



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17099(TP735/2024)

Our File Reference Number: Farm 222, Stellenbosch Division

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-M

Sir / Madam

APPLICATION FOR A CONSENT USE: FARM 222, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the following application(s) in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, namely the: -

2.1.1 **Consent Use** in terms of Section 15(2)(o) of the said bylaw to allow for a tourist facility (play area building) on Remainder Farm No. 222, Stellenbosch Division, be

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. **The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:**

- 3.1 The approval only applies to the proposed consent use under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 3.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 3.3 The development must be undertaken generally in accordance with Ground Floor Plan Drawing Nr. HAZ-P 001 rev 1; First Floor Plan Drawing Nr. HAZ-P 002 rev 1; Elevations and Sections Plan Drawing Nr. HAZ-P 003 rev 1, dated 27 September 2017, drawn by Mike Hackner Architecture and attached as **ANNEXURE B**.

- 3.4 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services. See the development charges calculation in the memo from the Directorate Infrastructure Services, dated 15 November 2024, attached as **ANNEXURE D**.
- 3.5 The proposed use must be subservient or related to the dominant agricultural use of the property and/or surrounding farms.
- 3.6 The approved use must not detract from or compromise the agricultural potential or viability of the farming unit.
- 3.7 All activities associated with the approved use shall be accommodated exclusively within the existing building(s) on the farmstead. No additional buildings or structures shall be erected for the purposes of the approved use.
- 3.8 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw.
- 3.9 Building plans must be submitted for all changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

4. The reasons for the above decision are as follows:

- 4.1 No changes were made since the previous approval was granted and the proposed land use will not have a detrimental effect on the surrounding natural or built environment.
- 4.2 The proposed uses will help to diversify the land uses on the farm without impacting on the existing agricultural activities.
- 4.3 The proposal also complies with the principles of the Stellenbosch Spatial Development Framework which states that agri-tourism should be promoted in farming areas outside of urban settlements.

5. Matters to be noted:

5.1 Should, after following due process -

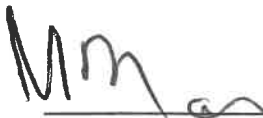
- (a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or
- (b) The operational use of the tourist facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or
- © The property be used for any unauthorised uses not permitted in terms of approved land use rights, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-law (2023) to withdraw the subject approval

granted and the building structures to be reverted to uses in line with the primary use of the property.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
7. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
8. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za**
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
10. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021- 808 8684.
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT





DATE

ANNEXURE B

**APPLICATION FOR A CONSENT USE: FARM NO. 222,
STELLENBOSCH DIVISION**

SITE DEVELOPMENT/SITE PLAN

notes:

THE DESIGN ON THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT

ALL WORK TO COMPLY WITH THE CURRENT AND LOCAL BUILDING REGULATIONS

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ALL WORK TO COMPLY WITH THE LATEST EDITION OF THE MODEL PREAMBLES

ALL STRUCTURAL, MECHANICAL AND ELECTRICAL WORK TO ENGINEER'S DETAILS

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REVISIONS:

DATE	NO	DESCRIPTION
25/09/2017	000	WCH

HAZENDAL FARM
Farm No 222 Stellerbosch

Client

Mike Hackner

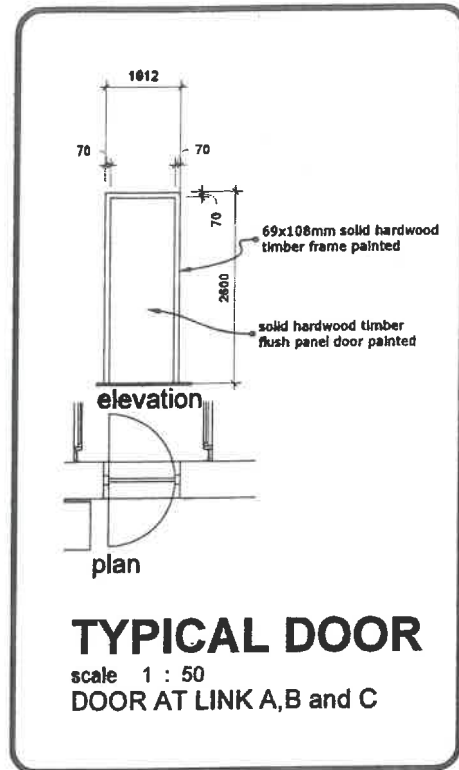
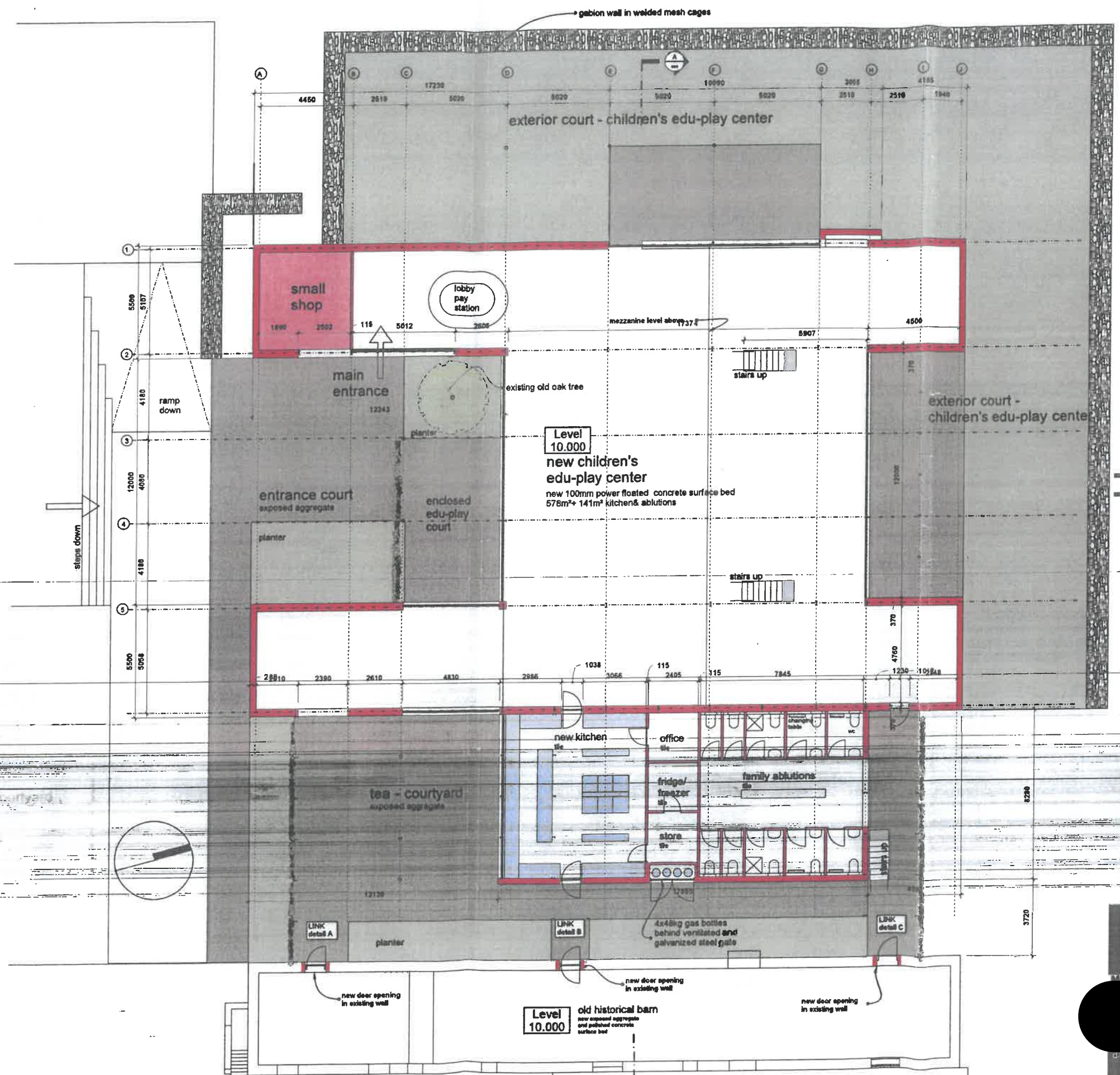
BABUSHKA EDU-PLAY CENTER

Mike Hackner Architects

GROUND FLOOR PLAN

27/09/2017

HAZ-P 001 rev 1



BABUSHKA EDU-PLAY CENTER
GROUND FLOOR PLAN
scale 1 : 100

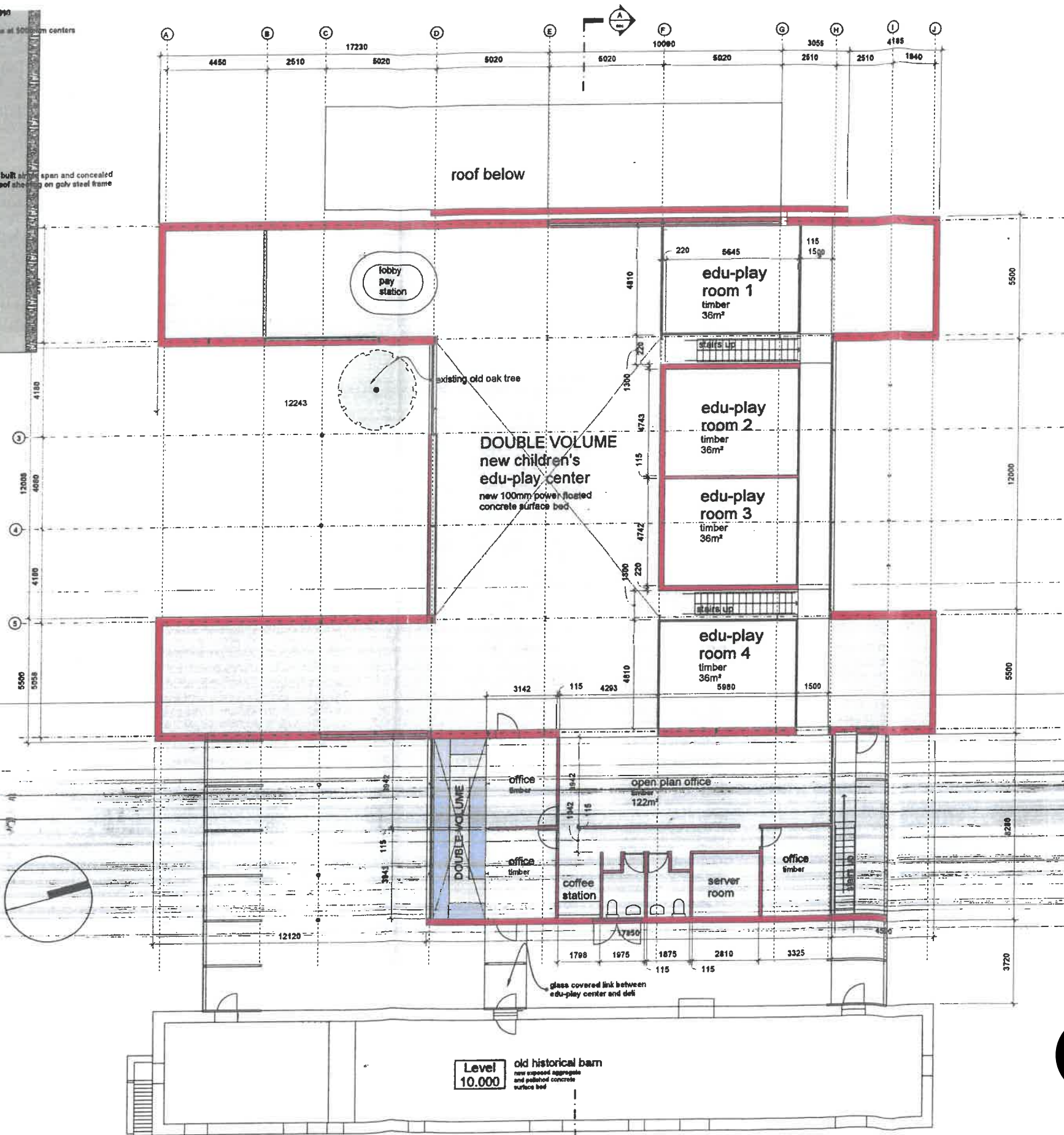
roof spec:
Marley Elamit 2500x1200x8mm Equitone colour through FC panels as ventilated roof
on mechanical secure fixing system all in accordance with manufacturers specifications

on Tyvek building wrap fixed to
18mm exterior grade OSB board fixed to
timber frame at 600mm centers with 300mm
gap between panels and insulation between bays
150 to span between galvanized 140x73mm SFE portal frame at 5000mm centers
and all to comply with engineers spec
12.5 mm skimmed Rhino board to interior

brown built aluminium span and concealed
hard roof sheeting on goly steel frame

glass covered link between
edu-play center and deli

ROOF PLAN
scale 1 : 200



BABUSHKA EDU-PLAY CENTER
FIRST FLOOR PLAN
scale 1 : 100

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HAZENDAL FARM
Farm No. 222 Stellenbosch

Client

Mike Hackner

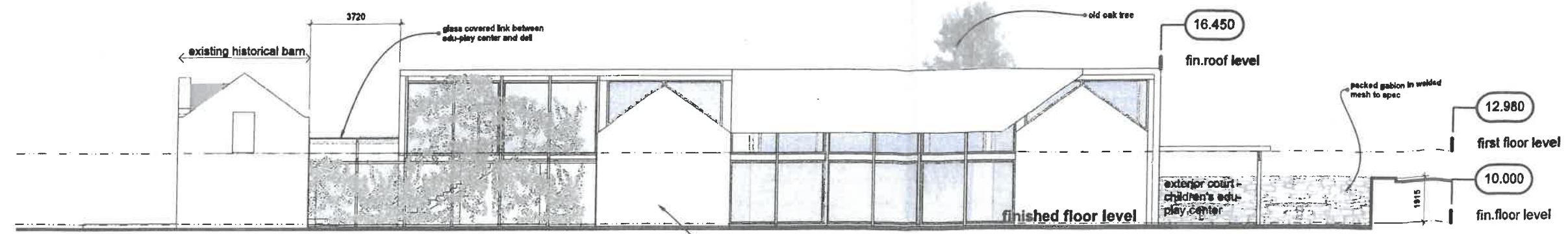
**BABUSHKA EDU-PLAY
CENTER**

www.mikehacknerarchitects.com
drawing

FIRST FLOOR PLAN

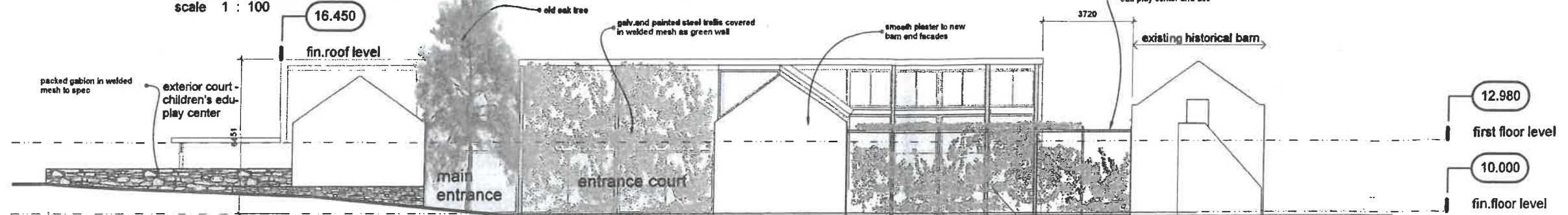
27/09/2017

HAZ-P 002 rev 1



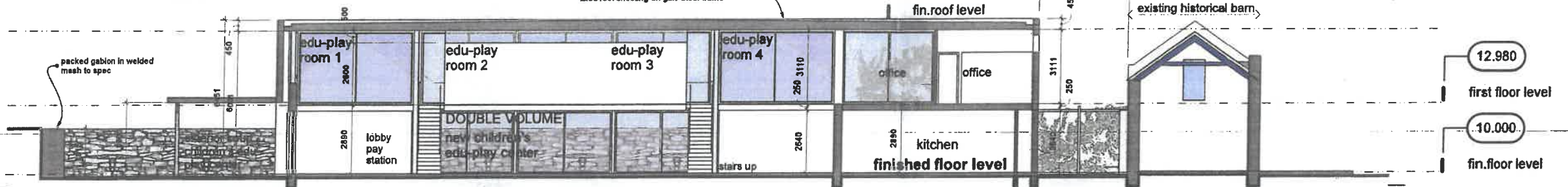
SIDE ELEVATION - NORTH

scale 1 : 100



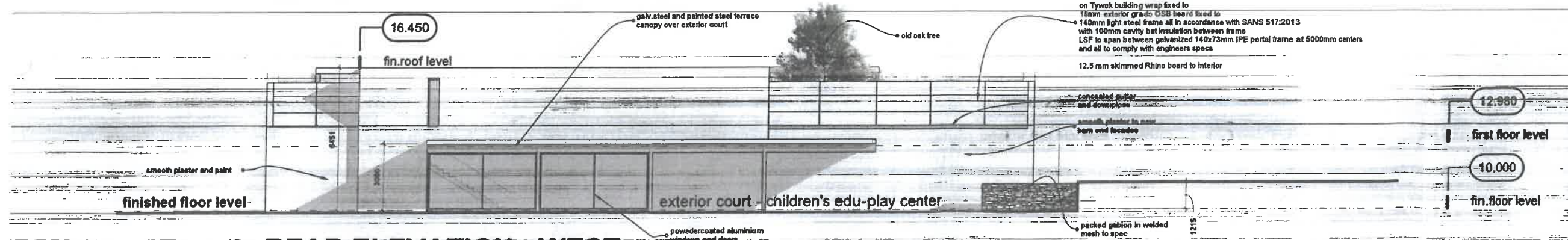
ENTRANCE ELEVATION - SOUTH

scale 1 : 100



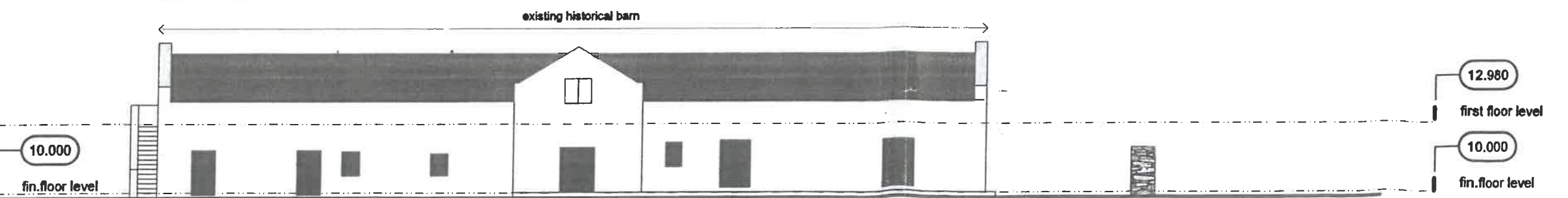
CROSS SECTION A:A

scale 1 : 100



REAR ELEVATION - WEST

scale 1 : 100



FRONT ELEVATION - EAST

scale 1 : 100

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HAZENDAL FARM
Farm No. 222 Stellenbosch

Client
Mike Hackner

BABUSHKA EDU-PLAY CENTER

Mike Hackner Architects

ELEVATIONS AND SECTIONS

27/09/2017

HAZ-P 003 rev 1

ANNEXURE D

**APPLICATION FOR A CONSENT USE: FARM NO. 222,
STELLENBOSCH DIVISION**

COMMENT FROM THE DIRECTORATE:
INFRASTRUCTURE SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nicole Katts
From ▫ Van:	Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Ilze Fillies
Date ▫ Datum:	15 November 2024
Our Ref ▫ Ons Verw:	Civil LU 2799
Town Planning Ref:	LU/17099 – TP735/2024
Re ▫ Insake:	Farm 222, Stellenbosch: Application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, 2023 for a Consent Use for a tourist facility (Wonderdal play area) on Farm No. 222, Stellenbosch Division. Please Note: A temporary departure application for purposes of the play area was approved in Jan 2019. The approval was only valid for five (5) year, hence the consent use application.

The application is recommended for approval, subject to the following conditions:

- 1. Water**
 - 1.1 The potable water is supplied by city of cape town.
- 2. Sewer**
 - 2.1 The development has an existing sewer package plan onsite.
- 3. Roads**
 - 3.1 Access is from a provincial road – all conditions by the Provincial Roads Engineer will be applicable.

CH

4. Development Charges (DCs)

- 4.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 4.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 4.3 The appropriate DC's are payable immediately.

Ilze Fillies

Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2799 (IF) Farm 222 Stellenbosch (LU-17099 TP735-2024)\2799 () Farm 222 Stellenbosch (LU-17099 TP735-2024).doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION

Application Number:	2799 (IF) Farm 222 Stellenbosch (LU-17099 TP735-2024)
Development Name:	
Date:	15 November 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	Farm 222
DC Parameters Reference:	Babushka edu-play center ground floor and first floor plan by Mike Hackner Architects drawing no HAZ-P001 rev 1 dated 27/09/2017

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civl Eng Services)	Community	Totals
Unit(s):	kl/day	kl/day	ha°C	th/week	trips/day		persons	
Total Increased Services Usage:	3,812	3,355	0,14295	0,1908	47,85		9,53	
Total Service Usage Reduction:	0	0	0	0	23,8		0	
Total Service Usage after Reduction:	3,81	3,34	0,14295	0,191	23,8		10	
Charges before adjusting for positive only, before Deductions	R -	R -	R -	R 19 593,68	R 335 828,43	R 355 422,11	R 17 168,89	R 372 588,80
Charges adjusted for positive only, before Deductions	R -	R -	R -	R 19 593,68	R 335 828,43	R 355 422,11	R 17 168,89	R 372 588,80
Total Deductions:	R -	R -	R -	R -	R 167 914,21	R 167 914,21	R -	R 167 914,21
Total Development Charges Payable (excluding VAT):	R -	R -	R -	R 19 593,68	R 167 914,21	R 187 507,90	R 17 168,89	R 204 674,58
VAT:	R -	R -	R -	R 2 939,05	R 25 187,13	R 28 126,18	R 2 575,00	R 30 701,19
Total Development Charges Payable (including VAT):	R -	R -	R -	R 22 532,73	R 193 101,35	R 215 634,08	R 19 741,89	R 235 376,77

APPLICANT INFORMATION

Application Processed by:	Ize Filles
Signature:	<i>Ize Filles</i>
Notes:	

Stellenbosch Town

Debit	Charges before adjusting for positive only, before Deductions	R	-	R	-	R	-	R	-	R	19 595,06	R	355 829,43	R	355 422,11	R	17 186,59	R	372 986,00
	Charges adjusted for positive only, before Deductions	R	-	R	-	R	-	R	-	R	19 595,06	R	355 829,43	R	355 422,11	R	17 186,59	R	372 986,00
	Deductions per service (from usage reductions)	R	-	R	-	R	-	R	-	R	-	R	187 914,21	R	187 914,21	R	-	R	187 914,21
	Discount Deduction (%)																		
	Additional Deduction per service - from Service Agreement (curr)	Percentage																	
Totals	Sub Total after Adjustments and Deductions (excluding VAT)	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	VAT	R	-	R	-	R	-	R	-	R	19 595,06	R	187 914,21	R	187 507,00	R	17 186,59	R	204 674,89
		R	-	R	-	R	-	R	-	R	2 839,05	R	26 187,15	R	28 126,18	R	2 575,00	R	30 701,19
	Total Development Charges	R	-	R	-	R	-	R	-	R	23 530,73	R	193 101,35	R	215 834,06	R	19 741,69	R	236 378,17

Debit	Charges before adjusting for positive only, before Deductions	R	-	R	-	R	-	R	-	R	19 595,06	R	355 829,43	R	355 422,11	R	17 188,59	R	372 986,00
	Charges adjusted for positive only, before Deductions	R	-	R	-	R	-	R	-	R	19 595,06	R	355 829,43	R	355 422,11	R	17 188,59	R	372 986,00
	Deductions per service (from usage reductions)	R	-	R	-	R	-	R	-	R	-	R	187 914,21	R	187 914,21	R	-	R	187 914,21
	Discount Deduction (%)																		
	Additional Deduction per service - from Service Agreement (curr)	Percentage																	
Totals	Sub Total after Adjustments and Deductions (excluding VAT)	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
	VAT	R	-	R	-	R	-	R	-	R	19 595,06	R	187 914,21	R	187 507,00	R	17 188,59	R	204 874,89
		R	-	R	-	R	-	R	-	R	2 839,05	R	26 187,15	R	28 126,18	R	2 575,00	R	30 701,19
	Total Development Charges	R	-	R	-	R	-	R	-	R	23 530,73	R	193 101,38	R	215 834,08	R	19 741,69	R	236 378,17