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Date: 31 May 2023

RM/HK  
15/4/1 (3719) M

Drakenstein Municipality  
Berg River Boulevard  
PAARL  
7646

Sir/Madam

**APPLICATION FOR THE REZONING AND SUBDIVISION: ERF 3719 MBEKWENI**

I refer to your application, dated 28 March 2023 and have to inform you that Council's Municipal Planning Tribunal on 24 May 2023, resolved as follows, that:

- "1. *Approval be granted in terms of Section 60(1)(a) of the Drakenstein By-law on Municipal Land Use Planning, 2018, for:-*
- 1.1 ***Rezoning** of Erf 3719 Mbekweni ( $\pm 2341.8m^2$ ) from Industrial Zone to Community Use Zone in order to establish a place of assembly which will comprise of a multi-purpose service centre. The multi service centre will be utilised for church services and teachings, creches, meetings, praise and worship as well the adhoc weddings/funerals;*
  - 1.2 ***Subdivision** of Erf 3719 Mbekweni ( $\pm 2341.8m^2$ ) into two portions being Portion A measuring  $\pm 1170m^2$  in extent and Remainder Erf 3719 Mbekweni measuring  $\pm 1170m^2$  in extent;*
2. *The approvals mentioned in Paragraphs 1.1 – 1.2 above, be subject to the conditions laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018 and be applicable from a town planning point of view.*
- 2.1 *This approval applies only to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;*
  - 2.2 *Any amendments to the application are subject to the relevant approval;*

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- 2.3 *No new buildings are to be erected or existing structures altered without the approval of building plans by Council;*
  - 2.4 *That the owner/s of the churches ensure that the patrons visiting the facility do not hinder access to the surrounding property owners properties;*
  - 2.5 *That the proposed buildings is made sound proof in order to ensure any possible nuisance to the surrounding neighbours in terms of noise and sound, especially when a microphone with speakers are used;*
  - 2.6 *That the approval/comments be obtained from the Cape Winelands District Municipality: Health Department and the Drakenstein Municipality: Fire Services Department, as part of the building plan process;*
  - 2.7 *That the individual properties be enclosed with a vibracrete/brick wall with gates at the egress/ingress points;*
  - 2.8 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Civil Engineering Services Department referenced 15/4/1 (3719) M (1343) dated 24 October 2022, (**Annexure F to the departmental report**);*
  - 2.9 *Adherence to the conditions laid down in the memorandum of Drakenstein Municipality: Electro Technical Engineering Services Department referenced 3719 dated 10 October 2022, (**Annexure G to the departmental report**);*
  - 2.10 *Should the applicant fail to comply with any of the conditions laid down, then council reserves the right to impose further future conditions.*
3. *The following will be regarded as the reasons for decisions:*
- 3.1 *The proposal represents the optimal utilization of the vacant property when compared to its location;*
  - 3.2 *The proposal together with the proposed uses can be regarded as an essential use within the predominantly residential area;*
  - 3.3 *No negative impact on the safety, health and the wellbeing of the surrounding community are envisaged;*
  - 3.4 *The proposed uses will be compliant with the residential character of the area which will be looked at in detail during the building plan phase;*

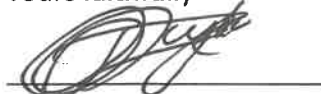
- 3.5 *The proposed uses will provide much needed service to the local residents of Mbekweni;*
- 3.6 *The proposed uses will not have a direct impact on the surrounding properties;*
- 3.7 *The proposed uses will be socially beneficial to the surrounding community;*
- 3.8 *The proposed development will not have a negative impact on the existing engineering services;*
- 3.9 *The proposed development is supported from a traffic engineering point of view which has been confirmed by Drakenstein Municipality: Civil Engineering Services Department;*
- 3.10 *All technical detail such as access to the properties, fire and health safety as well as adherence to the Drakenstein Zoning Scheme Bylaw, 2018, will be dealt with during the building plan phase;*
- 3.11 *The proposal is consistent with the principles and objectives of the SDF; and*
- 3.12 *The relevant departments consented to the application, subject to certain conditions.”*

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein By-law on Municipal Land Use Planning 2018, excluding the decision for a Technical Approval, by any person whose rights are affected by the decision of an authorized official, within 21 days of notification of the decision. This approval is therefore suspended until further notice.

The application during the public participation process and the objectors (if applicable), of their general right of appeal – proof of notification must be provided. The appeal procedures are set out in Section 80 of the above-mentioned Bylaw (attached).

All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O. Box 1, Paarl, 7622 or on [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za).

Yours faithfully



**H.G. STRIJDOM**  
**MANAGER: LAND DEVELOPMENT MANAGEMENT**

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, [customercare@drakenstein.gov.za](mailto:customercare@drakenstein.gov.za), and Henk Strijdom, [henks@drakenstein.gov.za](mailto:henks@drakenstein.gov.za)