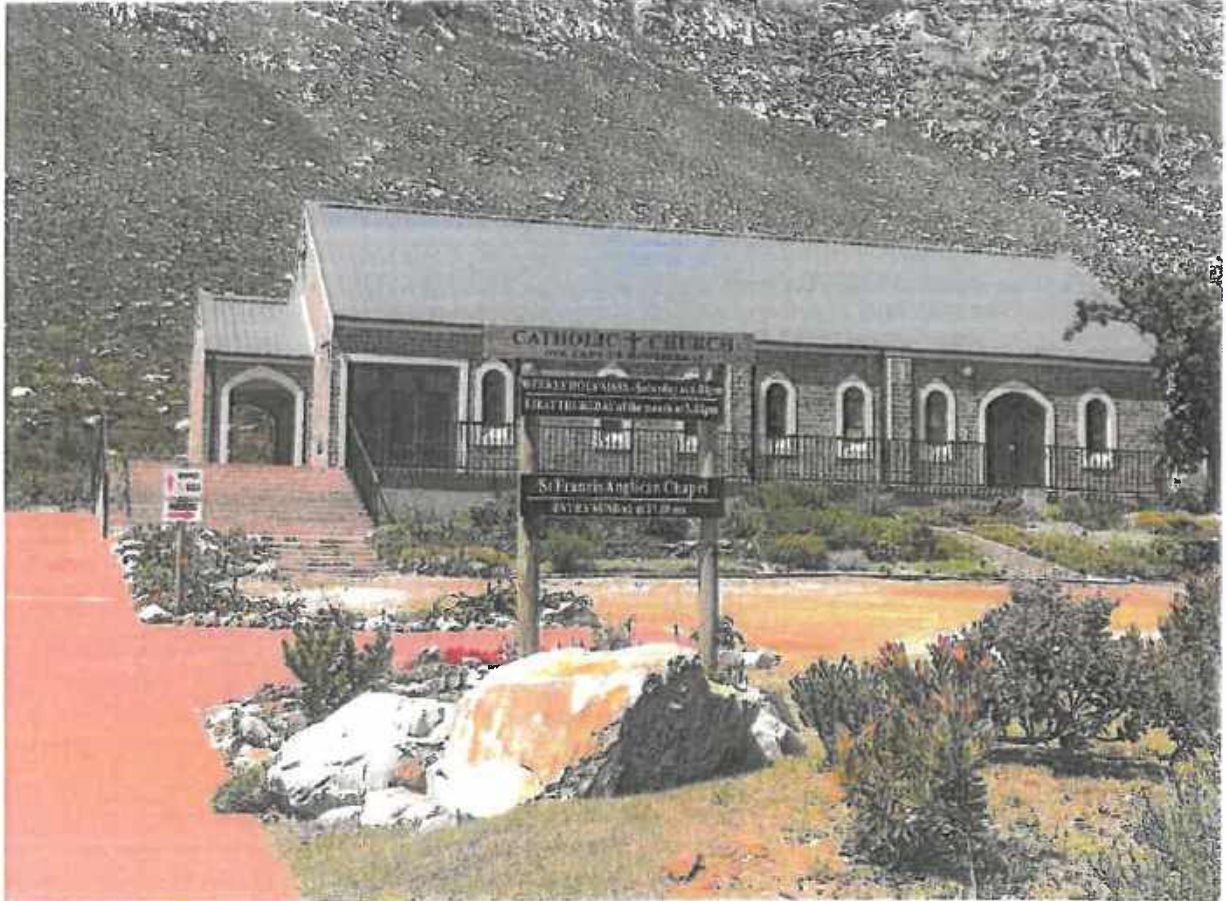
**WESTERN CAPE  
LIQUOR AUTHORITY**

276

**Physical:** 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530  
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74/242

CL14



Mr Ronald Kingwill (Chairperson) | Dr Gregory Grootboom (Deputy Chairperson) | Ms Carol-Ann Foulis  
Mr Andreas Le Roux | Adv. Sibonile Khoza | Ms Tanya Wainwright | Ms Crystal Abdoll | Mr Simion George (CEO)

**Cameron Lazane Isaacs**

**From:** Theresa Els <tels@overstrand.gov.za>  
**Sent:** Monday, December 12, 2022 12:04 PM  
**To:** Cameron Lazane Isaacs  
**Subject:** Application Liquor License - Bettys Bay

Good day Cameron,

**Re: Application for a Liquor License – Erf 2989, 25 Clarence Drive, Betty's Bay**  
**Name of business: Thirsty's Liquor Boutique**

Our telephone conversation refs.

I do not have any objections towards the application for a Liquor License for the above business.  
The application does have my approval, and it would be nice to see some local wines on their selves.

Hope you find the above in order.

Regards

Theresa Els  
Cllr: Ward 10

**Overstrand Municipality**

**A:** 1 Magnolia Street, Hermanus, 7200 | **P:** P.O Box 20, Hermanus, 7200  
**T:** +27 (0)28 313 8000 | **F:** +27 (0)28 312 1894  
**E:** [enquiries@overstrand.gov.za](mailto:enquiries@overstrand.gov.za) | **W:** [www.overstrand.gov.za](http://www.overstrand.gov.za)

Vision Statement: *"To be a centre of excellence for the community"*

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 Please consider the environment before printing this correspondence.

76/242

**Loretta Gillion**

**From:** Dean O'Neill  
**Sent:** Monday, 22 April 2024 14:00  
**To:** Loretta Gillion  
**Subject:** FW: Objections to Thirstys Bottle Store

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*TP. N. Aheal  
(Hub Shop)*

FYA

**Dean O'Neill**  
Municipal Manager | Munisipale Bestuurder | Umphathi Kamasipala  
Overstrand Municipality | Munisipaliteit | Umasipala

T: 028-313-8003 | M: 076-911-6497 | E: mm@overstrand.gov.za

**From:** Rea Borchers  
**Sent:** Sunday, April 21, 2024 11:04 AM  
**To:** Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Tosca Korver <akorver@overstrand.gov.za>  
**Subject:** Objections to Thirstys Bottle Store

FILE NO. <i>OT 2989</i>
<i>Bettys Bay</i>
SCAN NO. <i>16</i>
COLLABORATOR NO. <i>2034961</i>

dear sirs

I would like to restate my strong objection to the latest proposal regarding a bottle store in The Hub, Clarence Drive, Bettys Bay..

There are many reasons to object to the presence of a bottle store. It is not in keeping with the principles of a biosphere and a world heritage site. A bottle store has no connection to the mission and environmental protection values of Bettys Bay village. It is a commercial outlet of the most unattractive kind with no advantage to us whatsoever.

It will have a negative impact on all properties in the village, as it is in conflict with the very qualities that attracted people to come to buy here in the first place, an area of natural beauty and tranquillity. and will cheapen the area, lower the tone, cause noise late at night, attract undesirable loitering and certainly lower the value of properties nearby.

The build up of heavy traffic and shortage of parking in Clarence Road is an additional concern. Cars speed through this area, paying no heed to the fact that people cross the road between shops. Many residents in Bettys Bay are people of advanced years, who have come to retire to Bettys Bay and find conditions have become extremely hazardous.

It is, furthermore, totally against the law to agree to a liquor outlet a few hundred meters from a local church. This is a church that is used by two denominations, Catholic and Anglican, not only on Sundays, but also for weddings and funerals and midweek prayer gatherings. The original proposal gave false information about the existence of this church by claiming that it *had been burnt down*. In fact the church had been rebuilt before the date of the proposal.

It is clear that the views expressed by the local ward councillor regrettably do not represent the ratepayers in this village. This is most disappointing. The residents depend on the Municipality to listen to our objections, and make wise and considered decisions when cases such as this arise. Otherwise it is pointless to invite us to make our views known.

22 APR 2024

sincerely

MM Borchers  
Erf 2857 Protea Road  
Bettys Bay



3422 Dolphin Drive  
Bettys Bay  
19 April 2024

78/24.2

FILE NO	AT 2989
	Bettys Bay ✓
SCAN NO.	Graham
COLLABORATOR NO.	2035069

**Consent Use for a Bottle Store on Erf 2989 Betty's Bay in terms of Section 16(2)(o) of the Overstrand Municipality Amendment By-Law on Municipal Land**

TP. N. Theak (H. W. Skoop)

"The property owners have signed an agreement with a prospective **business owner to operate a boutique liquor outlet** in one of the shops on the ground floor. According to the OMLUS a "bottle store" is defined as: 'means an *establishment where the main purpose is the retail sale of alcoholic beverages for off-site consumption.*'. A bottle store is allowed in terms of the existing zoning with the consent of the local municipality."

I find the "motivating points" scattered within this application very weak and self-focused.

I hereby object to the application for a consent use for a bottle store at The Hub on the following points.

Motivation/Point from the Application	Objection/Comment
The business is proposed to <b>provide a service and product not currently being supplied in Betty's Bay.</b>	There are many services/products currently not available in Betty's Bay and it is likely to always be the case
Bottle store (boutique liquor outlet) that will <b>afford the residents of Betty's Bay the opportunity to support businesses in their community, rather than commuting to Kleinmond, Hermanus or Somerset West.</b>	Weak point: Residents commute to other towns for a wide variety of reasons and will continue to do so. Many prefer to keep Betty's Bay quiet and without shops like bottles stores and to drive elsewhere
The proposal is to <b>attract more people to invest and support Betty's Bay rather than spending their money in other surrounding towns.</b>	Weak point: Re this bottle store - they would be just supporting an individual business owner who is not even currently a resident of Betty's Bay
Betty's Bay is known as a small village that is steadily seeing an increase in population over the past few years.... <b>Betty's Bay also has a high number of retirees and with the rising fuel prices it may become unfeasible to drive and can rather support a local business.</b>	Really? Weak point: will they just be stuck in Betty's Bay and cut off from family and the rest of the world if its "unfeasible to drive"?!
The business owner has indicated that a <b>bespoke selection of beer and spirits will be available. Steps will be taken to uphold the genteel clientele</b> which steps will for example include, not selling beer in single units. No mass market products that will attract the wrong elements to the area, will be stocked or sold.	Lacks integrity: And previous promises that it would just stay as a wine boutique were also made and broken – so on what basis does the business owner expect people to believe this now? What they predicted would happen regarding the initial application is now happening.
The owner of the proposed boutique liquor outlet who will be leasing one of the shops, has done his market research and have identified	Weak point: Residents are going to town anyway for many other reasons and those who want to purchase liquor can then do so.

that the <b>only place to buy liquor that residents can consume at home was in surrounding towns.</b>	
---	--

The need and desirability are often a personal feeling that is experienced in this case by both the property owners and prospective business owner.	Yes- it is just their personal feeling! Of those who will gain financially from this bottle store. And not those of the surrounding residents
The subject property is in a small business node in the centre of Betty's Bay and the proposal is not predicted to have a negative impact on the surrounding area.	According to whose predictions?
The establishment will be well managed, and the property owners are residents of Betty's Bay with a vision to uplift the area.	When does a bottle store <b>uplift</b> an area?
The business node is surrounded by residential properties.	And those are people who will be the most impacted by a bottle store in their neighbourhood, who pay rates and who should have the biggest say and BE HEARD by the Overstrand Municipality! Not people who are out to make money from a proposal and who aren't even current residents in Betty's Bay
Although Betty's Bay is located in a unique biosphere, it is however not predicted that the proposal will have a negative impact on the area.	Predicted by whom? Alcohol, driving and the safety of the wildlife are not a good combination!
The property owners have indicated that their main objective is to have businesses that attract more people to the area.	Perhaps the local surrounding property owners, permanent residents and ratepayers don't want that? They like the quiet, less traffic etc.
There are sufficient parking and access to the property, not impacting on the busier Clarence Drive.	This has already shown not to be correct. MOST people access The Hub off Clarence Drive and it is becoming an increasing problem – especially with an 80km speed limit and a blind corner approaching The HUB from the Harold Porter Gardens side.
There is sufficient access and parking being provided including a loading bay;	As per above – and insufficient parking. Spend a weekend morning there in off-peak season and any day during peak season and see what Clarence Drive looks like there.
The boutique liquor outlet (bottle store) will be an independently run liquor outlet, owned by a future resident of Betty's Bay, which allows for a more personal approach to business and how the business will be managed;	Will he stay in the flat on top or across the road and get a first-hand experience? Does he "own" the shop/bottle store or just rent the space?
The owner of the proposed boutique liquor outlet (bottle store) has indicated that only a bespoke selection of beer and spirits will be available;	The previous application said it would only be a wine boutique – so why would we believe this?

<p>The building will be easily accessible and will include a baboon proofed refuse area as requested by the building control department of Overstrand Municipality.</p>	<p>It is accessed predominately from Clarence Drive which is causing extra traffic and safety issue</p>
<p>The proposal is in harmony with the surrounding area and business node and all relevant spatial planning policies.</p>	<p>Really? According to the surrounding residential area or the prospective business owner?</p>
<p>"This application is therefore for a licence for the sale of liquor for consumption off the premises."</p>	<p>Not so: on-site wine tastings take place and it seems further plans for on-premises sales are being planned</p>

Why would be objections of ratepayers and property owners in the surrounding area, who have a long-term investment in the area, be overlooked for the financial gain of someone who currently doesn't even live in the area – and might move away again!

There are many business who could be added to The HUB who would UPLIFT the area, are a better option and could be family or children orientated.

My objections included in the initial objection to the application still stand.

Yours sincerely



Property owner  
3422 Dolphin Drive, Betty's Bay

**Loretta Gillion**

---

**From:** Graham Clark <  
**Sent:** Friday, 19 April 2024 23:07  
**To:** Loretta Gillion  
**Cc:** Tosca Korver; Dean O'Neill  
**Subject:** objection for a consent use for a bottle store at erf 2989 THE HUB, Clarece Drive Betties Bay.  
**Attachments:** Objection to the Consent use application for erf 2989 The Hub on Clarence Drive Betty's Bay April 2024 G Clark.docx

Please see my objection attached.

Thank you

Kind Regards  
Graham Clark  
Occupational Therapist  
Elsies River Community Health Center

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TP- n. 284  
(Ar. ud Sloop)

FILE NO.	Erf 2989
	Betty's Bay
SCAN NO.	David
COLLABORATOR NO.	2035047

**Loretta Gillion**  
 OVERSTRAND MUNICIPALITEIT

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From: REKORDBEHEER David Hofmeyr  
 Sent: Friday, 19 April 2024 21:47  
 To: 2 2 APR 2024 Loretta Gillion  
 Cc: bettysbayratepayers@gmail.com; Theresa Els  
 Subject: DOCUMENT CONTROL MUNICIPAL NOTICE 44/2024 - OBJECTION TO "CONSENT USE" APPLICATION

OVERSTRAND MUNICIPALITY

Dear Madam,

I previously objected to the granting of a liquor license to sell wine at Erf 2989 Betty's Bay. I was one of many.

One of my major concerns was that the granting of this licence would be the thin end of the wedge, and that it would lead to a further application for a full liquor licence.

This has now occurred.

I object most strongly to this new application on the same grounds as before.

1. Betty's Bay is in a unique biosphere, which has attracted nature lovers, including my grandfather, his four daughters, and their extended families, for decades. It has a unique environment, which is at risk of becoming just another coastal town with bad planning, poor building control, and inappropriate development.
2. Betty's Bay was a "dry" village, with no off-sales licences being granted in the village. There have been bottle stores in nearby Pringle Bay and Kleinmond, within easy access of Betty's Bay. I am quite happy to drive to these towns to purchase my liquor. The undertaking that this would just be a boutique wine store has proved to have been "smoke and mirrors", and the intention all along was to have a bottle store.
3. The proposed premises are quite unsuitable for off-sales:
  - o They are on a busy road, where the speed limit is 80 km/hr – in excess of the speed limit through a normal urban area. It is quite unsafe for stopping to shop, particularly to shop for liquor. Although there is a small parking area at the back, most people stop where most convenient – on Clarence Drive – and many stop on the other side of the road. This is dangerous for themselves, especially when partially intoxicated, and dangerous for other road users. More than 40% of road deaths are pedestrians under the influence of liquor.
  - o They are in an urban area next door to a number of homes, and close to many.
  - o They are less than 100 metres from the recently re-constructed church used by both the Catholic and Anglican community in Betty's Bay.

4. The liquor licence does not pass the test of the Western Cape Liquor Act of 2008, which inter alia stated:

*The Liquor Licensing Tribunal may not grant a licence, unless it is satisfied on a balance of probabilities that:*

- (a) the granting thereof is in the public interest;
- (e) the granting of the application does not prejudice:
  - (i) the residents of a residential area;
  - (v) the congregants of a religious institution located in the vicinity of the proposed licensed premises.

<https://www.westerncape.gov.za/text/2013/July/western-cape-liquor-act-2008.pdf>

5. The shop does not meet the guidelines as expressed in the 'FINAL NATIONAL LIQUOR POLICY, 2016" AS APPROVED BY Cabinet (Government Gazette No 402321 dated 30 September 2016):

Clause 1.6.8 states *'In order to standardise licensing requirements, liquor premises should be located at least five hundred meters (500m) away from schools, places for worship; recreation facilities, rehabilitation or treatment centres, residential areas and public institutions.'* This point is repeated in clause 4.1.1.24.2.

Clause 1.6.10 states: *"Research found that there is an association between alcohol availability, rates of alcohol consumption, and drinking-related problems. Investigations in the United States have found strong relationships between alcohol outlet density and adverse outcomes such as alcohol-related hospital admissions, child abuse and neglect, motor vehicle accidents, pedestrian injuries, drunk driving and a range of mortality outcomes (Donnelly et al.2006 in Bowers et al). It is stated that increases in alcohol availability contribute to increases in alcohol consumption, which contribute to increased alcohol related problems. Therefore, regulating the density of alcohol outlets is an effort to minimise excessive alcohol consumption and related harms."*

Betty's Bay is a sparsely populated village, where most residents have access to private transportation. There is no need for there to be any off-sales outlets in the village, when they are in villages close by.

6. Whereas this policy might not yet have been legislated, it should be carefully considered and applied in this case.
7. I object most strongly to this application. It will have a negative impact on the village, and on my family, my children and my grandchildren

The granting of the liquor licence was a mistake, and the Overstrand Municipality should not be complicit in extending this mistake.

Yours sincerely,  
David Hofmeyr  
Erf 2464, Angler's Road, Betty's Bay

22 APR 2024

**Loretta Gillion**

**From:** Mary  
**Sent:** Friday, 19 April 2024 21:37  
**To:** Loretta Gillion  
**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay

TP - N. Theale  
(I. ud Stoop)

To Whom It May Concern

**Erf 2989, 205 Clarence Drive, Betty's Bay : Application for consent use to open a Bottle Store on the Property: WRAP Project Office on behalf of The HUB Bettys Bay (Pty) Ltd. Municipal Notice No 44/2024**

**Name of Objector** Mary Clair van der Merwe  
**ID**  
**Address** Flip se Klip , 2940 Clarence Drive, Betty's Bay  
**Additional property** Erf 2941 Clarence Drive, Betty's bay  
**Tel**  
**Email**  
**Interest** Home owner in close proximity

FILE NO.	Erf 2989
	Betty's Bay ✓
SCAN NO.	
	Mary
COLLABORATOR NO.	
	2035 024

I strongly object to the application by The Hub to open a bottle store on the premises.

The Hub is situated on the mountain side of Clarence Drive, also known as the R44, a provincial road which runs through the small coastal town of Bettys Bay . Yes, a provincial road, with a speed limit of 80kph, includes a stretch of 11km across a municipal area. Fortunately it is a quiet town, with only two small commercial areas - one of them is at Penguin Place, near Jock's Bay. This is just where The Hub is situated, just where the road curves towards the mountain, with associated limited visibility.

Betty's Bay is a very special place. It may be described as a sleepy hollow, and history shows that for years there has been a demonstrated desire by property owners to keep 'development to a minimum' and to preserve the unique ethos of the area. Conservation is key, with a reduced footprint on our planet. For example, there is no large supermarket, no bottle store, pubs have been tried but never quite made it, electricity only arrived in about 1990, few roads are tarred, there is no clinic, no chemist, no doctor's practice, no clothing shops, no school, no bank, no ATM, no police station. Both Kleinmond, and Pringle Bay , less than 10 min away, offer these as a welcome excursion , and residents are used to going there to conduct their business. In 2011 the population of Bettys Bay was 1380, consisting mainly of holiday makers, retired persons, and more recently younger people who have moved in following the improvement in internet communications allowing work from home options . It was the quiet atmosphere of BB which attracted these newer residents, and now somebody wants to change it.

Residents such as myself, many of whom, have lived there for decades of years, do not want more commercial activity, let alone a bottle store. There is no need for a bottle store. We love Bettys Bay as it is, a place where nature rules supreme. There are few places left like this on the planet, and so many of us want to keep it just like this!. It is special, and its very uniqueness holds opportunities for tourism as well.

Bettys Bay is situated within the Kogelberg Biosphere Reserve registered by UNESCO in 1998, and is the first internationally registered Biosphere in South Africa. As privileged property owners and residents, we are custodians of this rich natural heritage of the KBR, hence the recent formation of the Betty's Bay

Conservancy.. It is incumbent on us all to make the right decisions regarding lifestyle choices, construction practises in order to protect this place of global significance, not only for ourselves, but for future generations as well. Our Municipality, Overstrand, is called upon to take a leading role in ensuring that everyday living, proposed development, property maintenance and recreational activities are appropriate with the conservation ethos of the KBR. A bottle store cannot be part of the plan!

The building of The Hub was a contentious issue. Many residents were against it, and objected strongly when the Thirsty Wine Boutique applied for a liquor license. I was dismayed to hear that the Ward Councillor Theresa Els approved it, but without so much as a meeting to determine public opinion. And now that the Whine Shoppe, AND the restaurant Koring n Kaf (which sells wine, with or without a licence?) are up and running, it can be seen that many of our fears have actually materialised:

- The original applicant has supposedly sold and moved on. Surely the licence cannot be transferred to someone else? (Da Costa Inc, attorneys, stated on August 14, 2019 that this is not allowed). There were all sorts of conditions and promises set out with the initial application, such as the owner would live in Bettys Bay, only wines would be sold for off sales consumption etc – how is it possible to monitor these, have they been registered and carried forward to the current owners. Or was this the original intent, and was the liquor board hoodwinked into something they should have not agreed to? Our Ward Councillor still insists this ‘Consent approval request’ is part of the original application for a wine boutique??? But a bottle store is something very different...
- Much emphasis was put on the 14 parking spots at the rear of the building, which would provide off-street parking for patrons. I regularly drive in to check the parking area, and have never noted anyone who might be a Liquor store patron having parked there. There is no sense of encouragement to divert parking to the rear of the building.. and why should they when there is parking on both sides of Clarence Drive in front of the building.. what does it matter about the blind corner on an 80kph road. There is even a nice wide bridge to cross the furrow, and a big welcome sign out in front...
- The Hub has added significantly to the number of people parking on Clarence Drive, or walking along to the little complex of shops. In fact it gets very busy there at times, especially on a Saturday morning (aggravated by the fact the Whine Boutique hosts wine tastings every Saturday lunch time (despite the licence stating off-site consumption only!). Cars travelling at 80kph (or more at times!) as they approach the area have to navigate a narrowed road with parked vehicles on both sides, cars pulling in or out of parking areas, pedestrians jaywalking across the road, cyclists, children, people in holiday mode, and even baboons and monitors trying to control the traffic. Regular passers by know this is an accident waiting to happen, but passers by do not and can so easily be caught unawares, with disastrous consequences.
- Pictures of The Hub show a lovely deck area on top of the building. A party venue perhaps??? A place to have wine-paring dinners on a starlit evening? Why build this, without some sort of future plan? How much have the owners actually disclosed? The mere fact that the wine boutique, for off-site consumption of wine only, has now turned into a planned bottle store, (which was flatly denied at the time), causes one’s imagination to run riot. What else has not been disclosed? Even little bit of dishonesty is still dishonesty.
- Numerous studies, all over the world, have shown that easy access to alcohol, leads eventually to more crime. It is a worry that there will be more vagrants around, and nearby property owners, especially those with holiday homes, have every right to be concerned – even if only nuisance factors like trespassing, garden equipment going missing, taps left on etc. Women on their own get nervous when they see a lone person aimlessly walking past the house.. I would not want to encourage that

- I also attend the church situated 150 m away on Twist street.. regulations say a bottle store may not be that close to a religious institution. The church burnt down in the 2019 fire, but has been beautifully rebuilt and is supported by both the Anglican and Catholic congregations.
- I believe too that the Overstrand Municipality has the responsibility to consider the wishes of the local ratepayers , especially those like me, who have been rate payers for many many years. They should assess accurately what has happened from the start of the development of The Hub, and could well have been a very well -orchestrated scheme from the start in order to include a bottle store. Some of the timing just doesn't match up, and there is a possibility this has all been false pretences. There is enough doubt not to rush into granting this consent now.

In conclusion, I feel very strongly that Consent must not be given to the Bottle Store application, and I hope and trust that Overstrand Municipality will not agree to it.

Thank you for your attention.

Regards

Mary van der Merwe

Erf 2940 and 2941, Bettys Bay  
18<sup>th</sup> April 2024

TP-n. Aheals  
(1x. ud Sloep)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <u>21. 2989</u> ✓
<u>Bethys Bay</u>
SCAN NO. <u>Louise</u>
COLLABORATOR NO. <u>2035013</u>

**RE: OBJECTION TO BOTTLE STORE Erf 2989, Clarence Drive, Betty's Bay, on behalf of The Hub.**

I am a resident at Betty's Bay, and live in a quiet community of nature lovers nestled between Harold Porter and the Catholic Church. We were shocked when the Hub development began, as we had not seen any notices posted anywhere about this. When the inevitable wine boutique license approval process began, our community organised and raised thoughtful and sincere objections, but despite this the Liquor Board granted the license. One of our objections, was that the wine boutique license would not stop there, but the owner would use this limited license as an opening to secure a full license for a bottle store. In only a few months, this has now come to pass.

My strong objections to a bottle store at the Hub site are as follows:

**1. Biosphere and Nature**

We specifically chose to live in Bettys Bay because it is a charming seaside village situated in a protected Biosphere. The visitors to Bettys Bay come here to escape built-up and developed environments and to enjoy the peace, quiet and nature. We want to protect this natural, simple environment and quiet, nature-filled, peaceful atmosphere. A bottle store is the antithesis of what we are striving to nurture, protect and preserve here.

**2. Proximity to a Place of Worship**

The Catholic Church, which is also used for Anglican Services, is just 200m from the Hub. The Catholic and Anglican communities are active participants in the weekly church services. It is completely disrespectful to even consider locating a bottle store in such close proximity to a place of worship. The Hub is an unsuitable venue for a bottle store because of this proximity.

**3. Negative Social / Community Impacts**

There are many negative social consequences caused by alcohol – drunken driving, gender-based violence, vagrancy, alcoholism and addiction, etc. Bottle stores in small towns also tend to attract people who are dependent on alcohol, with malingering, begging, vagrancy, etc. At the moment, especially living close to a Church, this is not a factor in our environment, but our real fear is that if the license is granted, then we will experience these negative effects.

**4. No Need for a Bottle Store**

Bettys Bay is a small village – with just two small general dealers selling bread, milk, tinned goods, etc. Residents travel to Kleinmond to do grocery shopping, and make any needed alcohol purchases at the four of five bottle stores located there. There is simply no need for a bottle store in this village.

**5. Parking**

This is a major issue – the roadside parking is insufficient, and despite parking at the rear of the Hub, for convenience people prefer to park on the road. This makes this area more congested and dangerous for pedestrians, small children, and dog walkers. The quiet village street is now noisy and dangerous. A full bottle store will increase these issues and the parking at the rear is limited and even closer to the Church.

**6. Hub Development – lack of transparency and accountability / values conflict**

The Hub has been imposed into our community. The owner applied for a restricted licence for exclusive upmarket wines, promising that this exclusive wine outlet would not have any negative impacts on our village atmosphere and would not be the stepping stone towards a full bottle store. The Liquor Board ignored our strong objections, and granted the restricted license. For the owner of the Hub to now apply for a bottle store is highly dishonest and flies in the face of any good faith and former promises.

The impact of the Hub on our quiet neighborhood has been significant – a noisy generator that runs 24/7, wine tastings, events on the roof. Disturbingly, the owner was rude and abusive to a local resident of 85 years who has lived in Bettys Bay since the 1970's. We feel that legal and administrative processes are being used to obfuscate so that residents' voices cannot be heard.

I sincerely hope that the Overberg Municipality will listen to the objections of residents that have simply been ignored in the process this far.

Warm Regards,

Louise Sterling  
Aristea Road, Betty's Bay)

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 22:21  
**To:** Loretta Gillion; Dean O'Neill  
**Cc:** Tosca Korver  
**Subject:** Objection to Bottle Store  
**Attachments:** OBJECTION TO BOTTLE STORE .docx

Please find my objection letter attached

Warm regards

Louise

Louise Sterling  
Director: Eduwrite and the Playwell Foundation

Skype:

TP- N. Aheale  
(H. Ud Sloep)

OVERSTRAND MUNISIPALITEIT
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FILE NO.	BT 2989
	Belly's Bay
SCAN NO.	Brian
COLLABORATOR NO.	2034970

**Observations and objections to “CONSENT USE” application by The Hub Bettys Bay [Pty]Ltd – Municipal Notice 44/2024**

1. UNDERSTANDING THE PROCESS. I realise that this is not a liquor licence application. However, since the business being conducted as a wineshop in the Hub, now wishes to become a Bottle Store, it now needs Municipal Town Planning approval. Zoning approval is a must – not merely desirable as suggested by the local Ward Counsellor. My understanding is based on the following:

1.1. I have confirmed that despite the many objections lodged, the W Cape Liquor Licencing Tribunal [LLT] issued a licence on 5 January 2024. The original applicant has sold the business to a new party who has applied for transfer of the licence. I was not able to establish if the licence was for wine sales only, but the applicant gave undertakings in the application that wine only would be sold. The Town Planner at Overstrand Municipality [OM] confirms this understanding.

1.2. The consent now applied for, for a Bottle Store for the “Sale of Alcoholic Beverages” is given to the building owner, but without it the owner may not permit the liquor sales referred to.

1.3. For ease of reference, here is the relevant zoning information, contained in full in the application.

<b>MUNICIPALITY 1 LC</b>	
<b>Land Use 1</b>	
<b>Primary use</b>	Shops, Dwelling Unit (above ground floor) in accordance with 6.3.2, Flats (above ground floor), Offices, Restaurant, Caretaker's Accommodation and Self-Catering
<b>Consent use that may be applied for</b>	Bottle Store, Business Premises, Clinic, Conference Facility, Dwelling Unit (on ground floor) in accordance with 6.3.2, Flats (On Ground Floor), Town Housing in accordance with 6.3.2, Tourist Accommodation, Hotel, Institution, Place of Assembly, Place of Entertainment, Place of Instruction, Place of Worship, Recreational facilities, Residential Building, Sale of Alcoholic Beverages, Service Station, Service Trade and Transmission Apparatus (subject to the provisions of chapter 16.10)
<b>Development</b>	

**2. WHY IS CONSENT USE ONLY BEING APPLIED FOR NOW?**

Mrs H van der Stoep, Senior Town Planner at OM says that in her view a wine shop is not a “bottle store” and therefore does not require consent. She

could not quite explain how this interpretation fitted into the Regulations quoted above, but stressed that the operator of the store now wishes to sell beer and spirits and in her view, this makes a difference to the existing wine sales activity and requires consent.

3. GROUNDS FOR OBJECTION. The following seem to me to be some of the key issues that the OM should rely on to refuse consent:

3.1. PARKING NIGHTMARES – Spatial planning and maintenance ones.

3.1.1. The applicant refers to 14 bays available for use by customers of the Hub shops. Whilst this is true, access to the bays requires a person to drive up Twist street from Clarence Drive and then right down another road [name ?] to the Hub. Motorists simply do not make the effort and the parking is not much utilised – see evidence of other objectors. It follows that Clarence Drive is the preferred access and parking area.

3.1.2. The Applicant says that “the plans indicate that access will be obtained from the rear of the property limiting access to Clarence Drive on the front of the property” The claim that access to Clarence Drive will be limited is simply not true and has not been since opening day, long before this application was filed. A large bridge has been built over the drainage canal at the front of the building with most customers using this point of access. The diagrams used by the applicant also show that this access clearly, from inception.

3.1.3. There simply is not enough parking in Clarence Drive on some days, but whatever the load, parking on both sides of a Provincial Road, on a bend, is a serious spatial planning challenge and should be controlled and limited by all means possible.

3.1.4. The speed limit through the area, which is admittedly not controlled by OM, but by W Cape government, is 80kph, creating huge safety threats. Immediate neighbours will, I believe, give evidence on this topic.

3.1.5. Although the liquor licence is for off-site consumption, the operators regularly advertise wine tasting events at the premises and wine is served to those attending, who on inspection were found to fill up the walkways through the building. This is not only inconvenient to other users of the building but increases the parking load. The operator has let it be known that they have plans to further increase consumption of

liquor on the premises through opening of a gin bar in another part of the building. Even without such, more products on sale must be intended to attract more customers, further aggravating the problem which I believe OM MUST address.

- 3.2. INTEGRITY ISSUES: The original liquor application and this application reveal very worrying integrity issues which lead one to question whether any assurances on the conduct of this business can be trusted, especially so since the OM and the Liquor authority are unlikely to have resources to ensure compliance with conditions attached to permissions granted. The following should be noted:
- 3.2.1. Annexure D to the liquor application states unambiguously: “The wine shop will *only sell wines and no other liquor* will be sold on the premises.” There are numerous other references to a wine shop, in the application. The current consent application states that it was being written up before completion of the building. By the time the liquor application was considered, well after completion of the building, the applicant was therefore already planning to sell beer and spirits – how else does one interpret such contradictions except as being evidence of bad faith?
- 3.2.2. Annexure D of the liquor application states, “This application is therefore for a licence for the sale of liquor for consumption off the premises.” As indicated above this undertaking is being ignored through on-site wine tastings and the operator has revealed further plans for on premises sales – see above and other representations.
- 3.2.3. Of relevance to a liquor licence application is the question of whether there is a religious institution in the vicinity of the premises. In response to this question the applicant stated in Annexure F: “There was a chapel located 150m from the proposed licensed premises, but it burnt down” By the time of the liquor application the said chapel had been completely rebuilt and occupied many months before. Why tell this untruth? It points to a lack of integrity.
- 3.2.4. Annexure F of the liquor application makes the following statement: “The property is located on the main road (the premises *will not gain direct access from the main road*)”. As indicated above the current

consent application makes a similar claim. This statement has been untrue at all relevant stages – in fact the site plans attached to both applications reveal an access point off Clarence Drive [the “main road”] is planned. Clearly the applicants in both cases recognised the sensitivity of the access issue and seem intent on misleading the body to whom the application is addressed.

3.2.5. I am informed by the Liquor Authority that whilst an application to LLT for transfer of the liquor licence and to conduct business pending such transfer has been lodged, same has not yet been granted. It seems the current operator has no permission to trade!

4. CONCLUSION: The creation of this business has been objected to by numerous local residents of Bettys Bay, with about 34 written objections lodged to the liquor licence application, and many expressing the fear that the applicant’s undertaking on “wine only” should be doubted! I submit that the Liquor Authority made a severe error in granting a licence, perhaps lacking sensitivity to local conditions. This is an error that OM should not repeat and instead should seek to better protect the interests of the local community, both ratepayers and occupants. This application should not be granted on town planning considerations. This venture is a mistake.

Brian Edwards

Ratepayer: Erf 2888, Youldon Road, Bettys Bay.

17 April 2024

#### REASONS FOR COMMENT AND INTEREST THEREIN:

In addition to the above concerns, I wish to record that my interest in this matter arises from part time residence in Youldon Road, Bettys Bay, about 1 km from The Hub, for over 50 years. I am committed to the wholesome development of the area for the benefit of, not only commercial owners, but also pedestrians, vehicle users, families and the community at large. Integrity issues arise all the time in our society and need to be promoted at every opportunity. The history and successful growth of our town is undergirded by the love of these issues and selection of those leaders who will promote them. OM should endorse this value proposition.

Brian Edwards

**Loretta Gillion**

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**From:**  
**Sent:** Friday, 19 April 2024 17:32  
**To:** Loretta Gillion  
**Subject:** Municipal Notice 44/2024 - Consent Use Application by The Hub Bettys Bay  
**Attachments:** Hub Consent application - B Edwards comments & opposition.pdf

Dear Maam

Attached please find my comments and objections to the referenced application.

Yours sincerely

**Brian Edwards**

**BRIAN EDWARDS CONSULTANCY**

Consultancy and para-legal services

Brian Edwards MBA, B.Com LLb

South Africa      Cell: +27 81

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**Loretta Gillion**

**From:** Friday, 19 April 2024 12:39  
**Sent:** Loretta Gillion  
**To:** Tosca Korver  
**Cc:** Application for Consent Use to accommodate a Bottle store on Erf 2989, Clarence Drive, Betty's Bay  
**Subject:**

Morning Loretta

(Overstrand Municipality)

TP. n. Theaak  
 (Hud Sloop)

FILE NO.	21-2989
	Betty's Bay
SCAN NO.	Muller
COLLABORATOR NO.	2034953

I strongly object to the above Application for the following reasons:

- The premises is in a residential area in a Biosphere Reserve where tourists and holiday makers come to enjoy nature and peace and quiet. Residents who live here do so because of the tranquility of our village. There is no need to 'attract residents and tourists' by establishing a Bottle store here.
- Such an outlet may 'add value' to the premises and the owner of the premises but does not add value to the life of residents who live in close proximity to Erf 2989: Bottle stores attract many customers, which brings parking congestion and increased noise levels. There are seven shops on Erf 2989 as well as two flats. There is provision for 14 parking spaces. Employees, customers, suppliers, tenants, visitors as well as Municipal vehicles such as the Conservancy tank trucks all have to park somewhere. The parking provided is not sufficient to cater for all of the above.
- It is not 'in the public interest' to have a Bottle store on Erf 2989 as there is already a dangerous situation on the corner of Twist street and Clarence Drive, which is the access to/from the provided parking on Erf 2989. It is a 'blind corner' where vehicles parked on both sides of Clarence Drive narrow the road considerably. The danger is increased by the 80 kph speed limit on Clarence Drive not being adhered to. Several serious accidents and many near accidents have already occurred at this corner.
- There is no need to 'buy alcohol in our own town' as most residents do the brunt of their grocery shopping in our neighbouring towns where the choice is greater and the prices more competitive. There are at least three liquor outlets in Kleinmond and one in Pringle Bay, which is more than adequate.
- As for the 'employment opportunities': these will not be of great advantage to local people as a very small staff complement is all that is necessary in the proposed Bottle store.
- There is no need for 'the development of the liquor/wine industry in the area' as we are surrounded by wine estates selling their produce.
- Only 150 m from the proposed Bottle store there is a Catholic Church (on the corner of Mountain Rd and Aristeia Rd) which is in full use by both the Catholic congregation and the Anglicans.
- Crime in Betty's Bay is a growing problem which causes great anxiety and insecurity among residents and visitors. A Bottle store has the tendency (proven by history) to increase criminality, which further adds to residents' fears and lack of safety.
- There is a Church Youth Camp at Disa Kloof (barely 600 meters from the proposed Bottle store). Easy access to alcohol poses a definite temptation to young people (most of whom are younger than eighteen years. Many of them, however, look older than that and are able to obtain alcohol in spite of their tender age).
- The original liquor licence was granted for "off site consumption". However, several wine tastings have already taken place on the premises where attending customers were enjoying wine supplied by the Liquor Outlet.
- The access road to and from the parking provided on the northern side of The Hub onto Twist street is exceedingly narrow and inadequate to provide for the movement of vehicles in an out of The Hub. Huge delivery trucks as well as Municipal vehicles (Septic tankers as well as Rubbish removal trucks) find it extremely difficult to turn in and out of the 90 degree intersection between the access road and Twist street. In addition there is no STOP or GIVE WAY sign on that junction, with the result that vehicles in the access road often shoot into Twist street without any regard for traffic in Twist street.

19 APR 2024

12. The lack of parking provided, the danger posed by the intersection of Twist street and Clarence drive as well as the inadequate access road does not signify "Sound Town Planning"!

13. One last comment: I find it objectionable that entrepreneurs who do not even reside in Betty's Bay want to prescribe to those of us who do, what we should and should not have and should and should not do!

E.M.Muller

e-mail address:

Physical address: Erf 2949 no. 22 High

Level Rd, Betty's Bay, Cell

Owner of property at Erf 2949, Betty's Bay. Permanent resident, overlooking The Hub.

Interest: Enhancing and preserving the magical properties of our wonderful village, Betty's Bay.

Reasons for comment: Entrepreneurs often have one main objective:

PROFIT. This more often than

not blinds them to the many other more valuable and enduring aspects of life (which cannot be purchased with cash.)

301

Erf 2989 KBB

99/242

Loretta Gillion

From: Friday, 19 April 2024 13:38  
Sent: Loretta Gillion  
To:

Any Johannesburg law cannot be by school or church there is church behind ..

Way shop and homes industrial need lots to thought out better..

So many bottles store in overstrand area

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TR.N. Ahearne  
(H. ud Staap)

FILE NO.	Erf 2989
	Kelly's Bay
SCAN NO.	15
COLLABORATOR NO.	2034948

19 APR 2024

**Loretta Gillion**

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**From:**  
**Sent:** Friday, 19 April 2024 12:18  
**To:** Loretta Gillion  
**Subject:** Wine Shop in Betty's bay.

Good afternoon Loretta,

My name is Yolanda Roozen, I am the registered owner of stand 3956 Gladiolus Crescent in Betty's bay. My telephone number is

My vote is for the wine shop, if people went to speak to the owners they would know what is being planned, and it is not your average bottle store. It is a lovely addition and the vineyards in the area are being supported. The old tannies who want Betty's bay to stay in the previous century need to move to Orania maybe?

The owners live in Betty's bay, and have more businesses in the area, we need to bring Betty's bay into this century without it loosing its charm. Some nice shops and restaurants are a welcome addition, which also creates job opportunities for locals.

My vote is thus yes for the wine store and whatever the owners are planning will be great.

Regards.

Yolanda

*TP. N. Theaib  
(H. ud Strop)*

Sent from my phone

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FILE NO. <i>CP 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>14</i>
COLLABORATOR NO. <i>2034932</i>

19 APR 2024

**Loretta Gillion**

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**From:**  
**Sent:** Friday, 19 April 2024 18:02  
**To:** Loretta Gillion  
**Subject:** Support for Wine shop in Bettys Bay

Good day Loretta

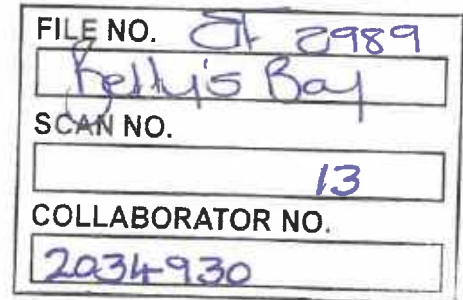
Re: Support of wine shop at Bettys Bay

We would like to express our support for the lisenca application for the wine shop at the HUB BB. However we do not support a general lisenca for a bottle store. We are of the opinion that a general bottle store will attract drunkards and unsatisfactory characters.

Regards  
Hans and Sandra du Plessis  
3231 Albertyn Road  
Bettys Bay



*TP.N. Aheark  
(H. Udorp)*



19 APR 2024

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 17:05  
**To:** Loretta Gillion  
**Cc:** Dean O'Neill; Tosca Korver  
**Subject:** Objection to the granting of a liquor licence at The Hub, Betty's Bay

19 April 2024

**I hereby make my objection to the establishment of a bottle store at Erf 2989, 205 Clarence Drive , Betty's Bay, for the following reasons:**

1. The Hub is situated on a curve on a very busy road, Clarence Drive, where the speed limit is, insanely, 80km per hour. Living in Waterfall Road below Clarence Drive just to the west of the Hub, we are aware that it is just a matter of time before there is a tragic accident on the road with drivers speeding along Clarence, doing U-turns in front of the shops and pulling out in front of oncoming traffic. Having a bottle store at The Hub will increase the volume of traffic and the demand for parking, exacerbating the traffic situation.
2. Bottle stores tend to have loiterers and other undesirable individuals hanging around outside of them. We do not want loiterers on our neighbourhood, especially as most loiterers tend to pollute the area around themselves.
3. We do not know what further developments there will be as a result of having a bottle store at The Hub. Will it extend to having liquor sold after hours in a newly developed pub or watering hole, with attendant noise and disturbance? We were originally informed that the original application was for a licence for an upmarket wine boutique which has now morphed into a full-blown bottle store. The dishonesty and deceit is despicable.
4. It is said that a TOPS licence has been granted at the Centre Shop zone. We do not need two bottle stores within a few kilometers of each other. We do not need a bottle store in Betty's Bay at all. Most of us do our regular shopping in Kleinmond where we can stock up with alcohol at the same time.

We live in a Biosphere and the shops around The Hub have a character of their own. A bottle store in the area does not fit in with the desired ambience of both Biosphere- nor with peaceful village-living.

**Please do not grant this licence.**

Vivienne von der Heyden - Permanent resident and home-owner

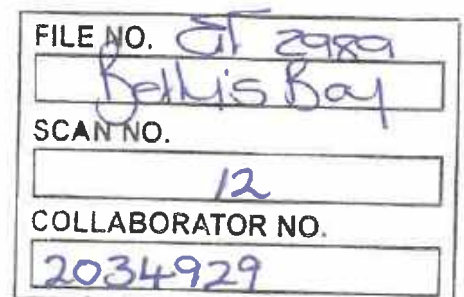
7 Waterfall Road

Erf 2796

Jocks Bay

Betty's Bay

*TP. D. Theakle  
(H. ud Sloep)*



19 APR 2024

**Loretta Gillion**

**From:** Peter Dall < >  
**Sent:** Friday, 19 April 2024 16:25  
**To:** Loretta Gillion; Dean O'Neill; Tosca Korver  
**Cc:** 'Peter'  
**Subject:** Objection to be lodged please urgently

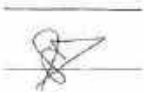
Dear Sir/Madam

I, George Peter Dall, ID No: owner and resident of Erf 5599, 1 Mountain Road, Betty's Bay, would like to lodge my objection to the application for a consent use to the Hub Betty's Bay (Pty) Ltd., to be able to operate a bottle store at their premises Erf 2989 , 205 Clarence Drive, Betty's Bay 7141.

The basis of my objection to the granting of a consent use for a bottle store is that, this is an undesirable development in Betty's Bay and especially this area of Betty's Bay as it is in the middle of a residential area very near the Church and I believe the overwhelming majority of Betty's Bay residents believe there is no need for a bottle store at this location. It would upset the tranquillity of the area and I hereby object to the granting of the consent use for a bottle store.

The other major reason is that when there was an application for a license to operate a boutique wine shop, I for one never objected as I believed a discreet upmarket boutique wine shop would be an asset. We were clearly led to understand that this was all that was intended and now deceitfully an application for a consent use to operate a bottle store has been lodged. The application to establish a bottle store to sell spirits, beers and wine has been lodged and this is totally against what we were told was going to be operated and when the liquor license was applied for. We as residents of the area find this extremely deceitful that we were misled in this regard.

SIGNED



*TP. D. Dall  
(H. ud Skoop)*

*George Peter Dall*  
 Peter Dall Consultancy.  
 P.O. Box 453,  
 Bettys Bay 7141  
 Western Cape.  
 REPUBLIC OF SOUTH AFRICA.  
 Tel:- +  
 Mobile:- +  
 Fax No:-  
 Email:-

OVERSTRAND MUNISIPALITEIT
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FILE NO. Erf 2989
Betty's Bay
SCAN NO.
11
COLLABORATOR NO.
2034928

19 APR 2024

Loretta Gillion

**From:** [Redacted]  
**Sent:** Friday, 19 April 2024 16:06  
**To:** Tosca Korver; Dean O'Neill; Loretta Gillion  
**Subject:** Objection to Proposed amendment to Liquor License for Thirsty's Liquor Boutique - 2022/639

To Whom It May Concern,  
 I am the owner and rate payer for ERF 5153, Aristeia Road Betty's Bay.

I have been informed that the owner of Thirsty's Liquor Boutique is applying for a full liquor license. This inspite of a response from our local councillor, Theresa Els on social media that this is not the case.

I was one of the residents living in close proximity to the new commercial development known as 'The Hub' to object to any sale of liquor in the area.

Stated reasons for objection are as follows:

1. Misleading the public. Inspite of numerous objects to the issuing of a license to sell boutique wines and a commitment from the parties concerned that this would be the only sale of alcohol allowed, we now have an application for a full liquor license - this is deceptive and totally destructive of trust between all parties, included in this is Ms Els clear bias to support this entity, with little consideration given to the local residents of the area.
  2. As per my original objection, the same applies viz.
    - 2.1. Availability of parking, access to parking off a quiet residential road and associated risks due to traffic flow, pedestrians crossing the road etc
    - 2.2. Detrimental change to a quiet residential area - research indicates a clear change in social structure re. noise, vagrancy, crime etc with the introduction of a retail liquor outlet. I have purchased a property in a quiet rural village for the specific reasons of solitude, and access to a beautiful biosphere nature reserve
    - 2.3. Proximity to a place of worship -
    - 2.4. As a person working in social development I am well aware that alcohol is one of the greatest causes of GBV and IPV. One has to ask, what is our municipality thinking in increasing the number of sales outlets for alcohol in the area?
- Thank you for your attention to my stated objections.

Regards,  
 Mark Gamble



*TP. D. Aheart  
 (H. Ud Stoop)*

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Mark Gamble

Founder and Executive Director

; [www.aspireyouth.co.za](http://www.aspireyouth.co.za)

19 APR 2024

FILE NO.	CF 2989
	Betty's Bay
SCAN NO.	10
COLLABORATOR NO.	2034913

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 16:02  
**To:** Loretta Gillion  
**Subject:** Objection to bottle store at 205 Clarence Drive Betty's Bay

378 RooiRibbok Street  
Waterkloof Ridge  
Pretoria  
0018

To whom it may concern

**Objection to bottle store at 205 Clarence Drive Betty's Bay**

My parents own a property in Betty's Bay and I visit it regularly throughout the year and stay there for periods of time. I object to the opening of a bottle store at 205 Clarence drive. Already crime has increased in the area (a personal incident was witnessed in Dec 2023 by my family) due to the extra shops around the Hub and Penguin Place. A bottle store will increase the likelihood of crime, making Betty's Bay a place I will then no longer visit. There is no proper parking at the Hub (only street side parking) and it is right on the main road through Betty's Bay. A bottle store will increase the chance of accidents. Betty's Bay residents have fought for a long time to keep Betty's Bay as aligned to nature as possible, a bottle store goes in direct contrast to this. I have never heard of anyone complaining of having to drive to Kleinmond because there is no bottle store in Betty's Bay.

I request for the application to open a new bottle store to be rejected.

Best regards  
Stuart Blackbeard

*TP. D. Theale  
(I.L. Ud Stoop)*

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FILE NO. <i>21 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>09</i>
COLLABORATOR NO. <i>2034912</i>

19 APR 2024

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 15:02  
**To:** Loretta Gillion  
**Subject:** Objection to Bottle store in Bettys Bay

My husband and I would like to object to a bottle store in Bettys Bay, or any establishment where off-site use of alcohol is encouraged. We own 3 properties in Bettys Bay and feel that this will influence, for the worse, the underdeveloped village atmosphere which exists in Bettys Bay. In the same way, we would object to street lights, and tarring of roads.

Kind regards

Glenda and Jeremy Muller

*TP-D. Theat  
(H. ud Sloop)*

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FILE NO.	<i>BT 2989</i>
	<i>Bettys Bay</i>
SCAN NO.	
	<i>08</i>
COLLABORATOR NO.	
	<i>2034885</i>

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 12:02  
**To:** Loretta Gillion  
**Subject:** Objection to bottle store

Good morning Loretta

I hereby wish to lodge my objection to the application for a liquor license to open a bottstore at the Hub in Betty's Bay.

I am the co-owner of erf 3249, Dolphin Drive, Betty's Bay.

My objections are as follows:

1. The opening of a liquor store will impact crime in the neighbourhood. Where there is alcohol there is crime and violence.
2. It will impact traffic in a small area already under stress from heavy pedestrian traffic, animals, vehicles. And it does not have a safe speed limit.
3. It will negatively impact the level of social evils.
4. It is not in the interests of Betty's Bay to have a liquor store simply because an individual or group wants to make profits.
5. Betty's Bay sees many day visitors who have to take the treacherous route along Clarence Drive to Gordon's Bay. Already there have been a number of fatal collisions along this road. The access to alcohol will only contribute to this.
6. I always take plastic bags with me to the beach to pick up rubbish- and there's a lot of plastic on the beach. An alcohol outlet will result in other rubbish being dumped on the beach.

A liquor store does not belong in BB.

Kind regards  
Ruwaida Matthews

*TP- n/heart  
(H. Ud Stoep)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <i>21/2989</i>
<i>Betty's Bay</i>
SCAN NO.
<i>07</i>
COLLABORATOR NO.
<i>2034883</i>

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 11:17  
**To:** Loretta Gillion  
**Subject:** Objections to Bottle store

Good day,

I am a resident in Betties and would not like a bottle store in our community.

Annatjie Creighton  
3621 Diastella Road

Kind Regards

*TP. D. Theart  
(H. Ud Stoop)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <i>CF 2989</i>
<i>Belly's Bay</i>
SCAN NO. <i>06</i>
COLLABORATOR NO. <i>2034879</i>

**Loretta Gillion**

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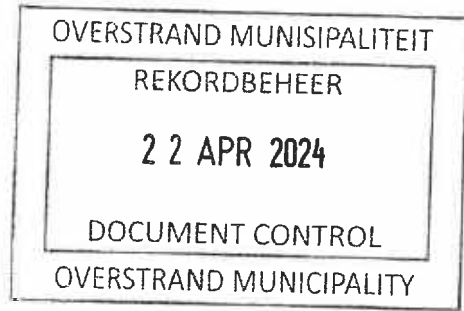
**From:**  
**Sent:** Friday, 19 April 2024 16:27  
**To:** Loretta Gillion  
**Subject:** Objection to Bottle store

Hi Loretta

I saw the message on our community group about the bottle store opening in Bettys Bay and I would also like to object.

I feel that Bettys bay does not need a bottle store as pringle bay and Kleinmond both have and Bettys bay doesn't need the extra traffic to conserve our environment.

Thank you  
Cj Mentz  
4240 Arctopus road, BB



TP-D. Theaak  
(H. ud Staep)

FILE NO.	AT 2989
	Bettys Bay
SCAN NO.	05
COLLABORATOR NO.	2034876

11 9 APR 2024

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 12:54  
**To:** Loretta Gillion  
**Subject:** Objection to Bottle Store at The Hub in BB

Dear Loretta

Please record my objection to the proposal to establish a bottle store at The Hub in Betty's Bay. As a permanent resident of Betty's Bay, I am concerned about the growing traffic that would be attracted to that site (already a dangerous area with an 80km/h speed limit).

I am concerned anyway about the proliferation of businesses in Betty's Bay, with its impact on what should remain a peaceful, non-commercial precinct.

This region is already well-supplied with liquor outlets (in Kleinmond and Pringle Bay), and there is no need to accumulate further outlets of this nature.

Thank you, and best wishes

Dr. Rob Moore

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*TP. D. Thearle  
(H. ud Skoop)*

FILE NO.	CF 2989
	Betty's Bay
SCAN NO.	04
COLLABORATOR NO.	2034873

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 19:14  
**To:** Loretta Gillion  
**Subject:** Objection to a bottle store at The Hub, Betty's Bay

To whom it may concern.

**I strongly object to a bottle store at The Hub, Betty's Bay**

I live in Jock's Bay directly beneath The Hub.

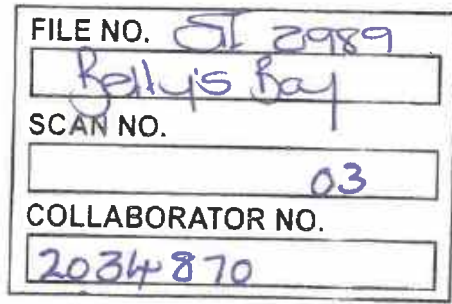
While I encourage local businesses of a boutique style at the Hub centre, I strongly object to a fully licensed Bottle Store anywhere near this vicinity.

Increase in crime, vagrants, rubbish and violence are all strong reasons NOT to grant a license for a Bottle Store in this currently peaceful and beautiful residential area.

Please leave the big shops and alcohol outlets to Kleinmond and keep Betty's small, beautiful, peaceful and 'dry'.

Kind regards,  
Trinity Loubser  
5128, 24 Four Streams Road.

*TP. n. Theakle  
(H. Jd Stoop)*



19 APR 2024

**Loretta Gillion**

**From:** -  
**Sent:** Friday, 19 April 2024 13:33  
**To:** Loretta Gillion  
**Cc:** 'Esther Niemandt'  
**Subject:** OBJECTION TO BOTTLE STORE AT THE HUB BETTY'S BAY  
**Attachments:** 351265600408-2024228-37385.pdf; ID E NIEMANDT.pdf

Dear Ms Gillion,

As per a recent display of notice at the HUB Betty's Bay, entitled: **APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTYS BAY, PTY, LTD**, which document concluded with a recommendation for a **BOTTLE STORE** on the premises (including beer and spirits). I herewith would like to **RAISE MY OBJECTION**.

Name:  
 Esther Niemandt

Address:  
 Erf 2656 Bettys Bay  
 89 Clarence Drive

Contact Details:  
 (Cell);  
 (E-Mail)

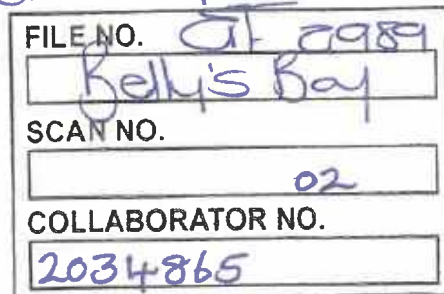
Interest in Application:  
 I am a Permanent and Full time Resident in Betty's Bay and Owner of the property Erf 2656 BB

Reason for the Comment:  
 I would like to formally **Object to** this application and any application for a **Bottle Store in Betty's Bay**. I am a permanent and full time resident and owner of the house in BB. My elderly mother and I moved to BB due to the tranquil atmosphere and the incredibly beautiful nature scenery and the safety that such a quiet town provides. It is very concerning to us that a bottle store is now on the cards. We all know, and statistics have proven, that with alcohol consumption there is increased crime and violence. We believe very strongly that having a bottle store will negatively impact on the crime and violence in Bettys Bay. We also feel that this will attract a lot more traffic, which we all, that are living here, are specifically trying to avoid. There are more than enough existing establishments where one could buy liquor and Bettys Bay does not need another one.

I attach hereto my ID and proof of Residence. Please let me know if you need anything else.

Many thanks and kind regards  
 Esther Niemandt

*TP. D. Ahearne  
 (H. ud Skoop)*



19 APR 2024

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 21:06  
**To:** Loretta Gillion  
**Subject:** Objection to a bottle store at The Hub, Betty's Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
22 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*T.P. N. Aheark  
(H.4d Sloop)*

To whom is may concern.

Objection to a bottle store at The Hub, Betty's Bay

I live in Jock's Bay directly beneath The Hub.

I don't think the 'expansion' of the existing liquor license is what this area needs. I could probably list a long list of reasons why but the most obvious being the 'hangers on' that Bottle stores attract. We don't need a Bottlestore in Betty's Bay, it does not make sense.

Mostly I am irritated in the process that has been followed by the owners, apply for a Wine Boutique license.... And then move on from there. Can only worry that the next step is a bar selling 'booze' late into the night.

Don't get me wrong, I am a great lover of wine and beer but it does not fit in this area.

Keep theses establishments in Business districts, not in the middle of a quiet suburb.

Kind regards,  
John Loubser  
5128, 24 Four Streams Road.

FILE NO. <i>ST 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>01</i>
COLLABORATOR NO. <i>2034863</i>



**John Loubser**  
Publishing Manager  
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Direct line +27 (021) 514 3902 | Fax 021 510 0493  
Cell | Email johnl@mapstudio.co.za

Web [www.mapstudio.co.za](http://www.mapstudio.co.za) | Customer care 0860 10 50 50



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**Loretta Gillion**

**From:**  
**Sent:** Thursday, 18 April 2024 19:27  
**To:** Loretta Gillion  
**Subject:** OBJECTION FOR BOTTLE STORE



Good Day

Kind note my objection to the opening and trading of a bottle store at the Hub in Betty's Bay.

I have lived here for 2 years.  
The whole reason is to be in a nature nurturing environment.  
How many accidents are going to be caused by people under the influence of alcohol?  
How many ANIMALS will be INJURED OR KILLED by some drunk fool?  
Also it is NOT SITUATED ON A SAFE SPOT!

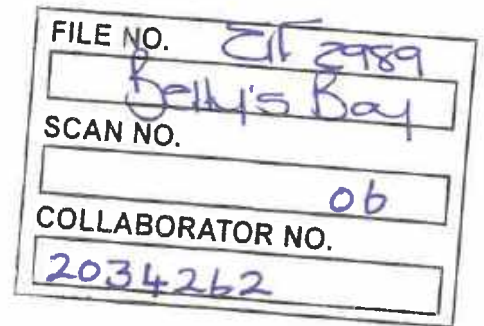
NO NO NO

4892 Selago Rd, Betty's Bay.  
My property/ stand is 3313 Clarence Drive, Sunny Seas.  
Building soon.

Regards Tammy

Sent from my iPhone

*TP- n /heark  
(11.ud Skoop)*



**Loretta Gillion**

**From:**  
**Sent:** Thursday, 18 April 2024 19:38  
**To:** Loretta Gillion  
**Subject:** Objection to bottlestore The Hub Betties Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Hi Loretta

I would like to object against the bottle store opening at the hub.

Firstly it would encourage more traffic on an already bustling Clarence drive, let alone the supposedly quiet roads within bettys bay suburbs once people start relying on a more local bottlestore..

Secondly, my biggest concern, if a bottle store is approved, what is next, a shopping mall? A Checkers? a pick n pay? Or a taxi rank... mass traffic...

Bettys bay does not need more traffic that harms the environment and is a danger to pedestrians, specifically at the hub.

3. More noise and light pollution. When you hike around Harold porter area and Palmiet, you struggle to even enjoy or hear nature clearly, because of all the car traffic.

I say no to more commercial trading in bettities bay.

Bettys bay is an exclusive, prime location that exists for people to get away from the hustle and the bustle and shopping centres, visitors and locals must shop before coming here in the cities and adapt a conserving mentality and respect the environment.

Illandra

Arctopus road, bettys bay

TP n. theaak  
(1. ud stroep)

FILE NO. <u>CT 2989</u>
<u>Bettys Bay</u>
SCAN NO. <u>07</u>
COLLABORATOR NO. <u>2034268</u>



**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 08:03  
**To:** Loretta Gillion  
**Subject:** OBJECTION TO BOTTLE STORE AT THE HUB - BETTYSBAY

Good day

Kindly find herewith our objection to the above matter.

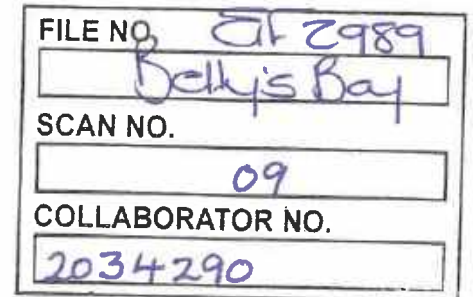
We need to protect our village community atmosphere. The presence of a liquor store may lead to a perception of the village as less desirable for families seeking a quiet and peaceful living environment, potentially impacting property values.

Furthermore, this can lead to increased alcohol-related problems such as public intoxication, drunk driving and alcohol related crime, such as theft or violence.

Let's preserve our community's well-being, safety and cultural identity.

Regards  
Hennie & Marna van Tonder  
3101 Clarence Drive

*TP. N. Theart  
(I. ud Stoop)*



320  
Re: Erf 2989 KBB

118/242

Loretta Gillion

**From:**  
**Sent:** Friday, 19 April 2024 08:29  
**To:** Loretta Gillion

I, Trevor de Beer, object to the opening of a Bottle Store in Bettys Bay. My objection is based on experience that crime, especially on business excels around the area. Also beggars for liquor pester people that will want to relax and enjoy a coffee at the two coffee shops there.

Thank you  
Trevor de Beer  
11 Polygala rd (4600)  
Bettys Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP. D. Theak  
(H. ud Stoop)

FILE NO. Of 2989
Bettys Bay
SCAN NO.
10
COLLABORATOR NO.
2034308

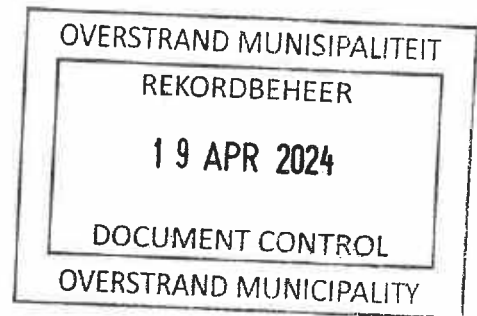
19 APR 2024

Loretta Gillion

**From:**  
**Sent:** Friday, 19 April 2024 13:06  
**To:** Loretta Gillion  
**Subject:** OBJECTIONS to Bottle store at The Hub Bettiesbaai

I wish to Register my Strongest Objection to the granting of a bottle store license at Bettiesbaai. I bought here in order to live in a biosphere and NOT in an alcohol sphere. There are already licensed outlets in Bettiesbaai. PLEASE Not another outlet. STOP IT! PLEASE  
 Dr Bernhard Ficker. Sel  
 3495 Restio close Bettiesbaai

Sent from my iPhone



TP. n. (heer)  
 (H. ud Sloop)

FILE NO.	EF 2989
	Betty's Bay
SCAN NO.	11
COLLABORATOR NO.	2034311

126/242

**Loretta Gillion**

**From:**  
**Sent:** Friday, 19 April 2024 10:25  
**To:** Loretta Gillion; Dean O'Neill  
**Subject:** THE HUB, BETTYS BAY

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TO WHOM IT MAY CONCERN

re: FULL LIQUOR LICENCE AT THE HUB

Even with the limited parking behind The Hub on Clarence Drive there is parking congestion on Clarence Drive, on a dangerous curve in the road where the speed is 80 kph. It is a place waiting for serious road accidents to happen. I have witnessed several near misses.

Please could a full liquor license for a bottle store not be granted until the aforesaid problems have been resolved. I realise this involves Provincial action.

Please confirm receipt of this email.

Sincerely

Mrs J Longman  
4792 Salvia Road  
Betty's Bay  
Tel:

*TP. n. / heart  
(H. ud Stoop)*

FILE NO.	ET 2989
	Betty's Bay ✓
SCAN NO.	Janet
COLLABORATOR NO.	2034438

19 APR 2024

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHALER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:**  
**Sent:** Thursday, 18 April 2024 18:38  
**To:** Loretta Gillion

MJ van Wyk. Shellweg 2108 Bettysbaai.  
 op 'n skelm manier laat goedkeur.

3. Ek is teen die toestaan van 'n dranklisensie. Hy word die lisensie

TP. D. Theak  
 (N. ud Stoop)

FILE NO. <u>2989</u> ✓
<u>Bettys Bay</u>
SCAN NO.
<u>Martin</u>
COLLABORATOR NO.
<u>2034418</u>

19 APR 2024

122/242

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:**  
**Sent:** Thursday, 18 April 2024 18:11  
**To:** Loretta Gillion  
**Subject:** Bottle Store

Good day I'm residing at 4130 aster crescent Betty's Bay, I'm objecting to the proposal of a bottle store at The Hub.  
 Yours Sincerely,  
 Mr Nicholson.

TP-17. Theat  
 (1. ud Steep)

FILE NO.	2989
	Betty's Bay ✓
SCAN NO.	Nicholson
COLLABORATOR NO.	2034413

**Loretta Gillion**

**From:**  
**Sent:** Thursday, 18 April 2024 17:46  
**To:** Loretta Gillion  
**Subject:** Bittle store in Bettys bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
<b>19 APR 2024</b>
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

To whom it may concern

I'm for a bottle store ( wine ) at the Hub.  
If this is not allowed due to traffic and increase in car then all shops/business in that area should be closed

This area is a concern due to visitors visiting coffee shops and others business

The road at rooiels, pringle bay and bettys bay should be reduced to 60 or 70 km an hour

Y Gray  
5061 serruria Bettys bay

*TP. N. Theark  
(H. ud Stroep)*

FILE NO.	<i>2989</i>
	<i>Bettys Bay</i> ✓
SCAN NO.	
	<i>Gray</i>
COLLABORATOR NO.	
	<i>2034395</i>

Sent from my Samsung Galaxy S9 - Powered by Three

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHALER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:** .  
**Sent:** Thursday, 18 April 2024 17:35  
**To:** Loretta Gillion  
**Subject:** Objection to sale of beer at the Hub

My concerns are the lack of transparency displayed in this application .Also Betties Bay has some of the most vulnerable of Fynbos

The sale of beer will result in undesireables in the area

Yours Faithfully

Terrence Lavery

3983 Diastella

Betties Bay

TP. A. Aheak  
(H. ud Stoep)

FILE NO. 21F 2989
Betty's Bay ✓
SCAN NO. Lavery
COLLABORATOR NO. 2034369

Sent from my Galaxy

19 APR 2024

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 18:36  
**To:** Loretta Gillion  
**Subject:** Objections to Bottle Store at the Hub in Betty's Bay



Dear Loretta

I object profusely against opening a bottle store at the Hub in Betty's Bay.

We do not need a business like this. There is a bottle store in Pringle Bay and a minimum of 3 bottle stores in Kleinmond. Why another one in Betty's Bay? If Betty's Bay residents want to buy alcohol we are happy to go to either of these two towns which we combine with other shopping.

A bottle store attracts the wrong crowd. Drunks and criminals need to be avoided roaming our town and around the Hub. Nothing good will come from this. We need to keep our town safe and not become a fully commercial developed area.

Thank you.

Carine van Riet  
Benny Janssens  
Permanent resident Betty's Bay

*TP. D. Theaak  
(H. ud Stoop)*

FILE NO.	2989
	Betty's Bay
SCAN NO.	05
COLLABORATOR NO.	2034240

126/242

**Loretta Gillion**

**From:**  
**Sent:** Thursday, 18 April 2024 18:21  
**To:** Loretta Gillion  
**Subject:** Objection to bottle store in Bettys Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Name: Clive Barham

Address: 2813 Clarence Drive, Bettys Bay

Cell:

We live directly across from the Hub. We are particularly concerned about the increase in traffic volume, pedestrians and undesirables in the area. We are also very concerned about the lack of full disclosure about the bottle store.

Clive Barham

*TP. N. Theakle  
(H. ud Stroep)*

FILE NO. <i>ET 2989</i>
<i>Bettys Bay</i>
SCAN NO.
<i>04</i>
COLLABORATOR NO.
<i>2034239</i>

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 18:10  
**To:** Loretta Gillion  
**Subject:** Objection: BOTTLESTORE THE HUB

OVERSTRAND MUNISIPALITEIT REKORDBEHEER <b>19 APR 2024</b> DOCUMENT CONTROL OVERSTRAND MUNICIPALITY
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Good day,

I hereby object to the proposed bottlestore at the HUB.

The reason for the objection is that it would erode the quint peacefull and safe community of Betty's Bay as these type of establishments unfortunately brings unwanted elements, unsafe environments, misuse and waste of money and poses a threat to the the general health and wellbeing of communities.

Regards  
 Riana Vogel  
 5007 Senecio Circle  
 BETTYS BAY

*TP. n. / theark  
 (H. vd Stoep)*

FILE NO.	21 2989
	Betty's Bay
SCAN NO.	03
COLLABORATOR NO.	2034196

**Loretta Gillion**

**From:** Thursday, 18 April 2024 18:08  
**Sent:** Loretta Gillion  
**To:** OBJECTIONS TO BOTTLE STORE AT THE HUB  
**Subject:**

Carien de Kock  
70 Oxalis Rd  
Bettys Bay  
Cel no.

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

We Strongly object to a bottle store being opened. In Betty's Bay. The fact that there was no bottle store, or big shops was the reason for us purchasing our property.

We object to the opening of a bottle store in the area. There is bottlestores in the neighboring towns/villages. These type of stores attracts the wrong kind of people, causes an influx of people sitting in front of the bottle store and other stores.

*TP. D. Theak  
(H. ud Stroop)*

FILE NO. <i>CT 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>02</i>
COLLABORATOR NO. <i>2034186</i>

19 APR 2024

129 | 242

**Loretta Gillion**

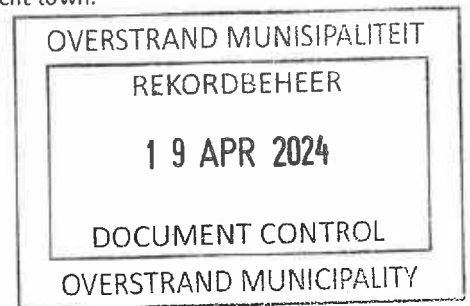
**From:** ..  
**Sent:** Thursday, 18 April 2024 17:15  
**To:** Loretta Gillion  
**Subject:** OBJECTION TO BOTTLE STORE IN BETTYS BAY AT THE HUB.

Dear Loretta,  
 Once again I must express my strong objection to a Bottle Store in Bettys Bay, namely at The Hub. Their sly way of trying to push the notice through is beyond annoying.  
 Herewith my objection

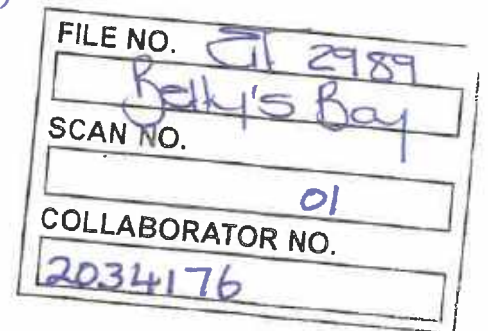
- I would like to lodge my very strong objection to opening or even having a Liquor Store in Bettys Bay.
1. We already have issues with regard to crime and to bring a Liquor Store into this Village will only make it a hundred times worse.
  2. Opening it on the main road is even more idiotic as this will result in people walking across the road drunk as it will attract . vagrants and loiterers, not to mention the increase in drunk driving incidents.
  3. We are no more that ten minutes away from a Liquor store in Pringle Bay and fifteen minutes in Kleinmond, anyone who cannot wait ten or fifteen minutes to get to a liquor store already has a problem
  4. With the high rate of unemployment and drug problems that exist why on EARTH would you want to make it easier and more accessible?????
  5. The initial fire in BB on New Year's Day was set off from the poorer area where liquor is already a factor and now you want to compound that.
  6. We are a World Heritage Biodiversity Area why can we not keep it clean, free from loiterers, trash and litter????
  7. There are MORE than enough establishments in BB which sell alcohol in any case.

PLASE, PLEASE, PLEASE don't allow this to happen and spoil the Village we have all chosen to live in because of the way it is. If we wanted bright lights, chain stores, bottle stores we would have bought property in a different town.  
 PLEASE LEAVE BETTYS BAY THE WAY IT IS.

Sincerely  
 SHARON GRANFORD  
 5978 GLADIOULOUS CRESCENT  
 BETTYS BAY  
 CEL.



*TP. N. Theak  
 (H. ud Stoop)*



130/242

**Loretta Gillion**

**From:**  
**Sent:** Thursday, 18 April 2024 17:23  
**To:** Loretta Gillion  
**Subject:** Application for Liquor Sales

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

No -

As Bettys Bay is long and narrow and the shopping area at the Hub very close together, any additional sales will make that area more dangerous.

The "wrong" element will also be entertained in this small unique village.

Mrs Y van Zyl  
4 Ferraria Road  
Bettys Bay

*TP. N. Theale  
(H. ud Stoop)*

Yahoo Mail: Search, organise, conquer

FILE NO. <i>2989</i>
<i>Bettys Bay</i>
SCAN NO. <i>22</i>
COLLABORATOR NO. <i>2034416</i>

19 APR 2024

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 17:23  
**To:** Loretta Gillion  
**Subject:** Bottle Store in Betty's Bay

I support this business to have a liquor store.  
Duncan Anderton  
4462 Lachenalia Road

TP - D. Heath  
(H. ud Sloep)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <u>CF 2989</u>
<u>Betty's Bay</u>
SCAN NO. <u>21</u>
COLLABORATOR NO. <u>2034412</u>

**Loretta Gillion**

132/242

**From:**  
**Sent:** Friday, 19 April 2024 09:23  
**To:** Loretta Gillion  
**Subject:** Bottle Store in Bettys Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Hi

I would just like to express my SUPPORT for a bottle store to open at the Hub in Bettys Bay. I see many complaints on local Whatsapp groups asking us to send objections to you about this business. But I am very happy for such a store to open in our village.

Thanks  
Gavin Stockden  
Myrica Rd, Bettys Bay

*T.P.N. Theaak  
(M. ud Stroep)*

FILE NO.	EF 2989
	Kelliesbaai
SCAN NO.	20
COLLABORATOR NO.	2034408

19 APR 2024

335  
TP. N. Theak  
(H. yd Steep)

133/242

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:** Thursday, 18 April 2024 22:14  
**Sent:** Loretta Gillion  
**To:** Mary Bateman  
**Cc:** Mary Bateman  
**Subject:** Objection to Application for Liquor Licence

Dear Loretta

**RE: APPLICATION FOR LIQUOR LICENCE FOR THIRSTY'S LIQUOR BOUTIQUE, ERF 2989 BETTYS BAY, SHOP 4, 205 CLARENCE DRIVE BETTYS BAY, SECTION 33(1)(C): A LICENSE FOR THE SALE OF LIQUOR FOR CONSUMPTION OFF THE PREMISES WHERE THE LIQUOR IS SOLD**

As concerned Betty's Bay property owners, we wish to lodge our objections to the application by the owner/s of Thirstys Liquor Boutique at THE HUB to obtain a licence to sell a range of liquor from their premises.

Firstly, it is by devious means that this has come about. What was to be a request for the sale of wine only from a boutique store, this has become a request for a full scale licence to have a bottle store.

Secondly, has a poll of the Bettys bay residents been undertaken? Is this supported by the majority? In a municipality committed to fairness and good governance, I would challenge the Overstrand Municipality to take a poll of ALL residents. This could be done through an addendum to the rates accounts which are circulated each month. It is of significant enough concern to warrant an in depth review. Certainly we have not come across anyone in support of the licence request and this leads us to believe that the wish of the MAJORITY of residents is being undermined by the OM. Please provide evidence to the contrary.

We strongly believe that the granting of this application will cause more unnecessary societal misdemeanours.

Please note our strong objection to this application. A liquor store is not wanted and not needed.

Kind regards

Eric and Mary Bateman  
 Trustees The ME Bateman Family Trust  
 Owner ERF 5156, Anglers Road, Betty's Bay

Postal address: 16 Park Road, Rondebosch, Cape

FILE NO. <i>of 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>19</i>
COLLABORATOR NO. <i>2034370</i>

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 20:13  
**To:** Loretta Gillion; Dean O'Neill; Tosca Korver  
**Subject:** OBJECTION THIRSTY'S LIQUOR BOUTIQUE

Dear Loretta,  
I initially raised objections to the above application. As I previously stated, my main objection was that once a licence was granted for a "wine boutique", the Applicants would want to apply for a Full Bottle Store, including the sale of spirits and beer. This has subsequently transpired, despite many objections from local residents and ratepayers of Betty's Bay.

To now want to apply for a full bottle store is both dishonest and not done in good faith.

My previous correspondence and original objections still apply.

Sincerely,

Lenore Watermeyer/  
BB Resident

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP. n. Theale  
(H. ud Skoop)

FILE NO.	CT 2989
	Betty's Bay
SCAN NO.	18
COLLABORATOR NO.	2034361

135/242

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 19:14  
**To:** Loretta Gillion  
**Subject:** The Bottlestore in BB

OVERSTRAND MUNISIPALITE
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Good evening

I would like to vote NOT to have a bottle store in Betty's.

It will start off as wine tasting and soon we will have the same as it is in Kleinmond close to all the bottle stores there, crime and drunk people in the streets.

A bottle store in BB is a corporate industry? We want the conservative bit to stay as it is to get out in nature and enjoy nature. Not a lot of drunk people every afternoon hanging around and course accidents to innocent people on the road.

My vote is NO for a bottle store in BB!!

Marina Snelling  
©

TP - D. Theaak  
(Vl. Ud Stoop)

FILE NO. CF-2989
Jettis Bay
SCAN NO. 17
COLLABORATOR NO. 2034357

136/242

**Loretta Gillion**

**From:** Thursday, 18 April 2024 18:50  
**Sent:** Loretta Gillion  
**To:** Bottle Store at The Hub  
**Subject:**

n>
OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Dear Loretta,

I reside at 4351 Arctopus Road in Betty's Bay and would like to raise an objection to the bottle store that is planned to be opened at The Hub.

I have no objection to the current Whine Shop as it is small boutique shop offering only wine to diners at Koring and Kaf. I do, however, object to the opening of a full bottle store with beer and spirits as this will attract an unsavoury element and could make The Hub unsafe for senior residents.

Please record this as an objection to the opening of a bottle store at The Hub shopping centre.

Regards,  
Steve Winters

*TP-N /healk  
(H. ud Stroep)*

Sent from my iPhone

FILE NO.	2989
	Betty's Bay
SCAN NO.	16
COLLABORATOR NO.	2034-356

19 APR 2024

**Loretta Gillion**

OVERSTRAND MUNISIPALITEIT
REKORDBEHERR
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:** -  
**Sent:** Thursday, 18 April 2024 18:41  
**To:** Loretta Gillion  
**Subject:** Bottle store

I am a permanent resident of Betty's Bay and am strongly opposed to the proposed bottle store at the Hub as it is totally against the nature of the biosphere we all are committed to and proud of. You will have to respect this fact and all the people of this quaint Village known for its plants and nature.

Plateau rd 2436 snd3437 BBay  
 Sent from my iPhone

Kind regards R. Kröger

*TP. D. Theak  
 (H. ud Stoop)*

FILE NO.	AF 2989
	Betty's Bay
SCAN NO.	15
COLLABORATOR NO.	2034354

19 APR 2024

Loretta Gillion  
OVERSTRAND MUNICIPALITEIT

From: REKORDBEHEER

Sent: 19 APR 2024

To: Thursday, 18 April 2024 18:04

Subject: DOCUMENT CONTROL BAY  
OVERSTRAND MUNICIPALITY

138/242

FILE NO. Erf 2989  
Betty's Bay

SCAN NO.

14

COLLABORATOR NO.  
2034350

We previously objected to the granting of a liquor licence to sell wine at Erf 2989 Betty's Bay, citing our concern that granting the licence would lead to a further application for a full liquor licence. This is now occurring and we strongly object to this application on the same grounds as before.

**RE: APPLICATION FOR LIQUOR LICENCE FOR THIRSTY'S LIQUOR BOUTIQUE, ERF 2989 BETTYS BAY, SHOP 4, 205 CLARENCE DRIVE BETTYS BAY, SECTION 33(1)(C): A LICENSE FOR THE SALE OF LIQUOR FOR CONSUMPTION OFF THE PREMISES WHERE THE LIQUOR IS SOLD**

Bettys Bay is a very special village on the fringe of the Kogelberg Biosphere. Most residents are drawn to the area because they love nature and prefer a quieter life to that in the city. We are residents at Erf 2463, 28 Anglers Road, Bettys Bay, splitting our time between our home here and our home in Cape Town. We have been coming to Bettys Bay for over 70 years and have certainly never felt the need for a liquor outlet in our town.

We feel that the nature of the area would be best maintained by keeping it 'alcohol-free'.

We object to the granting of a liquor license to the above-mentioned applicant for the following reasons:

1. There are liquor outlets within easy reach in Kleinmond and Pringle Bay so liquor sales in BB are not needed.
2. The premises applying for a license are very near the Catholic church so this is not an appropriate position. The National Liquor Policy of 2016, which was signed off by the president recommends that no liquor outlet be within 500m of a religious institution. While this policy is not yet a law, it is a recommendation, and we feel this should be applied.
3. The road outside the premises is busy with limited parking and there is potential for accidents, particularly pedestrian accidents, if a liquor store is opened.
4. While the establishment previously applied for a license to sell wine only, this has led to a further application for a full liquor license and this would have a deleterious effect on the surrounding area. Granting of a license would also set a precedent and make it easier for others to apply for an off-consumption liquor license.
5. Crime in Bettys Bay is likely to increase if liquor becomes freely available. Already, many of the crimes reported in the area are related to the misuse of alcohol and this is likely to increase if alcohol becomes more easily available. This is likely to lead to increased security risks to the surrounding residential areas, as easy liquor availability often leads to increased alcohol problems, particularly among the unemployed in the community and this in turn is likely to lead to increased petty crime, alcohol-related harms, an impact on physical and mental health, violence and anti-social behaviour.

We trust that our objection will be favourably received and that this license will be denied.

Yours faithfully

PROF S W AND DR H A MOORE (ID  
ERF 2463, 28 ANGLERS ROAD, BETTYS BAY  
MOBILE NUMBERS:  
Email:

**Loretta Gillion**

OVERSTRAND MUNISIPALITET
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**From:**  
**Sent:** Thursday, 18 April 2024 18:07  
**To:** Loretta Gillion  
**Subject:** Support for the bottle store in Betty's bay

Evening ,

I would like to add my vote for the support of the wine store at the Hub in Betty's bay. As a younger member of the community who has chosen this area as a home and to raise a firmly I have zero objections to having this store in our area as I feel it will add value as a point to promote all the amazing producers , not just wine makers but also craft drinks like beers and spirits, that are locally produced. In this economy and with how hard producers and craftsmen and women have to work to keep their business afloat we should be doing all we can to support them if we so choose. It also is a wonderful way to promote our local beverages to the ever increasing passing tourist trade. I don't see how vagrancy and mismanagement of this will come about with the shop located at the hub - it is a very beautiful space, and adds a lot of value.

Regards.

L. Schonk.

TP. n. Theal  
 (H. ud Stoop)

FILE NO.	SF 2989
	Betty's Bay
SCAN NO.	13
COLLABORATOR NO.	2034347

**Loretta Gillion**

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**From:**  
**Sent:** Friday, 19 April 2024 13:18  
**To:** Loretta Gillion  
**Subject:** Re: Objection to bottle store opening in the Overstrand

Dear Loretta,

It recently came to my attention that an application is in process for the establishment of a new bottle store in the Overstrand area, at The Hub in Betty's Bay.

Opening a bottle store in a village within a biosphere reserve could be detrimental for several reasons.

It may encourage increased alcohol consumption, leading to negative social and environmental impacts such as road accidents, littering, noise pollution, and disturbances to wildlife. Additionally, it may conflict with the goals of preserving the natural environment and promoting sustainable development within the biosphere reserve.

Besides the negative effects easy access to alcohol has on society, the direct impact on the environment is also significant. A drive through Pringle Bay and particularly down Hangklip Road from the R44 towards Sea Farm will reveal just how much alcohol is being consumed in the area and shockingly by drivers who throw their empty bottles out of their cars into our environment. The recent fires revealed just how many bottles are strewn across the area, and how much broken glass is scattered along our roads and even along the shoreline.

The Kogelberg Biosphere is unique and should be protected, and as such we should give careful consideration to what type of business activity is to be conducted in the area that will support a culture of responsibility and respect for the environment, and not focus only on the quick buck to be made.

I therefore strongly oppose this idea.

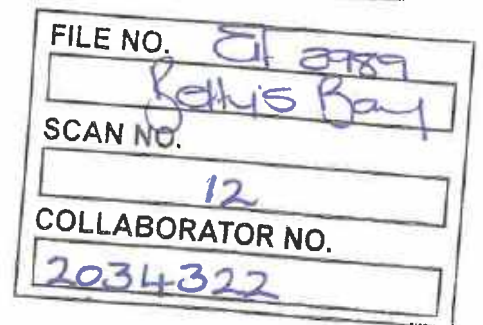
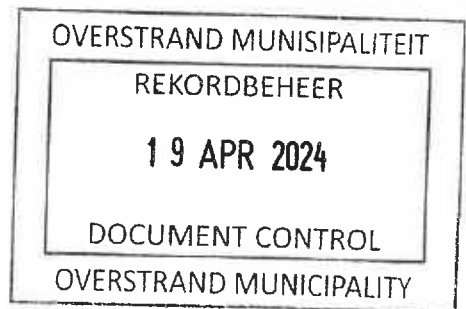
Thank you for taking the time to hear my voice.

Yours Sincerely,

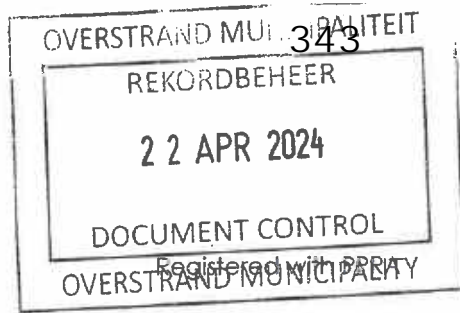
Nicolette Maritz  
Pringle Bay Resident

[Sent from Yahoo Mail for iPhone](#)

*TP - N. / the oak  
(H. ud Skoop)*



19 APR 2024



141/242

ERA Betty's Bay Estates

2816 Clarence Drive Betty's Bay

Telephone: +27 (0)28 272 9112 +27 (0)83 268 9762

E-mail: marietjiejacobs@vodamail.co.za

TP-N. Aheal  
(H. Ud Skoop)

18 April 2024

FILE NO.	2989
	Betty's Bay ✓
SCAN NO.	Jacobs
COLLABORATOR NO.	2034739

Overstrand Municipality

**ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY**  
**APPLICATION FOR CONSENT USE : WRAP PROJECT OFFICE ON BEHALF OF THE**  
**HUB BETTYS BAY (PTD) LTD**

I, Christina Maria Jacobs, ID 580919 0022 086, is the owner of the ERA Estate Agency in the Penguin Place building. We are on the opposite side of Clarence Drive of the HUB Bettys Bay.

I am also a residence in the Jock's Bay area. I am the owner of 2942 High Level Road, Betty's Bay approx. 500m from the HUB Bettys Bay.

We opposed the application in the first place because we were **worried** that they are going to apply for a full liquor license. They assured us that it is only for a wine boutique.

At our office at the Penguin Place we have enough problems with some people that walk around and give us problems, as well as the high speed people speeding through Betty's Bay.

**CATHOLIC CHURCH**

The Catholic Church is approx. 150m away for the HUB Bettys Bay. The activities within this premises and the noise and entertainment are going to interfere with the activities of the church (Saturday evenings)

**YOUTH CAMP AT DISA KLOOF**

There is a youth camp at Disa Kloof, approx. 500m for the HUB Bettys Bay where they accommodate school tours. The children come to the shop and walk around. Easy for them to go into the HUB Bettys Bay to buy some liquor. Under-age persons have easy access to liquor.

**SPEED ON CLARENCE DRIVE**

The speed on Clarence Drive is too high. With the amount of people crossing the road is VERY dangerous! There is no control or any other way to control the speed. The camaras that is up at the Botanical Gardens are **NOT** working. The drivers reduce some speed, if they reduce speed, and when they pass the camaras they speed up again.

19 APR 2024

### **PICNIC SPOT NEXT TO PENGUIN PLACE**

We have a picnic spot next to the Penguin Place building. As it is now, the people already buy some boutique wines, come and drink it at the picnic spot and just leave the bottles on the tables and walk away. There is a bin next to the picnic spot, but they don't remove their bottles. If there is any other liquor, more people are going to use this picnic spot and it will get more noisy and dangerous.

### **JOCK'S BAY RESIDENTIAL AREA**

This premises is situated within the Jocky's Bay residential area. We stay and work in Betty's Bay because of the character, safe and quiet nature of the area. We don't want this to change. Liquor changes everything.

### **LIQUOR SHOPS IN KLEINMOND AND PRINGLE BAY**

There are quite a few liquor shops in Kleinmond and Pringle Bay, and we don't need any liquor shops in Betty's Bay. This will draw vagrants, loitering in and around the area. The people in Betty's Bay must drive to Kleinmond or Hermanus or Somerset West or wherever to buy their food and groceries because here is not a place to buy groceries in Betty's Bay. Then they can buy the liquor in the big places where liquor stores are.

### **PARKING ON CLARENCE DRIVE**

There are NOT enough parking for all the visitors to the HUB! The visitors from other places that pass in Betty's Bay are not aware of the parking at the back of the HUB. They park in front of the HUB on the yellow lines, which make it very dangerous. With all the parking, the more people crossing the road, and the high speed makes this a very dangerous spot.

If you stop at the back of the HUB Bettys Bay, there is NO stop sign when leaving the HUB where that road comes into Straight Street. The people just don't stop there and look for oncoming traffic. Very dangerous!

Because the visitors are parking on the yellow lines the income of Straight Street into Clarence Drive is very dangerous. Even if you stop at the stop sign, you cannot see any traffic coming from the Kleinmond side, especially when the speed is high.

### **NOT SELLING BEER IN SINGLE UNITS**

How are they going to control not selling single units or even mass? How are they going to control attracting wrong elements to the Jock's Bay area?

143/242

**PROPERTY OWNERS ARE RESIDENTS OF BETTY'S BAY???**

In the motivation the owners said they are going to move to Bettys' Bay if this application is approved and then they said he is a resident of Betty's Bay.

4.1 Motivation – If the application is approved, the prospective business owner has indicated that he will move to Betty's Bay to operate and manage the business.

**Impact on views, sunlight and character of the area (Page 5)**

The establishment will be well managed, and the property owners are residents of Betty's Bay with a vision to uplift the area. You cannot uplift an area with a bottlestore of liquor store!! A liquor store has a negative influence on a area. There is always people that takes advantage of liquor.

**ECONOMIC IMPACT??**

Creating job opportunities for a liquor store? How many job opportunities can be created or this size, 37,5m<sup>2</sup> of liquor store?

**CONCLUTION**

- The proposal will have an impact on the environmentally sensitive area of biodiversity rich area – Kogelberg Biosphere Reserve
- There will be an impact on our community, our character and sensitivity in Betty's Bay
- There is not sufficient parking and access to the property – There is an impact on the busier Clarence Drive.
- What guarantee is there that there will only be a bespoke selection of beer and spirits? From no beer and spirits only boutique wines? What will be next?

**WE DO NOT WANT A LIQUOR STORE/BOTTLE STORE IN BETTY'S BAY!!**

Signed at Betty's Bay on the 19<sup>th</sup> April 2024



CM Jacobs

**Loretta Gillion**

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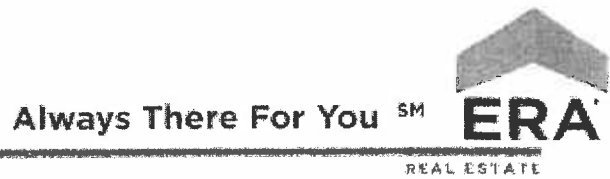
**From:** marietjiejacobs@vodamail.co.za  
**Sent:** Friday, 19 April 2024 15:09  
**To:** Loretta Gillion  
**Cc:** Dean O'Neill; akorver@gov.za  
**Subject:** Objection against Liquor store  
**Attachments:** Objection against liquor store.doc

Good day,

Attach my objection against liquor store.

Kind regards

**MARIETJIE JACOBS**  
Principal Property Professional  
Registered with PPRA - FFC No: 1125632



**E:** marietjiejacobs@vodamail.co.za  
**C:**  
**T:** **F:**  
[www.era.co.za](http://www.era.co.za)

**ERA BETTY'S BAY**

Each office is independently owned and operated

347

TP. N. Theak (H. ud Sloep)

145/242

Loretta Gillion

From: OVERSTRAND MUNISIPA  
 Sent: REKORDBEHEER Thursday, 18 April 2024 16:55  
 To: Loretta Gillion  
 Subject: 19 APR 2024 OBJECTIONS TO BOTTLE STORE (LIQUOR STORE)  
 DOCUMENT CONTROL  
 OVERSTRAND MUNICIPALITY

FILE NO. OT 2989  
Betty's Bay ✓  
 SCAN NO.  
Gericke  
 COLLABORATOR NO.  
2034060

Please find below our objection letter regarding the application for a new liquor license at Erf 2989, Betty's Bay, 25 Clarence Drive, Betty's Bay.

We are citing a recent study conducted by the Research Unit on the Economics of Excisable Products at the University of Cape Town to reinforce our objection in the strongest possible terms.

"South Africans are among the heaviest drinkers in the world. The country has the highest per capita rate of alcohol consumption in Africa. Excessive drinking is especially widespread in the Western Cape. Research estimates that per capita alcohol consumption in the province is between 30% and 40% higher than the national consumption."

Moreover, the Western Cape government has expressed a clear commitment to protecting health in the Alcohol Harms Reduction White Paper. Introducing uniform trading-time restrictions for onsite retailers of alcohol is a good initiative. A comprehensive policy framework that targets alcohol consumption at an individual and societal level will be required to combat alcohol-related illness and death, and the adverse health, economic, and social consequences.

The Government of the Western Cape supports the limiting of alcohol distribution. It is committed to intervening with policies geared towards reducing alcohol consumption and its associated harms.

According to the Provincial Government it is imperative to apply evidence-based policies to reduce alcohol consumption to mitigate alcohol-related harms and deaths.

In our initial objection to a liquor store at The Hub, the application was explicitly advertised to be applying to 'a boutique wine store.' However, it was deceptive when they later applied for a full-scale liquor store after opening the boutique wine shop. This change was not acceptable, especially considering its proximity to the church and a youth camp.

We urge you to seriously consider this objection in the interest of all Betty's Bay residents.

We live about 500 metres away from the Hub where this application was made. Our address is: 2948 High level Road, Betty's Bay, 7141.

For further information on all our concerns refer to a summary of our initial objection in the attached document or contact us directly.

Kind regards,

Johan & Rhona Gericke

19 APR 2024



**Business & Marketing Consultant**

Cell: +27

348

146/242

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**Loretta Gillion**

**From:** Thursday, 18 April 2024 18:24  
**Sent:** Loretta Gillion  
**To:** Sam & Ann Moore; bettysbayratepayers@gmail.com  
**CC:** OVERSTRAND MUNICIPALITY  
**Subject:** RE: OBJECTION TO LIQUOR LICENCE FOR THE BOTTLE STORE AT THE HUB, BETTY'S BAY

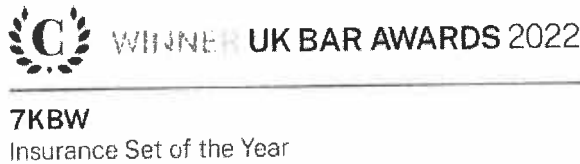
TP - N. Aheak  
(H. ud Steep)

May I support all that is said in the below objection.  
 I have been spending time in Betty's Bay each year since 1956.  
 The licence is objected to by the majority of the population. Please deny it.  
 Stephen Hofmeyr (and family)  
 34 Angler's Road  
 150 Clarence Drive  
 152 Clarence Drive  
 154 Clarence Drive

FILE NO. Erf 2989
Betty's Bay
SCAN NO. Hofmeyr
COLLABORATOR NO. 2034065

Stephen Hofmeyr KC  
Barrister

*Shipping Silk of the Year Chambers UK Bar Awards 2021*



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Unless otherwise agreed in writing, all instructions accepted by Members of 7 King's Bench Walk are accepted on the Standard Contractual Terms for the Supply of Legal Services by Barristers to Authorised Persons 2012 (as updated in 2018), a copy of which can be downloaded [here](#). The information in this email is confidential and may be legally privileged. It is intended only for the named addressee. If you are not the named addressee, please notify us immediately and delete the message. Please do not copy the message or disclose it to any person. Thank you for your co-operation.

**From:** :  
**Sent:** Thursday, April 18, 2024 5:04 PM  
**To:** loretta@overstrand.gov.za; Bettysbay Ratepayers <bettysbayratepayers@gmail.com>  
**Subject:** OBJECTION TO LIQUOR LICENCE FOR THE BOTTLE STORE AT THE HUB, BETTY'S BAY

We previously objected to the granting of a liquor licence to sell wine at Erf 2989 Betty's Bay, citing our concern that granting the licence would lead to a further application for a full liquor licence. This is now occurring and we strongly object to this application on the same grounds as before.

**RE: APPLICATION FOR LIQUOR LICENCE FOR THIRSTY'S LIQUOR BOUTIQUE, ERF 2989 BETTYS BAY, SHOP 4, 205 CLARENCE DRIVE BETTYS BAY, SECTION 33(1)(C): A LICENSE FOR THE SALE OF LIQUOR FOR CONSUMPTION OFF THE PREMISES WHERE THE LIQUOR IS SOLD**

Bettys Bay is a very special village on the fringe of the Kogelberg Biosphere. Most residents are drawn to the area because they love nature and prefer a quieter life to that in the city. We are residents at Erf 2463, 28 Anglers Road, Bettys Bay, splitting our time between our home here and our home in Cape Town. We have been coming to Bettys Bay for over 70 years and have certainly never felt the need for a liquor outlet in our town.

We feel that the nature of the area would be best maintained by keeping it 'alcohol-free'.

We object to the granting of a liquor license to the above-mentioned applicant for the following reasons:

1. There are liquor outlets within easy reach in Kleinmond and Pringle Bay so liquor sales in BB are not needed.
2. The premises applying for a license are very near the Catholic church so this is not an appropriate position. The National Liquor Policy of 2016, which was signed off by the president recommends that no liquor outlet be within 500m of a religious institution. While this policy is not yet a law, it is a recommendation, and we feel this should be applied.
3. The road outside the premises is busy with limited parking and there is potential for accidents, particularly pedestrian accidents, if a liquor store is opened.
4. While the establishment previously applied for a license to sell wine only, this has led to a further application for a full liquor license and this would have a deleterious effect on the surrounding area. Granting of a license would also set a precedent and make it easier for others to apply for an off-consumption liquor license.
5. Crime in Bettys Bay is likely to increase if liquor becomes freely available. Already, many of the crimes reported in the area are related to the misuse of alcohol and this is likely to increase if alcohol becomes more easily available. This is likely to lead to increased security risks to the surrounding residential areas, as easy liquor availability often leads to increased alcohol problems, particularly among the unemployed in the community and this in turn is likely to lead to increased petty crime, alcohol-related harms, an impact on physical and mental health, violence and anti-social behaviour.

We trust that our objection will be favourably received and that this license will be denied.

Yours faithfully

PROF S W AND DR H A MOORE (ID  
ERF 2463, 28 ANGLERS ROAD, BETTYS BAY  
MOBILE NUMBERS:  
Email:

149/242

OVERSTRAND MUNISIPALITEIT
Loretta Gillion
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

From: Thursday, 18 April 2024 20:23  
 Sent: Dean O'Neill; Loretta Gillion  
 To: Tosca Korver  
 Cc: Objections to a Bottle Store in BB  
 Subject:

FILE NO.	AF 2989
	Betty's Bay ✓
SCAN NO.	Stefne
COLLABORATOR NO.	2034088

Good day!

My objections to a bottle store for Betty's Bay

1. The nature conscious residents of Betty's Bay - a part of the important Kogelberg Biosphere Reserve - have always voted against a liquor license in our town. It is therefore highly unsettling to receive an email in which Theresa Els as councilor of Ward 10 sent a recommendation and approval letter to support the liquor license application to the HUB - despite the fact that it is in direct opposition and in total disregard for the wishes of the majority of BB's residents!! It seems like she is misusing her political position to have her vote count more than that of an ordinary resident and creating a perception that that is the stance of Ward 10. In my opinion a very underhanded way to sail past all the objections! I don't think it was appropriate for a politician to weigh in on this matter!! And unethical of the applicant to still push forward with this (despite the opposition) to create an illusion that WARD 10 approves it! (It is also interesting that those who are for the "nice upmarket wine store" do not live in Jock's Bay vicinity!!!).
2. Originally the application stated that they are not near to a church because it burnt down; now (because they are near to a church) they post a photo of the rebuilt church to convey what? That it is not a huge impressive church, but a small church and therefore not so important to consider?
3. The access entry from Twist street into Clarence is quite difficult: on the right there is a curve in the road and huge trees which hamper visibility, and on the left cars parked in front of the businesses on both sides of the road makes it also difficult to see oncoming traffic. That's why we personally don't use that access road. There are already many accidents in that area, and it is easy to gather that more traffic from that access road can potentially aggravate the problem - not even taking the church traffic into consideration.
4. It is really unrealistic to assume that the owner will not push later to "broaden" the license (especially if considering the way he wanted to get around the residents' disapproval by obtaining a letter from the councilor)! I think it is safe to assume that a liquor store gives higher income per square meter - and money talks!! Therefore it's not about the welfare of the community or supplying a service to the community, but sadly solely a money spinner for the owner!!!
5. It is not realistic to assume that a liquor store will not attract more less desirable clientele - I have read so many articles in the past how bar owners in Europe try to discourage people from loitering outside bars - even with classical music!! What traditionally happens is that people usually beg and hang around in the vicinity (not in front of the bar because they usually have "bouncers") - now it becomes the other businesses' problem or at the very least a nuisance to the public.

There are many bottle stores in our neighboring towns and a liquor store in Betty's Bay is not something that we want or need!

6. Above my objections in 2023. What really irks me is that the response which we received back to notify us that they approved the upmarket wine license, said that all our objections were based on speculations and

19 APR 2024

not facts!!!! And now not only months later is this new rezoning application for a full bottle store! (So much for our unvalid, erroneous speculations!!!)

7. And still our counsellor distracts us from the issue and blurs the understanding (see below!). Really unacceptable!!

My partner posted about the new notice at the Hub on the Facebook Betty;s Bay group. Please response from Teresa Els, which effectively stopped further comments. Seems from the investigation, she is intentionally misleading people.

### Mark Gamble

· Hi to all.

A couple of months ago the owners of 'The Hub' got approval for their application to operate a wine boutique. This application was opposed by many residents for various reasons. On approval we were assured that this was only for the sale of wine and that it would not be converted to a full liquor license.

A notification to apply for a license to operate a bottle store was on display at The Hub this morning. (Picture below). If there are residents who are opposed to this license can they please submit objections to [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za) by the 19th April.

Reasons for the objection have included: negatively affects our protected biosphere; increased crime and vagrancy; increased noise and traffic; within 500m of Catholic and Anglican Church; need to protect our village community atmosphere; not needed as a TOPS license has been granted at the Centre Shop zone; restricted licence for exclusive upmarket wines “ approved; to now want a bottle store is highly dishonest and flies in the face of any good faith and former promises.

Thanks

### Theresa Els

This is not a new application for a bottle store, but it is part of the original application.

The Liquor Board approved the application, but the owners also had to apply for CONSENT USE in terms of the Zoning from OM.

It was approved, but it was suggested to advertise in the newspapers as well.

They will still operate a BOUTIQUE LIQUOR OUTLET.

This application is not to change their current operations, BUT only consent use.

Application is at the Bettys Bay Library to view if you want to check.



**HANDEVAT  
MUSIC**

**HANDEVAT  
MARIMBAS**

Vriendelike groete  
Kind regards  
Stefné van Dyk

Loretta Gillion

**From:** Loretta Gillion  
**Sent:** Thursday, 18 April 2024 20:47  
**To:** Loretta Gillion  
**Subject:** Erf 2989 Clarencerylaan 205 Betty's Bay: Aansoek om vergunningsgebruik: WRAP project office namens THE HUB Betty's Bay (Pty) Ltd

Goeie dag,

My besware vir bogenoemde vergunningsgebruik, vir 'n drankwinkel of bottelstoor, is soortgelyk aan my besware hieronder, vir die destydse aansoek van die wynwinkel.

Vervang dus wynwinkel met drankwinkel.

Soos in my brief vermeld was die aansoek vir wynwinkel die eerste stap voor aan beweeg na aansoek vir drankwinkel.

Naam van beswaarmaker: M.M.Muller

Adres: Erf 2774 Betty's Bay, Pos Adres: 241 Nicolsonstraat, Brooklyn, Pretoria, 0181

Cell:

E-pos adres:

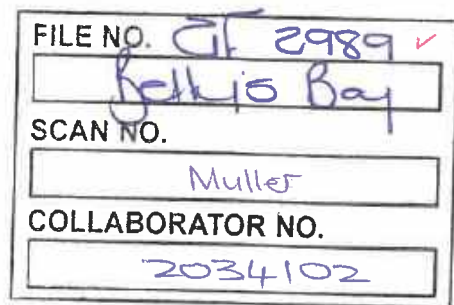
Belang in die aansoek: Besorgde inwoner van Betty's Bay.

Redes vir die kommentaar: sien besware in my vorige brief.

Stuur asb. 'n e-pos terug as erkenning van ontvangs van hierdie skrywe.

Groete,

M.M.Muller



TP. N. Theak  
(H. ud Skoop)

**From:** !  
**Sent:** Friday, August 26, 2022 9:29 PM  
**To:** Liquor\_Enquiries <[Liquor\\_Enquiries@wca.gov.za](mailto:Liquor_Enquiries@wca.gov.za)>; [kleinmond@sps/2500002120](mailto:kleinmond@sps/2500002120)  
**Subject:** Objection to a new liquor licence on Erf 2989, Clarence Drive, Betty's Bay

To: THE DESIGNATED LIQUOR OFFICER AT KLEINMOND POLICE STATION

and THE WESTERN CAPE LIQUOR AUTHORITY

Name of objector: MM Muller,

Address: Erf 2774 Betty's Bay, Postal Address: 241 Nicolson Street, Brooklyn, Pretoria, 0181

Cell:

Email address: [

#### REASONS FOR OBJECTION:

The location of the proposed wine shop for consumption off the premises is not ideal on the main road through Betty's Bay, with the entrance on Twist Street. There is a curve in Clarence Drive at the Twist Street junction causing a lack of visibility that is life threatening to motorists and pedestrians.

Add to above mentioned, the speed limit is 80 km/hour adds to the danger of motorists and pedestrians.

It would not be a good idea to attract more traffic with the proposed wine shop.

The building is planned for 7 shops and 2 flats on the first floor and only 14 parking bays are provided which are many to few for the customers and flatdwellers. Parking bays on both sides of Clarence drive, at Penguin Place, are already causing a great safety risk. Parking space in the small parking space at the Glass shop and restaurant on Clarence Drive is already very limited.

The granting of the licence would not be in the public interest. A wine shop will attract unnecessary more people including the possibility of unwanted people loitering around in the area, increasing the possibility of crime, compromising safety and causing the distress of residents. Thus the public would be better served if the new liquor licence is NOT granted.

The inhabitants of the area and visitors want to be in Betty's Bay because many are attracted to the very special Kogelberg Biosphere reserve area. They are travelling for groceries, other necessities to neighbouring towns. Wine shopping is done simultaneously.

Granting this wine licence will not add to employment opportunities as only two people will be employed in the wine shop.

The premises of the proposed wine shop is located within 180m from the rebuilt Catholic Church of our Lady of Montserrat, creating potential noise disturbance, The green area behind Jock's Bay beach is 300m away, where glass debris could cause great harm to people and wildlife.

\*\*\*"Granting this licence would create the way forward to the establishment of a bottle store. \*\*\*

#### CONCLUSION

Granting this liquor licence will be very undesirable and unfavourable to the inhabitants, nature lovers, nature and wildlife of Betty's Bay.

KINDLY SEND ACKNOWLEDGEMENT OF THIS EMAIL



2960 Mountain Road

Betty's Bay

18 April 2024

To whom it may concern:

**Re: Objection to application for consent use to accommodate a bottle store on Erf 2989, 205 Carence Drive Betty's Bay.**

I am disturbed to found out that there is a proposal to open a bottle store in Betty's Bay on Clarence Drive.

I have small children who have been able to play safely in the area and walk with me to the Penguin Place. The location of a bottle store in this vicinity will threaten the peace and safety of Betty's Bay, as well as increase the number of people hanging around the shops on Clarence Drive. It also poses a higher threat of car accidents in the area, especially along Clarence Drive.

There is no need for a further bottle store in Betty's Bay as all that is required can be found in Kleinmond, as well as at the Tops liquor store planned for nearby the Caltex garage.

Please would you consider the objections received and rethink this proposal for the sake of the local community.

Your sincerely

*B. Venkatasami*

Bronwen Venkatasami

FILE NO.	2989
	Betty's Bay
SCAN NO.	
	Bronwen
COLLABORATOR NO.	
	2034116

TP. n. Theart  
(H. ud Skoop)

**Loretta Gillion**

---

**From:**  
**Sent:** Thursday, 18 April 2024 21:52  
**To:** Loretta Gillion  
**Subject:** objection to bottle store on Clarence Drive, Betty's Bay  
**Attachments:** Objection to bottle store in Betty's Bay.pdf

Good evening

Please find my letter of objection attached.

Kind regards  
Bronwen

19 APR 2024

OVERSTRAND MUNICIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

**Loretta Gillion**

**From:** Friday, 19 April 2024 01:03  
**Sent:** Loretta Gillion  
**To:** Dean O'Neill; Tosca Korver  
**Cc:** OBJECTIONS TO BOTTLE STORE AT ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY  
**Subject:**

*TP. N. Aheak  
(H. ud Stoop)*

FILE NO. <i>AT 2989</i>
<i>Betty's Bay</i> ✓
SCAN NO. <i>Jay</i>
COLLABORATOR NO. <i>2034125</i>

Dear Loretta,

re. OBJECTION TO BOTTLE STORE Erf 2989, Clarence Drive, Betty's Bay, on behalf of

Thank you for allowing me to register here again my strong objection to the granting of a liquor license for a bottle store in the HUB precinct of Betty's Bay

My prior objection recorded among many others (on 22 September 2022) was based on the following:

1. We have little need or call for a liquor outlet in this location. This has long been a quiet residential area where the majority of residents prefer to access wine and other liquor elsewhere.
2. This fails to recognize priorities of need, particularly of the less mobile, elderly or otherwise disadvantaged residents of our community, with whom vested commercial interests tend to trump majority care requirements (as in the call e.g. for a local pharmacy, police station or transport service) . -The granting of a liquor license here sends entirely the wrong message.
3. Local (easier) access to liquor encourages alcohol dependency, domestic abuse and vagrancy in those susceptible (already a problem in more indigent sectors of our community). This is well documented.
4. Regardless of parking provisions to its rear, the location of the Hub presents serious safety concerns for parking and traffic flow in this commercially dense area of Clarence Drive, with no traffic lights, no slowing device, crosswalk or policing of the 80km speed limit where approaching visibility is poor and accidents occur regularly. To introduce a liquor outlet of any sort is asking for trouble.
5. The hub is located well within 500 meters of the Catholic church in Twist St, which currently serves also the Anglican congregation. Legally I believe this prohibits a liquor outlet in this vicinity.
6. The Harold Porter Gardens, Jocks Bay itself and nearby coffee houses attract young families for some of whom the proximity of a liquor outlet is likely to be off-putting.

Despite these and many other registered objections, the liquor licensing tribunal saw fit to grant a conditional approval on 31 October 2023 for a limited liquor license, having dismissed our objections as "relying heavily on speculation and lacking any factual basis".

Given the following, how can such objections be regarded as speculative or non-factual?

- Beyond commercial interests there is still no need, especially as a Tops Liquor outlet is currently being planned for the central precinct of Betty's Bay.
- The priority of need for improved health access and safety above liquor availability within our community cannot be denied.

- We have all observed the consequences of vagrancy and anti-social behavior associated with drunkenness here and elsewhere, even prior to the granting of this application. -Especially in the vicinity of liquor outlets (witness the riotous invasion of the Tops liquor store in Kleinmond in late 2022 and an unprovoked violent attack close to the Hub on an innocent visitor by a drunken vagrant not long before.)
- The traffic safety issues of access with several accidents observed in this commercial node cannot be regarded as speculative, and parking is limited. Despite appeals, traffic speed has not been addressed nor policed and further accidents will inevitably occur as congestion around the Hub continues to increase.
- The proximity of the Catholic church cannot be disputed. (Following the fire, the rebuilt chapel was consecrated early in 2022).

A liquor license was granted on 5 January 2024 and shortly after Thirsty's Liquor Boutique opened for business.

In answer to our concerns, we were previously reassured that this would be a restricted "up-market" boutique wine outlet strictly for off-site consumption.

*-Refer: Correspondence from Cameron Isaacs, Inspector Compliance and Enforcement, Western Cape Liquor Authority on 14 Dec 2022 to the Deputy Presiding Officer of the Liquor Licensing Tribunal where he noted that the applicant "is only planning to sell high end wines, which will exclude papsak and other low end products", that "all sales will be for off- site consumption only and no liquor will be consumed on the premises". He saw no objection on this basis against granting the application, provided proper training were to be provided to the license holder with regular inspections by the Inspectorate to ensure that the conditions of this license were met.*

This has patently proven not to be the case, wine tasting events since having repeatedly been advertised on the premises, with reports of consumption of wine observed at such events drawing crowds and creating congestion for traffic and obstruction to other tenant access in the precinct. We learn that similar promotional events are planned and a future gin bar is also proposed for the Hub.

We have been reliably informed (via the Overstrand Municipality) that the license has recently been sold to a new party and the present operator now seeks additional consent for an unrestricted license to include beer and spirits. – A very different story.

Communication however continues to be murky and conflicting, with insistence, for instance (in writing) from our Ward 10 counsellor, Theresa Els, that the consent presently sought is simply a confirmation of the previous application for nothing more than a boutique wine outlet.

Understandably what has been observed and reported has generated a disturbing level of distrust, reflecting as it does a blatant disregard for the sentiments of local and other residents who wish to preserve here a wholesome village community atmosphere where integrity counts. It would appear that there has been duplicity in dealings by the original applicant who, while pursuing the original restricted application for a boutique up-market wine outlet, (consumption strictly off premises) at the same time planned for on-site wine tasting and expansion to include beer, spirits and gin, anticipating that restrictions would either not be enforced or cease to apply. If this were to be allowed it will be perceived as a betrayal.

As a permanent resident (retired medical practitioner) of Jock's Bay, and for many prior years a visitor, I recognize that change and commercial development is inevitable. But please can our municipal officers and licensing authorities look into this further, with due consideration to the bigger picture, to the sentiments and future of our community, and be transparent and consistent in dealing with this matter?

With kind regards,

Joy Rourke  
(Erf 5124, Betty's Bay)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
19 APR 2024
DOCUMENT CONTROL
2085 BETTYS BAY MUNICIPALITY

**Loretta Gillion**

**From:** Loretta Gillion  
**Sent:** Thursday, 18 April 2024 15:32  
**To:** Greta Kuhn  
**Subject:** RE: Application - Wine shop - Betty's Bay - ERF 2085 BETTYS BAY

Dear Ms Kuhn

*TP. N. / heart  
(H. ud Skoop)*

Below please find an extract for your attention:

FILE NO. <i>AF 2989</i>
<i>Betty's Bay</i>
SCAN NO. <i>Greta</i>
COLLABORATOR NO. <i>2034163</i>

**51. Requirements for petitions**

(1) Comments in respect of an application submitted by the public in the form of a petition must clearly state—

26

- (a)
  - (i) the full name, surname, national identity number and physical address of each signatory;
  - (ii) the full name, surname, postal address, telephone number, email and facsimile of no more than two specified persons to whom further communication relating to the application may be directed; provided that where such information is not made available, the Municipality shall direct further communication only to the first person who signed such petition and whose address is known; and only the first objector will be recorded as the legal objector; and
  - (iii) each page of a petition containing the signature of a petitioner shall contain at least a summary of the objection.
  - (iv) the interest of the body or person in the application;
  - (v) an affidavit stating that he or she is not colluding with any applicant, objector or appellant and is willing to act in regard to the application or appeal as the Municipality may direct.
- (b) The reasons for the petition must be set out in sufficient detail —
  - (i) the facts and circumstances which explain the comments contained within the petition;
  - (ii) the undesirable effect which the application will have on the area and/or demonstrate that she or he will be adversely affected by the decision;
  - (iii) any aspect of the application which is not considered consistent with applicable policy.

(2) Any written notification by the Municipality to petitioners shall be regarded as sufficient if such notification is sent to the persons contemplated in 50 (1)(f) and 51 (1)(a)(ii).

(3) A petition that does not comply with the above requirements, will not be considered and processed as a valid petition and will not be regarded as an objection.

Regards

19 APR 2024

**Loretta Gillion**

Administrator : Town &amp; Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)**From:** –**Sent:** Thursday, April 18, 2024 3:01 PM**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>**Subject:** Re: Application - Wine shop - Betty's Bay - ERF 2989 BETTY'S BAY

Dear Loretta

I am terribly sorry to trouble you again but I cannot open the link. Could you possibly resend it please/

Kind regards

On Thu, Apr 18, 2024 at 2:48 PM Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Ms Kuhn

Your email below refers.

Kindly note a petition list to show **SUPPORT** to the proposal may be submitted. Oral representations at the Municipal Planning Tribunal are not allowed – only written representations.

Follow the link to Section 52 of the By-Law stipulating the requirements for petitions:

<https://www.overstrand.gov.za/document/town-spatial-planning/by-laws/overstrand-municipality-amendment-by-law-on-municipal-land-use-planning-2020/01-overstrand-municipality-amendment-by-law-on-municipal-land-use-planning-2020/>The reasons for your **SUPPORT** should be set out (*same as in the case of objections*).

Hope you find the above in order.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

**Overstrand Municipality**

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**

**Sent:** Thursday, April 18, 2024 12:41 PM

**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>

**Subject:** Application - Wine shop - Betty's Bay

Good afternoon Loretta

I understand that there have been over 50 objections to the application of The Whine Shop here in Betty's Bay and that there has to be public participation meeting to address the objections.

As an owner of property and rate payer of Betty's Bay, I would like to know where the ratepayers that are in favour of the outlet and economic progress in our town, can make our voices known in support of the application? Do we hand in a signed petition or will we be allowed to be at the meeting to argue our support?

I honestly feel that if the objectors can be heard, the supporters have the same right!

Your assistance will be appreciated.

Kind regards

Greta Kuhn

Mobile 0027



## Overstrand Municipality

**A:** 1 Magnolia Street,  
Hermanus, 7200

**P:** P.O Box 20, Hermanus,  
7200

**T:** +27 (0)28 313 8000 | **F:**  
+27 (0)28 312 1894

**E:**

[enquiries@overstrand.gov.za](mailto:enquiries@overstrand.gov.za)

**W:** [www.overstrand.gov.za](http://www.overstrand.gov.za)

*Vision Statement: "To be a centre of excellence for the community"*

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Greta Kuhn

Mobile 0027

**Loretta Gillion**

---

**From:**  
**Sent:** Monday, 22 April 2024 11:09  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT - ERF 2989: Objection to Bottle Store at The Hub in BB

Good Morning Loretta

My apologies for overlooking this detail!

My Erf No is Erf3846 Betty's Bay,

or street address is 47 Disa Rd., Betty's Bay.

Thank you and best wishes

Dr. Rob Moore

On Mon, 22 Apr 2024, 10:40 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Dr Moore

Receipt is hereby acknowledged of your email.

***Kindly also provide your erf / street number.***

Regards

***Loretta Gillion***

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**Loretta Gillion**

**From:**  
**Sent:** Monday, 22 April 2024 11:25  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Objection to a bottle store at The Hub, Betty's Bay

ERF 5128, 24 Four Streams Road, Betty's Bay

**From:** Loretta Gillion <loretta@overstrand.gov.za>  
**To:** GLB1 <johnl@mapstudio.co.za>  
**Subject:** ACKNOWLEDGEMENT: Objection to a bottle store at The Hub, Betty's Bay

Dear Mr Loubser

Receipt is hereby acknowledged of your email.

Kindly also provide your erf / street number.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning  
 Overstrand Municipality  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Friday, April 19, 2024 9:06 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>  
**Subject:** Objection to a bottle store at The Hub, Betty's Bay

To whom it may concern.

**Objection to a bottle store at The Hub, Betty's Bay**

I live in Jock's Bay directly beneath The Hub.

I don't think the 'expansion' of the existing liquor license is what this area needs.  
 I could probably list a long list of reasons why but the most obvious being the 'hangers on' that Bottle stores attract.  
 We don't need a Bottlestore in Betty's Bay, it does not make sense.

Mostly I am irritated in the process that has been followed by the owners, apply for a Wine Boutique license.... And then move on from there.

Can only worry that the next step is a bar selling 'booze' late into the night.

Don't get me wrong, I am a great lover of wine and beer but it does not fit in this area.

Keep these establishments in Business districts, not in the middle of a quiet suburb.

Kind regards,  
 John Loubser  
 5128, 24 Four Streams Road.

**Loretta Gillion**

---

**From:**  
**Sent:** Monday, 22 April 2024 15:29  
**To:** Loretta Gillion  
**Subject:** RE: ACKNOWLEDGEMENT - ERF 2989 : Bottle store at The Hub, Betty's Bay OBJECTION

E Bates erf 2140 Betty's Bay, corner of Vlei and Grebe Roads Betty's Bay . 21 Greeb Road Municipal ratepayer number 350214000205.

Yours

E Bates

**From:** Loretta Gillion [mailto:loretta@overstrand.gov.za]  
**Sent:** Monday, 22 April 2024 9:43 AM  
**To:** Eily Bates <allofus@mweb.co.za>  
**Subject:** ACKNOWLEDGEMENT - ERF 2989 : Bottle store at The Hub, Betty's Bay OBJECTION

Dear E Bates

Receipt is hereby acknowledged of your email.

Kindly also provide your erf / street number.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning  
 Overstrand Municipality  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Friday, April 19, 2024 7:50 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** FW: Re: Bottle store at The Hub, Betty's Bay OBJECTION

**From:**  
**Sent:** Friday, 19 April 2024 12:51 PM  
**To:** 'mm@overstrand.gov.za' <[mm@overstrand.gov.za](mailto:mm@overstrand.gov.za)>  
**Cc:** 'akorver@overstrand.gov.za' <[akorver@overstrand.gov.za](mailto:akorver@overstrand.gov.za)>; 'edw@mweb.co.za' <[edw@mweb.co.za](mailto:edw@mweb.co.za)>; 'Stefné van Dyk' <[svdbarok@gmail.com](mailto:svdbarok@gmail.com)>; 'louise@eduwrite.org' <[louise@eduwrite.org](mailto:louise@eduwrite.org)>  
**Subject:** Re: Bottle store at The Hub, Betty's Bay OBJECTION

Dear Sir/ Madam

**Loretta Gillion**

---

**From:** Stuart Blackbeard <stuartblackbeard@gmail.com>  
**Sent:** Monday, 22 April 2024 15:05  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT - ERF 2989: Objection to bottle store at 205 Clarence Drive Betty's Bay

Hello Loretta

Erf 2960 Mountain road.

Best regards  
Stuart

On Mon, 22 Apr 2024 at 10:02, Loretta Gillion <loretta@overstrand.gov.za> wrote:

Dear Sir

Receipt is hereby acknowledged of your email.

***Kindly also provide your erf / street number.***

Regards

***Loretta Gillion***

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: loretta@overstrand.gov.za

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**From:** Stuart Blackbeard <stuartblackbeard@gmail.com>  
**Sent:** Friday, April 19, 2024 4:02 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>  
**Subject:** Objection to bottle store at 205 Clarence Drive Betty's Bay

**Loretta Gillion**

**From:** /  
**Sent:** Monday, 22 April 2024 15:40  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT - ERF 2989: Objection to Bottle store in Bettys Bay

Dear Loretta

We are erf 3668 Myrica, and erf 2469 Melkhout Close.

Kind regards

Glenda and Jeremy Muller

**From:** Loretta Gillion  
**Sent:** Monday, April 22, 2024 10:03 AM  
**To:** Glenda Muller  
**Subject:** ACKNOWLEDGEMENT - ERF 2989: Objection to Bottle store in Bettys Bay

Dear Mr G & J Muller

Receipt is hereby acknowledged of your email.

*Kindly also provide your erf / street number.*

Regards

**Loretta Gillion**  
 Administrator : Town & Spatial Planning  
 Overstrand Municipality  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: loretta@overstrand.gov.za

**From:**  
**Sent:** Friday, April 19, 2024 3:02 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>  
**Subject:** Objection to Bottle store in Bettys Bay

My husband and I would like to object to a bottle store in Bettys Bay, or any establishment where off-site use of alcohol is encouraged. We own 3 properties in Bettys Bay and feel that this will influence, for the worse, the underdeveloped village atmosphere which exists in Bettys Bay. In the same way, we would object to street lights, and tarring of roads.

Kind regards

Glenda and Jeremy Muller

Re: Erf 2989 Betty's Bay

169/242

Loretta Gillion

From: Thursday, 18 April 2024 12:41  
Sent: Loretta Gillion  
To: Application - Wine shop - Betty's Bay  
Subject:

Good afternoon Loretta

I understand that there have been over 50 objections to the application of The Whine Shop here in Betty's Bay and that there has to be public participation meeting to address the objections.

As an owner of property and rate payer of Betty's Bay, I would like to know where the ratepayers that are in favour of the outlet and economic progress in our town, can make our voices known in support of the application? Do we hand in a signed petition or will we be allowed to be at the meeting to argue our support?

I honestly feel that if the objectors can be heard, the supporters have the same right!

Your assistance will be appreciated.

Kind regards

Greta Kuhn

Mobile 0027

TP n. / theait  
(11. ud Skoop).

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
18 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. Erf 2989 ✓
Betty's Bay
SCAN NO. KBB 2989
COLLABORATOR NO. 2033475

TP 18 APR 2024

170 | 242

**Loretta Gillion**

**From:** Saturday, 27 April 2024 16:19  
**Sent:** Loretta Gillion  
**To:** Re: Bottle store Bettys Bay  
**Subject:** image002.jpg  
**Attachments:**



Hi thanks please proceed with the objection, i.e pls lodge my objection

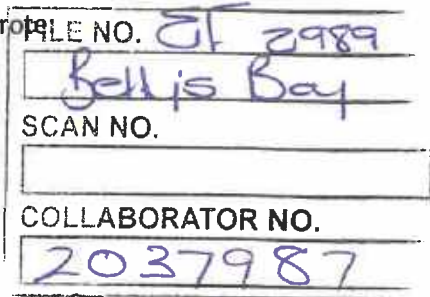
Is it the municipalities decision to allow a bottle store

Thanks

TP- N. Ahoat  
(H. ud Sloep)

On Mon, 22 Apr 2024, 09:03 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote

Dear C Valentini



Receipt is hereby acknowledged of your email.

Your request for **CONFIDENTIAL, NOT FOR PUBLICATION OR DISTRIBUTION** also refers. Kindly note that the land use planning application is a public process, and no confidential / anonymous comments are allowed.

**Section 56 of the By-Law indicates the following:**

**56. Applicant's right to reply**

(1) Copies of all objections, comments or representations lodged with a Municipality must be provided to the applicant within 14 days after the closing date for public comment together with a notice informing the applicant of its rights in terms of this section.

Kindly note that in terms of the POPI Act no contact details (e-mail, telephone, etc.) are forwarded to the applicant.

You are requested to confirm whether you wish to withdraw your objection.

Regards

27 APR 2024

**Loretta Gillion**

---

**From:** Marina Snelling >  
**Sent:** Sunday, 28 April 2024 15:08  
**To:** Loretta Gillion  
**Subject:** RE: ACKNOWLEDGEMENT: The Bottlestore in BB - Erf 2989 Betty's Bay

Good afternoon

4950 Ursinia Crescent, Bettysbay.

Thank you

Marina Snelling

Recruitment Consultant

**From:** Loretta Gillion <loretta@overstrand.gov.za>  
**Sent:** Friday, 19 April 2024 10:12 AM  
**To:** Marina Snelling  
**Subject:** ACKNOWLEDGEMENT: The Bottlestore in BB - Erf 2989 Betty's Bay

Dear Ms Snelling

Receipt is hereby acknowledged of your email.

**Kindly also provide your erf / street number.**

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:** Marina Snelling  
**Sent:** Thursday, April 18, 2024 7:14 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>  
**Subject:** The Bottlestore in BB

Good evening

I would like to vote NOT to have a bottle store in Betty's.

It will start off as wine tasting and soon we will have the same as it is in Kleinmond close to all the bottle stores there, crime and drunk people in the streets.

**Loretta Gillion**

---

**From:** Sarah van Niekerk  
**Sent:** Thursday, 25 April 2024 06:48  
**To:** Loretta Gillion  
**Subject:** Re: SPUPPORT LOCAL WINE/ALCOHOL SHOP Betty's Bay

Hi Loretta

Erf no 3343 Anemone street,  
Sunnyseas  
Betty's Bay

Sarah

On Wed, 24 Apr 2024, 08:21 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Madam

Receipt is hereby acknowledged of your email.

***Kindly also provide your erf / street number.***

Regards

***Loretta Gillion***

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:** Sarah van Niekerk <  
**Sent:** Tuesday, April 23, 2024 3:22 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** SPUPPORT LOCAL WINE/ALCOHOL SHOP Betty's Bay

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 16:22  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Objection to bottlestore The Hub Betties Bay - Erf 2989 KBB

4240 Arctopus road

On Fri, Apr 19, 2024 at 9:26 AM Loretta Gillion <loretta@overstrand.gov.za> wrote:

Dear Illandra

Receipt is hereby acknowledged of your email.

**Kindly also provide your erf / street number.**

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:** >  
**Sent:** Thursday, April 18, 2024 7:38 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>  
**Subject:** Objection to bottlestore The Hub Betties Bay

Hi Loretta

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 11:01  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Bottle Store in Bettys Bay - ERF 2989

Hi Loretta

My ERF is 3639 Myrica Rd, Betty's Bay, 7141

Thanks  
Gavin

On Fri, Apr 19, 2024 at 10:58 AM Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Sir

Receipt is hereby acknowledged of your email.

*Kindly also provide your erf / street number.*

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

---

**From:**  
**Sent:** Friday, April 19, 2024 9:23 AM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Bottle Store in Bettys Bay

**Loretta Gillion**

**From:** \_\_\_\_\_  
**Sent:** Monday, 22 April 2024 09:40  
**To:** Loretta Gillion  
**Subject:** RE: ACKNOWLEDGEMENT - ERF 2989 : Objection to Bottle Store

Thank you Loretta.

**We are on Erf 5153 Aristeia Road.**

Warm regards

Louise

Louise Sterling  
 Director: Eduwrite and the Playwell Foundation  
 +27 82 8578540  
 www.eduwrite.org  
 Skype: khando777

**From:** Loretta Gillion <loretta@overstrand.gov.za>  
**Sent:** Monday, 22 April 2024 09:30  
**To:** louise@eduwrite.org  
**Subject:** ACKNOWLEDGEMENT - ERF 2989 : Objection to Bottle Store

Dear L Sterling

Receipt is hereby acknowledged of your email.

**Kindly also provide your erf / street number.**

Regards

**Loretta Gillion**  
 Administrator : Town & Spatial Planning  
 Overstrand Municipality  
 A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
 T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:** \_\_\_\_\_  
**Sent:** Friday, April 19, 2024 10:21 PM  
**To:** Loretta Gillion <loretta@overstrand.gov.za>; Dean O'Neill <mm@overstrand.gov.za>  
**Cc:** Tosca Korver <akorver@overstrand.gov.za>  
**Subject:** Objection to Bottle Store

Please find my objection letter attached

Warm regards

Louise

**Loretta Gillion**

---

**From:**  
**Sent:** Monday, 22 April 2024 10:54  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Objection to bottle store opening in the Overstrand - ERF 2989 Betty's Bay

Dear Loretta,

My Strret address is 8 Park Street and the Erf number is 409

Kind Regards,

Nicolette Maritz

Sent from Yahoo Mail for iPhone

On Monday, April 22, 2024, 2:14 AM, Loretta Gillion <loretta@overstrand.gov.za> wrote:

Dear Ms Maritz

Receipt is hereby acknowledged of your email.

*Kindly also provide your erf / street number.*

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

Loretta Gillion

**From:**  
**Sent:** Thursday, 18 April 2024 09:59  
**To:** Loretta Gillion  
**Subject:** Liquor licence for premises at The Hub

I, Judith Helen New, resident of Betty's Bay at 5375 Otter Close, herewith object to the application for a liquor licence for the premises at The Hub.  
 With the opening of all the shops at the Hub, there has been a dramatic change in motor and particularly pedestrian activity back and forth across Clarence Drive.  
 80km per hour is a very dangerous speed through the section of the R44 where The Hub is situated. Already pedestrians take their lives in their hands when trying to cross the road. The parking area behind The Hub is not often used, and pedestrians are in real danger when they try to cross. Added to this, the fact that this is the spot along Clarence Drive where all the gardeners and house-cleaning ladies stand to glad down a taxi or hitch a lift back to Kleinmond, so this creates a traffic hazard of some magnitude.  
 No, please don't give this liquor outlet any extra allowances, life is dangerous enough around The Hub as it is.  
 (Mrs) J.H.NEW  
 5375 Otter Close  
 Betty's Bay

*TP. N. Theak  
 (Hud Shop)*

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
18 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

FILE NO. <i>2989</i>
<i>Betty's Bay</i>
SCAN NO.
COLLABORATOR NO.
<i>2033204</i>

*TP 18 APR 2024*

Loretta Gillion

**From:** -  
**Sent:** Thursday, 18 April 2024 10:27  
**To:** Loretta Gillion  
**Subject:** OBJECTIONS TO BOTTLE STORE AT ERF 2989, 205 CLARENCE DRIVE, BETTY'S BAY

Dear Loretta - With regards to Municipal Notice 44/2024, I appreciate the opportunity to comment on the application for consent use (Wrap Project office on behalf of The Hub Betty's Bay Pty Ltd). I am a property owner in Betty's Bay (2 Lipkin road), and a professional ecologist (PhD) with an additional in social sciences (M. Soc. Sci) who has been coming to Betty's Bay since 1969. I object to the proposed development for the following reasons:

1. There is no need for a modification to the existing license (for exclusive upmarket wines) to enable beer and other liquor to be sold. Firstly, as a TOPS license has already been granted in the Centre Shop area of Betty's Bay. Secondly, in the original application (by Thirsty's Liquor), concerns from local residents about increased vagrancy and loitering were based on Thirsty's Liquor saying that they only intended to sell high end wines. Now they are changing their story. Which is disingenuous at best, and dishonest.

2. Attracting vagrants and loiterers further increases the risks of potentially fatal accidents at this location as well as increasing the risk of crime. In their original application to the Western Cape Liquor Authority (in terms of Section 36 of the Western Cape Liquor Act 4 of 2008), Thirsty's Liquor stated that "Crime stats of the area was unavailable upon request". Yet we know that crime statistics are available (for example through Wayne Jackson). We also know that those crime statistics reflect household violence associated with intoxication. Their original application was therefore misleading, by omitting crime statistics. Furthermore, it appears that our Ward 10 Councillor, Theresa Els, in her email of 12 December 2022 to Cameron Isaacs had no objection to the original Liquor Licence. Without taking serious concerns of local residents into account at the time. Which is also disingenuous. And now we are faced with expansion of the license and potentially social problems associated with liquor sales adjacent to a busy main road in an area close to the church that my family have been associated with for over 50 years.

with best regards, Tony

Professor A. B-Cunningham

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
18 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP-A/heart  
(1/1. ud Sloep)

FILE NO. <i>OT 2989</i>
<i>Betty's Bay</i>
SCAN NO.
COLLABORATOR NO.
<i>2033209</i>

TP 18 APR 2024

381

TP.D. Theait  
(H. ud Stoop)

179/242

Re: Erf 2989 Betty's Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
17 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

E74 La Provence  
No 1 Graniet Close  
Welgelegen 7500  
16 April 2024.

To whom it may concern.

I wish to agree with J H C WHAITS' objection.

Having lived in Betty's Bay for 27 years and still visit no 11 Mountain Rd on a regular basis we have come to love the fynbos, sea and general atmosphere – a quiet, relaxing place where one can unwind and enjoy God's creation.

We object strongly to an added licence being given to the Hub, Erf 2989, 205 Clarence Drive. Betty's Bay, to open what amounts to a Bar where liquor is sold. This will ensure that the noise level will increase, people who have imbibed will cause disturbance to others who wish to live and enjoy the peace which Betty's Bay offers. Why should we who have chosen to support the area have to put up with this? We do not want to increase break-ins, physical bodily harm and car accidents. Please take note of our objections.

We therefore strongly object to the granting of a bottle store/liquor licence on Erf 2989, 205 Clarence Drive. Betty's Bay.

M A E WHAITS  
ID  
Cell:

M. A. E. Whaits

FILE NO. Erf 2989
Betty's Bay
SCAN NO.
COLLABORATOR NO.
2032255

TP 17 APR 2024

E 74 La Provence Retirement Village  
No 1 Graniet Close  
Welgelegen 7500  
16 April 2024

To whom it may concern.

Application for a licence to sell liquor on Erf 2989 Clarence Drive Betty's Bay.

I strongly object to a liquor outlet licence being granted in Betty's Bay which is a predominantly a residential area.

In 1995 I built in Betty's Bay after looking at plots ranging from Gordon's Bay to near Hermanus.

At the time, I chose Betty's Bay as it was mainly residential with minimal commercial enterprise.

This resulted in a relaxed residential atmosphere conducive to encouraging tourism and with Kleinmond being close met all the holiday makers needs for groceries etc.

Although I no longer own property in the area, I have visited and stayed in 11 Mountain Rd regularly over the years and I am concerned that the character of one of the few seaside getaways is in danger of being spoilt unnecessarily due to the avarice of someone who has no concern for the preservation of one of the few sanctuaries left.

I must re-iterate THAT I STRONGLY OBJECT TO THE APPLICATION FOR A LIQUOR LICENCE FOR THIS AREA.

J H C WHAITS  
ID [REDACTED]  
CELL: [REDACTED]



**Loretta Gillion**

---

**From:**  
**Sent:** Tuesday, 16 April 2024 20:54  
**To:** Loretta Gillion  
**Subject:** Fwd: Your scanned letters of objection  
**Attachments:** Letter of Objection J.H.C. Whaits.jpg; Letter of Objection M.A.E Whaits.jpg

Please acknowledge receipt of mail.

----- Original Message -----

**Subject:** Your scanned letters of objection  
**Date:** 2024-04-16 20:33  
**From:**  
**To:** whaits@cybersmart.co.za

Here are your letters. You could probably just forward the email or you can open the attachments, download them and then attach them again to your new letter.

**Loretta Gillion**

---

**From:**  
**Sent:** Friday, 19 April 2024 10:55  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Objections to Bottle Store at the Hub in Betty's Bay - Erf 2989 Betty's Bay

Janssens-van Riet  
4335 Wallers Way  
Betty's Bay

On Fri, 19 Apr 2024, 10:25 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear C van Riet & B Janssens

Receipt is hereby acknowledged of your email.

*Kindly also provide your erf / street number.*

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Thursday, April 18, 2024 6:36 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Objections to Bottle Store at the Hub in Betty's Bay

TP-N / theail  
(17. ud Skoop)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
17 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Erf/Plot 2960  
Mountain Road  
Betty's Bay  
16 April 2024

To whom it may concern.

**RE: Objection to application for consent use to accommodate a bottle store on Erf 2989, 205 Clarence Drive Betty's Bay**

I am disturbed that this consent use is even being considered and would like to lodge an objection against the proposal to accommodate a bottle store in the Hub, opposite Penguin Place on Clarence Drive.

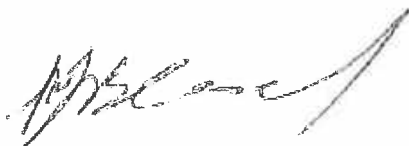
There were a number of objections to a boutique liquor license at The Hub in August 2022, yet the consent use was granted. Most of the residents nearby have been living in Betty's Bay for many years and are opposed to having a bottle store in the vicinity. Why should one applicant, who fairly recently moved into the area, be allowed to open a bottle store against the wishes of so many local residents?

We as the residents and family members of the residents want to preserve the peaceful and beautiful village ambience of this part of Betty's Bay. A bottle store will be detrimental to this. In addition, this bottle store will be less than 100m from the Catholic/Anglican church which could well be detrimental to the spiritual nature of a church. As we all know drunkards often hang around liquor stores, even upmarket ones, and some of these may well linger around the church premises and pester parishioners.

Furthermore, Spar will soon be opening a Tops liquor store near the Caltex Garage which is more than adequate for all those in Betty's Bay who consume alcoholic beverages. Why do we need another bottle store in Betty's Bay?

Given all the above it will be foolish for the municipality to approve this application. It may be worth our while as residents to approach the Public Protector on this matter as our previous objections fell on deaf ears.

Yours sincerely



Richard Blackbeard  
(ID)

FILE NO. Erf 2989
Betty's Bay ✓
SCAN NO. KBB 2989
COLLABORATOR NO. 2032571

Ps. Please send correspondence to

or contact me on my mobile.

**Loretta Gillion**

---

**From:**  
**Sent:** Wednesday, 17 April 2024 11:23  
**To:** Loretta Gillion  
**Cc:** Richard Blackbeard  
**Subject:** Objection to consent use to accommodate a bottle store on Erf 2989, 205 Clarence Drive Betty's Bay (Notice # 44/2024)  
**Attachments:** Objection to liquor license April 2024.pdf

Hi Loretta

Please acknowledge receipt of this letter.

Regards

Richard Blackbeard ( )

185/242

TP- D. Sheait  
(H. Ud Stoop)

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
17 APR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Erf/Plot 2950  
Mountain Road  
Betty's Bay  
13 April 2024

To whom it may concern.

**RE: Objection to application for consent use to accommodate a bottle store on Erf 2989, 205 Clarence Drive Bettys Bay**

I would like to lodge an objection against the proposal to accommodate a bottle store in the Hub, opposite Penguin Place on Clarence Drive.

I feel that should this liquor license be granted, it will:

- Have a huge impact on the neighbouring residential area creating extra noise, increased crime and can become an attraction to unwanted people in this, up until recently, quiet residential area.
- Betty's Bay is a small town set in a beautiful country setting, and as such, it would be detrimental to tourism to detract from its natural beauty and serenity by introducing potentially, noisy, drinking facilities.
- I believe the application for an establishment of a Spar Shop in the shopping area of Betty's Bay has been approved. Spar, inevitably, sells liquor, and for a town the size of Betty's Bay, another establishment selling liquor is not needed. In fact, already the granting of the boutique liquor license at The Hub, despite objections to the granting of this license, has increased the amount of alcohol on sale in this relatively small town.
- A bottle store will increase the availability of cheaper wines. This alcohol has negative impacts on the crime statistics, including break-ins, physical bodily harm and car accidents. I plead with you, we do not want to increase any of those within our town.
- I, as a longstanding visitor to and resident of the area, feel that my right to enjoy the peace and atmosphere of this seaside town, is being invaded by the establishment of The Hub which already has increased both the noise and light pollution in the area. If anything, the wishes of the residents within close proximity to The Hub, should be given top preference and consideration.

I thus strongly object to the granting of the above-mentioned license.

Yours sincerely

D. Blackbeard

Mrs D. Blackbeard

(ID# [redacted])

FILE NO.	2989
	Betty's Bay
SCAN NO.	
COLLABORATOR NO.	2032754

TP 17 APR 2024

Loretta Gillion

186 | 242

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**From:**  
**Sent:** Tuesday, 16 April 2024 21:15  
**To:** Loretta Gillion  
**Subject:** Comment re application of Consent Use The Hub Bettys Bay  
**Attachments:** Letter of Objection Erf 2989 Bettys Bay.jpg

Good evening

Please find attached my letter of comment with regard to the application for special consent (Municipal Notice No. 44/2024).

Please could I request an acknowledgement of receipt, so that I know that this email has been successfully delivered?

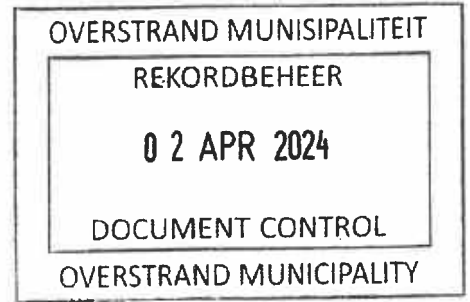
Kind regards  
D. Blackbeard

Loretta Gillion

Erf 2989 Betty's Bay

187/242

**From:** Friday, 29 March 2024 10:06  
**Sent:** Loretta Gillion  
**To:** Loretta Gillion  
**Subject:** Objection to Bottle Store in Betty's Bay



Dear Loretta,

I object to the opening and license application for a liquor store in Betty's Bay.

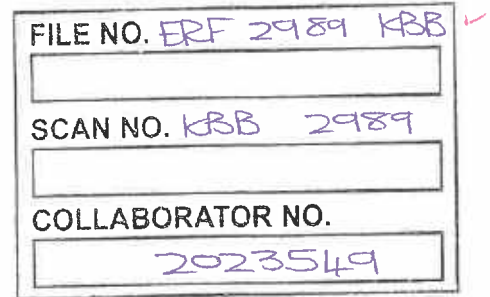
I believe it will increase crime with vagrants more likely to enter the area. There will be increased traffic and will go against the culture of Betty's Bay as a whole.

As a restricted license was already granted for exclusive upmarket wines, I believe this request is highly dishonest and operates in bad faith to previous promises made by the applicants.

Best Regards

Charlie Taljaard

5 Lanaria Rd, Betty's Bay  
Erf 4524



**Loretta Gillion**

**From:**  
**Sent:** Friday, 22 March 2024 08:15  
**To:** Loretta Gillion  
**Subject:** Bottle store Bettys Bay

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 MAR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

Hi Loretta

How are you

Please may I kindly enquire as to whether a liquor liscence for a bottle store has been awarded in Bettys Bay (the Hub)

If the liscence is in process please let me know the objection process.

*TP. D. Aheale  
(H. ud Stoop)*

Thank you  
Kind Regards Carlo  
Resident Bettys Bay

FILE NO. <i>ST 2989 ✓</i>
<i>Betty's Bay</i>
SCAN NO. <i>KBB 2989</i>
COLLABORATOR NO. <i>2019236</i>

*TP*

**Loretta Gillion**

---

**From:** Loretta Gillion  
**Sent:** Monday, 25 March 2024 15:22  
**To:**  
**Subject:** ACKNOWLEDGEMENT: Bottle store Bettys Bay - Erf 2989 Betty's Bay

Dear Sir

The application for a consent use to accommodate a bottle store on the above property is still in process.

Link to the notice on the municipal website is as follows: <https://www.overstrand.gov.za/document/town-spatial-planning/land-use-planning-applications/advertisement-erf-2989-bettys-bay-consent-use-bottle-store/?layout=default>

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning  
Overstrand Municipality  
A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20  
T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Friday, March 22, 2024 8:15 AM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Bottle store Bettys Bay

Hi Loretta

How are you

Please may I kindly enquire as to whether a liquor liscence for a bottle store has been awarded in Bettys Bay (the Hub)

If the liscence is in process please let me know the objection process.

Thank you  
Kind Regards Carlo  
Resident Bettys Bay

Loretta Gillion

**From:**  
**Sent:** Thursday, 21 March 2024 09:32  
**To:** Loretta Gillion  
**Subject:** OBJECTION TO BOTTLE STORE ON PLOT 2989 BETTYS BAY

Dear Loretta

The road in this area of Bettys Bay is becoming more hazardous with traffic outside The Hub @ Coffee on Clarence

With cars parked on each side of the road

This is still an 80 km/hr road & some motorists & motor bikes do not slow down in this spot

A bottle store will need delivery lorries to transport goods to & from This shop & off street parking will be required

This will also lead to a more hazardous situation

There will be a lot more people at late afternoon times needing parking

We do not want a bottle store in this area

Thank you

Regards

R STAREY

2760 Lipkin rd

Jocks BAY

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 MAR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

*TP - P. Theale  
(H. ud Stoop)*

FILE NO.	<i>Plot 2989</i>
	<i>Bettys Bay</i>
SCAN NO.	
COLLABORATOR NO.	<i>2019214</i>

*TP*

**Loretta Gillion**

**From:**  
**Sent:** Monday, 18 March 2024 18:34  
**To:** Loretta Gillion  
**Subject:** Objection to Bottle Store in Betty's Bay

Dear Loretta,

I object to the opening of a bottle store in Betty's Bay. I believe it will bring unwanted vagrants into the area and be a detriment to the culture of Betty's Bay as a whole.

Best Regards,

Sabrina Taljaard

5 Lanaria Rd, Betty's Bay  
Erf 4524

OVERSTRAND MUNISIPALITEIT
REKORDBEHEER
25 MAR 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP- n. /theak  
(H. ud Stoop)

FILE NO.	ET 2989
	Betty's Bay
SCAN NO.	
COLLABORATOR NO.	2019224

TP

**Loretta Gillion**

---

**From:**  
**Sent:** Wednesday, 27 March 2024 11:32  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Bottle store Bettys Bay - Erf 2989 Betty's Bay

hi Loretta thanks

3703 nivenia bettys bay

Please let me know is there a liquor liscence for bottle store application

Please find here our formal objection thanks

Kind Regards  
Carlo

On Mon, 25 Mar 2024 at 14:54, Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Sir

Receipt is hereby acknowledged of your email.

**Kindly also provide your erf / street number.**

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**Loretta Gillion**

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**From:** Loretta Gillion  
**Sent:** Monday, 25 March 2024 14:28  
**To:**  
**Subject:** RE: Erf 2989 Clarence Drive, Betty's Bay: Application for consent use: Wrap project office on behalf of the hub  
**Attachments:** Annexures, Erf 2989 Betty's Bay (Consent Use - Bottle Store).pdf

Beste Me Jacobs

Sien hierby aangeheg die inligting soos versoek.

Groete

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Monday, March 18, 2024 3:36 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Erf 2989 Clarence Drive, Betty's Bay: Application for consent use: Wrap project office on behalf of the hub

Goeie dag Loretta

Erf 2989 Clarence Drive, Betty's Bay: Application for consent use: Wrap project office on behalf of the Hub.

Kan jy asseblief vir my meer inligting stuur oor die bostaande of verduidelik waar ek meer inligting hieroor kan kry?

Groete.

Elsa Jacobs -

Loretta Gillion

**From:**  
**Sent:** Monday, 18 March 2024 11:55  
**To:** Loretta Gillion  
**Subject:** Objections to Bottle Store

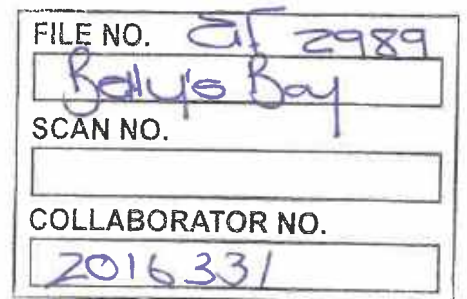
OBJECTIONS TO BOTTLE STORE AT THE HUB ERF 2989 CLARENCE DRIVE BETTY'S BAY

We Yvonne and Spencer King permanent residents of 2109 Corner of Heath and Shell Betty's Bay, hereby object for the following reasons:

increased crime and vagrancy  
; increased noise and traffic;  
within 500m of Catholic and Anglican Church; restricted licence for exclusive upmarket wines approved; to now want a bottle store is highly dishonest and flies in the face of any good faith and former promises.

Spencer and Yvonne King

TP - n/Heath  
(17.ud Stoop)



**Loretta Gillion**

**From:**  
**Sent:** Sunday, 17 March 2024 12:20  
**To:** Loretta Gillion  
**Subject:** Support for the consent use Tgirsty's liquor boutique

Hi Loretta

A number of customers this weekend have seen the notice posted at The Hub and wish to support the application. What is the best way to go about this that it is compliant with your requirements and will make a difference. Could they for instance sign a petition in this regard? If so what format can they use?

Thanks in advance

Regards Laurence Weddell

TP- n./theat  
 (11. ud stoep)

OVERSTRAND MUNISIPALITEIT REKORDBEHEER 18 MAR 2024 DOCUMENT CONTROL OVERSTRAND MUNICIPALITY
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FILE NO.	21 2989
	Belly's Bay
SCAN NO.	
COLLABORATOR NO.	2016322

**Loretta Gillion**

**From:** Loretta Gillion  
**Sent:** Monday, 18 March 2024 09:27  
**To:** laurence@sonicmail.co.za  
**Subject:** PETITION: Erf 2989 Betty's Bay  
**Attachments:** Support for the consent use Tgirsty's liquor boutique

Dear Sir

Receipt is hereby acknowledgement of your email.

The requirements for petitions are stipulated in Section 51 of the By-Law.

### **51. Requirements for petitions**

- (1) **Comments in respect of an application submitted by the public in the form of a petition must clearly state—**

26

- (a)
- (i) the full name, surname, national identity number and physical address of each signatory;
  - (ii) the full name, surname, postal address, telephone number, email and facsimile of no more than two specified persons to whom further communication relating to the application may be directed; provided that where such information is not made available, the Municipality shall direct further communication only to the first person who signed such petition and whose address is known; and only the first objector will be recorded as the legal objector; and
  - (iii) each page of a petition containing the signature of a petitioner shall contain at least a summary of the objection.
  - (iv) the interest of the body or person in the application;
  - (v) an affidavit stating that he or she is not colluding with any applicant, objector or appellant and is willing to act in regard to the application or appeal as the Municipality may direct.
- (b) **The reasons for the petition must be set out in sufficient detail —**
- (i) the facts and circumstances which explain the comments contained within the petition;
  - (ii) the undesirable effect which the application will have on the area and/or demonstrate that she or he will be adversely affected by the decision;
  - (iii) any aspect of the application which is not considered consistent with applicable policy.
- (2) Any written notification by the Municipality to petitioners shall be regarded as sufficient if such notification is sent to the persons contemplated in 50 (1)(f) and 51 (1)(a)(ii).
- (3) A petition that does not comply with the above requirements, will not be considered and processed as a valid petition and will not be regarded as an objection.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

Loretta Gillion

**From:**  
**Sent:** Sunday, 17 March 2024 12:20  
**To:** Loretta Gillion  
**Subject:** Objection to bottle store(s) in Betty's Bay

To all concerned

I am referring to the CONTEXT part of this e-mail.

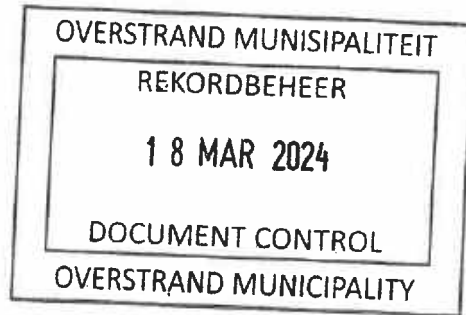
I am objecting to this because it will negatively affects our protected biosphere; increased crime and vagrancy; increased noise and traffic; within 500m of Catholic and Anglican Church; need to protect our village community atmosphere; not needed as a TOPS license has been granted at the Centre Shop zone; restricted licence for exclusive upmarket wines " approved; to now want a bottle store is highly dishonest and flies in the face of any good faith and former promises.

CONTEXT: The title of this phase of the application is: OVERSTRAND MUNICIPALITY ERF 2989, CLARENCE DRIVE, BETTYS BAY: APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTYS BAY, PTY, LTD.

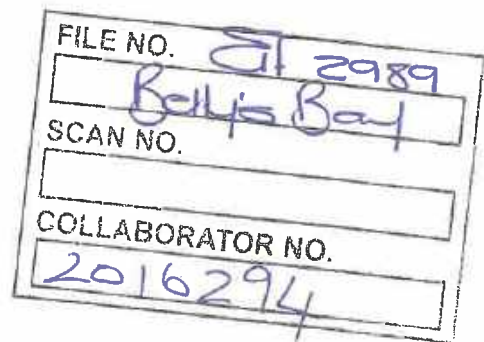
Notice is hereby given in terms of Sections 47 and 48 of the Overstrand Municipality Amendment By-Law on Municipal Land Use Planning, 2020 (By-Law) of an application received for a Consent Use in terms of Section 16(2)(o) of the By-Law to accommodate a bottle store on the property.

Regards

Ellie Bubb  
 Disa Circle  
 Betty's Bay



*TR n/Alheal  
 (11.4d Steep)*



**Loretta Gillion**

**From:**  
**Sent:** Sunday, 17 March 2024 20:37  
**To:** Loretta Gillion  
**Subject:** Liquor licence at the Hub in Betty's Bay

Hi Loretta

It has come to my attention that the special boutique wine licence granted to the Hub might be changed to a full liquor licence.

I am totally against this for the following reasons:

1. There are plenty of places in the area to buy liquor. Readily available in Kleinmond and Pringle bay and soon also at Centre shop area.
2. This will change the child friendly atmosphere at the Hub. We love visiting with our children and unfortunately liquor does bring in elements/vagrants which is not currently in the area. This can spiral to crime and other problems (as in Kleinmond).
3. We like Betty's as it is! Plenty of liquor available everywhere else for all those needing it.

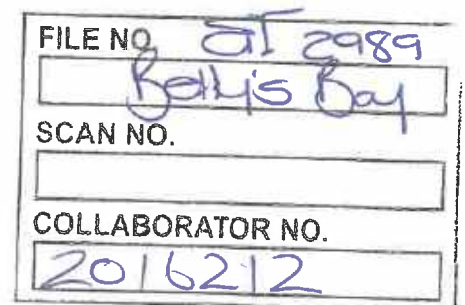
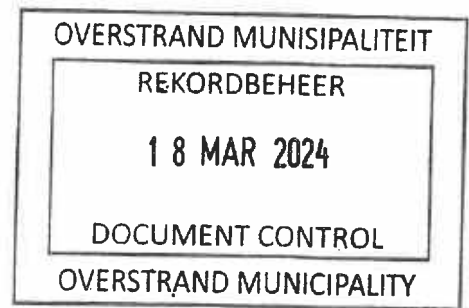
Please assess this application carefully as there was a lot of opposition at first and the time flgiven for participation this round is VERY limited.

Regards,

Mieke

38 years of my life in Betty's Bay between Anglers road, Bass road and Plateau road and now a permanent resident.

*TP. D. Thearle  
(H. ud Skoop).*



**Loretta Gillion**

---

**From:**  
**Sent:** Monday, 18 March 2024 10:02  
**To:** Loretta Gillion  
**Subject:** Re: Liquor licence at the Hub in Betty's Bay - Erf 2989 Betty's Bay

Hi Loretta

3460 Anglers road

Mieke

On Mon, 18 Mar 2024, 08:47 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Mieke

Receipt is hereby acknowledged of your email.

Kindly also provide your erf number or street address.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Sunday, March 17, 2024 8:37 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Liquor licence at the Hub in Betty's Bay

**Loretta Gillion**

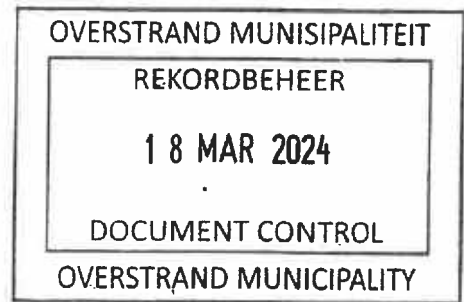
**From:**  
**Sent:** Sunday, 17 March 2024 12:28  
**To:** Loretta Gillion  
**Subject:** Oppose 'consent use' of Erf 2989, 205 Clarence Dr, Bettys Bay

Good day

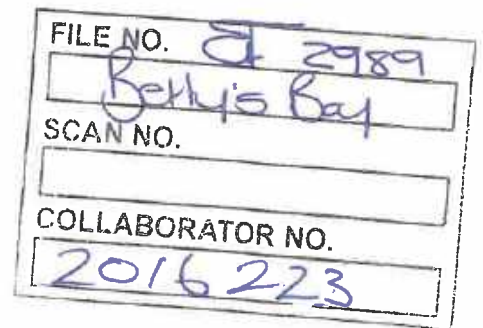
I strongly disapprove of the dishonesty and the opening of a liquor store on Erf 2989, 205 Clarence Dr, Bettys Bay. The Wine Boutique said they will not tade liquour. I disapprove because of the crime (we dont have a police station), noise levels, traffic infractions that will be caused ( we dont have a traffic department) and disruption to the local residents with regards to disorderly conduct.

There are many bottles stores very close to Betties Bay. Besides, a 10 minute drive shouldnt affect anyone because they arent allowed to drink and drive anyway.

Regards  
Bronwyn



*TP. N. Theakle  
(H. Ud Stoop)*



**Loretta Gillion**

---

**From:**  
**Sent:** Monday, 18 March 2024 09:04  
**To:** Loretta Gillion  
**Subject:** Re: ACKNOWLEDGEMENT: Oppose 'consent use' of Erf 2989, 205 Clarence Dr, Bettys Bay

4538 Lanaria, Bettys Bay

On Mon, 18 Mar 2024, 09:02 Loretta Gillion, <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)> wrote:

Dear Madam

Receipt is hereby acknowledged of your email.

Kindly also provide your erf / street number.

Regards

**Loretta Gillion**

Administrator : Town & Spatial Planning

Overstrand Municipality

A: 16 Paterson Street, Hermanus, 7200 P: P O Box 20

T: 028 313 8900 | F: 028 313 2093 | E: [loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)

**From:**  
**Sent:** Sunday, March 17, 2024 12:28 PM  
**To:** Loretta Gillion <[loretta@overstrand.gov.za](mailto:loretta@overstrand.gov.za)>  
**Subject:** Oppose 'consent use' of Erf 2989, 205 Clarence Dr, Bettys Bay

Good day

**Loretta Gillion**

**From:**  
**Sent:** Sunday, 17 March 2024 13:05  
**To:** Loretta Gillion  
**Subject:** Bottle Store The Hub Betty's Bay

Good day Loretta.

Hope this mail finds you well.

In the intrest of the Bottle Store application for The Hub in Betty's.

I wish to voice my opinion strongly against this license to be granted.

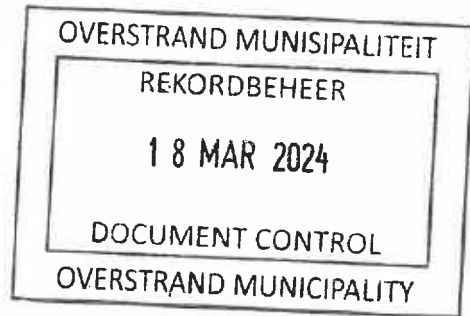
In doing so this will affect our Restaurants with Liquor licenses in reducing their client.  
The bad elements that comes with having a Bottle Store such as beggers, vagrants and drunks hanging around that will increase crime. That is also a prime tourist area.

I strongly object to this license.

We have Bottle stores in Kleinmond and Pringle bay that are close enough.

I wish to add this mail as a objection to to license.

Regards  
Kim Gericke  
Betty's Bay Resident.



*TP. n. / thearl  
(17. ud Skoop)*

FILE NO. *AT 2989*  
*Betty's Bay*  
SCAN NO.  
COLLABORATOR NO.  
*2016228*

204 / 242

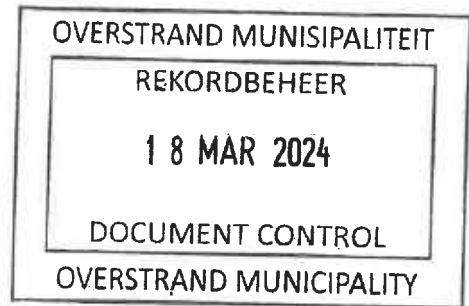
Loretta Gillion

**From:**  
**Sent:** Sunday, 17 March 2024 13:24  
**To:** Loretta Gillion  
**Subject:** Bottle Store

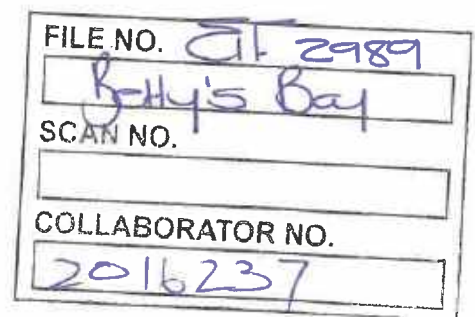
Don't believe Overstrand have community's interest at heart. It's only when it suits them. I know from being ignored on community involvement suggestions.

Best  
rob gray

rob gray  
 media consultant  
 training film television production photography  
 +27 (0)  
[www.southafricanfilmacademy.com](http://www.southafricanfilmacademy.com)



TP.N. (Heart  
(I. ud Stoop)



**Loretta Gillion**

**From:**  
**Sent:** Sunday, 17 March 2024 13:49  
**To:** Loretta Gillion  
**Subject:** Erf 2989, 209 Clarence Drive.

Good day

I would like to object to grant a liquor licence to the Hub at the above address in Betty s Bay.

We do not need another liquor store in our village as a Top license has been granted at the Centre Shop in Betty s Bay

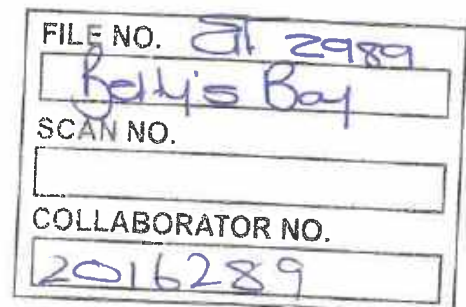
Further it will increase crime, vagrancy, noice and traffic.

Best regards  
Catherine Jaussaud  
4211 Crassula Avenue  
Betty s Bay  
7141  
Te

Sent from my iPhone



TP. D. (theoak)  
(H. J. d. Steep)



Loretta Gillion

206 | 242

**From:**  
**Sent:** Monday, 18 March 2024 08:34  
**To:** Loretta Gillion  
**Subject:** Objection to APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTYS BAY, PTY, LTD.

OVERSTRAND MUNICIPALITY ERF 2989, CLARENCE DRIVE, BETTYS BAY:  
 APPLICATION FOR CONSENT USE: WRAP PROJECT OFFICE ON BEHALF OF THE HUB BETTYS BAY, PTY, LTD. refers.

I would like to register my objection to the above application.

Reasons (not in any particular order)

Close proximity to two churches

Close proximity to Disa Youth Camp

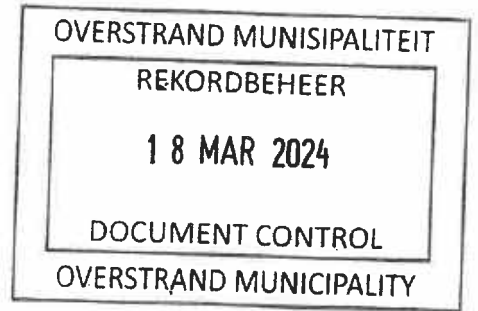
The apparent dishonest way that this application has been made, first applying for a "restricted license for exclusive upmarket wines " to full bottle store. This scenario was raised at the restricted license application, but was deemed to be "speculation". This speculation has now become fact.

There is no need for a bottle store in Betty's Bay as there are already bottle stores at nearby Pringle Bay and Kleinmond, sufficiently close for residents.

Yours faithfully

Guy Snelling ( )

Resident 4950 Ursina Cresecent.



*TP n. /heak  
 (11. ud Skoop)*

FILE NO.	<i>SF 2989</i>
	<i>Betty's Bay</i>
SCAN NO.	
COLLABORATOR NO.	<i>2015785</i>

*TP*

**Loretta Gillion**

**From:** Greta Kuhn  
**Sent:** Thursday, 25 April 2024 13:11  
**To:** Loretta Gillion; Hanneen van der Stoep  
**Subject:** Support for liquor consent usage for The Hub - Betty's bay  
**Attachments:** Support - concent usage.pdf

Good afternoon Loretta

Attached please find the first batch of documents in support of Liquor Consent Usage for The Hub Centre in Betty's Bay.

I have another 9 documents that I will scan and send as well.

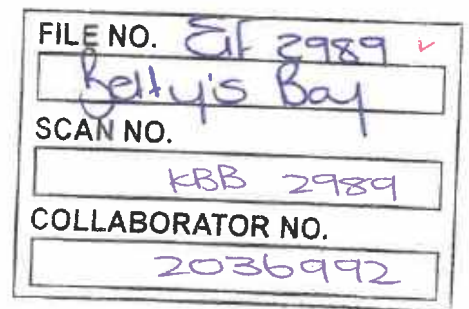
Kind regards

Greta Kuhn

Mobile



TP- N. Theak  
 (H. vd Stoep)



TP  
 25 APR 2024

*Concert Usage*  
**PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB**  
 Trading as **THE WHINE SHOP**

1. Name and Surname: ARETA KUHN
2. South African ID no: \_\_\_\_\_
3. Full Address: 3995 DISA RD, BETTY'S BAY

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

- ① Support for local businesses in Betty's
- ② Economic growth
- ③ Job Creation
- ④ Tourism: Tourists that visit our Village need not drive to Kleinmond/Pringle.
- ⑤ Growing and harvesting on local wine farms
- ⑥ Saving residents cost in travelling
- ⑦ We can support our own village

Signed on 19 of April 2024 at Betty's Bay, Western Cape

Signature \_\_\_\_\_

Name in writing \_\_\_\_\_

ARETA KUHN

PETITION IN SUPPORT OF <sup>consent usage</sup> ~~LIQUOR LICENSE~~ FOR THE HUB

Trading as THE WHINE SHOP

- 1. Name and Surname: Riana V Zyl
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 2931 High level Road, Betty's Bay

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

Progress for Betty's Bay

Good for tourism

Supporting local village

Saving on travelling to neighbour villages

\_\_\_\_\_

\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 19th of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Riana van Zyl

<sup>consent usage</sup>  
PETITION IN SUPPORT OF ~~FRUITS OF THE HUB~~ FOR THE HUB

Trading as THE WHINE SHOP

- 1. Name and Surname: Lynné Arundel
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 3996 DISA ROAD

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

ECONOMIC DEVELOPMENT

TOURISM

SAVES PETROL DRIVING TO KLEINMOND OR PRINGLE

EMPLOYMENT FOR 9 FAMILIES

CREATES AWARENESS OF THE 72 WINERIES IN OUR AREA

AND THE KNOCK ON ECONOMIC EFFECT OF THAT.

CREATES A SENSE OF COMMUNITY, SHARING A PASSION FOR  
THE ART OF WINE.

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 19 of APRIL 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Lynné

~~CONSENT USAGE,~~  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

- 1. Name and Surname: CONRAD LOUW
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 2076 LOVERSWALK ; BETTY'S BAY

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

The Whine Shoppe is an upmarket wine shop & draws quality people (not noisy boozers!)

It promotes tourism and winetourism as well as wine culture promotion by ways of educational tastings!

AS A CAPE WINE MASTER I AM PERSONALLY INVOLVED WITH WINE EDUCATION AT THE WHINE SHOPPE. THE ARE NO DRUNKARDS HERE.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature   
Name in writing Conrad Louw

<sup>consent usage</sup>  
PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB

Trading as THE WHINE SHOP

1. Name and Surname: YVONNE GARNAR

2. South African ID no: \_\_\_\_\_

3. Full Address: 268 HANGKLIP ROAD PRINGTE BAY

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20/4 of APRIL 2024 at Betty's Bay, Western Cape

Signature 

Name in writing YVONNE GARNAR

213/242

CONSENT USAGE.

PETITION IN SUPPORT OF ~~LIQUOR~~ LICENSE FOR THE HUB

Trading as THE WHINE SHOP

1. Name and Surname: KEITH ANDERSON

2. South African ID no: \_\_\_\_\_

3. Full Address: 791 SUSAN RD, PRINCE BAY.

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

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I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20/4 of APRIL 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Keith Anderson

214/242

CONSENT USAGE.

PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB

Trading as THE WHINE SHOP

- 1. Name and Surname: YOLANDA ROOZEN.
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 35 GUARDIUS COESENT, BETTYS BAY

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

JOB CREATION, AND WE NEED SOME DECENT SHOPS IN  
BETTYS BAY  
WINE SHOP SUPPORTS LOCAL VINTAGERS ASSOCIATION  
LOVE THE SHOP!  
 P  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 21 of APRIL 2024 at Betty's Bay, Western Cape

Signature [Handwritten Signature]

Name in writing YOLANDA ROOZEN.

CONSENT USAGE.

PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB

Trading as THE WHINE SHOP

1. Name and Surname: Déirdre Serfontein

2. South African ID no: \_\_\_\_\_

3. Full Address: 21 Hilda Circle PB.


FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

Why not? More the merrier.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing D. Serfontein

**PETITION IN SUPPORT OF <sup>CONSENT USAGE</sup> LIQUOR LICENSE FOR THE HUB**

**Trading as THE WHINE SHOP**

1. Name and Surname: Craig Brown

2. South African ID no: \_\_\_\_\_

3. Full Address: of 196 Angle Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

Nothing wrong with the development

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 22 of April 2024 at Betty's Bay, Western Cape

Signature Craig Brown  
Name in writing Craig Brown



*Consent Usage*  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

1. Name and Surname: William Kuhn

2. South African ID no:           

3. Full Address: 3995 Disa Street  
Betty's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

We do not have to drive  
to Kleinmond and ~~De~~ Pringle  
Bay to buy good quality wine  
The establishment is proper  
and add support to what  
Betty's Bay can offer to tourists in  
our area.

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20th of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing William Kuhn

PETITION IN SUPPORT OF <sup>consent usage</sup> LIQUOR LICENSE FOR THE HUB

Trading as THE WHINE SHOP

1. Name and Surname: RICHARD STURKE

2. South African ID no: \_\_\_\_\_

3. Full Address: 2433 PLATEAU RD  
DD

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

MADE CONTACTS FOR RD

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature 

Name in writing RICHARD

PETITION IN SUPPORT OF <sup>consent usage</sup> LIQUOR LICENSE FOR THE HUB

Trading as THE WHINE SHOP

1. Name and Surname: Barrie Prunsko

2. South African ID no: \_\_\_\_\_

3. Full Address: 3425 Oysta Avenue B Bay

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

Excellent wine choices.

Improves tourism.

Convenient Shopping

It's not a "bottleskere" it's a sophisticated Wine Bar  
have the "get together" wine tasting of local residents

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Barrie Prunsko

~~CONSENT USAGE~~  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

1. Name and Surname: Sharon Prinsloo
2. South African ID no: \_\_\_\_\_
3. Full Address: 56 Dolphin Drive Betty's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

- 1) Educational Information with wine tasting mornings
- 2) Promotes Tourism
- 3) Quality Selection of local Wines
- 4) Supports local winemakers & wine farms.
- 5) Convenient - less traveling & good selection available
- 6) Good for socializing with residents

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature \_\_\_\_\_

Name in writing Sharon Prinsloo



CONSENT USAGE.  
**PETITION IN SUPPORT OF EQU OR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**


1. Name and Surname: Gwynis Davidson
2. South African ID no: \_\_\_\_\_
3. Full Address: 3354 Luchhoff Rd Sunny Sea

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

It is a wonderful niche wine  
shop as opposed to a bottle store  
& enhances the wonderful community  
little "Hub" centre. It is tasteful  
and a much needed in our  
area!

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20<sup>th</sup> of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Gwynis Davidson

224/242

~~CONSENT USAGE.~~  
**PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB**  
**Trading as THE WHINE SHOP**

- 1. Name and Surname: Desmond Davidson
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 335b Luckhoff Road, Betty's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

A boutique shop specialising in wine  
adds to the selection of quality outlets in  
Betty's Bay

\_\_\_\_\_

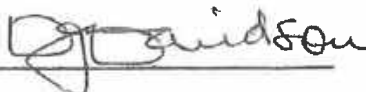
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20th of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing DJ DAVIDSON

225/242

PETITION IN SUPPORT OF <sup>consent usage</sup> ~~ALCOHOL~~ LICENSE FOR THE HUB

Trading as THE WHINE SHOP

- 1. Name and Surname: TIENIE Louw
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 3335 DOLPHIN DRIVE SUNNY BEAK  
BETTY'S BAY

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

SUPPORT LOCAL BUSINESS

SUPPORT LOCAL WINE INDUSTRIES

UP MARKET WINE STORE

\_\_\_\_\_


\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing M.S. Louw

CONSENT USAGE.

PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB

Trading as THE WHINE SHOP

- 1. Name and Surname: ANITA LOUW
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 3441 ABALONE STR, BETTYS BAY

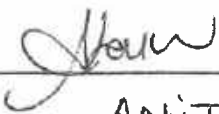
FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

UPMARKET WINE SHOP  
SUPPORTING LOCAL BUSINESS + TOURISM  
BUILDS BETTYS BAYS REPUTATION AS IT PROMOTES  
OUR AREAS WINE INDUSTRY

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature   
 Name in writing ANITA LOUW

*consent usage*  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

- 1. Name and Surname: *P. Smit*
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: *180 Harveyer Rd, Rooiëls*

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

*Needed in area*

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I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on \_\_\_\_\_ of \_\_\_\_\_ 2024 at Betty's Bay, Western Cape

Signature *[Handwritten Signature]*

Name in writing *Aac*

*consent usage*  
**PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB**  
**Trading as THE WHINE SHOP**

1. Name and Surname: A NIEUWANDT

2. South African ID no: \_\_\_\_\_

3. Full Address: 2326 PINE RD BETTYS BAY

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

FULL SUPPORT OF DEVELOPMENT IN  
AREA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature 

Name in writing A NIEUWANDT

PETITION IN SUPPORT OF <sup>consent usage</sup> LIQUOR LICENCE FOR THE HUB  
Trading as THE WHINE SHOP

1. Name and Surname: F SMART

2. South African ID no: \_\_\_\_\_

3. Full Address: 2326 PINE RD BETTYS BAY

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

NEEDED IN AREA

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature [Handwritten Signature]

Name in writing F. SMART

<sup>consent usage</sup>  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

1. Name and Surname: Stefan Roos

2. South African ID no: \_\_\_\_\_

3. Full Address: El Ponte 13 Gordon's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

Economic growth by attracting locals & holiday  
makers staying in Betty's Bay, to provide additional  
revenue for the community through taxes  
& to offer social opportunities for residents

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 2 of April 2024 at Betty's Bay, Western Cape

Signature [Handwritten Signature]

Name in writing Stefan

<sup>consent usage</sup>  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**


- 1. Name and Surname: Kyra Blade
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 1 Partridge Road Betty's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

It offers flexibility in purchasing options, enabling myself & other consumers to explore different brands & products. Additionally having a local liquor store contributes to the local economy & provides employment opportunities to the community.

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Kyra

PETITION IN SUPPORT OF <sup>consent usage</sup> ~~LIQUOR LICENSE~~ FOR THE HUB  
Trading as THE WHINE SHOP

- 1. Name and Surname: Corné Piani
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: REINMOND

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

It is not harmful and it is  
socially -  
Creation of Jobs

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 April April 2024 at Betty's Bay, Western Cape

Signature Piani  
 Name in writing C. U. PIANI

<sup>consent usage</sup>  
PETITION IN SUPPORT OF ~~EQUITY~~ LICENCE FOR THE HUB  
Trading as THE WHINE SHOP

- 1. Name and Surname: Willem Jacob Maree
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 2129 Greeb. Rd, Betty's Bay

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

Access to any decent supplier of general  
liquor goods are more than 20km away.  
And in this economy, petrol is 10x more  
expensive than a beer.


\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing W.J. Maree

<sup>consent usage</sup>  
**PETITION IN SUPPORT OF LIQUOR LICENSE FOR THE HUB**  
**Trading as THE WHINE SHOP**

- 1. Name and Surname: Michéla Nusca
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 4916 Selago Betty's bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

- Tourism
- It creates more jobs for our people
- Brings our community together
- Show cases wines from our local regions

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 19 ~~19~~ of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Michéla

235/242

*consent usage*  
PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB  
Trading as THE WHINE SHOP

1. Name and Surname: JOLIKA RABIE

2. South African ID no: \_\_\_\_\_

3. Full Address: 4215 CLAREMONT AVE, BETTY'S BAY

FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION

WE NEED TO HAVE DIVERSE BUSINESSES. AND KEEP IT  
LOCAL.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature *Jolika Rabie*

Name in writing JOLIKA

~~Consent usage~~  
**PETITION IN SUPPORT OF ~~LIQUOR LICENCE~~ FOR THE HUB**  
**Trading as THE WHINE SHOP**

1. Name and Surname: Uz BUNCKER
2. South African ID no. \_\_\_\_\_
3. Full Address: 4215 Cassula Ave BB.

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

We need to have a variety of  
well run & diverse business's.  
Local support local !!  
Educating locals & tourists  
about our wonderful range  
of local alcoholic beverages  
that they can buy & take home

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 20 of APRIL 2024 at Betty's Bay, Western Cape

Signature

Name in writing EUZABETH BUNCKER

<sup>consent usage</sup>  
**PETITION IN SUPPORT OF ~~LIQUOR LICENSE~~ FOR THE HUB**  
**Trading as THE WHINE SHOP**

- 1. Name and Surname: Piet van der Walt
- 2. South African ID no: \_\_\_\_\_
- 3. Full Address: 2931 High level Road Betty's Bay

**FULL REASONS IN SUPPORT OF THE ABOVE APPLICATION**

- 1. support local business
- 2. Support local wine industry
- 3. No need to travel to princebay or kleinmond - very convenient
- 4. Support tourism - upmarket wine shop

I, the undersigned, do hereby declare that I have no vested interest in above Establishment or the Application whatsoever.

Signed on 19 of April 2024 at Betty's Bay, Western Cape

Signature 

Name in writing Piet van der Walt.

238/242

Loretta Gillion



**From:** Blackbeards < >  
**Sent:** Monday, 31 October 2022 11:18  
**To:** Loretta Gillion  
**Cc:** 'Gail Blackbeard'  
**Subject:** Objection to application for consent use to sell liquor from the Hub in Betty's Bay (Erf 2989)

TP - A. / heart  
(H. Jd Stoop)

Dear Loretta

Although we did not get the notification for the consent use application please find my objection below

Regards

Mrs D. Blackbeard

FILE NO.	EF 2989
Betty's Bay	
SCAN NO.	07
COLLABORATOR NO.	1770474

Erf/Plot 2960  
Mountain Road

**RE:Objection to application for consent use to sell liquor from the Hub in Betty's Bay (Erf 2989)**

I hereby would like to lodge an objection against the proposal to issue consent use to one of the shops in the new development – The Hub, opposite Penguin Place on Clarence Drive. I believe the Erf is 2989 in which they want to sell liquor (alcoholic drinks).

I feel that should this consent use should not be granted, because it will:

- negatively impact the level of crime in the area,
- attract people who may abuse the use of alcohol,
- result in increased noise pollution,
- not be an asset to the residential area surrounding The Hub, especially seeing that the Catholic Church is less than 100m away from this Erf 2989. A bottle store or shop than can sell liquor will have a negative impact on this church.
- upset the neighbours; all of whom I have contacted are against this.

I thus strongly object to the granting of permission for this license.

Yours sincerely,

Mrs D. Blackbeard (ID )

TP " ( )

Loretta Gillion

TP - A Theart  
(Hold Steep)

**From:**  
**Sent:** Monday, 17 October 2022 10:51  
**To:** Loretta Gillion  
**Cc:**  
**Subject:** FW: OBJECTION TO LIQOUR LICENSE APPROVAL: THE HUB t/a THIRSTY'S LIQUOR BOUTIQUE: 25 (205?) CLARENCE DRIVE/R44 (PLOT 2989), JOCK'S BAY, BETTY'S BAY, OVERSTRAND  
**Attachments:** Notice of Application Objection.pdf  
**Importance:** High

I acknowledge receipt of your Notice by registered mail regarding the captioned matter.

It would appear that OM has already, in principle at least, recommended/approved the application despite not fully compliant to clear guidelines of the Western Cape Liquor Act of 2008.

I stay within 200 m of the envisaged business premises. In terms of Sections 51 and 52 of the said By-Law to the Municipality I object to the application - refer below correspondence to the Western Cape Liquor Authority for your attention please. I have also delivered a copy of same to the Kleinmond SAPS Liquor Control Officer.

Kindly acknowledge receipt of the objection.

Sincerely  
 SA versfeld

222 Clarence Drive (Plot 2811)  
 PO Box 571  
 BETTY'S BAY  
 7141

Western Cape, South Africa

VERTROUWELIJKHEIDSKLOUSULE

Hierdie boodskap is privaat en vertroulik en slegs bedoel vir die geadresseerde persoon of entiteit. Indien die leser van die boodskap nie die bedoelde ontvanger is nie, word u in kennis gestel dat enige verspreiding of duplisering hiervan streng verbode is. Indien u die boodskap verkeerdelik ontvang het, stel ons asseblief onmiddellik in kennis per telefoon en vernietig die boodskap.

**CONFIDENTIALITY CLAUSE**

This message is private and confidential and intended solely for the addressed person or entity. If the reader of this message is not the intended recipient, you are notified that any distribution or duplication of this is strictly prohibited. If you have received this message incorrectly, please immediately notify us by telephone and destroy the message.

**From:**  
**Sent:** Monday, 15 August 2022 11:41  
**To:** liquor.enquiries@wcla.gov.za  
**Cc:**  
**Subject:** OBJECTION TO LIQOUR LICENSE APPROVAL: THE HUB t/a THIRSTY'S LIQUOR BOUTIQUE: 25 CLARENCE DRIVE/R44 (PLOT 2989), JOCK'S BAY, BETTY'S BAY, OVERSTRAND  
**Importance:** High

**TO WHOM IT MAY CONCERN**

It is noted that an application for a liquor license was made in terms of Section 33(1)(C) of the Western Cape Liquor Act of 2008 (the Act) for the sale of liquor for consumption off premises at the captioned address. The attached Notice refers without prejudice of any rights.

FILE NO. EL 2989 - KBB
SCAN NO. KBB 2989
COLLABORATOR NO.
1764126

Objections in terms of Section 39(2) of the Act: The following motivation is submitted in objection to the entertainment and possible approval of the captioned Application:

1. Does the application fit zoning requirements?;
2. Clarence Drive/R44, in the identified business premises area at Jock's Bay, already experiences severe traffic volumes associated with speeding and a number of accidents occurring;
3. There is an already definite lack of available public parking (quantity and safety) for customers;
4. There has also been little to no traffic law enforcement in this area, despite numerous requests to authorities;
5. Additional visitors attracted to The Hub/Thirsty's Liquor Boutique will certainly exacerbate the above-mentioned tenuous situation;
6. The envisaged business premises is situated within a 500m radius of the local Catholic Church/Anglican Church;
7. It is alleged that only wine will be sold, yet the license applied for include spirituous beverages and beer;
8. The Hub business cluster facilities include an open roof deck offering 2 x barbeque areas which may be used in future to expand the prospect licensee business activities to include hospitality events and on-premises alcohol consumption;
9. A commonly known impact of liquor stores/on premises consumption venues include attraction of crime "hot spots" and loitering, including control over socially undesirable activities and general safety;
10. Betty's Bay has been identified as a high crime area and has suffered from increased levels of burglary and assault;
11. Betty's Bay has a well-known and established pensioner (older) residential area;
12. There is no guarantee that license conditions may be expanded once initial approval is obtained;
13. Residential property values in the area will be negatively compromised;
14. Earlier applications in a more established business area of Betty's Bay, Centre Shop area, have been rejected.

Submitted for your consideration and rejection of the said application.

Sincerely  
SA Versfeld

PO Box 571  
BETTY'S BAY  
7141  
Western Cape, South Africa

**VERTROUWELIJKHEIDSKLOUSULE**

*Hierdie boodskap is privaat en vertroulik en slegs bedoel vir die geadresseerde persoon of entiteit. Indien die leser van die boodskap nie die bedoelde ontvanger is nie, word u in kennis gestel dat enige verspreiding of duplisering hiervan streng verbode is. Indien u die boodskap verkeerdelik ontvang het, stel ons asseblief onmiddellik in kennis per telefoon en vernietig die boodskap.*

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# NOTICE OF LODGEMENT OF APPLICATION FOR LIQUOR LICENCE

**NOTICE IN TERMS OF SECTION 37(2) OF THE WESTERN CAPE LIQUOR ACT, 2008  
APPLICATION FOR A LIQUOR LICENCE IN RESPECT OF THESE PREMISES**

(Reg 10(2))

Notice is hereby given that an application for a liquor licence, particulars of which appear hereunder, has been lodged at the Western Cape Liquor Authority (the Authority) and the office of the designated liquor officer at the SAPS KLENMOND. 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.

Date of Notice: 29 JULY 2022

This date must correspond to the date contemplated in regulation 8(3).

Full Name of applicant: STUART REITH BUCHAN

Identity number or registration number of applicant: 590604 5145 066

Street address of applicant: 21 HATHERSAGE MEADOWS, 22 PLUMTREE STREET, GORDON ROADS, SOMERSET WEST, WESTERN CAPE, Postal code: 7130

Postal address of applicant: 21 HATHERSAGE MEADOWS, 22 PLUMTREE STREET, GORDON ROADS, SOMERSET WEST, WESTERN CAPE, Postal code: 7130

Kind of licence applied for: SECTION 33(1)(C): A LICENCE FOR THE SALE OF LIQUOR FOR CONSUMPTION OFF THE PREMISES WHERE THE LIQUOR IS SOLD.

Kind of liquor to be micro-manufactured and/or sold: WINE

Name under which business will be conducted: THIRSTY'S LIQUOR BOUTIQUE

Address of the proposed premises: ERF 2969, BETTY'S BAY 25 CLARENCE DRIVE BETTYS' BAY

Application Prepared by: WRAP PROJECT OFFICE

Postal address: PO BOX 1247, HERMANUS Postal code: 7200

Physical address: UNIT B, STANDARD HOUSE, CNR DIRKIE UYS AND ROYAL STREET, HERMANUS Postal code: 7200

Telephone numbers  
 Office: 828 313 1411  
 Mobile: 072 122 7704  
 Home or other: N/A  
 E-mail address: [admin@wrcap.gov.za](mailto:admin@wrcap.gov.za)

242/242



**BBRA / BBV**

Betty's Bay Ratepayers' Association  
Bettiesbaai Belastingbetalersvereniging

TP. n/heart  
(17.00 Group)



28092022.

To whom it may concern

**iro: Erf 2989 Clarence Drive Betty's Bay – APPLICATION FOR CONSENT USE**

In light of the BETTY'S BAY community being somewhat divided on this issue, we the BBRPA cannot make any comments on this rather contentious matter.

Yours sincerely.

**KARON SCHOLEFIELD**  
PROPERTY PORTFOLIO REPRESENTATIVE of BBRPA

FILE NO.	Erf 2989 ✓
	Betty's Bay
SCAN NO.	
	KBB 2989
COLLABORATOR NO.	
	1752915

Chairman: Wayne R Jackson  
0829281260

Secretary/Treasurer: Adnan de Kock  
082 940 4619

BBRA, P O Box 48, Betty's Bay, 7141 / BBV, Posbus 48, Bettysbaai. 7141

28 SEP 2022



# Project Office

Town Planning & Project Management

TP. N. Ahearne  
(H. van Stoep)

Our Reference: 22/62

Your Reference: 2989 KBB (4193/2022)

7 November 2022

The Municipal Manager  
Overstrand Municipality  
P O Box 20  
HERMANUS  
7200

Attention: Ms Hanneen Van der Stoep

FILE NO.	2989
	Betty's Bay ✓
SCAN NO.	
	KBB 2989
COLLABORATOR NO.	
	1773810

## ERF 2989 BETTY'S BAY: APPLICATION FOR CONSENT USE

Your letter dated 4 November 2022, refers.

Several comments and objections were received, which are addressed herein:

1. Betty's Bay Ratepayers' Association

**In light of the BETTY'S BAY community being somewhat divided on this issue, we the BBRPA cannot make any comments on this rather contentious matter.**

2. D Blackbeard  
**Late Objection**
3. SA Versfeld

Project Planning | Project Feasibility | Land Use Applications | Project Execution Management | Liquor Licensing

Unit B, Standard House,  
Cnr Royal and Dirkie Uys Street  
Hermanus

P O Box 1247  
Hermanus,  
7200

Tel: +27 (0)28 313 1411  
Email: admin@wrapgroup.co.za  
Web: www.wrapgroup.co.za

**20**  
YEARS  
EST. 2002

WRAP Group Established 2002

TP - 8 NOV 2022



### Comments - SA Versfeld

I acknowledge receipt of your Notice by registered mail regarding the captioned matter. It would appear that OM has already, in principle at least, recommended/approved the application despite not fully compliant to clear guidelines of the Western Cape Liquor Act of 2008.

I stay within 200 m of the envisaged business premises. In terms of Sections 51 and 52 of the said By-Law to the Municipality I object to the application - refer below correspondence to the Western Cape Liquor Authority for your attention please. I have also delivered a copy of same to the Kleinmond SAPS Liquor Control Officer.

Objections in terms of Section 39(2) of the Act: The following motivation is submitted in objection to the entertainment and possible approval of the captioned Application:

1. Does the application fit zoning requirements?;
2. Clarence Drive/R44, in the identified business premises area at Jock's Bay, already experiences severe traffic volumes associated with speeding and a number of accidents occurring;
3. There is an already definite lack of available public parking (quantity and safety) for customers;
4. There has also been little to no traffic law enforcement in this area, despite numerous requests to authorities;
5. Additional visitors attracted to The Hub/Thirsty's Liquor Boutique will certainly exacerbate the above-mentioned tenuous situation;
6. The envisaged business premises is situated within a 500m radius of the local Catholic Church/Anglican Church;
7. It is alleged that only wine will be sold, yet the license applied for include spirituous beverages and beer;
8. The Hub business cluster facilities include an open roof deck offering 2 x barbeque areas which may be used in future to expand the prospect licensee business activities to include hospitality events and on-premises alcohol consumption;
9. A commonly known impact of liquor stores/on premises consumption venues include attraction of crime "hot spots" and loitering, including control over socially undesirable activities and general safety;
10. Betty's Bay has been identified as a high crime area and has suffered from increased levels of burglary and assault;
11. Betty's Bay has a well-known and established pensioner (older) residential area;
12. There is no guarantee that license conditions may be expanded once initial approval is obtained;
13. Residential property values in the area will be negatively compromised;
14. Earlier applications in a more established business area of Betty's Bay, Centre Shop area, have been rejected.

### Response to comments

1. The subject property is currently zoned Business Zone 3: Local Business, as stated in section 8 of the motivational report. The property is not being rezoned as the Overstrand Municipality Land Use Management Scheme, 2020 makes provision for a bottle store as a consent use under the current zoning.



2. & 3.

No parking is being proposed on Clarence drive.

The Overstrand Municipality Land Use Scheme, 2020, requires that all parking required for the property be provided on-site. The parking requirements are determined by the Overstrand Municipality Land Use Scheme, 2020.

The property will gain access and egress from a municipal street at the back of the property. The building plans were approved by the Overstrand Municipality indicating that parking provision was regarded as adequate with sufficient manoeuvring space and driving widths.

The applicant cannot be held responsible for the dangers of Clarence Drive and although these comments are not considered as unimportant, it is not the correct forum to raise existing traffic issues on a provincial road. It is suggested that these objections be directed towards the Western Cape Department of Transport who has jurisdiction on the road running through Betty's Bay.

Important to note, is the applicant will not be serving liquor for on-site consumption.

4. The comment is noted, but it is not the correct forum for the objectors to raise existing traffic issues.
5. The application was circulated to the engineering department of the Overstrand Municipality, and they will be able to provide their comments on the matter. If there are any feedback from the engineering department, the property owners will address these comments if any is received.
6. This is noted. The property is zoned for business purposes, and it not predicted to have an impact on the operations of the church. The business will be operated in same manner as the rest of the Jock's Bay Retail Centre.
7. The application clearly states that the proposed bottle store will be for the sale of all kinds of liquor, refer to section 4.1 of the motivation report.
8. The application is solely for the bottle store on the ground floor, it is noted that the building has these amenities and may also be used by the occupants of the flats on the first floor.
9. These comments are noted, and it is understood that the objector may be concerned.

The property will be protected by a security firm to ensure the property is secured and that no crime occurs on-site. The proposal is to establish a higher end enterprise, than the standard liquor store. The type of clientele needs to be evaluated from where the property is located in a strategic position to supply a demand that has been created with the lack of bottle stores in the area.

No liquor will be consumed on site and the applicant will be regulated by the Western Cape Liquor Act, (Act no 4 of 2008) on who may purchase liquor. It is important to note that conditions such as the following are normally included into the approved liquor licence:



*"No liquor may be sold to persons who are drunk and/or disorderly."*

*"No person who is drunk and/or disorderly may be allowed to stay on the licensed premises"*

*"The licensee and/or the manager must at all times ensure that the activities and business conducted on the premises do not cause any nuisance or disturbance to other, including but not limited to neighbours, residents, other occupiers of building in the area and passers-by"*

*"The licensee/appointed manager shall not allow for the sale of liquor to patrons in containers which are not sealed. Liquor may only be sold in a property sealed container, bearing the seal or label of a registered manufacturer or licensed micro-manufacturer. All containers with liquor must be sealed when sold and remain sealed when leaving the premises."*

These conditions are only a short list of the conditions that will limit the disturbance on-site and ensure that the business cannot be held responsible for any criminal activities. Should any criminal activities occur is it the responsibility of the SAPS to address the situation and ensure the safety of those involved.

10. The existing crime situation in Betty's Bay is not as a result of a proposed bottle store and it is not predicted that the existence of the bottle store will have a negative impact on the crime situation in Betty's Bay.
11. This is noted and they will also be welcomed to the bottle store and limit the travel time if they wish to purchase liquor.
12. The application is for the consent use to allow a bottle store.
13. This is noted, the property owners surrounding the Jock's Bay Retail Centre bought their properties knowing the Jock's Bay Retail Centre will be developed in the future and it was unpredicted what business these will be.

There is however no knowledge or evidence being provided by the objector on this statement and cannot be considered.

14. This comment is noted, and the proposal cannot be compared to the previous application and the decision thereof cannot create a precedent, as town planning is a site-specific process and the notion that if one application is refused it is not motivation enough to refuse another land use application.

Each application is evaluated individually and site specific and considered if deemed fit and desirable to approve the bottle store.

The Overstrand Municipality is required to consider various factors that may influence their consideration of the proposed bottle store.



#### LATE COMMENTS - D Blackbeard

I hereby would like to lodge an objection against the proposal to issue consent use to one of the shops in the new development - The Hub, opposite Penguin Place on Clarence Drive. I believe the Erf is 2989 in which they want to sell liquor (alcoholic drinks).

I feel that this consent use should not be granted, because it will:

- negatively impact the level of crime in the area,
- attract people who may abuse the use of alcohol,
- result in increased noise pollution,
- not be an asset to the residential area surrounding The Hub, especially seeing that the Catholic Church is less than 100m away from this Erf 2989. A bottle store or shop that can sell liquor will have a negative impact on this church.
- upset the neighbours; all of whom I have contacted are against this.

#### Response to comments

This objection received, is acknowledged, but it does not merit a response from WRAP Project Office. The objection was submitted on the 31<sup>st</sup> of October 2022 which is considered a late objection and the contents thereof will not be addressed and it should not be considered.

These objections are regarded as invalid as they were not submitted within the time period stated in the notice received. Section 52 of the Overstrand Municipality: Amendment By-law on Municipal Land Use Planning 2020, clearly state the conditions that comments/objections need to adhere to.

Section 52(2) states:

"Any objection, comment or representation received as a result of a public notice process must be in writing and addressed to the person mentioned in the notice **within the time period stated in the notice** and in the manner set out in this Section."

And Section 52(5) states:

"The Municipality may refuse to accept an objection, comment or representation received after the closing date."

It is apparent when reviewing the Overstrand Municipality: Amendment By-law on Municipal Land Use Planning 2020, that it provides clear conditions and methods on how comments/objections may be submitted, and a timeframe allowed for submission for such objections to be valid.

It is our opinion that these comments may not be considered by the decision-making authority as it was submitted outside of the time period stated in the notice.

**Conclusion**

There was only one valid objection and the objector focussed on several aspects such as traffic, crime, and zoning.

Considering the response to objections, it is recommended that the planning application be approved as submitted.

Yours faithfully

A handwritten signature in cursive script that reads "L. Jansen". The signature is written in black ink and is positioned above the printed name.

**L. JANSEN**  
**PROFESSIONAL TOWN PLANNER (A/2858/2019)**



# Project Office

Town Planning & Project Management

Our Reference: 22/62  
Your Reference: 2989 KBB (4193/2022)

13 June 2024

The Municipal Manager  
Overstrand Municipality  
P O Box 20  
HERMANUS  
7200

FILE NO. Erf 2989-KBB
SCAN NO. KBB 2989
COLLABORATOR NO. 2066135

OVERSTRAND MUNISIPALITE
REKORDBEHEER
21 JUN 2024
DOCUMENT CONTROL
OVERSTRAND MUNICIPALITY

TP- A Theart  
(H vld Stoep)

Attention: Ms Hanneen Van der Stoep

## **ERF 2989 BETTY'S BAY: APPLICATION FOR CONSENT USE: RESPONSE TO OBJECTIONS**

Your letter dated 6 May 2024, refers.

Numerous letters and petitions in support of the proposal were received as highlighted below. As mentioned within the application the proposed consent use will enable the owners to expand their product offering to better serve their existing clientele, without making any other changes to the shop. This adjustment will enhance customer satisfaction while preserving the shop's established character and operations.

### **SUPPORT**

Yolanda Roozen  
Hans and Sandra du Plessis  
Y Gray  
Duncan Anderton

Gavin Stockden  
L. Schank  
Greta Kuhn

**We received late support as well as a petition signed by 14 supporters:**

### **LATE SUPPORT**

Sarah van Niekerk

### **PETITION RECEIVED SIGNED BY**

Riana Van Zyl  
Conrad Louw  
Keith Anderson  
Craig Brown  
William Kuhn  
Barnie Prinsloo  
Diane Crossman  
Desmond Davidson  
Anita Louw

Lynne Arundel  
Yvonne Garnar  
Deidre Serfontein  
Martin Wells  
Richard Starke  
Sharon Prinsloo  
Glynis Davidson  
Tienie Louw  
A Niemandt

*F Swart  
Kyra Black  
W J Maree  
R Smit  
Liz Buncker*

*Stefan Roos  
Corne Piani  
Michela Nusca  
J Rabie  
Piet van der Walt*

### **RESPONSE TO SUPPORT**

There is significant support for the liquor store at the Hub in Bettys Bay, with strong emphasis on its economic benefits, support for local businesses and the wine industry, job creation, tourism promotion, and overall positive impact on the community.

The shop is seen as a valuable addition supporting local vineyards and is seen as modernising the community without losing its charm.

Despite some objections on WhatsApp groups (which are not official objections within the formal public participation process), many residents support the establishment of a bottle store in Bettys Bay with emphasis on promoting local producers and craft drinks with interest in understanding its unique offerings. The shop in its current form is already promoting social- and community engagement as well as wine education. The existing shop is seen as a tasteful and much-needed addition to the area.

There is general support for new shops and restaurants that can generate employment for local residents. The existing shop is also viewed as beneficial for tourism, saving tourists from driving to nearby towns.

The traffic concerns are overstated by the supporters and apply to other businesses as well. The owners support reducing the speed in the area and have been in contact with the Western Cape Department of Transport on methods to reduce the speed on Clarence Drive running through Bettys Bay. The reduction in speed will address these concerns of traffic safety. The letter of support also mentioned that the proposal will save residents from traveling to neighbouring villages, reducing travel costs and supporting sustainable local shopping.

During the first round of public participation, two individuals as well as the Betty's Bay Ratepayers' Association provided comments on the application, one of which had resubmitted their initial comments. The second notice confirmed that all comments submitted during the first round remain valid and will be considered in the ongoing review process. WRAP had responded to these comments on the 7<sup>th</sup> of November 2022.

### **OBJECTIONS RECEIVED AS PER 1<sup>ST</sup> ROUND OF PUBLIC PARTICIPATION TOPICS THAT WERE ADDRESSED**

*D. Blackbeard*

Objector resubmitted the same objections as per the 1st round of public participation

### **OBJECTIONS RECEIVED AS PER 2<sup>ND</sup> ROUND OF PUBLIC PARTICIPATION**

#### **LATE COMMENT - RECEIVED AFTER CLOSING DATE BUT THE TOPICS ARE ADDRESSED**

*MM Borchers  
JoJo and Wilma Gunnink*

#### **WITHIN THE COMMENTING PERIOD**

*Mr Johann von der Heyden  
Francois and Emmse Burger  
Adv WP Krull and SM Krull*

*Clive Barham  
Riana Vogel  
Carien de Kock*

Carlo Valentini  
 Monica Muller  
 David Hofmeyr  
 Vivienne von der Heyden  
 George Peter Dall  
 Stuart Blackbeard  
 Glenda and Jeremy Muller  
 Ruwaida Matthews  
 Annatjie Creighton  
 CJ Mentz  
 Dr Rob Moore  
 Trinity Loubser  
 Esther Niemandt  
 John Loubser  
 Tammy Fernandes  
 Illandra Combrinck  
 Dr CAR Bain  
 Hennie & Marna van Tonder  
 Trevor de Beer  
 Dr Bernhard Ficker.  
 Mrs J Longman  
 MJ van Wyk  
 Mr C Nicholson.  
 Terrence Lavery  
 Carine van Riet & Benny Janssens

Sharon Crawford  
 Mrs Yvan Zyl  
 Eric and Mary Bateman  
 Marina Snelling  
 Steve Winters  
 R. Kroger  
 Nicolette Maritz  
 Stephen Hofmeyr (and family)  
 Bronwen Venkatasami  
 Richard Blackbeard  
 Charlie Taljaard  
 R Starey  
 Sabrina Taljaard  
 Yvonne and Spencer King  
 Ellie Bubb  
 Mieke Willems  
 Bronwyn Jackson  
 Kim Gericke  
 Rob Gray  
 Catherine Jausaud  
 Guy Snelling  
 Mae Whaits & JHC Whaits  
 J.H.New  
 Professor A. B-Cunningham

#### **RESPONSE TO TRAFFIC AND PARKING COMMENTS**

The application submitted is to allow the owners to convert the existing wine shop to a bottle store. The proposed bottle store is not expected to increase both vehicle and pedestrian traffic in the area or lead to a higher demand for parking, nor is it anticipated to impact on the safety and congestion of surrounding roads, particularly Clarence Drive. Several objectors indicated that a bottle store will increase traffic, but no clear reason was provided for how a conversion of an existing shop will increase the traffic 'significantly' when essentially only the products being sold will change, as the shop and the entire development already exist.

The owners cannot be held responsible for existing dangers on Clarence Drive, and such concerns should be directed to the Western Cape Department of Transport, which has jurisdiction over the road running through Betty's Bay. The Western Cape Department of Transport has an approved solution that will have to be implemented should the applicant intend to provide a pedestrian crossing over any of the concrete-lined channels. The applicant decided against encouraging pedestrian crossings Clarence Drive. As mentioned previously, the owners have engaged with Department of Transport on methods to reduce the speed of Clarence Drive, as they are also in support of this.

Access and egress are obtained through two points at the Northern Street boundary, essentially creating a one-way flow of traffic on the subject property, where parking will be accommodated on site. According to the Overstrand Municipality Land Use Scheme, 2020, all required parking for the property must be provided on-site. The parking requirements for 262m<sup>2</sup> GLA is 10.5 parking bays, but 14 parking bays are being provided, as well as 1 loading bay.

The building plans approved by the Overstrand Municipality confirm that the parking provisions are deemed adequate, with sufficient manoeuvring space and driving widths. The owners encourage visitors to the Hub to use their allocated parking bays at the rear

' of the property instead of the public off-site parking running along Clarence Drive, but the owners have no control over where their visitors/clients park. They have fulfilled their obligation by providing safe and sufficient parking on-site for their visitors/clients. The boutique liquor outlet (bottle store) will be located in an existing shop in The Hub building and will not operate as a freestanding enterprise, but as part of the entire development business complex and node.

Residents and visitors will have a convenient local option to purchase alcohol, potentially reducing the need for longer trips to neighbouring towns. A local bottle store can reduce the risk of drunk driving, as it minimises the need for longer drives to obtain alcohol. With a local option, residents can purchase alcohol closer to home, potentially reducing the temptation to drive under the influence. The success of bottle stores in nearby areas demonstrates that such establishments can operate without causing significant disruption.

### **RESPONSE TO MARKET SEGMENT AND CRIME**

The proposed bottle store aims to carve out a niche within the alcohol retail market by offering exclusively upmarket products, aligning with the upscale image of Betty's Bay. This focus on high-quality offerings is intended to cater to a specific demographic of residents and visitors who value quality products. By tailoring its inventory to meet the preferences of this target audience, the store hopes to satisfy the needs of the residents as well as connoisseurs and tourists, while contributing to the local economy.

There are however concerns that the sale of cheaper alcohol could attract a less desirable clientele, potentially leading to increased crime and safety issues, particularly if individuals with alcohol addiction or those seeking to consume alcohol in public areas are drawn to the store. Not only will the property be protected by a security firm to ensure the property is secured and that no crime occurs on-site, but the security firm is also renting one of the shops in the development.

The owners of the wine shop and proposed bottle store are of the opinion that by promoting responsible consumption and fostering a refined drinking culture, the establishment can mitigate any negative impacts on the community. Additionally, the store plans to continue promoting socialising and community engagement, along with liquor education, to further reinforce responsible drinking habits.

While the focus on upmarket products may alienate some segments of the population who cannot afford these offerings, the proposed bottle store aims to differentiate itself from competitors in neighbouring towns by positioning itself as a specialised retailer catering to a discerning clientele. By emphasising quality over quantity and promoting a sophisticated shopping experience, the proposed bottle store hopes to create a unique identity within the local market. This is already evident in the fact that the wine shop sells wines from local vineyards.

Having a bottle store at The Hub can provide residents and visitors with more options for purchasing alcohol, including a range of wines, spirits, and craft beers. This diversity can cater to different preferences and tastes, enhancing the overall shopping experience.

Several objectors have stated that the Spar located at the Centre Shop has been issued a liquor license to open a TOPS, which is incorrect and false. It is important to note that the erf on which the Centre Shop is located is zoned as Business Zone 3: Local Business. This zoning requires the owners to submit a consent use application, similar to the one on which the objectors are commenting on, to obtain consent to allow a bottle store on the erf. According to our records, no such applications have been considered, meaning no license has been granted in the Centre Shop area of Betty's Bay yet. The Western Cape Liquor Authority (WCLA) regulates the retail sale of liquor in the province and such a licence does not appear on their data base.

No liquor will be consumed on site and the owners will be regulated by the Western Cape Liquor Act, (Act no 4 of 2008) on who may purchase liquor. It is important to note that conditions such as the following are standard inclusions in the approved liquor licence:

- "No liquor may be sold to persons who are drunk and/or disorderly."
- "No person who is drunk and/or disorderly may be allowed to stay on the licensed premises"
- "The licensee and/or the manager must at all times ensure that the activities and business conducted on the premises do not cause any nuisance or disturbance to other, including but not limited to neighbours, residents, other occupiers of building in the area and passers-by"
- "The licensee/appointed manager shall not allow for the sale of liquor to patrons in containers which are not sealed. Liquor may only be sold in a property sealed container, bearing the seal or label of a registered manufacturer or licensed micro-manufacturer. All containers with liquor must be sealed when sold and remain sealed when leaving the premises."

These conditions are only a short list of the conditions that will limit the disturbance on-site and ensure that the business cannot be held responsible for any criminal activities. Should any criminal activities occur it is the responsibility of the SAPS to address the situation and ensure the safety of those involved.

The proposed bottle store will be limited to normal business hours as regulated by the business hours allowed by the Western Cape Liquor Act, (Act no 4 of 2008) and the Overstrand Municipality Liquor Trading Hours By-law, 2011.

#### **RESPONSE TO POLLUTION**

Individuals should take responsibility for their actions, including properly disposing of their waste. The littering issues observed are due to the irresponsible behaviour of individuals, not the presence of the alcohol outlet itself.

Solid waste is collected every week from a baboon proofed refuse area on the Northern Street Boundary, as requested by the building control department of Overstrand Municipality. The refuse area is secured and refuse is contained on site.

#### **RESPONSE TO NOISE**

The comments about increased noise primarily reflect concerns about potential future developments beyond the proposed bottle store and their impact on the peaceful atmosphere of Betty's Bay, which are speculative. The issue of traffic noise increase has been addressed similarly for certain segments of the population.

The proposed bottle store at The Hub can be managed responsibly, providing positive benefits to the community while also respecting concerns about noise and preserving the unique character of Betty's Bay.

#### **RESPONSE TO PROPERTY VALUE**

The property is situated within the small business node of Betty's Bay, known as the Jock's Bay Retail Centre. This node already hosts several small businesses that will accommodate the proposed bottle store. The objectors' claim that their property values will be affected is not based on facts as there is no evidence to support this statement, and it cannot be quantified or proven.

The issue of crime/security has been addressed.

The application was submitted during the construction phase of the new Hub retail centre, which created jobs at that time. While these jobs were temporary, this is typical for all construction sites.

It is unfair to compare the failure of businesses in neighbouring towns or other retail centres to the potential success of a new bottle store at The Hub. Opening new businesses inherently creates job opportunities. The proposed bottle store is expected to attract more customers and visitors, thereby creating employment opportunities. It is also incorrect to state that only one or two individuals will benefit from the existing wine shop and the proposed bottle store. These establishments support other enterprises, such as local vineyards, distributors, and small businesses that supply goods and services. For instance, local vineyards gain exposure and revenue by having their wines featured in the shop. Distributors benefit from increased business and transportation needs, while local artisans and food producers can have their products showcased alongside the wines. Additionally, these stores create job opportunities for the community, contributing to the local economy and fostering economic growth in the area.

There is no conclusive evidence that the current wine shop is unfeasible, and such claims by individuals lack substantiation. It is unrealistic to expect a single business owner to be solely responsible for uplifting the township community.

The proposed bottle store will serve not only the residents of Betty's Bay but also holidaymakers and tourists, reducing the need to travel to neighbouring towns. This will encourage visitors to support other local businesses in Betty's Bay, benefiting from increased local spending and boosting local turnovers. Consequently, this will lead to more job creation, fewer vacant shops, and a more sustainable local economy.

**RESPONSE TO LOCAL BUSINESSES**

The comments received indicate that Betty's Bay does not need a bottle store given the ample supply of liquor outlets in nearby towns. The same individuals express concerns about increased traffic and noise. They also state that residents do not mind driving to neighbouring towns for shopping and supporting businesses outside of Betty's Bay.

The argument that a proposed bottle store would negatively impact local restaurants with liquor licenses is unjustified. The bottle store could potentially serve as a supplier to these restaurants. It is accurate that most restaurants in Betty's Bay serve liquor, though not for off-premises consumption. The comments refer to concerns about accidents due to the use of liquor and drinking and driving, yet they support local restaurants that have on-premises liquor licenses.

Local businesses at the Hub centre are encouraged, and the existing wine shop's application for a bottle store is part of this centre. The reference to the TOPS bottle store has been addressed.

There is growth in the area for various reasons, and the current 30% occupancy rate based on built-up properties is expected to increase. Reviewing the Overstrand Municipality Spatial Development Framework, it is estimated that the population of Betty's Bay will almost double from 2016 having approximately 1711 residents to 2031 having approximately 3265 residents, which is expected to support the local businesses such as the liquor store, which in turn will also have benefits for visitors and tourists when they visit the area.

While some may cite the lack of a bottle store or large shops as a reason for purchasing property in Betty's Bay, others see the potential for growth in the area. The proposal aims to utilise a property in a mixed-use area according to its existing zoning. Property owners

cannot object to the zoning or the zoning impact of existing property on their properties as the application being submitted does not propose altering the existing zoning.

#### **RESPONSE TO SERVICES**

The comment is noted. The objector is correct in stating that the property is not physically connected to a sewage network, but it is still serviced by the municipality's operational department, which can be classified as part of their servicing network.

Changing the use from a wine shop to a bottle store is not expected to have any impact on the sewage situation on the subject property.

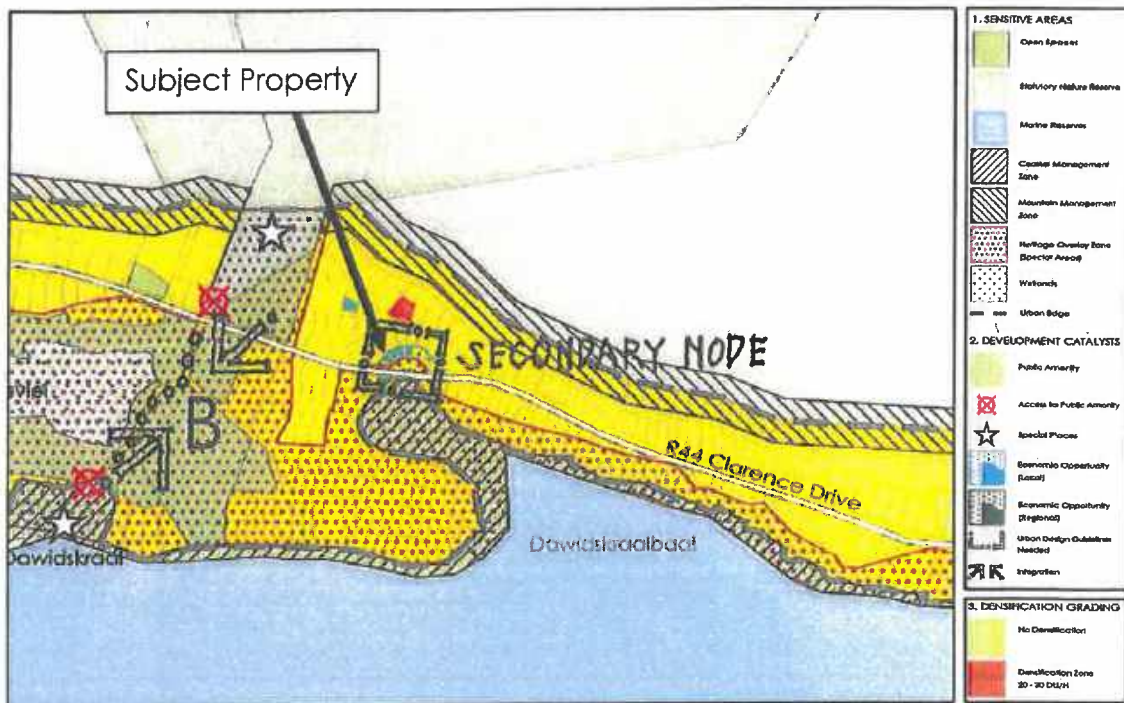
#### **RESPONSE TO AREA IMPACT**

Betty's Bay has special features like the biosphere, marine reserve, and botanical garden, which residents have historically sought to preserve by limiting commercial activities. Betty's Bay lies within the Kogelberg Biosphere Reserve, the first UNESCO declared Biosphere in South Africa and is fiercely protected by the town's occupants. The proposed bottle store is not predicted to have any impact on the on the Biosphere and the applicant is also a supporter of the status of Betty's Bay.

No formal reasoning or factual statements are made on how or why the objectors feel that the bottle store will affect the biosphere, only statements that it should not be supported or that Betty's Bay is located in the Kogelberg Biosphere. The owners re-affirm their support for these conservation efforts and understands the concerns about maintaining the unique character of Betty's Bay. The proposed bottle store is not intended to alter the village's ambiance but rather to provide a service that meets local demand while respecting the area's environmental and cultural values. The owners remain committed to upholding the principles of sustainable development within the biosphere, ensuring that any business activities contribute positively to the community and environment.

The control of alcohol consumption within the Harold Porter Botanical Garden, leading to potential environmental and social issues cannot all be because of this proposed bottle store. The owners acknowledge and agree with the need for responsible consumption practices. However, it's important to note that the control of alcohol consumption within the Harold Porter Botanical Garden and surrounding areas cannot solely be attributed to the proposed bottle store. Visitors may already bring alcohol into these areas from elsewhere. The owners commit to working closely with local authorities and stakeholders to ensure that any potential issues are effectively managed through responsible retail practices and community engagement.

The Hub is located within a business node, that is located next to a residential area. The property is located within the small business node of Betty's Bay which is identified as the Jock's Bay Retail Centre.



The node has several small businesses that have been established and that accommodate the existing wine shop and other commercial enterprises. The development of these properties is not out of the ordinary and the property owners (The Hub) had a vision to add value to the surrounding area by establishing a new business premises.

The fact that a church used by two congregations is within the business node is also not a reason for refusal of a bottle store. In the Overstrand Municipal area many liquor licences are within walking distances from a church. The presence of a church nearby should not automatically preclude the establishment of a licensed business. Businesses and places of worship often coexist within communities across the region. It is also essentially to note that the existing wine shop endured an extensive liquor licence process that also considered the proximity of the religious institutions in the area.

Additionally, the area is noted for its recreational use, particularly during holidays, which raises concerns about potential disruptions from a bottle store. However, it's worth emphasising that businesses within The Hub, including other commercial enterprises, have not historically disrupted the area's residential tranquillity. The management and operational practices of any new establishment would need to align with local regulations and community expectations to minimize any potential negative impact. Please refer to the market segment of this document.

The comments predicts negative impact on the surrounding area without providing a basis for this assertion. The claims are unsubstantiated, lacking evidence, placing the burden of proof on the owners, which they have not met.

### **RESPONSE TO GENERAL CONCERNS RAISED**

The application has followed legal procedures outlined by the Western Cape Liquor Authority, ensuring transparency and adherence to regulations. Concerns regarding transparency, particularly regarding agreements with business owners, are not relevant to the current application for a consent use for a bottle store.

While residents express concerns about potential disturbances to the peaceful nature of the area due to the liquor outlet, these concerns have been previously addressed.

Some residents feel the municipality isn't adequately considering community wishes, but the Overstrand Municipality has a strong history of transparent administration, including

robust public participation processes. Public participation is integral to the land use planning process, providing an avenue for all stakeholders, whether in support or opposition, to voice their concerns or suggestions for improvement. This inclusive approach ensures that both residents opposing the application based on assumptions and those supporting it, acknowledging the need for change, have an opportunity to contribute to the decision-making process.

It is important to note that both the land use application and the liquor licence application followed a public participation process. On-site notices, public newspapers, and the government gazette were used for public notification of all the relevant processes.

15/16

During the public participation process of applying for a **LIQUOR LICENCE** the following objectors comments and concerns were received and addressed. This formed part of their comments submitted on the consent use application but all of the topics have been responded to.

#### **COMMENTS RECEIVED RELATED TO THE LIQUOR LICENCE APPLICATION**

<i>E Bates</i>	<i>Louise Sterling</i>
<i>Lenore Watermeyer</i>	<i>Prof SW and Dr HA Moore</i>
<i>Mark Gamble</i>	<i>Christina Maria Jacobs</i>
<i>Brian Edward</i>	<i>Johan &amp; Rhona Gericke</i>
<i>Mary Clair van der Merwe</i>	<i>Stefne van Dyk</i>
<i>Carol Clark &amp; Graham Clark</i>	<i>M.M.Muller</i>
<i>Tobie Muller</i>	
<i>David Hofmeyr</i>	

Most of these comments have been addressed as per above but they were raised again with referral to an application for a liquor licence other than for a wine shop.

**Traffic and Parking:** This issue has been responded to (refer to the paragraph "RESPONSE TO TRAFFIC AND PARKING COMMENTS"). Many residents of Betty's Bay prefer to keep the area quiet and free from commercial businesses like bottle stores, opting to commute to other towns for various services and products.

**Commercial Interests vs. Community Needs:** Residents have expressed concerns about prioritising a bottle store over other services, such as pharmacies and police stations. While local residents should have a say in shaping their community's future, they should also consider the potential benefits that well-planned business centres, including bottle stores within a centre, can bring to the community as a whole.

**Church Location:** The fact that the church burnt down and was later rebuilt suggests that its influence on the community might have changed during that time. Additionally, the presence of a religious institution nearby doesn't inherently make a bottle store unsuitable for the area. The decision regarding the establishment of a bottle store should be based on a comprehensive assessment of factors such as community needs, zoning regulations, and potential economic impacts, rather than solely on proximity to a religious institution.

**Environmental Impact** on the Kogelberg Biosphere Reserve: This issue has been responded to (refer to "RESPONSE TO AREA IMPACT").

**Social Issues and Safety Risks:** This concern has been addressed (refer to "RESPONSE TO MARKET SEGMENT AND CRIME").

**Tranquillity:** Preserving Betty's Bay's tranquillity and natural beauty is a commendable goal that many residents deeply value. However, it's important to consider that the presence of a liquor outlet doesn't necessarily equate to a significant disruption of this tranquillity or a departure from the area's unique character. Although rising fuel prices might make

commuting less feasible for a significant retiree population, most residents are still willing to drive elsewhere for their purchases to maintain the tranquillity of Betty's Bay (Traffic and pollution)

**Transparency Concerns:** These were addressed (refer to "RESPONSE TO GENERAL CONCERNS RAISED").

**Ward Councillor Comments:** There has been no response to comments and allegations from the applicant regarding the Ward Councillor.

## Conclusion

In conclusion, the responses provided address the concerns raised by public regarding the proposed establishment of a bottle store at The Hub in Betty's Bay. The owners acknowledge and respect the community's commitment to preserving the unique character and environmental integrity of Betty's Bay, including its designation within the Kogelberg Biosphere Reserve.

The owners remain committed to transparency, responsible business practices, and ongoing dialogue with the community and relevant authorities. The owners are confident that through collaborative efforts and adherence to established procedures, any potential impacts can be effectively managed while contributing positively to the local economy.

Moving forward, the owners will continue to engage constructively with all stakeholders to ensure that the interests and values of Betty's Bay residents are upheld, while striving to enhance the area's appeal as a cherished residential and natural haven.

Considering the response to objections, it is recommended that the planning application be approved as submitted.

Yours faithfully

**T JANSEN**  
**PROFESSIONAL TOWN PLANNER (A/2858/2019)**

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:  
APPLICATION FOR CONSENT USE: ERF 2989, BETTY'S BAY (4193/2022)**

Stormwater (SW)	:	In Order
Electricity	:	Eskom Area
Water	:	In Order
Sewer	:	In Order
Roads and traffic	:	In Order

**Conditions:**

1. that only the existing water and sewerage connections will be available to the development, should larger capacity in any of these services be required, the upgrading will be at the developer's cost;
2. that the developer investigates and determine the limitations of the site in terms of drainage, subject to the minimum requirements of SANS 10400 – P: 2010: Drainage;
3. that on-site parking facilities be provided as per the Planning Schedule, and to the satisfaction of the Directorate: Infrastructure and Planning;
4. that any additional and / or extended vehicle entrance will be for the owner's account;
5. that, upgrading and/or development of the relevant sidewalks adjacent to the property be required as part of the development, application for such development be made to the office of the Senior Manager: Operational Services (Kleinmond) for written approval;
6. that stormwater be allowed to discharge through Erf 2989 Betty's Bay, unobstructed.

  
**DENNIS HENDRIKS**  
**SENIOR MANAGER:**  
**ENGINEERING SERVICES**

  
**DATE**



Western Cape Government



Annexure G

1/2

Transport and Public Works

Vanessa Stoffels

Chief Directorate: Road Planning

vanessa.stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: TPW/CFS/RP/LUD/BPL-21/75 (Job 27978)

The Municipal Manager  
Overstrand Municipality  
PO Box 20  
**HERMANUS**  
7200

FILE NO.	ET 2989
	Bettiesbaai
SCAN NO.	
COLLABORATOR NO.	
	175245

Attention: Ms H van der Stoep

Dear Madam

**ERF 2989, BETTY`S BAY: TRUNK ROAD 27/1: PROPOSED CONSENT USE**

1. Your letter 2989 KBB to this Branch dated 20 September 2022.
2. The subject property is in Betty`s Bay and takes access off municipal street. However, its southern boundary borders the road reserve of Trunk Road 27 Section 1.
3. This application is for consent use for a bottle store.
4. This Branch objects to the proposal in terms of the Land Use Planning Act 3 of 2014 because the building line must still be relaxed and a structure (a pedestrian bridge) has been built within the road reserve without approval by this Branch.
5. This Branch is willing to consult and consider approval if the necessary application is submitted and approval is granted.

Yours Sincerely

**SW CARSTENS**

**For DEPUTY DIRECTOR-GENERAL: ROADS**

**DATE: 10 NOVEMBER 2022**

**ROAD NETWORK MANAGEMENT**Email: [Grace.Swanepoel@westerncape.gov.za](mailto:Grace.Swanepoel@westerncape.gov.za)

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

**REFERENCE: TPW/CFS/RP/LUD/BPL-21/75 (Job 27978)****ENQUIRIES: Ms GD Swanepoel****DATE: 25 November 2020**

PADIA Consultants  
2326 Pine Road  
**BETTYS BAY**  
7141

Attention: Mr A Niemandt

Dear Sir

**ERF 2989, BETTY'S BAY, OVERSTRAND MUNICIPAL AREA: TRUNK ROAD 27 SECTION 1  
(CLARENCE DRIVE): BUILDING LINE QUERY**

1. Your e-mail dated 9 September 2020 refers.
2. Erf 2989 is located in Bettys Bay, adjacent to Trunk Road 27 Section 1, however access is off the municipal street network.
3. Cognisance is taken of the development constraints of the Erf and thus this Branch is prepared to relax the 5m building line of Trunk Road 27 Section 1 to 0m provided the local authority approves of your development proposal.

Yours faithfully

**SW CARSTENS****For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**