



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref no.3/4/1/5

2016-06-10

**NOTICE OF THE 42<sup>ND</sup> MEETING OF THE  
COUNCIL OF STELLENBOSCH MUNICIPALITY  
WEDNESDAY, 2016-06-15 AT 15:00**

<b>TO</b>	The Speaker, Alderman CP Jooste [Chairperson] The Executive Mayor, Alderman CJ Sidego The Deputy Executive Mayor, Cllr MG Smuts	
<b>ALDERMEN</b>	DC Botha V Fernandez (Ms) EL Maree (Ms) JP Serdyn (Ms)	
<b>COUNCILLORS</b>	F Adams DS Arends NM August HC Bergstedt (Ms) PW Biscombe A Crombie (Ms) JA Davids R du Toit (Ms) JSA Fourie AR Frazenburg E Groenewald (Ms) DA Hendrickse JK Hendriks N Jindela MC Johnson DD Joubert S Jooste (Ms) SJ Louw (Ms)	N Mananga-Gugushe (Ms) C Manuel NE McOmbring (Ms) XL Mdemka (Ms) C Moses (Ms) P Mntumni (Ms) RS Nalumango (Ms) MM Ngcofe N Ntsunguzi (Ms) WC Petersen (Ms) PJ Retief L Ronoti P Sitshoti (Ms) LN Siwakamisa (Ms) Q Smit LL Stander M Wanana

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that a Special meeting of the Council of Stellenbosch Municipality will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Wednesday, 2016-06-15 at 15:00.**

**ALDERMAN CP JOOSTE  
SPEAKER**

## A G E N D A

42<sup>ND</sup> MEETING OF THE COUNCIL  
OF STELLENBOSCH MUNICIPALITY

2016-06-15

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|-------|--|--------------------|
| 1.    | <b>APPLICATION FOR LEAVE OF ABSENCE</b>  | <b>(3/4/1/3)</b>   |
| 2.1   | <b>DECLARATION OF INTEREST</b>   | <b>(3/6/2/2)</b>   |
| 2.2   | <b>PRESENTATION</b><br><br>NONE  | <b>(8/1/4/2/6)</b> |
| 2.3   | <b>COMMUNICATIONS</b>  | <b>(3/4/1/6)</b>   |
| 2.3.1 | <b>COMMUNICATION BY THE SPEAKER</b>  | <b>(3/4/1/6)</b>   |
| 2.3.2 | <b>COMMUNICATION BY THE EXECUTIVE MAYOR</b>  | <b>(3/4/1/6)</b>   |
| 2.3.3 | <b>COMMUNICATION BY THE MUNICIPAL MANAGER</b>  | <b>(3/4/1/6)</b>   |
| 3.    | <b>CONFIRMATION OF THE MINUTES</b>   | <b>(3/4/1/5)</b>   |
| 3.1   | <b>CONFIRMATION OF THE MINUTES OF THE 41<sup>ST</sup> MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2016-05-25</b>               | <b>(3/4/1/5)</b>   |
|       | The minutes of the 41 <sup>st</sup> meeting of the Council of Stellenbosch Municipality held on 2016-05-25 were previously distributed.        |                    |
|       | <b>FOR CONFIRMATION</b>  |                    |
| 4.    | <b>INTERVIEWS WITH DEPUTATIONS</b>   | <b>(3/4/1/7)</b>   |
|       | NONE   |                    |
| 5.    | <b>STATUTORY BUSINESS</b>  | <b>(3/4/1/7)</b>   |
|       | NONE   |                    |
| 6.    | <b>REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS MEETINGS OF COUNCIL</b>                                      | <b>(3/4/1/5)</b>   |
|       | The report by the Acting Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as <b>APPENDIX 1</b> . |                    |
|       | <b>FOR INFORMATION</b>   |                    |



# APPENDIX 1

## OUTSTANDING COUNCIL RESOLUTIONS JUNE 2016

Council Meeting	Resolution	Resolution Date	Date Closed	Task Status	Allocated To	% Feedback	Feedback Comment
352092 ELECTRICITY SUPPLY TO THE MUNICIPAL AREAS OF STELLENBOSCH	25TH COUNCIL MEETING: 2014-11-26: ITEM 7.5 RESOLVED (nem con) (a) that a preliminary investigation be conducted by the Directorate: Engineering Services (Electrical Services) into the possibility and feasibility of taking over the electricity supply from Drakenstein Municipality; (b) that billing cooperation be implemented between Drakenstein and Stellenbosch Municipality to implement more effective debt collection; and (c) that SALGA be requested to expedite the Eskom process through political intervention. (DIRECTOR: ENGINEERING SERVICES TO ACTION)	2014-11-26		IN PROGRESS	JOHANNESC	97.00	Decision of Drakenstein Municipality will be tabled at the Council meeting of 15 June 2016
367234 WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE	7.3 WRITING-OFF OF IRRECOVERABLE DEBT: MERITORIOUS CASE 29TH COUNCIL MEETING: 2015-04-30: ITEM 7.3 RESOLVED (nem con) that this matter be referred back to the Administration for further investigation. (CHIEF FINANCIAL OFFICER TO ACTION)	2015-04-30		IN PROGRESS	ANDRET	90.00	Matter is still receiving attention.
373715 FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE	8.3 FRAUD AND CORRUPTION POLICY AND THE FRAUD RESPONSE COMMITTEE (FRC) TERMS OF REFERENCE 31ST COUNCIL MEETING: 2015-06-24: ITEM 8.3 RESOLVED (nem con) (a) that Council in principle approve the Fraud and Corruption Policy and that same be advertised for public comment. Should any comments be received same should be considered by Council prior to final approval; (b) that Council in principle approve the Fraud Response Committee (FRC) Terms of Reference and that same be advertised for public input. Should any comments be received same should be considered before final approval by Council; and	2015-06-24		IN PROGRESS	HELENAP	80.00	Advert placed in Gazette of 7 June 2016. Closing date for comments on the policy is 8 July 2016.

## OUTSTANDING COUNCIL RESOLUTIONS JUNE 2016

		<p>(c) that the Chief Risk Officer be mandated to conduct the necessary stakeholder engagement and communication in relation to the Policy. (MUNICIPAL MANAGER TO ACTION)</p>						
383887	<p>PROGRESS REPORT – POLICY FOR SELF GENERATION OF ELECTRICITY</p>	<p>7.9 PROGRESS REPORT : POLICY FOR SELF- GENERATION OF ELECTRICITY 33RD COUNCIL MEETING: 2015-08-25: ITEM 7.9 RESOLVED (nem con) that this matter be referred back to allow the Administration to submit a Progress Report to Council as mentioned in the item. (ACTING DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2015-08-25		IN PROGRESS	JOHANNESC	95.00	POLICY CURRENTLY OUT IN PUBLIC DOMAIN FOR COMMENTS
388210	<p>COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS</p>	<p>7.1 COMMITMENT TO POSSIBLE ACQUISITION OF LAND FOR HOUSING PROJECT: KLAPMUTS 34TH COUNCIL MEETING: 2015-09-23: ITEM 7.1 RESOLVED (majority vote) (a) that Council confirm its commitment to buy remainder portion of Farm 744/2, measuring ±11ha in extent at a cost of ±R7.7m, subject to budget provisions, which will be included in the IDP Budget Process of 2016/17 to 2018/19; and (b) that Council explore possibilities of further acquisition of land in WC024 to relieve the housing need. The following Councillors requested that their votes of dissent be minuted: Councillors JA Davids; S Jooste (Ms); DA Hendrickse; C Moses (Ms); N Mananga-Gugushe (Ms); P Mntumni (Ms); RS Nalumango (Ms); MM Ngcofe; N Ntsunguzi (Ms); L Ronoti; LN Siwakamisa (Ms); AT van der Walt and MM Wanana. (DIRECTOR: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT TO ACTION)</p>	2015-09-23		IN PROGRESS	PSMIT	80.00	A consultant has been appointed to apply for funding to PHB.

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394114	Investigation with regards to the various residential properties in Mont Rochelle Nature Reserve	<p>7.6 INVESTIGATION WITH REGARD TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.6</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council rescind its resolution taken at the meeting dated, 2014-01-16, with regard to Item 7.2;</p> <p>(b) that the funds allocated to be spent on conducting the proposed investigation rather be spent on consolidating the 46 unsold erven with Mont Rochelle Nature Reserve and negotiating with the owners of the 14 sold (but undeveloped) erven (the priority being erven 342, 307, 314, 322, 355, 336, located in a visually sensitive area north-eastern slope of "Du Toits Kop" facing the Franschoek valley) regarding the possibility to exchange current erven within Mont Rochelle Nature Reserve with erven in a more suitable area (suitable in terms of environmental, visual and service delivery perspective); and</p> <p>(c) that any other feasible alternative that can limit the impact on the nature reserve that might be identified in the process be considered.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); P Mintumi (Ms); RS Nalumango (Ms); P Sitshoti (Ms); AT van der Walt and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-10-28	IN PROGRESS	DUPREL	85.00	Legal service provider appointed to enter into land swap agreements.
394117	MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS	<p>8.7 MUNICIPAL REGULATIONS ON FINANCIAL MISCONDUCT PROCEDURES AND CRIMINAL PROCEEDINGS</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 8.7</p> <p>During deliberations on the matter, the DA requested a caucus, which the Speaker allowed.</p> <p>After the meeting resumed, it was</p> <p>RESOLVED (majority vote with 10 abstentions)</p> <p>(a) that Council review and rescind its resolution taken in this regard on 2014-11-26;</p> <p>(b) that Council take note of the progress made by Stellenbosch Municipality</p>	2015-10-28	IN PROGRESS	FAIZH	50.00	Salga opinion still awaited. Conflict with existing legislation and roles of board to be reviewed. Designated official role and status to be clarified. Will be resubmitted for review and rescind once clarity is obtained.

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401581	7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI	<p>with regard to the implementation of the Municipal Regulation on Financial Misconduct Procedures and Criminal Proceedings;</p> <p>(c) that Council establish the Disciplinary Board pending the direction SALGA and/or National Treasury in line with these regulations;</p> <p>(d) that the Disciplinary Board has as its members the following:</p> <p>(i) The Chief Audit Executive</p> <p>(ii) A member of the Audit Committee as elected by the Audit Committee</p> <p>(iii) A senior manager from the legal division as determined by the Director: Corporate and Strategic Services</p> <p>(iv) A representative from Provincial Treasury as nominated by Province;</p> <p>(v) A retired senior legal expert, e.g. judge or advocate resident in the area with knowledge of the related field.</p> <p>(e) that Council designate the Chief Audit Executive as the designated official to whom reports on alleged financial offences against Councillors should go.</p> <p>(ACTING MUNICIPAL MANAGER TO ACTION)</p>	2015-11-25	IN PROGRESS	PSMIT	50.00	Tender documents have been submitted to SCM for placement
	7.3 PROPOSED DISPOSAL OF CHURCH AND CRECHE SITES IN WATERGANG, KAYAMANDI	<p>36TH COUNCIL MEETING: 2015-11-25: ITEM 7.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that erven 3739 and 3740, Kayamandi be identified as property not needed to provide the minimum level of basic municipal services, i.e surplus properties;</p> <p>(b) that Council, in principle, approve the disposal of erven 3739 and 3740, Kayamandi;</p> <p>(c) that the minimum prices be determined by two (2) independent valuations (20% of weighted average of fair market value)</p> <p>(d) that the (Acting) Municipal Manager be authorised to approve the evaluation criteria and place the necessary notices, calling for tenders for the properties; and</p> <p>(e) that, following the conditional awarding of tenders, a report be submitted to Council to decide on the final disposal of the properties in question, taking into account that tenders may well be below market value.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); RS Nalumango (Ms); MM Ngcofe; N Nisunguzi (Ms); L Ronoti; P Sitshoti (Ms); LN Siwakamisa (Ms) and AT van der Walt.</p>					

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401722	9.4 QUESTION BY CLLR DA HENDRICKSE: FAILURE OF THE ADMINISTRATION TO, FOR THE PAST 4 YEARS, BRING REPORTS BEFORE COUNCIL IN TERMS OF SECTION 116(2)(d) OF THE MFMA  36TH COUNCIL MEETING: 2015-11-25: ITEM 9.4  RESOLVED (nem con)  that it be noted that Councillor DA Hendrickse was not satisfied with the response provided in respect of the question posed, and posed a follow-up question, namely:  "Why did the Auditor-General not pick up that for four years no statutory report served before Council."  The Acting Municipal Manager responded that this will be rectified and a report will be submitted to Council regularly.  (ACTING MUNICIPAL MANAGER TO ACTION)	2015-11-25		IN PROGRESS	MARIUSW	32.00	The position has not been filled therefor the deadline of June 2016 is not possible. SCM is currently bringing contract management on a standard for Audit purposes and would be able to give input on the item in new financial year.
413627	7.3 PROGRESS REPORT : ELECTRICAL SERVICES MASTER PLAN	2016-02-24		IN PROGRESS	ENGSUPPORT	90.00	Consultant to be invited to workshop awaiting date- Appendix to be submitted to next PC meeting
413640	9.1 MOTION BY COUNCILLOR JK HENDRIKS: SUPPORT FOR INDIGENT PEOPLE IN RURAL AREAS	2016-02-24		IN PROGRESS	ANNELIER	50.00	Item will serve at the council meeting of June recommend a MOU with CWDM and for budgetary provision where CWDM will provide

## OUTSTANDING COUNCIL RESOLUTIONS JUNE 2016

		<p>RESOLVED (nem con)</p> <p>(a) that the Administration be tasked to investigate to what extent rural indigent residents, especially those residing on farms, can be assisted with electricity, health and social services by the local-, provincial- and national spheres of government;</p> <p>(b) that any further recommendations and findings that could improve the quality of life of indigent residents be considered for implementation and support to rural indigent residents;</p> <p>(c) that a report with recommendations for implementation pertaining to the above be tabled for consideration at the next Council meeting scheduled for 2016-03-30; and</p> <p>(d) that Council nominate a multi-party delegation to engage organised agriculture to investigate what the municipality can do to address the situation of the farm workers, in co-operation with the farmers;</p> <p>(e) that the multi-party delegation comprise of the following Councillors:</p> <p>DA = Cllr JP Serdyn (Ms)          ANC = Cllr JA Davids          SCA = Cllr DA Hendrickse          SPA = Cllr F Adams          SCA = Cllr DA Hendrickse          ACDP = Cllr DS Arends          COPE = Cllr HC Bergstedt (Ms); and          NPP = Cllr LL Stander</p> <p>(DIRECTOR: STRAT &amp; CORP TO ACTION)</p>	2016-02-24	IN PROGRESS	MARIUSW	50.00	infrastructural services to rural on the same basis that they currently providing same.
413674	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p> <p>Councillor DA Hendrickse provided a brief background on the urgency of the matter relating to request an investigation on why the Administration obtained a court order for the sale of execution of Erf 3291 situated at 17 Luckhoff Street, Idas Valley, Stellenbosch (see APPENDIX 1).</p> <p>The required majority vote was obtained for the Motion to serve and it was duly seconded. The Speaker then allowed Councillor DA Hendrickse to motivate the Motion.</p> <p>During deliberations on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>In discussion, some amendments were made to this Motion.</p> <p>RESOLVED (majority vote)</p>	<p>10.1 MOTION OF EXIGENCY BY COUNCILLOR DA HENDRICKSE: INVESTIGATION WHY THE ADMINISTRATION OBTAINED A COURT ORDER FOR THE SALE OF EXECUTION OF ERF 3291, 17 LUCKHOFF STREET, IDAS VALLEY, STELLENBOSCH</p> <p>Councillor DA Hendrickse provided a brief background on the urgency of the matter relating to request an investigation on why the Administration obtained a court order for the sale of execution of Erf 3291 situated at 17 Luckhoff Street, Idas Valley, Stellenbosch (see APPENDIX 1).</p> <p>The required majority vote was obtained for the Motion to serve and it was duly seconded. The Speaker then allowed Councillor DA Hendrickse to motivate the Motion.</p> <p>During deliberations on the matter, the DA requested a caucus which the Speaker allowed.</p> <p>In discussion, some amendments were made to this Motion.</p> <p>RESOLVED (majority vote)</p>	2016-02-24	IN PROGRESS	MARIUSW	50.00	Item will be submitted to June Council meeting.

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		<p>that the Administration be tasked to investigate the case of the sale of Execution of the Respondent Roman JF Slade and to report back at the Council meeting scheduled for 2016-03-30. (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	User department is in the process of arranging a workshop (appoint facilitator) to formulate a stance on racism, discrimination and xenophobia.
421322	9.2 MOTION BY COUNCILLOR F ADAMS: DEBATE THAT FOCUS ON RACISM, DISCRIMINATION AND XENOPHOBIA WITHIN THE GREATER STELLENBOSCH	<p>9.2 MOTION BY COUNCILLOR F ADAMS: DEBATE THAT FOCUS ON RACISM, DISCRIMINATION AND XENOPHOBIA WITHIN THE GREATER STELLENBOSCH 39TH COUNCIL MEETING: 2016-03-30: ITEM 9.2 The Speaker allowed Councillor F Adams to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter. RESOLVED (nem con) that a Workshop be held to formulate a stance on racism, discrimination and xenophobia. (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	User department is in the process of arranging a workshop (appoint facilitator) to formulate a stance on racism, discrimination and xenophobia.
421323	9.1 MOTION BY COUNCILLOR F ADAMS: REQUEST FOR HONORARY CITIZENSHIP	<p>9.1 MOTION BY COUNCILLOR F ADAMS: REQUEST FOR HONORARY CITIZENSHIP 39TH COUNCIL MEETING: 2016-03-30: ITEM 9.1 The Speaker allowed Councillor F Adams to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter. The Speaker RULED that this matter be referred to the existing Advisory Panel whereafter the Mayor will report back at the next Council meeting scheduled for April 2016. (DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30		IN PROGRESS	RAYMONDE	50.00	Advertisement placed for public to submit names closed on 8 June 2016. Committee established by council set to meet before council meeting date. Committee will then submit names to council. Item will be carried in to Council meeting.
421331	SOCIAL HOUSING STELLENBOSCH MUNICIPALITY: DEMARCATION OF	7.8 SOCIAL HOUSING STELLENBOSCH MUNICIPALITY: DEMARCATION OF RESTRUCTURING ZONES AND DRAFT AFFORDABLE RENTAL HOUSING STRATEGY	2016-03-30		IN PROGRESS	CHARLOTTE	95.00	c) The Draft policy (restructuring zone) was advertised and copies made



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	<p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.8</p> <p>RESOLVED (nem con)</p> <p>(a) that the demarcated restructuring zones for Stellenbosch be approved;</p> <p>(b) that the draft Rental Housing Strategy and Plan for Stellenbosch be approved in principle;</p> <p>(c) that the draft Rental Housing Strategy and Plan be advertised for public input; and</p> <p>(d) that, should any comment be received, same be considered by Council before a final decision is made.</p> <p>(DIRECTOR: HUMAN SETTLEMENTS)</p>						available at all libraries. d) Noted.
428495	<p>RESTRUCTURING ZONES AND DRAFT AFFORDABLE RENTAL HOUSING STRATEGY</p>	<p>7.3 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2014/15</p> <p>39TH COUNCIL MEETING: 2016-03-30: ITEM 7.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council, having fully considered the Annual Report of the Municipality and representations thereon, adopts the Oversight Report;</p> <p>(b) that Council approves the Annual Report 2014/15 without reservations;</p> <p>(c) that Council requests the Executive Mayor to report to Council on a quarterly basis on the implementation of the recommended actions in addressing the findings in the Oversight Report.</p> <p>Councillor F Adams requested that his vote of dissent be minuted.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>	2016-03-30	IN PROGRESS	RAYMONDE	20.00	Quarterly report will be submitted to Council
428972	<p>8.5 EVICTION: BLAAUWKLIIPPEN AGRICULTURAL ESTATES</p> <p>STELLENBOSCH (PTY) LTD &amp; OTHERS / STELLENBOSCH MUNICIPALITY &amp; OTHERS CASE NUMBER: 4042/15</p> <p>40TH COUNCIL MEETING: 2016-04-26: ITEM 8.5</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council notes the eviction application instituted by Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd &amp; Others against Stellenbosch</p>	<p>8.5 EVICTION: BLAAUWKLIIPPEN AGRICULTURAL ESTATES STELLENBOSCH (PTY) LTD &amp; OTHERS / STELLENBOSCH MUNICIPALITY &amp; OTHERS CASE NUMBER: 4042/15</p> <p>40TH COUNCIL MEETING: 2016-04-26: ITEM 8.5</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council notes the eviction application instituted by Blaauwklippen Agricultural Estates Stellenbosch (Pty) Ltd &amp; Others against Stellenbosch</p>	2016-04-26	IN PROGRESS	RAYMONDE	50.00	Mediation meeting took place 3 June 2016. Mediation commenced 8 June 2016. The Mediation commenced on 8 <sup>th</sup> of June 2016 until the 10 <sup>th</sup> of June 2016.

**OUTSTANDING COUNCIL RESOLUTIONS JUNE 2016**

428987	IMPROVING MUNICIPAL FINANCES	Municipality & Others under case number 4042/15; and (b) that the Municipal Manager be mandated to mediate and settle the eviction application between the parties, subject thereto that Blaauwklippen makes a substantial monetary contribution for purposes of settling the matter amicably.  Councillor F Adams requested that his vote of dissent be minuted.  ( DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)	2016-04-26	IN PROGRESS	MARIUSW	5.00	Workshop to be arranged in new financial year.		
433498	7.1 2016/17 INTEGRATED DEVELOPMENT PLAN, FOURTH REVIEW OF THE 3RD GENERATION IDP (2012/17) AS PRESCRIBED BY SECTION 34 OF THE MUNICIPAL SYSTEMS ACT, 32 OF 2000	7.5 IMPROVING MUNICIPAL FINANCES 40TH COUNCIL MEETING: 2016-04-26: ITEM 7. 5  During debate on the matter, the DA requested a caucus which the Speaker allowed.  After the meeting resumed, it was  RESOLVED (nem con)  that this item be referred back for Administration to arrange for a workshop for all Councillors, whereafter the item be resubmitted to Council.  (MUNICIPAL MANAGER TO ACTION)	2016-05-25	IN PROGRESS	RAYMONDE	100	Advertisement were placed on the Municipal Website, advertised in local newspapers, and placed at satellite offices, ward offices and libraries, notifying the public of the adoption of the IDP (fourth Revision).  A copy of the IDP document were also placed on the Municipal website and at the various		

## OUTSTANDING COUNCIL RESOLUTIONS JUNE 2016

	<p>municipal notice boards and in the local newspapers notifying the public that the Stellenbosch Municipal Council has adopted its 2016/17 (Revised) IDP.</p> <p>The following Councillors requested that their votes of dissent be minuted:</p> <p>Councillors JA Davids; DA Hendrickse S Jooste (Ms); C Moses (Ms); N Mananga-Gugushe (Ms); P Mntummi (Ms); N Ntsunguzi (Ms); LN Siwakamisa and AT van der Walt.</p> <p>(DIRECTOR: STRATEGIC AND CORPORATE SERVICES TO ACTION)</p>						<p>locations (satellite offices, ward offices and libraries).</p> <p>Attached, find a copy of advertisement that were placed in local newspapers, as well as proof that the advertisement has been placed on the official Municipal Website.</p>
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**7. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED BY THE MUNICIPAL MANAGER (8/1/3/2/7)**

**7.1 CONSIDERATION OF ALLEGED IRREGULAR EXPENDITURE RELATING TO GRAPEVINE MESSAGING SERVICES RENDERED TO STELLENBOSCH MUNICIPALITY BY DIMENSION DATA / INTERNET SOLUTIONS (IS) IN 2011/2012**

*File number* : 3/3/3/6/7

*Compiled by* : Director: Strategic and Corporate Services

*Report by* : Director: Strategic and Corporate Services

*Delegated Authority* : Council

***Strategic intent of item***

Preferred investment destination	<input type="checkbox"/>
Greenest municipality	<input type="checkbox"/>
Safest valley	<input type="checkbox"/>
Dignified Living	<input type="checkbox"/>
Good Governance	<input checked="" type="checkbox"/>

**1. PURPOSE OF REPORT**

To consider and recommend for ratification of a transaction and payment to the service provider for services rendered i.e. the grapevine internet messaging services rendered from Dimension Data / Internet Solutions.

**2. BACKGROUND**

The MPAC Committee was established to deal with expenditure not aligned or non-compliant with Council's approved policies and the Municipal Finance Management Act, herein after referred to as the "Act" and "Policies".

**2.1. Legislation**

The Act (Section 32) stipulates the following with regard to unauthorised, irregular or fruitless and wasteful expenditure:

"(1) Without limiting liability in terms of the common law or other legislation-

- (a) a political office-bearer of a municipality is liable for unauthorised expenditure if that office-bearer knowingly or after having been advised by the accounting officer of the municipality that the expenditure is likely to result in unauthorised expenditure, instructed an official of the municipality to incur the expenditure;

- (b) the accounting officer is liable for unauthorised expenditure deliberately or negligently incurred by the accounting officer, subject to subsection (3);
- (c) any political office-bearer or official of a municipality who deliberately or negligently committed, made or authorised an irregular expenditure, is liable for that expenditure; or
- (d) any political office-bearer or official of a municipality who deliberately or negligently made or authorised a fruitless and wasteful expenditure is liable for that expenditure”.

In terms of Section 32 (2)

“A municipality must recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure-

- (a) in the case of unauthorised expenditure, is-
  - (i) authorised in an adjustments budget; or
  - (ii) Certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council; and
- (b) in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a council committee, certified by the council as irrecoverable and written off by the council”.

A further stipulation, Section 32(4) compels the accounting officer to

“promptly inform the mayor, the MEC for local government in the province and the Auditor-General, in writing, of-

- (a) any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality;
- (b) whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure; and
- (c) the steps that have been taken-
  - (i) to recover or rectify such expenditure; and
  - (ii) to prevent a recurrence of such expenditure”.

#### 1.1 Irregular expenditure as defined under Chapter 1 of the Act:

- a) Expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of this Act, and which has not been condoned in terms of Section 170;
- b) Expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of the Municipal systems Act, and which has not been condoned on terms of that Act;

- c) Expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of the supply chain management policy of the municipality or any of the municipality's by-laws giving effect to such policy, and which has not been condoned in terms of such policy or By-law".

### 3. DISCUSSION

Based on the information gathered during ICT Manager's investigation to address this matter and recommend a way forward, the following information sufficed:

The Grapevine Internet Messaging Service contract was procured by the previous Acting ICT manager; Mr Michael Dean Appolis in 2011/2012 financial year without following the proper SCM process. This was done during the suspension of the previous ICT Manager, Mr Robert Muller. When Mr Robert Muller was reinstated in his position after serving the suspension as the ICT Manager he explicitly refused to get involved in signing off any invoices or to take any ratifying measures in order to ensure that payment could be made for Dimension Data / Internet Solutions.

On 21 October 2013, the Stellenbosch Municipality was served with a letter of demand (**APPENDIX 2: Letter of Demand (LOD)**) by the debt collection company on behalf of Dimension Data / Internet Solutions. A settlement memo was drafted on 4 May 2016 by the Senior Legal Advisor together with the ICT Manager. The memo with the supporting invoices was approved by the Accounting Officer (Acting Municipal Manager) on 6 May 2016. (**APPENDIX 1: Memorandum: Dimension Data / Stellenbosch Municipality**)

Though the SCM prescripts were not followed, a Contract (**APPENDIX 2: Contract**) was concluded and services were rendered (**APPENDIX 3: Invoices**) and as such, the municipality is legally obligated to pay.

A requisition was generated on 11 May 2016 (**APPENDIX 4: Requisition**) and approved by 16 May 2016 (**APPENDIX 5: Authorisation**). An official work order of R8 755.20 (**APPENDIX 6: Work order**) was submitted to Internet Solution on 16 May 2016 and payment was initiated by the Creditors Office for 20 May 2016. The account with Dimension Data / Internet Solutions should be settled by the end of May 2016.

### 4. FINANCIAL IMPLICATIONS (Manager Treasury, Andre Treurnich)

Financial Services supports the recommendation of the Legal Services. At below R10 000, the amount involved is small and it will be counterproductive to try and argue a case, which it seems the municipality does not have in any event. Very recent (19 April 2016) claims from the Debt Collector/Attorneys acting on behalf of Internet Solutions claim the amount of R8 755.20 from the Stellenbosch Municipality. This has been paid from Vote 1/9910/0928 (IT Consulting). Sufficient budget provision was made available.

**5. LEGAL IMPLICATIONS (Snr Legal Advisor, EA Rhoda)**

- 5.1 In terms of the item it is alleged that the service of Internet Solutions, a division of Dimension Data (Pty) Ltd were procured in 2011 without following proper Supply Chain Management Procedures. In terms of the available documentation at my disposal it appears as if the municipality failed to take cognisance of the letter of demand which was served on it on 21 October 2013 to settle the *outstanding amount R8 755, 20* as there is no record of any payments, correspondence or any dispute resolution processes which were implemented.

In terms of the principle of legality with reference to Section 217 of the Constitution read with other the legislative framework, regulations and the Municipality's Supply Chain Management Policy, it is in the public interest that parties should comply with their contractual obligations. Though the SCM prescripts were not followed a contract was concluded and services were rendered and as such the municipality is legally obligated to pay.

The municipality does not have a claim against Dimension Data / Internet Solutions and is not in a position to institute a counter claim. Should the municipality decide to defend the matter it will incur exorbitant legal fees and as such it will be advisable to settle the outstanding amount in full and final settlement, failing which the Council may be held liable.

**RECOMMENDED**

that MPAC take note of the circumstances and particulars as provided in this report and ratify the expenditure to the amount of R8 755.20 to Dimension Data / Internet Solutions (IS) for the services rendered to the Stellenbosch Municipality.

**(DIRECTOR: STRATEGIC AND CORPORATE  
SERVICES TO ACTION)**

**MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING: 2016-06-02:  
ITEM 4**

The Senior Legal Advisor, Ms E Rhoda distributed additional information attached as **APPENDIX A**.

**RECOMMENDED**

that Council take note of the circumstances and particulars as provided in this report and ratify the expenditure to the amount of R8 755.20 to Dimension Data / Internet Solutions (IS) for the services rendered to the Stellenbosch Municipality.

**(DIRECTOR: STRATEGIC AND CORPORATE  
SERVICES TO ACTION)**

# APPENDIX 1





MEMORANDUM  
Legal Department

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TO: ACTING MUNICIPAL MANAGER  
RICHARD BOSSMAN

DIRECTOR STRATEGIC AND CORPORATE SERVICES  
RAYMOND ESSAU

CHIEF FINANCIAL OFFICER  
M WUST

FROM: ELIZABETH RHODA

DATE: 4 MAY 2016

RE: DIMENSION DATA (/ STELLENBOSCH MUNICIPALITY)

---

1. INTERNET SOLUTIONS (Pty) Ltd concluded a valid binding agreement with the municipality in 2011. (*Annexure A: Contract*)
2. A letter of demand was served on the Municipality on 21 October 2013. (*Annexure B: Letter of Demand*).
3. In terms of correspondence dated 13/01/2014 it alleged that despite previous reminders and numerous requests for payment of R8755. 20 the municipality failed to adhere to its contractual obligations. (*Annexure C: Invoices*)
4. In terms of the correspondence and as per the MPAC item drafted by the Manager ICT the service of Internet Solutions, a division of Dimension Data (Pty) Ltd were procured in 2011 without following proper Supply Chain Management Procedures.
5. To date the municipality had been receiving numerous telephone calls and emails requesting payment. It must be noted that there are no documents

which suggest that the municipality at any stage refuted the allegation that it needs to settle the outstanding nor is there any dispute resolution processes which the municipality embarked on upon any given stage.

6. In terms of the principle of legality with reference to section 217 of the Constitution read with other the legislative framework, regulations and the Municipality's Supply Chain Management Policy, it is in the public interest that parties should comply with its contractual obligations.
7. Though the SCM prescripts were not followed a contract was concluded and services were rendered and as such the municipality is legally obligated to pay.
8. The municipality does not have a claim against Dimension Data and is not in a position to institute a counter claim.
9. Should the municipality decide to oppose the matter in the event of legal action being instituted, it will *incur exorbitant legal fees and as such it will be advisable to settle the outstanding amount in full and final settlement.*
- 10 *The failure to settle the amount may result in*
  - 10.1. Interest on the amount of R8 7 55, 20 per month a tempore morae
  - 10.2. Cost on attorney client scale;
  - 10.3 further and or alternative relief
11. Section 65(2) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA) provides that the accounting officer is required to take all reasonable steps to ensure that all money owing by the municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories or expenditure.
12. Despite the numerous requests for payment which had been sent since 2013, the municipality failed to adhere to its obligations. This results in non-compliance with section 65(2) (e) of the MFMA.



13. As alluded to in 10.1.above. late payment of invoices could lead to interest being charged and that could and that could result in fruitless and wasteful expenditure being incurred by the municipality

14. *The invoices were received in 2012/13; however an inference is made that due to internal controls which were not in place the payments were not made. It will be advisable that an action plan be implemented to deal with historic contracts such as the one in question.*

15. Delegation 47 of the System of Delegation adopted on 20 June 2012 provides that in terms of Legal Matters reserved for Council, Executive Mayor and Municipal Manager is delegated to :

a) To obtain legal opinion including Senior Counsel.

b) To institute or defend (including instructing attorneys to enter notice of appearance ) on all matters, including

(i) Arbitration proceedings

(ii) Appeal proceedings in the High court, Supreme court of Appeal or the Constitutional Court as the case may be

(iii) Interlocutory applications

16. *Dologation 48 provides that in matters where the settlement amount does not exceed R500 000, the municipal manager is dologated to settle any any action out of court, after having considered a recommendation from the Director Strategic and Corporate Service and after consultation with the CFO. (my emphasis)*

## 17. Recommendations

17.1. That the Manager Treasury Office determine the amount which need to be paid in full and final settlement;

17.2. That the Municipal Manager authorise payment of the outstanding balance after confirmation thereof by the Treasury Office; or

17.3. Instruct an attorney from the Legal panel to enter an appearance to defend should the contractor wish to institute legal proceeding.

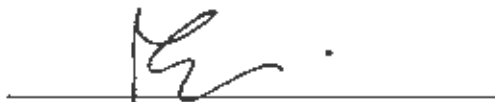


EA Rhoda  
Senior Legal Advisor

Recommendation 12.1. Supported/ Not Supported

Recommendation 12.2. Supported/ Not Supported

Recommendation 12.3. Supported/ Not Supported



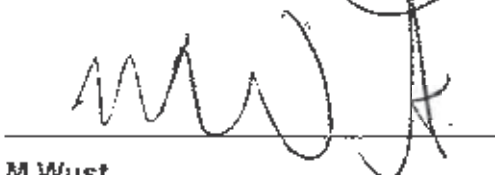
R Essau  
Director: Strategic and Corporate Service

Date 5/5/16

Recommendation 12.1. Supported/ Not Supported

Recommendation 12.2. Supported/ Not Supported

Recommendation 12.3. Supported/ Not Supported



M Wust  
Chief Financial Officer

Date 6/5/16

Approved/ Not Approved



R Bossman  
Acting Municipal Manager

*Item 17.2 to be in the well  
in exception*



# APPENDIX 2

COPY

Your Ref:

Our Ref: Mr Dadic/THOBEKILE/IS000201

Date: 13/01/2014

MICHAEL-DEAN APPOLLIS  
121 PLEIN STREET  
STELLENBOSCH  
7600

**PER REGISTERED POST**

Dear Sir/Madam

**CLIENT:** Internet Solutions (Pty) Ltd  
**BALANCE OUTSTANDING:** R8 755.20

Notwithstanding previous reminders and request for payment, your account with our client remains in arrears and has been handed over to ourselves for collection.

In terms of Section 129 and 130 of the National Credit Act, we wish to confirm that this account has been outstanding for more than 21 (TWENTY ONE) days. You are therefore required to reply to ourselves as a matter of urgency.

Upon receipt of this notice, you may refer the matter to:

- a) Our offices at (011) 447 6557;
- b) A debt counsellor;
- c) An alternative dispute resolution agent;
- d) The consumer court with jurisdiction;
- e) The ombudsman for banking services, with a view to resolving any dispute or to develop a plan that is acceptable to both you and our client in order to bring your account up to date.

Failure to make payment of these amounts **plus interest and costs** within 10 (TEN) days from date hereof may result in potential legal action being commenced against you.

Furthermore, we hereby give you 20 (TWENTY) business days notice to settle this account failing which you will be listed with a default for non-payment on the Credit Bureau and adversely affect any credit facilities you may currently enjoy.

Our banking details are noted below. You may wish to deposit directly and fax a copy of the deposit slip as proof of payment.

DADIC TRUST  
STANDARD BANK  
Acc. No.: 422248975  
Branch Code: 004205  
Ref: IS000201

Yours faithfully



DADIC ATTORNEYS  
Per: Davor Dadić

DV Dadic' BCom BProc

VAT Reg No 4780208916

T. (011) 447 6557 | F. (011) 447 4202 | E. tendai@dadic.co.za | Personal Fax. 086 613 1019

26 Baker Street, 1st Floor, Rosebank, 2196 | PO Box 2584 Houghton 2041 South Africa | Docex 191 Johannesburg



COPY

Your Ref:

Our Ref: Mr Dadic/THOBEKILE/IS000201

Date: 13/01/2014

STELLENBOSCH MUNICIPALITY  
121 PLEIN STREET  
STELLENBOSCH  
7600

**PER REGISTERED POST**

Dear Sir/Madam

**RE: INTERNET SOLUTIONS A DIVISION OF DIMENTION DATA (PTY) LTD // STELLENBOSCH MUNICIPALITY**

**NOTICE OF INTENTION TO INSTITUTE LEGAL PROCEEDINGS AGAINST AN ORGAN OF THE STATE IN TERMS OF SECTION 3 OF ACT 40 OF 2002**

With reference to the above matter;

Kindly take note that our Client, Internet Solutions a Division of Dimention Data (Pty) Ltd, has provided us with instructions to issue Summons against the Department for payment of the sum of R8 755.20 for services rendered.

We confirm that the services rendered were those of provision of internet access. We confirm that an agreement was entered into between yourselves, represented by a Michael Dean Appollis, and our Client on the 13<sup>th</sup> of December 2011, which agreement governs the relationship between our Client and yourselves.

In the premises, our instructions are to demand from you as we hereby do payment of the amount of R8 755.20, (excluding interest, costs and collection commission), within 7 (seven) days from date hereof, failing which we are to immediately issue summons against you for the recovery of same.

Please note that should you wish to make payment of the outstanding amount that you may do so into the following account:

DADIC TRUST  
STANDARD BANK  
Acc. No.: 422248975  
Branch Code: 004205  
Ref: **IS000201**

Yours faithfully

  
DADIĆ ATTORNEYS

Per: **Davor Dadić**

DV Dadić BCom BProc

VAT Reg No 4780208916

1-9DI x KG

IS STANDARD TERMS AND CONDITIONS



internet solutions  
A DIVISION OF ORANGEBOX DATA

INTERNET SOLUTIONS

FULL PARTICULARS OF CUSTOMER

Name of company or close corporation or partnership or individual	Stellenbosch Municipality		
Registration or ID number	Government	VAT number	
Admin Contact Name:	Michael Dean Appollis	Job Title	IT Manager
e-mail address (for billing purposes)	Michaela@stellenbosch.org	Work number	021 808 8971
Cell number	082 496 2399	Fax number	021 808 8574
Technical Contact 1 Name:	Michael Dean Appollis	Job Title	IT Manager
e-mail address (for technical purposes)	micheala@stellenbosch.org	Work number	021 808 8971
Cell / Pager number	082 496 2399	Fax number	021 808 8574
Technical Contact 2 Name:	As above	Job Title	
e-mail address (for technical purposes)		Work number	
Cell / Pager number		Fax number	
Physical address	121 Plein Street, Stellenbosch		
Postal address	PO Box 17 Stellenbosch 7599		
Service Location	<input type="checkbox"/> JHB <input type="checkbox"/> DBN <input type="checkbox"/> BRY <input type="checkbox"/> PE <input type="checkbox"/> CTN	IS Representative:	Mark September (Office use only)
Contract Details	Contract Reference		
	Payment Method:	<input type="checkbox"/> Debit Order	<input type="checkbox"/> Cheque

DEBIT ORDER DETAILS

Internet Solutions is hereby authorised to arrange with my bank or building society to collect the monthly subscription rate against my bank or transmission account (wherever it may be) in terms of a debit order to be processed on the 7<sup>th</sup> day of every month following the preceding month's invoice.

Bank		Branch	
Account Name			
Account Number		Branch Code	
Signature of payer or authorised official		Internet Solutions – Banking Details Nedbank, BS Corporate, Branch Code 145405, Account Number 1454005726	

THE CUSTOMER HEREBY AGREES THAT ALL SERVICE/S PROVIDED PURSUANT TO IS' ACCEPTANCE OF THIS APPLICATION FORM WILL BE SUBJECT TO THE TERMS AND CONDITIONS ATTACHED HERETO, WHICH TERMS AND CONDITIONS ARE EXPLICITLY INCORPORATED INTO AND FORM AN INTEGRAL PART OF THE AGREEMENT BETWEEN IS AND THE CUSTOMER.

	M. Appollis	A. Reed Infrastructure	2011/12/13
Signed on behalf of Customer, duly authorised	Signatory's Name	Signatory's Designation (Director/Member/Partner)	Date

IS Director- Signature	IS Director- Name	Date
------------------------	-------------------	------



internet solutions  
A DIVISION OF ORANGEBOX DATA

*Handwritten signatures and initials*



## IS STANDARD TERMS AND CONDITIONS



internet solutions  
A DIVISION OF DIMENSION DATA

INTERNET SOLUTIONS

## STANDARD TERMS AND CONDITIONS

## 1. Definitions And Interpretation

In this Agreement, the words hereunder will have the meanings assigned to them below:-

- 1.1.1. "Agreement" means these Standard Terms and Conditions and any Application Form, Schedules, Annexures and attachments hereto;
  - 1.1.2. "Contract Value" means the total cost of the Service/s being provided to the Customer by IS in terms of this Agreement;
  - 1.1.3. "Cost Schedule" means Schedule 1 attached hereto wherein the costs of the Service/s are specified;
  - 1.1.4. "Customer" means the party specified as Customer on the Application Form to which these Standard Terms and Conditions are attached;
  - 1.1.5. "Customer Support Schedule" means the schedule attached hereto containing customer support information;
  - 1.1.6. "Effective Date" means, notwithstanding the date of signature of this Agreement, the date when each Service/s reflected in the Schedule/s is commissioned by IS for use by the Customer irrespective of whether or not the Customer uses the Service/s;
  - 1.1.7. "ECNS provider" means one of the electronic communication network service providers licensed to provide those services in terms of the Electronic Communications Act 36 of 2005;
  - 1.1.8. "IS" means Dimension Data (Proprietary) Limited (company registration number 1987/006597/07) trading through its division Internet Solutions;
  - 1.1.9. "Initial Period" means the initial contract term of the Service/s, as set out in the Cost Schedule (Schedule 1) hereto;
  - 1.1.10. "IS MAC Form" means a form completed by IS and Customer wherein are specified moves, additions, or changes to Services under the Agreement;
  - 1.1.11. "Proprietary information" means any and all trade secrets and data/information of a proprietary and/or confidential nature, including data/information that the parties should reasonably have known to be proprietary or confidential;
  - 1.1.12. "Service/s" means all the service/s provided by IS as specified in the Schedules to this Agreement, including all software and equipment necessary for the provision of the Service/s;
  - 1.1.13. "Service Specification Schedule" means the schedule attached hereto wherein the service specifications of the Service/s are specified;
  - 1.1.14. "VAT" means Value-Added Tax as defined in the Value-Added Tax Act 89 of 1991.
- 1.2. The clause headings contained in this Agreement are for reference purposes only and shall not be used in the interpretation of this Agreement. Words importing any one gender includes the other gender, the singular includes the plural and vice versa, and natural persons includes juristic entities and vice versa.

## 2. Commencement And Duration

- 2.1. The Agreement shall commence upon the Effective Date of the first Service to be provided in terms of the Agreement and shall endure throughout the duration period of the Service/s provided.
- 2.2. The duration period of each of the Service/s shall be as specified in the relevant Service Specification Schedule attached hereto.



## STANDARD TERMS AND CONDITIONS



internet solutions  
A DIVISION OF BUSINESSWAY

### 3. Charges And Payment

- 3.1. All Service/s provided are to be billed as of the Effective Date in respect of each Service, provided that in circumstances where the Effective Date is delayed through the fault of the Customer, IS shall be entitled to commence billing for the Service/s from 60 (sixty) days after date of signature of the Agreement irrespective of whether or not the Service/s have been commissioned by IS. In the event of a single Service consisting of a number of components, billing will commence for each respective component of that Service as and when each component of that Service goes live.
- 3.2. Customer is responsible for and agrees to pay to IS all fees for the Service/s specified in the Cost Schedule in South African currency, without deduction or set-off of any amount of whatsoever nature or for whatsoever reason.
- 3.3. All prices specified in the Cost Schedule exclude:
- 3.3.1. VAT and any other any taxes and duties including any regulatory surcharge, which Customer becomes obligated to pay by virtue of this Agreement, and
- 3.3.2. ECNS provider service fees, for which Customer agrees to make payment directly to the ECNS provider on such terms as are agreed between the ECNS provider and Customer, and shall at all times be the responsibility of the Customer.
- 3.4. Invoicing will be processed and delivered in advance, and all invoices for Services shall be settled monthly within 30 days of the date of invoice.
- 3.5. In the event of any dispute arising as to the amount or calculation of any fee or charge to which IS is entitled, the dispute shall be referred for determination to IS' auditors. They shall act as experts and their decision shall be final and binding on IS and Customer. The cost of the determination shall be paid on demand by the party against whom the determination is made, or as determined by the said auditors.
- 3.6. Any amount falling due for payment by Customer to IS in terms of or pursuant to this Agreement which is not paid on its due date shall bear interest calculated from the due date for payment thereof until date of payment, at a rate equal to the prime overdraft rate plus two percent (2%) charged by Nedcor Bank Limited from time to time, monthly in arrears.
- 3.7. IS shall be entitled from time to time on 30 (thirty) days prior written notice thereof to Customer to increase the monthly fees referred to in the Cost Schedule, provided that:
- 3.7.1. IS shall not be entitled to increase the monthly fees during the first 12 (twelve) months of this Agreement; and
- 3.7.2. IS shall not increase the fees on more than one occasion in any subsequent 12 (twelve) month period of this Agreement.
- 3.8. Invoices will be processed and emailed to the Customer's designated administrative contact indicated in the Application Form to which this document is attached, unless the Customer gives its written request for delivery of invoices by means other than email, or that the email details of the administrative contact have been changed.

### 4. Customer's Obligations

- 4.1. Customer shall comply strictly with all restrictions imposed on computer networks through which any information and/or data transmitted by Customer passes. In particular, the Customer shall at all times comply with IS' Acceptable Use Policy available at [www.is.co.za](http://www.is.co.za).
- 4.2. Customer shall not commit nor attempt to commit any act or omission which directly or indirectly:
- 4.2.1. damages in any way IS' technical infrastructure or any part thereof;
- 4.2.2. impairs or precludes IS from being able to provide the Service/s in a reasonable and businesslike manner;
- 4.2.3. constitutes an abuse or malicious misuse of the Service/s;
- or is calculated to have the abovementioned effect. In such an event, should IS incur expenses to remedy the situation, IS reserves the right to charge the Customer the amount necessary to cover IS' additional expenditure. Notwithstanding the above, IS reserves the right to take any other appropriate action it may deem necessary to remedy the situation.



Handwritten initials and signatures at the bottom right of the page.



## STANDARD TERMS AND CONDITIONS



internet solutions  
A DIVISION OF ORION DATA

- 4.3. Customer is prohibited from selling, reselling or otherwise dealing with the Service/s in any manner whatsoever. Without limitation to the foregoing, any consideration which Customer may receive whilst acting in breach of this prohibition shall be forfeited to IS.
- 4.4. Customer is prohibited from allowing any person other than its employees or other authorised parties, access to the Service/s through any of Customer's equipment, personnel and/or address.
- 4.5. Customer is prohibited from modifying any equipment (including but not limited to router equipment) utilised by Customer to receive any of the Service/s, in any way whatsoever, including the changing of any of the settings of such equipment.
- 4.6. Customer shall at all times adhere to and ensure compliance with the Customer Support Schedule.
- 4.7. Under no circumstances may Customer resile from this Agreement or withhold or defer payment or be entitled to a reduction in any charge or have any other right or remedy against IS, its servants, its agents or any other persons for whom it may be liable in law (and in whose favour this provision constitutes a stipulation alteri) if IS interrupts the Service to Customer as it would be entitled to do if Customer is in default of any of its obligations under this Agreement to IS or in the circumstances contemplated in clause 6.4 below.
- 4.8. Customer may not at any time use the Service in contravention of any South African law. In particular, Customer undertakes to familiarize itself and ensure that it is kept continuously apprised of all South African law in force from time to time which has any bearing on the Service and/or its use. Customer acknowledges that IS has no obligation to assist Customer in this regard.

### 5. Warranties

- 5.1. Save as expressly set out in this Agreement, IS does not make any representations nor gives any warranties or guarantees of any nature whatsoever in respect of the Service/s and all warranties which are implied or residual at common law are hereby expressly excluded.
- 5.2. Without limitation to the generality of 5.1 above, IS does not warrant or guarantee that the information transmitted by or available to Customer by way of the Service/s:
- 5.2.1. will be preserved or sustained in its entirety;
  - 5.2.2. will be delivered to any or all of the intended recipients;
  - 5.2.3. will be suitable for any purpose;
  - 5.2.4. will be free of inaccuracies or defects or bugs or viruses of any kind; or
  - 5.2.5. will be secured against intrusion by unauthorised third parties;

and IS assumes no liability, responsibility or obligations in regard to any of the exclusions set forth in this clause 5.

### 6. Exclusion Of Liability

- 6.1. Except as otherwise expressly provided herein to the contrary, IS shall not be liable to Customer or any third party for any loss or damage of whatsoever nature and/or howsoever arising (including consequential or incidental loss or damage which shall include but shall not be limited to loss of property or of profit, business, goodwill, revenue, data or anticipated savings) or for any costs, claims or demands of any nature whether asserted against IS or against Customer by any party, arising directly or indirectly out of the Service/s, their use, access, withdrawal or suspension or out of any information or materials provided or not provided, as the case may be.
- 6.2. Subject to clause 6.1 above, the entire liability of IS and Customer's exclusive remedy for damages from any cause related to or arising out of this Agreement, regardless of the form of action, whether in contract or in delict, will not exceed the aggregate of the fees and charges paid by Customer under this Agreement for the period of 12 (twelve) months preceding Customer's written notice to IS in respect of such claim.
- 6.3. Customer hereby indemnifies IS against and holds IS harmless from any claim by any third party arising directly or indirectly out of access to or use of the Service/s or information obtained through the use thereof or in respect of any matter for which liability of IS is excluded in terms of clause 6.1 above.





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6.4. Because of the need to conduct maintenance, repair and/or improvement work from time to time on the technical infrastructure by means of which the Services are provided, the provision of the Services may be suspended from time to time, and all liability on the part of IS of any loss or damage (whether direct or consequential) thereby incurred or for any costs, claims, or demands of any nature arising therefrom, is excluded, and the provisions of clause 6.1 above shall apply mutatis mutandis to such exclusion. Should the provision of the Service/s be suspended by IS for the purpose aforementioned for a period in excess of 48 (forty eight) consecutive hours, IS shall give Customer credit in an amount which represents a pro rata portion of Customer's basic monthly subscription fee for the month during which the said suspension occurred.

6.5. Where the Service/s provided include Hosting Services, then, notwithstanding anything to the contrary contained in this Agreement, IS reserves the right in its absolute discretion and after the receipt by IS of any complaint from any governmental department, or any other third party (including but not limited to any internet industry body or any other organisation) that Customer's web site contains information that infringes against any third party's rights in terms of the Constitution of the Republic of South Africa, the Electronic Communications and Transactions Act, any other legislative enactment or regulation in force from time to time, or is defamatory in nature, to immediately give written notice to Customer of IS' intention to remove the offending information or any portion thereof from Customer's web site. Should such offending information not be removed from the web site by Customer within 24 hours of written notice to that effect, IS shall be entitled to immediately remove the offending information or any portion thereof from Customer's web site, or where it is not possible to remove such content, to terminate the Hosting Services of such Customer. Any removal or termination by IS shall in no way constitute a breach by IS of this Agreement.

### 7. Documentation

Any specifications, descriptive matter, drawings and other documents which may be furnished by IS to Customer from time to time:

- 7.1. do not form part of this Agreement and may not be relied upon, unless they are agreed in writing by both parties hereto to form part of this Agreement;
- 7.2. shall remain the property of IS and shall be deemed to have been imparted by it in trust to Customer for the sole use of Customer. All copyright in such documents vests in IS. Such documents shall be returned to IS on demand.

### 8. Breach

8.1. Subject to the provisions of clause 8.3 to the contrary, if Customer hereto:

- 8.1.1. breaches any of the terms or conditions of this Agreement and fails to remedy such breach or pay such amount, as the case may be, within 7 (seven) days after the receipt of written notice from IS;
- 8.1.2. commits any act of insolvency;
- 8.1.3. endeavours to compromise generally with its creditors or does or causes anything to be done which may prejudice IS' rights hereunder or at all;
- 8.1.4. allows any judgement against it to remain unsettled for more than 10 (ten) days without taking immediate steps to have it rescinded and successfully prosecuting the application for rescission to its final end; or
- 8.1.5. is placed in liquidation or under judicial management (In either case, whether provisionally or finally) or, being an individual, his estate is sequestrated or voluntarily surrendered;

IS shall have the right, without prejudice to any other right which it may have against Customer, to:

- a) suspend or terminate the Services;
- b) treat as immediately due and payable all outstanding amounts which would otherwise become due and payable over the unexpired period of the Agreement, and to claim such amounts as well as any other amounts in arrears including interest and to cease performance of its obligations hereunder as well as under any other contract with the Customer until Customer has remedied the breach; and/or
- c) cancel this Agreement;

in any event without prejudice to IS' right to claim damages.



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M.F. [Signature]

## IS STANDARD TERMS AND CONDITIONS



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8.2. Customer shall be liable for all costs incurred by IS in the recovery of any amounts or the enforcement of any rights which it has hereunder, including collection charges and costs on an attorney and own client scale whether incurred prior to or during the institution of legal proceedings or if judgement has been granted, in connection with the satisfaction or enforcement of such judgement.

8.3. Subject to what is set out in Clause 8.1.1 above, IS shall be entitled to suspend the provision of the Services where Customer breaches any provision of this Agreement or where any payment to IS is overdue by more than 30 (thirty) days.

## 9. Intellectual Property

9.1. Notwithstanding anything set out in Clause 10 below, all intellectual property (including, without limitation, copyright, trade marks, designs and patents) relating to or used in connection with the Service/s provided under this Agreement shall belong to IS. Customer undertakes that it shall at no time, have any right, title or interest in the intellectual property and agrees that it shall not (or permit any third party to) reverse engineer, decompile, modify or tamper with the equipment or software owned by IS, or any of its third party suppliers.

9.2. Customer warrants that it shall not use the Service/s to produce, host or present any content in contravention of any person's intellectual property rights, and in particular warrants that it shall recognize, acknowledge and use any content in accordance with any third party's intellectual property rights. Customer furthermore warrants that it has received all necessary permissions to make use of any intellectual property relating to 3<sup>rd</sup> parties.

## 10. Protection Of Proprietary Information

10.1. Each party will keep in confidence and protect Proprietary Information from disclosure to third parties and restrict its use to that which is provided for in this Agreement. Either party acknowledges that unauthorised disclosure or use of Proprietary Information may cause substantial economic loss. All printed materials, containing Proprietary Information will be marked with "Proprietary" or "Confidential", or in a manner which gives notice of its proprietary nature. Proprietary information shall not be copied, in whole or in part, except when essential for correcting, generating or modifying Proprietary Information for either party's authorized use. Each such copy, including its storage media, will be marked with all notices, which appear on the original.

10.2. Each party shall ensure that its employees comply with its obligations under this clause 10.

10.3. This clause 10 shall survive termination or cancellation of this Agreement.

10.4. This Agreement does not transfer to either party title to any intellectual property contained in any Proprietary Information of the other party

## 11. Cession

Customer shall not be entitled to cede or assign any rights and/or obligations which it may have in terms of this Agreement to any third party unless consented to in writing by IS.

## 12. Suretyship

The signatory to this Agreement, as the authorized representative of the Customer, hereby binds himself/herself to IS as personal surety and as co-principle debtor in solidum with Customer for the due, punctual and proper fulfillment and performance by Customer of all its obligations in terms of this Agreement. The aforementioned signatory hereby renounces all benefits arising from the legal exceptions of non numeratae pecuniae, non causa debiti, errore calculi and beneficio excussionis et divisionis, with the force and effect of which he/she hereby declares himself/herself to be fully acquainted.

## 13. Lien

The parties agree that in the event of a breach of this Agreement by Customer which causes IS to suffer damages of any nature whatsoever, IS shall not be required to attach any of Customer's hardware in execution, and shall be entitled to retain a lien over such hardware in reduction of any debt due by Customer to IS.



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#### 14. Force Majeure

14.1. IS shall not be liable for non-performance under this Agreement to the extent to which the non-performance is caused by events or conditions beyond the control of IS, provided that IS makes all reasonable efforts to perform.

14.2. It is expressly recorded that for purposes of this clause the following shall be considered circumstances beyond the control of IS and the force majeure provisions shall apply:-

- 14.2.1. an ECNS provider fault that affects the Service/s; and/or
- 14.2.2. the non-performance, inability to perform or delay in performance by the ECNS provider relating to the provisioning of equipment, services and/or facilities to IS that affects the Service/s; and/or
- 14.2.3. acts or omissions of any government, government agency, provincial or local authority or similar authority, any laws or regulations having the force of law, civil strife, riots, insurrection, sabotage, acts of war or public enemy, illegal strikes, interruption of transport, lockouts, flood, storm or fire.

#### 15. Governing Law And Jurisdiction

This Agreement will be governed by and construed in accordance with the laws of the Republic of South Africa and all disputes, actions and other matters relating thereto will be determined in accordance with South African law by a South African court having jurisdiction.

#### 16. Domicilium Citandi Et Executandi

For all purposes, including but not by way of limitation, the giving of any notice, the making of any communication and the serving of any process, Customer chooses its domicilium citandi et executandi ("domicilium") at the physical address appearing on the application form to which these Standard Terms and Conditions are attached. IS chooses its domicilium citandi et executandi ("domicilium") at The Campus, 57 Sloane Street, Bryanston, Johannesburg, South Africa. Either party shall be entitled from time to time to vary its domicilium and shall be obliged to give notice to the other within ten (10) days of the said change. Any notice which either party may give to the other shall be posted by prepaid registered post or hand delivered to the other party's domicilium and shall be presumed, unless the contrary is proved by the party to whom it is addressed, to have been received by that party on the tenth (10th) day after the date of posting or on the day of delivery as the case may be.

#### 17. General

- 17.1. No variation, amendment or consensual cancellation of this Agreement or any provision or term thereof or of any agreement, bill of exchange or other document issued or executed pursuant to or in terms of this Agreement shall be binding unless recorded in a written document signed by a duly authorized representative from both IS and Customer. With respect to new pricing and/or service specifications in respect of existing Service/s, an IS MAC Form signed by an IS Account Manager and a duly authorised representative of Customer will constitute a written variation of the Agreement in accordance with this clause 17.1.
- 17.2. The parties acknowledge having read and understood this Agreement and are not entering into this Agreement on the basis of any representations not expressly set forth in it.
- 17.3. Neither party shall be bound by any express or implied term, representation, warranty, promise or the like not recorded herein, whether it induced the Agreement between Customer and IS or not.
- 17.4. No extension of time or waiver or relaxation of any of the provisions or terms of this Agreement, bill of exchange or other document issued or executed pursuant to or in terms of this Agreement, shall operate as an estoppel against either party hereto in respect of its right under this Agreement, nor shall it operate so as to preclude either of the parties thereafter from exercising its rights strictly in accordance with this Agreement.
- 17.5. In the event that any provision of this Agreement conflicts with any statute, ruling or order of any governmental or regulatory body from time to time, then such provision of this Agreement shall be controlled by the statute, ruling or order.



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- 17.6. Should any of the terms and conditions of this Agreement be held to be invalid, unlawful or unenforceable, such terms and conditions will be severable from the remaining terms and conditions which will continue to be valid and enforceable.
- 17.7. In the event of any expiration, termination or cancellation of this Agreement, provisions hereof which are intended to continue and survive shall so continue and survive. In particular, termination or cancellation of this Agreement shall not affect any rights or duties arising under it with respect to Proprietary Information as set out in Clause 10 above.
- 17.8. The terms and conditions appearing in the Schedule(s) hereto, are hereby incorporated into the Agreement. In the event of any conflict between the Standard Terms and Conditions of this Agreement and those appearing in any Schedule/s hereto, these Standard Terms and Conditions shall prevail. In respect of any conflict in respect of pricing in the Agreement or the Schedules hereto, the costs set out in the Cost Schedule shall prevail.
- 17.9. These terms and conditions, together with the Schedule(s), Annexures and attachments hereto, constitute the whole of the agreement between IS and Customer relating to the subject matter hereof, notwithstanding anything in Customer's inquiry, specification, acceptance, order or other documentation or discussion to the contrary.



*[Handwritten signature]*



### SCHEDULE G1- COST SCHEDULE – MESSAGING SERVICE

Channel	1500 – 50,000 msgs	50,000 – 100,000 msgs	100,000 – 250,000 msgs	>250,000 msgs
SMS	0.32c per SMS	0.30c per SMS	0.28c per SMS	0.25c per SMS
E-mail	R0.06 per 25KB	R0.05 per 25KB	R0.04 per 25KB	R0.04 per 25KB

Fax Destination	1 Minute Charge	30 Seconds Charge
041, 031, 021, 011, 012	0.78c	0.39c
Rest of South Africa	1.14c	0.57c

#### Please note

- All pricing excludes VAT.
- Grapevine Messaging prices do not include dial-up access, Internet access or e-mail addresses, unless stated above.
- International SMS's will be charged at 0.90c per SMS
- IS Applications will not in any way manage, alter, inspect, test or support Customer applications.
- In offering such Services with no associated sub-minimum monthly Service fees, IS requires, an undertaking, that all your messaging Services will be operated through IS.
- As such, the Customer specifically agrees that while this Agreement remains in force, any messaging devices, either direct or indirect, will utilise the IS messaging Services, in fulfillment thereof, provided the IS messaging Services offer the functionality required.
- Delivery of SMS messages will be limited to South African Mobile operators (Vodacom, MTN and Cell-C).

#### Additional Charges

The Customer shall be responsible for the additional fees and charges, where applicable:

Service Type	Minimum Monthly Fee	Select Service Type
Lite (Any two Grapevine Services excluding Multi AppLink)	R480-00 including the first 1500 sms's	X
Premium (All Grapevine Services excluding Multi AppLink)	R1600-00 including the first 5000 sms's	
Multi AppLink	R2500-00 including the first 6000 sms's	

Internet Solutions provides technical support for all services available under this agreement. The standard technical support service provided is offered from 8am to 6pm, Monday to Friday – excluding South African public holidays. In the situation where support services are required to have guaranteed response time and beyond normal business hours, an extended SLA may be purchased for this purpose. Rates for these SLA's are as follows:

Service Level	Description	Monthly fee	Select SLA
Basic	Guaranteed response times from 8am–5pm, Monday to Friday – excluding public holidays	R1000	
Silver	7am – 6pm and public holidays and Saturdays from 8am to 1pm.	R2000	
Gold	24X7 including weekends and public holidays	R4000	
Platinum	SLA for Banks and Financial Institutions	R10 000	

Contact us: (011) 575-1000, Fax (011) 578 1000, e-mail: [sales@is.co.za](mailto:sales@is.co.za), Web: [www.is.co.za](http://www.is.co.za)

The Gateway 51, Bona Street, Braamfontein, Johannesburg, 2001, SA

M.A. *[Signature]*



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SCHEDULE 1 - COST SCHEDULE

The Service/s below are the services accepted by the Customer for the purpose of this Agreement.

Schedule	Type of Service	Service Previously Provided By	Initial Period of Service (months)	Once-Off (Set Up) Cost	Monthly Cost
G1	1 x Grapevine Lite		12	R0.00	R 480.00
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
				R	R
<b>TOTAL</b>				<b>R0.00</b>	<b>R 480.00</b>



## SCHEDULE G2 – GRAPEVINE CHANNEL SERVICE DESCRIPTION

### Introduction

IS (Pty) Ltd (hereafter termed "IS") together with partners Grapevine Interactive (Pty) Ltd (hereafter termed "Grapevine") is responsible for the reliable delivery of electronic content and information on behalf of (hereafter termed the "Customer") to their customers and intermediaries (hereafter termed the "Subscribers"). Delivery will be effected using the SMS, Email and Fax communication channel.

This Agreement serves to document the service levels that will be provided to the Customer by Grapevine for their SMS, Email and Fax messaging services. The structure of this document initially provides a definition of the SMS, Email and Fax delivery channel provided by Grapevine, followed by descriptions of general levels of service common to all Grapevine delivery channels, as well as what is required of the Customer in order to allow such Service levels to be achieved. Thereafter, the Service levels offered specifically for the SMS, Email and Fax channel are detailed.

### Channel Service Description

Grapevine messaging Services operate across several channels. A description of the SMS channel is provided below followed by a description of the Customer data feed channel

**SMS (Short Message Service) communications channel** – SMS services are defined as delivery of Customers content to their recipients' mobile phones via the Short Message Service (SMS). SMS messages are routed by Grapevine to the SMSCs (SMS Centers) of the mobile network providers in South Africa.

**Email communications channel** – Email Services are defined as delivery of Customer content to their Subscribers via Internet email using SMTP (Simple Mail Transport Protocol). All email message content may be encoded as both plain text and HTML (Hypertext Markup Language) and all file attachments will be encoded using MIME. Email messages may include one or more URLs (Universal Resource Locators) for the purpose of allowing Subscribers to respond to emails with fixed responses.

Email messages may include a maximum of 2 attachments and may not exceed a maximum of 25 Kbytes after MIME encoding. Requirements exceeding these maximums must be negotiated with Grapevine separate to this Agreement.

**Fax communications channel** – Fax Services are defined as delivery of Customer content to their Subscribers using fax transmission. Faxes can comprise multiple pages and be formed from multiple content sources.

There is no specified maximum size (i.e. number of pages) per fax but the Customer should endeavour to restrict fax sizes, both for reasons of transmission reliability and the use of the Subscribers' fax paper on the receiving end.

**Web communications channel** – Web services are defined as delivery of Customer content to their Subscribers and receipt of Subscriber subscription information using an HTTP-based Internet World-Wide-Web browser.

The Web communications channel is the primary channel used by Subscribers to subscribe to Services, modify their settings and unsubscribe. The Web channel is also used to allow Subscribers to view relevant documents relating to their personal content requirements.

**Customer data feed channel** – The data feed channel is the primary electronic communication link between Grapevine and the Customer. Through this channel all data interaction occurs including (where appropriate) content, return-content, recipient and Services information.

Content is defined as any data that is required to either be delivered to a recipient, or in order to determine whether other content should be delivered e.g. a threshold value. Content data is to be supplied (or made available) to Grapevine by the Customer as often as necessary in order to process and run services.

Return-content is data received from the recipient through interaction with the Grapevine system pertaining to specific Customer Services. This information (e.g. A recipient's reply when using the SMS system) is passed back to the Customer in an agreed format.

Recipient information is all data pertaining to the recipient of messages that Grapevine requires in order to deliver Services to that person. This will include the recipients' names, phone numbers, unique Customer identifiers and the like. Because recipient information changes regularly, due to

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The Company, 27 St-Helen Street, Grahamstown, Johannesburg, South Africa

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new recipients becoming eligible for Services, old ones falling away or details changing, regular recipient feeds to be required to ensure Grapevine has the most recent recipient data.

Services information is the data required by Grapevine in order to configure and run Services on behalf of the Customer. This will include the format (layout/templates) of the delivered content on each communications channel, frequency of Service and content feed, the category of recipient of each Service and so on.

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## SCHEDULE G3 - GRAPEVINE SERVICES

### 1. Description Of Service

- 1.1 **SMS Mail Service** - will allow the Customer to send and receive SMS messages using their email client. In order to send these messages, the Customer shall send the messages via email to the Supplier. The Supplier will then deliver the messages to the Network SMSCs (Short Message Service Center). SMS Messages can be sent to Subscribers on all three South African mobile networks (Vodacom, MTN and Cell-C). If a reply is received back to the Supplier from an SMSC, the Supplier will deliver the message back to the Customer User's email client. The Service will also enable registered Customer users to send emails from their mobile phones by typing in the email address and a short message and sending it as an SMS message to the Grapevine SMS Mail Service.
- 1.2 **Outlook SMS Service** - will allow the Customer to send and receive SMS messages using their Outlook email client. SMS Messages can be sent to Subscribers on all three South African mobile networks (Vodacom, MTN and Cell-C). The Outlook SMS application integrates as a button on the Outlook menu bar and provides a pop up window in which to compose SMS messages. Messages are sent by the application via email to a Grapevine Outlook SMS server hosted at IS. The Grapevine Outlook SMS server delivers the messages via SMS to recipients using direct connections to the SMSCs of network operators. Replies are delivered back to the user via email, the messages appearing in the user's inbox like any other email.
- 1.3 **SMS Broadcast Service** - will provide Users with the ability to perform bulk SMS sends either by sending an email containing the message data to the SMS Broadcast server or by entering the data and uploading data files using a web user interface. The Supplier will deliver the messages to the relevant operator SMSCs and route back replies. A reporting interface will be provided to Users to determine the status of their messages.
- 1.4 **SMS AppLink Service** - will provide a communication channel to allow the Customer's applications and systems to send SMS messages and receive replies to these outgoing messages. In order to send these Messages, the Customer shall http post the messages using the supplied XML schema to the Supplier. The Supplier will then deliver the messages over the GSM Network to the Network SMSC. If a reply is received back to the Supplier from the SMSC, the Supplier shall http post the message to the Customer client.
- 1.5 **Multi-AppLink Service** - will provide a communication channel to allow the Customer's applications and systems to send SMS messages, emails and faxes, and receive replies to these outgoing messages. In order to send these Messages, the Customer shall http post the messages using the supplied XML schema to the Supplier. The Supplier will then deliver the messages over the GSM Network to the Network SMSC. If a reply is received back to the Supplier from the SMSC, the Supplier shall http post the message to the Customer client.
- 1.6
- 1.7 **SMS DutyAlert Service** - Allows a corporate system infrastructure administrator to set-up a duty roster of personnel to be alerted if, and when, failures occur. When a monitoring system detects a problem, the responsible engineer is alerted by SMS
- 1.8 **SMS2HTTP Service** - SMS2HTTP enables mobile originating SMS Message content to be transmitted to the corporate application in XML format. The Corporate application shall then interpret the data and respond with a reply if required.
- 1.9 **SMS2Email Service** - SMS2Email enables mobile originating SMS Message content to be transmitted to an email address.
- 1.10 **InfoLink Service** - will enable the creation and management of SMS keyword "pull" Services. Subscribers will be able to retrieve "active" or "static" data via a reply SMS by SMSing the Service number with the correct keyword sequence. The Supplier will provide the Service and deliver messages and replies to and from network operators. A Web reporting interface will be provided to Customer Administrators to create and manage SMS keyword Services and to view usage statistics.
- 1.11 **DocLink Service** - enables authorized users to retrieve important documents using an SMS command. The document is then delivered electronically to a specified fax number or email address
- 1.12 It is assumed that the Customer has Internet and SMTP connectivity already in place, as this is required to use the Service.

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 The Complex, 27 Spring Street, Rosebank, Johannesburg, South Africa

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- 1.13 The Customer acknowledges that messages are not guaranteed to be delivered within a specific timeframe and that this will vary depending on the mobile operator and the supplier's system loads.
- 1.14 The Customer shall restrict all SMS Messages to 160-characters. All SMS Messages submitted that are longer than 160-characters will be truncated to 160-characters.
- 1.15 Delivery of SMS messages will be limited to South African Mobile operators (Vodacom, MTN and Cell-C) for the basic Service.
- 1.16 There is no set-up fee for the Service. The monthly license fee is not dependant on the number of Customer users licensed to use the Service.
- 1.17 The Customer agrees that, for the duration of this Agreement, any electronic messaging Services required by the Customer will be implemented using the Grapevine messaging Services, as long as the Grapevine messaging Services have the necessary functionality required.

## 2. Duration And Effective Date

- 2.1 The Effective Date of this Schedule is the date when the Grapevine Messaging Service/s first commences. Should the Effective Date occur after the date of signature of the Agreement, nothing herein contained shall be construed so as to give either party the right to cancel or rescind the Agreement before the Effective Date.
- 2.2 The provision of the Grapevine Messaging Service/s shall endure for the Initial Period specified in the Cost Schedule, commencing on and with effect from the Effective Date.
- 2.3 Either party hereto shall be entitled to terminate the contract by way of 90 (ninety) days prior written notice of termination to be effective at the end of the Initial Period. Failing such notice of termination, the duration of the Service shall thereafter automatically renew for successive periods of 12 (twelve) months each on the terms and conditions set out in this Schedule, subject to 90 (ninety) days prior written notice of termination effective at the end of the then-current 12 (twelve) month period, and subject to an escalation in fees per clause 3.7 of the Standard Terms and Conditions.

## 3. Fees and Charges

- 3.1 Customer shall pay the fees as specified in Cost Schedule for the Grapevine Messaging Service/s.
- 3.2 In respect of International Grapevine Messaging Services, the restriction on increases in Clause 3.7 of the Standard Terms and Conditions do not apply to increases resulting from a fluctuation in the Rand-UK Pound exchange rate. IS shall be entitled to affect any increase in terms of the exchange rate fluctuation at its own discretion and on 30 (thirty) days prior notice to Customer, either during or after the Initial Period.

## 4. Customer Obligations

- 4.1 Customer shall abide by any rules notified to it relating to use of, access to, or security measures respecting the Equipment and the premises.
- 4.2 The Customer bears sole responsibility for all applications, including Customer's 3rd party and business applications, stored on the Customers servers. Customer is also responsible for any data stored on the server.
- 4.3 The Customer must adhere to the WASP Code of Conduct and Advertising Rules. The code of conduct and advertising rules can be found at [www.waspa.oro.za](http://www.waspa.oro.za). If you require a copy please email [info@vine.co.za](mailto:info@vine.co.za) to request this.
- 4.4 Sending of unsolicited advertising material, illegal content, unlawful, harassing, libellous, abusive, threatening, harmful, vulgar, obscene or otherwise objectionable material of any kind or nature is not permitted and may, at the sole discretion of the Supplier, result in the immediate termination of the Service/s.

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- 4.5 When providing email addresses for use with Grapevine services, the following conditions must be adhered to:
- 4.5.1 The email address must be valid and known to be correctly working
  - 4.5.2 Should an error be generated by the Grapevine service, the email address must be able to receive error messages from the Grapevine service
  - 4.5.3 There may not be an automated reply set up on the email address as this causes additional errors to be created

## 5. Installation and Operational Support

- 5.1 IS shall provide the following installation and operational support in respect of the Grapevine Messaging Equipment-
- 5.1.1 necessary power connections, equipment and terminal connections;
  - 5.1.2 operational support such as simple checking for faults, notification of faulty Equipment and replacement of spares provided by IS, where available, at Customer's cost;
  - 5.1.3 procedures for fault isolation and communication of existence of a fault in Equipment and escalation procedures in regard thereto.
- 5.2 Support shall be provided in accordance with the Customer Support Schedule.

## 6. Risk

All risk of loss and/or destruction of the Equipment shall be retained by Customer at all times. Customer shall be responsible for ensuring that the Equipment is insured against loss and destruction for the usual causes arising, and shall be liable for the replacement costs of the Equipment in the event of any loss or destruction thereof.

## 7. Technology Modifications

- 7.1 IS reserves the right to alter, modify, upgrade or update IS' network infrastructure, any technology, hardware or software ("modification") that may form part of the Grapevine Messaging Service/s.
- 7.2 Any modification to Customer's Grapevine Messaging Service/s shall be communicated in writing to the Customer 48 hours prior to the said modification and should the modification be unacceptable to Customer, Customer shall notify IS of any reasonable objections that Customer may have in respect of the change within 48 hours of IS' written notification, failing which Customer shall be deemed to have accepted the change.
- 7.3 Should a reasonable objection be received by IS, IS will endeavor to accommodate the objection but reserves the right to decide in its absolute discretion whether or not such objection can be accommodated and how best to implement any consequent modification, if at all.

10.1 - 10.1



**secure Managed hosted services****Installation Form – Grapevine Messaging Premium Service**

Please fill this form in to the best of your ability.

**SECTION 1: Fundamental Service Information****Part A: Customer Information**

Organisation Name	Stellenbosch Municipality
Admin Contact Name	Michael-Dean Appolis
Admin Contact Phone Number	021 803 8771
Admin Contact Cell Number	082 496 2399
Admin Contact Email Address	Michaela @ stellenbosch.org
Tech Contact Name	MichaelA @ Stellenbosch.org
Tech Contact Phone Number	
Tech Contact Cell Number	
Tech Contact Email Address	

**Part B: Service/s Required**

Please tick the types of the Grapevine Messaging Services which are required, and complete the relevant Parts:

GRAPEVINE MESSAGING SERVICE	SECTION	PLEASE SELECT
SMS Mail	2.A	<input type="checkbox"/>
Outlook SMS	2.B	<input type="checkbox"/>
SMS Broadcast	2.C	<input type="checkbox"/>
SMS AppLink	2.D	<input type="checkbox"/>
Multi-AppLink	2.E	<input type="checkbox"/>
SMS Duty Alert	2.F	<input type="checkbox"/>
SMS2HTTP	2.G	<input type="checkbox"/>
SMS2Email	2.H	<input type="checkbox"/>
InfoLink	2.I	<input type="checkbox"/>
DocLink	2.J	<input type="checkbox"/>



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GRAPEVINE MESSAGING SERVICES

SECTION 2: User Information per service required

Part A: SMS Mail Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:	USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Example: User Email address: john@vine.co.za		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Part B: Outlook SMS Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:	USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Example: User Email address: john@vine.co.za		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Part C: SMS Broadcast Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:	USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Example: User Email address: john@vine.co.za		
1.		
2.		
3.		
4.		



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*[Handwritten signatures and initials]*

GRAPEVINE MESSAGING SERVICES

5.
6.
7.
8.
9.
10.

Part D: SMS AppLink Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>		TECHNICAL CONTACT <input type="checkbox"/>	
Number of Administrator Users Required (license is for 2)					
User Name	e.g. John	User Email Address	e.g. john@vine.co.za	User Cell Number	User Tel Number
1.					
2.					
Customer URL where replies and receipts will be posted to:					
1.					

Part E: Multi-AppLink Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>		TECHNICAL CONTACT <input type="checkbox"/>	
Number of Administrator Users Required (license is for 2)					
User Name	e.g. John	User Email Address	e.g. john@vine.co.za	User Cell Number	User Tel Number
1.					
2.					
Customer URL where replies and receipts will be posted to:					
1.					

Part F: SMS Duty-Alert Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>		TECHNICAL CONTACT <input type="checkbox"/>	
Number of Administrator Users Required (license is for 2)					
User Name	e.g. John	User Email Address	e.g.	User Cell Number	User Tel Number





GRAPEVINE MESSAGING SERVICES

Smith	john@vine.co.za		
1.			
2.			
Customer URL where replies and receipts will be posted to:			
1.			

Part G: SMS2HTTP Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Number of Administrator Users Required (license is for 2)			
User Name e.g. John	User Email Address e.g.	User Cell Number	User Tel Number
Smith	john@vine.co.za		
1.			
2.			
Customer URL where inbound SMS will be posted to:			
1.			

Part H: SMS2Email Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Number of Administrator Users Required (license is for 2)			
User Name e.g. John	User Email Address e.g.	User Cell Number	User Tel Number
Smith	john@vine.co.za		
1.			
2.			
Customer Email where inbound SMS will be sent to:			
1.			

Part I: InfoLink Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Number of Administrator Users Required (license is for 2)			
User Name e.g. John	User Email Address e.g.	User Cell Number	User Tel Number
Smith	john@vine.co.za		
1.			



## GRAPEVINE MESSAGING SERVICES

2.			
----	--	--	--

## Part J: DocLink Details:

TICK WHERE ACTIVATION EMAILS MUST BE SENT TO:		USER <input type="checkbox"/>	TECHNICAL CONTACT <input type="checkbox"/>
Number of Administrator Users Required (license is for 2)			
User Name e.g. John Smith	User Email Address e.g. john@vine.co.za	User Cell Number	User Tel Number
1.			
2.			

## SECTION 3: Declaration

Please complete the declaration bellow:

I hereby authorise Internet Solutions to implement the server set-up and configuration for the solution:

TC name:

Phone:

Date:

e-mail:

Signature:

## SECTION 4: Support Procedure

Support Contact:

Email [support@is.co.za](mailto:support@is.co.za).

Telephone: Share Call 086 050 5000, Landline 011 575 0055, Mobile 082 2345 333

## Support Requests:

Add, Delete or Edit Users:

User's Details in the body of the email

Specify Grapevine service that users must be added to

The client must specify who will receive the user activation emails: a) the users directly or the technical contact person

Service not working/error notifications

Full description of error notification OR Screenshot OR copy of error notification received from Grapevine.



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GRAPEVINE MESSAGING SERVICES

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The user email address and cell number that experienced the problem/error.  
Date and time of SMS sent  
Message Content

Tracing a message

Time and Date Message was sent  
Originating Email address/ User's email address that sent the message  
Cell number that the message was sent to  
Message content

Reporting

What type of reporting a) Statistics b) Originator report for Billing c) Detailed report  
Specific Dates of Report period

Provisioning time-frame per service: within 48 hours after receipt of documentation



*Handwritten signatures and initials*

# APPENDIX 3



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9/4555/105

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Admin Fax: +27 (0)11 576 2109  
VAT NO: 4950225625  
[www.is.co.za](http://www.is.co.za)

**BILL TO :**

STELLENBOSCH MUNICIPALITY  
P O BOX 17  
STELLENBOSCH WESTERN CAPE 7599

Page No : 1 of 1  
Date : 17/12/2013  
Account No : 74680  
**STATEMENT** Draft

**Opening Analysis of Account**

Current	1-30 Days	31-60 Days	61-90 Days
547.20	547.20	547.20	7,113.60

Date	Document	Type	Reference	Currency	Debit	Credit	Balance
31/07/2012	17006567	Inv		ZAR	547.20		547.20
31/08/2012	17006664	Inv		ZAR	547.20		547.20
30/09/2012	17010931	Inv		ZAR	547.20		547.20
31/10/2012	17013138	Inv		ZAR	547.20		547.20
06/12/2012	17015275	Inv		ZAR	547.20		547.20
07/01/2013	17016546	Inv		ZAR	547.20		547.20
07/02/2013	17018509	Inv		ZAR	547.20		547.20
06/03/2013	17021657	Inv		ZAR	547.20		547.20
04/04/2013	17023938	Inv		ZAR	547.20		547.20
08/05/2013	17026341	Inv		ZAR	547.20		547.20
06/06/2013	17028634	Inv		ZAR	547.20		547.20
05/07/2013	17031115	Inv		ZAR	547.20		547.20
06/08/2013	17033564	Inv		ZAR	547.20		547.20
06/09/2013	17036664	Inv		ZAR	547.20		547.20
04/10/2013	17044567	Inv		ZAR	547.20		547.20
06/11/2013	17048102	Inv		ZAR	547.20		547.20

Herby / Hiermee sertifiseer ek dat  
VOTE / POS NOMMER

- (a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang
- (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposse soos op meegaande bestelling.
- (c) Adequate funds are available on the Budget vote/Voedselende fondse beskikbaar is op die begrotingspos.
- (d) Expenditure reported in accordance with council's SCM policy/Spesifieerde uitgawes in ooreenstemming met die Raad se SCM beleid.

Herby / Hiermee sertifiseer ek dat:  
VOTE / POS NOMMER

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposse soos op meegaande bestelling.

(c) Adequate funds are available on the Budget vote/Voedselende fondse beskikbaar is op die begrotingspos.

(d) Expenditure reported in accordance with council's SCM policy/Spesifieerde uitgawes in ooreenstemming met die Raad se SCM beleid.

\_\_\_\_\_  
MEMBER OF DEPT / DELEGATED OFFICIAL  
HOOF VAN DEPT / GEMAGTIGDE BEAMPTEN

\_\_\_\_\_  
ACCOUNT EXPENDITURE / DELEGATED OFFICIAL  
REKENMEESTER / GEMAGTIGDE BEAMPTEN

DATE/DATE: \_\_\_\_\_ DATE/DATE: \_\_\_\_\_

*Handwritten signature and date: 2013/12/13*

**NB\*: Please use your account number as a reference when making payment**

If you have Queries contact: Dimakatso Morake (Legal) Tel: (011) 575 6515 Fax: (011) 576 6515 Email: [dimakatso.morake@is.co.za](mailto:dimakatso.morake@is.co.za)

Direct Debit Bank Details: Bank: Standard Bank Branch Name: Sandton Branch  
Branch Code: 019205 ZAR Account No: 022702873

Analysis of Account Rendered					
Current	1-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Due
0.00	547.20	547.20	547.20	7,113.60	8,755.20





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Admin Fax: +27 (0)11 576 2109  
VAT NO: 4950225625  
www.is.co.za

### COPY TAX INVOICE

<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Micheal Dean Appollis +27 021 8088971		<b>FOR ACCOUNT QUERIES CONTACT :</b>  Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : valerie.pillay@is.co.za	
Date : 31/07/2012	Document No : 17006557	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2012 JULY GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V6723401	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 JUL 2012 - 31 JUL 2012) Contract Fee	480.00	480.00	67.20	547.20

*Handwritten signature and date: 2012/08/13*

Heroby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedens/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedens en dienste gelewer is toegewys op die gespesifiseerde begrotingsposse teen op eregeaande bestelling.

(c) Adequate funds are available on the budget vote/Toesende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred in accordance with council's SCM policy/  
Uitgawes uitgegema in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
 HEAD OF DEPT / DELICATED OFFICIAL  
 HOOF VAN DEPT / GEMAGTIGDE BEAMPTÉ

\_\_\_\_\_  
 ACCOUNT EMPLOYER / DELICATED OFFICIAL  
 REKENMEESTER / GEMAGTIGDE BEAMPTÉ

DATE / DATE: \_\_\_\_\_

*Faint, mostly illegible text, likely a copy of the above conditions or a separate document.*

Page 1 of 1	ZAR	480.00	67.20	547.20
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[www.is.co.za](http://www.is.co.za)

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<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Micheal Dean Appollis +27 021 8088971		<b>FOR ACCOUNT QUERIES CONTACT :</b>  Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : <a href="mailto:valerie.pillay@is.co.za">valerie.pillay@is.co.za</a>	
Date : 31/08/2012	Document No : 17008884	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2012 AUGUST GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V6808791	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 AUG 2012 - 31 AUG 2012) Contract Fee	480.00	480.00	67.20	547.20

Hierby / Hiermee sertifiseer ek dat:  
 VOTE / ROS NOMMER \_\_\_\_\_  
 (a) Goods/Services identified on this invoice was received  
 (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/  
 (c) Adequate funds are available on the Budget vote/Volgende fondse beskikbaar is op die begrotingspos.  
 (d) Expenditure incurred is in accordance with council's SCM policy/  
 (e) Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid.

*Handwritten signature and date: 2012/08/31*

Hereby / Hiermee sertifiseer ek dat:  
 VOTE / ROS NOMMER \_\_\_\_\_  
 (a) Goods/Services identified on this invoice was received  
 (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/  
 (c) Adequate funds are available on the Budget vote/Volgende fondse beskikbaar is op die begrotingspos.  
 (d) Expenditure incurred is in accordance with council's SCM policy/  
 (e) Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid.

AUTHORIZED SIGNATURE/OFFICIAL  
 HOOFKONDEPT/GEWAGTIGDE BEAMPTENING

ACCOUNT EXPENDITURE / DEDICATED OFFICIAL  
 REKENREKING / GEWAGTIGDE BEAMPTENING

DATE/DATE: \_\_\_\_\_ DATE/DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Michael Dean Appollis +27 021 8068971	<b>FOR ACCOUNT QUERIES CONTACT :</b>  Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : valerie.pillay@is.co.za
---	---

Date : 30/09/2012	Document No : 17010931	Account No : 74680
Site Name :	Associated invoice No :	Delivery No : 109727
Our Reference : 2012 SEPTEMBER GRAPEVINE BILLING		Payment Terms : 30 Days
Your Reference :	Your Vat No : 0000000000	Contract No : V6880491

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 SEP 2012 - 30 SEP 2012) Contract Fee	480.00	480.00	67.20	547.20

*(Faint Afrikaans text, likely a disclaimer or terms and conditions section)*

*(Handwritten signature and date: 2012/09/13)*

Hereby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposte soos op meegaande bestelling.

(c) Adequate funds are available on the budget vote/Toekende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy  
Wynende uitgawes is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
REP. OF DEPT. / OORLAFTE OFFISIAL  
HOOF VAN DEPT. / OORLAFTE BEAMTETE

\_\_\_\_\_  
ACCOUNT EXPENDITURE / OORLAFTE OFFISIAL  
REKENREESTER / OORLAFTE BEAMTETE

DATE / DATE: \_\_\_\_\_ DATE / DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 31/10/2012	Document No : 17013138	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2012 OCTOBER GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V6973651	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 OCT 2012 - 31 OCT 2012) Contract Fee	480.00	480.00	67.20	547.20

Hiermee sertifiseer ek dat / Hereby I certify that / Hiermee sertifiseer ek dat  
 (a) Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang  
 (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposte soos op meegeleë bestelling.  
 (c) Adequate funds are available on the Budget vote/voldoende fondse beskikbaar is op die begrotingspos.  
 (d) Expenditure incurred is in accordance with council's SCM policy  
 (e) Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid.

TEKST OF DEPT VICE-CHIEF OFFICIAL / TEKST OF DEPT VICE-CHIEF OFFICIAL  
 INKTEKST OF DEPT VICE-CHIEF OFFICIAL / INKTEKST OF DEPT VICE-CHIEF OFFICIAL  
 DATUM/DATE: \_\_\_\_\_

*Handwritten signature and date: 2016/10/13*

Hareby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
 Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposte soos op meegeleë bestelling.

(c) Adequate funds are available on the Budget vote/voldoende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy

(e) Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid

TEKST OF DEPT VICE-CHIEF OFFICIAL / TEKST OF DEPT VICE-CHIEF OFFICIAL  
 INKTEKST OF DEPT VICE-CHIEF OFFICIAL / INKTEKST OF DEPT VICE-CHIEF OFFICIAL  
 DATUM/DATE: \_\_\_\_\_

ACCOUNT EXPENDITURE / DELEGATED OFFICIAL  
 REVENUEMASTER / ZEMAGTIGDE BEKEMPTIE  
 DATUM/DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Nomzi +27 (0)21 8088971	<b>FOR ACCOUNT QUERIES CONTACT :</b> Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : <a href="mailto:valerie.pillay@is.co.za">valerie.pillay@is.co.za</a>
---	--

Date : 06/12/2012	Document No : 17015275	Account No : 74680
Site Name :	Associated Invoice No :	Delivery No : 109727
Our Reference : 2012 NOVEMBER GRAPEVINE BILLING		Payment Terms : 30 Days
Your Reference :	Your Vat No : 0000000000	Contract No : V7093511

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 NOV 2012 - 30 NOV 2012) Contract Fee	480.00	480.00	67.20	547.20

*[Faint, mostly illegible text, likely a stamp or additional invoice information]*

*[Handwritten signature and date: 2016/12/13]*

Heroby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(A) Goods/Services identified on this invoice was received  
Goeders/Dienste geïdentifiseer op hierdie faktuur is ontvang

(B) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposte soos op reëgsaande bestelling.

(C) Adequate funds are available on the Budget vote/Wdoende fondse beskikbaar is op die begrotingspos.

(D) Expenditure incurred is in accordance with council's SCM policy  
Uitgawes is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
BUYER'S REPRESENTATIVE / DELEGATED OFFICIAL  
KOP VAN DEPT / DELEGATIEDE BEAMPTTE

\_\_\_\_\_  
ACCOUNTS REPRESENTATIVE / DELEGATED OFFICIAL  
REKENREKENSTER / DELEGATIEDE BEAMPTTE

DATE/DATE: \_\_\_\_\_ DATE/DATE: \_\_\_\_\_



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Admin Fax: +27 (0)11 576 2109  
VAT NO: 4950225625  
[www.is.co.za](http://www.is.co.za)

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<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Nomzi +27 (0)21 8088971		<b>FOR ACCOUNT QUERIES CONTACT :</b>  Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : valerie.pillay@is.co.za	
Date : 07/01/2013	Document No : 17016546	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2012 DECEMBER GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7173261	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 DEC 2012 - 31 DEC 2012) Contract Fee	480.00	480.00	67.20	547.20

Herby I certify that / Hiermee sertifiseer ek dat  
 VOTE / POS NOMMER \_\_\_\_\_  
 (a) Goods/Services identified on this invoice was received  
 Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang  
 (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begoelingsposle soos op meegeleëde bestelling.  
 (c) Adequate funds are available on the Budget vote/Toevoende fondse beskikbaar is op die begoelingspos.  
 (d) Expenditure incurred is in accordance with council's SCM policy/  
 Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid.

*Handwritten signature and date: 2012/05/13*

Herby I certify that / Hiermee sertifiseer ek dat:  
 VOTE / POS NOMMER \_\_\_\_\_  
 (a) Goods/Services identified on this invoice was received  
 Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang  
 (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begoelingsposle soos op meegeleëde bestelling.  
 (c) Adequate funds are available on the Budget vote/Toevoende fondse beskikbaar is op die begoelingspos.  
 (d) Expenditure incurred is in accordance with council's SCM policy/  
 Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid.

\_\_\_\_\_  
 HEAD OF DEPT / DELEGATED OFFICIAL  
 HOOF VAN DEPT / GEMAGTIGDE BEAMPTER

\_\_\_\_\_  
 ACCOUNT EXPENDITURE / DELEGATED OFFICIAL  
 REKENHEESTER / GEMAGTIGDE BEAMPTER

DATE / DATE: \_\_\_\_\_ DATE / DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 07/02/2013	Document No : 17019509	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 JANUARY GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7284931	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 JAN 2013 - 31 JAN 2013) Contract Fee	480.00	480.00	67.20	547.20

*[Faint Afrikaans text, likely a disclaimer or terms of service, partially illegible]*

*[Handwritten signature]*

Hereby I certify that / Hiermee sertifiseer ek dat

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposite soos op inoorgaande bestelling.

(c) Adequate funds are available on the Budget vote/voordeende lenings beskikbaar is op die begrotingspos.

(d) No liability is incurred in accordance with contract SCM policy/Geen aanspreeklikheid is oorgestuur volgens die Raad se SCM beleid

\_\_\_\_\_  
 AUTHORIZED OFFICIAL / DELEGATED OFFICIAL  
 HOOF VAN DEPT / DELEGASIEDE BEAMPTEN

\_\_\_\_\_  
 ACCOUNT EMPENDITURE / DELEGATED OFFICIAL  
 REKENMEESTER / DELEGASIEDE BEAMPTEN

DATE/DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 06/03/2013	Document No : 17021657	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 FEBRUARY GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7359811	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 FEB 2013 - 28 FEB 2013) Contract Fee	480.00	480.00	67.20	547.20

*(Faint, mostly illegible text, likely a disclaimer or terms of service in Afrikaans and English.)*

*Handwritten signature and initials: [Signature] 2013/03/13*

Hereby I certify that / Hiermee sertifiseer ek dat

**VOTE / POS NOMMER**

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste gedienslewer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Doenre  
an diens gelewer is toegewy op die gespesifiseerde begrotingsposke soos op meegewende bestelling.

(c) Adequate funds are available on the Budget vote/Voldoende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred in accordance with council's SCM policy /  
Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
 DELIVERED / DELEGATED OFFICER  
 HOOF / VERDEPTE / VERAGTIGDE BEAMPTTE

\_\_\_\_\_  
 ACCOUNT EXPENDITURE / DELEGATED OFFICER  
 REKENREESTER / VERAGTIGDE BEAMPTTE

DATE / DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 04/04/2013	Document No : 17023938	Account No : 74680
Site Name :	Associated Invoice No :	Delivery No : 109727
Our Reference : 2013 MARCH GRAPEVINE BILLING		Payment Terms : 30 Days
Your Reference :	Your Vat No : 0000000000	Contract No : V7434611

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 MAR 2013 - 31 MAR 2013) Contract Fee	460.00	460.00	67.20	527.20

*(Faint, mostly illegible text, possibly a stamp or additional invoice information)*

*Handwritten signature and date: 2013/04/03*

Hereby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget/vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingspos/soort op meegaande bestelling.

(c) Adequate funds are available on the Budget/vote/Toevoende fondse beskikbaar is op die begrotingspos.

Expenditure incurred is in accordance with/Spesifieke SCM policy  
Uitgawes gemaak is in ooreenstemming met die Reël se SCM beleid

\_\_\_\_\_  
DEDICATED OFFICIAL / BEWAGINGSBEWAAKTER  
HOOFKANTOR / HOOFKANTOR

\_\_\_\_\_  
ACCOUNT EXPENDITURE / BEWAGINGSBEWAAKTER  
REKENING / REKENING

DATE: \_\_\_\_\_ / DATUM: \_\_\_\_\_

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--	---

Date : 08/05/2013	Document No : 17026341	Account No : 74680
Site Name :	Associated Invoice No :	Delivery No : 109727
Our Reference : 2013 APRIL GRAPEVINE BILLING		Payment Terms : 30 Days
Your Reference :	Your Vat No : 0000000000	Contract No : V7528441

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 APR 2013 - 30 APR 2013) Contract Fee	480.00	480.00	67.20	547.20

*(Faint, mostly illegible text, possibly a stamp or additional invoice details)*

*Handwritten signature: Nornzi*

*Handwritten number: 113*

Hereby I certify that / Hiermee sertifiseer ek dat: VOTE / POB NOMMER: _____ (a) Goods/Services identified on this invoice was received Goedens/Dienste gedienslewer op hierdie faktuur is ontvang (b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Spesifieer en dienste gelewer is toegewys op die ooreenstemmende begrotingsreëlkode op hierdie faktuur. (c) Adequate funds are available on the budget vote/reedsreëlkode beskikbaar is op die begrotingsreëlkode. (d) Sufficient resources in accordance with current SGB policy Toegewysde bronne is ooreenstemmend met die huidige SGB beleid	
_____ OFFICIAL / BEKLEDEDE AMPTDIENST AMPTDIENST / GEMAGTIGDE BEAMPTDE	_____ ACCOUNT EXPENDITURE / BEKLEDEDE AMPTDIENST REKENMEESTER / GEMAGTIGDE BEAMPTDE
DATE: _____	DATE: _____

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 06/06/2013	Document No : 17028634	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 MAY GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7673701	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 MAY 2013 - 31 MAY 2013) Contract Fee	480.00	480.00	67.20	547.20

*[Faint, illegible text, likely a stamp or additional notes]*

*[Handwritten signature]*

Hereby I certify that / Hiermee sertifiseer ek dat:

**VOTE / POS NOMMER**

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op navette faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelever is toegewys op die gespesifiseerde begrotingsposte soos op meegesende bestelling.

(c) Adequate funds are available on the Budget vote/Wekwende fondse beskikbaar is op die begrotingsposte.

(d) Goods/Services rendered in accordance with council's SCM policy  
Goedere en dienste is in ooreenstemming met die Raad se SCM beleid.

\_\_\_\_\_  
 HEAD OF DEPT / DEPUTED OFFICIAL  
 HOOFD AFDEPT / GEMAGTIGDE BEAMPTTE

\_\_\_\_\_  
 ACCOUNT EXPENDITURE / DELEGATED OFFICIAL  
 REKENREESTER / GEMAGTIGDE BEAMPTTE

DATE/DATE: \_\_\_\_\_ DATE/DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 05/07/2013	Document No : 17031115	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 JUNE GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7784911	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 JUN 2013 - 30 JUN 2013) Contract Fee	480.00	480.00	67.20	547.20

*[Faint, mostly illegible text, likely a stamp or additional notes]*

*[Handwritten signature and date: 2013/07/05]*

Hereby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Diensle gediensliffeser op handse faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere  
as dienste gelewer is toegewys op die gespesifiseerde begrotingsposie soos op meegelede bestelling.

(c) Adequate funds are available on the Budget vote/ voldoende fondse beskikbaar is op die begrotingspos

(d) Expenditure is in accordance with council's SCM policy/ uitgawes is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
 AUTHORIZED OFFICIAL / DELEGATED OFFICIAL  
 BEVOEGDE AMPTENARIS / GEMAGTIGDE BEAMPTENARIS

\_\_\_\_\_  
 AUTHORIZED OFFICIAL / DELEGATED OFFICIAL  
 BEVOEGDE AMPTENARIS / GEMAGTIGDE BEAMPTENARIS

DATE/TIME: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 06/08/2013	Document No : 17033584	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 JUL GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V7902691	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 AUG 2013 - 31 AUG 2013) Contract Fee	480.00	480.00	67.20	547.20

I hereby certify that all the services described in this invoice were rendered to the account holder in accordance with the terms and conditions of the contract. I further certify that the goods and services described in this invoice were delivered to the specified site and that the same are in accordance with the specifications of the contract. I further certify that the expenditure incurred is in accordance with the council's SCM policy. I further certify that the expenditure incurred is in accordance with the council's SCM policy.

*Handwritten signature and date: 2013/08/13*

Hereby I certify that / Hiermee sertifiseer ek dat:

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste gidentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegesien op die gespesifiseerde begrotingsposse soos op meegesende bestelling

(c) Adequate funds are available on the Budget vote/Nvokoonde fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy/ Uitgawes gemaak is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
 OFFICIAL / AMPTLIKKE BEAMPTLINGS  
 HOOF VAN DEPT / OORWAGTER

\_\_\_\_\_  
 ACCOUNT EXPENDITURE / DELICATED OFFICIAL  
 REKENMEESTER / OORWAGTER

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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Date : 04/10/2013	Document No : 17044567	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 SEP GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V8622561	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 SEP 2013 - 30 SEP 2013) Contract Fee	480.00	480.00	67.20	547.20

*[Faint, mostly illegible text, likely a stamp or additional notes]*

*[Handwritten signature and date: 2016/10/13]*

Hereby I certify that / Hiermee sertifiseer ek dat

VOTE / POS NOMMER \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en dienste gelewer is toegewys op die gespesifiseerde begrotingsposte soos op aangevraagde bestelling.

(c) Adequate funds are available on the Budget vote/wedende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy/  
Alle uitgawes aangegaan is in ooreenstemming met die Raad se SCM beleid

\_\_\_\_\_  
 HEAD OF DEPT / BEKLEDEDE OFFISIER  
 HOOF VAN DEPT / GEMAGTIGDE BEAMPTER

\_\_\_\_\_  
 ACCOUNTS EXPENDITURE / DELEGATED OFFICIAL  
 REKENINGREKENING / GEMAGTIGDE BEAMPTER

DATE / DATUM: \_\_\_\_\_ DATE / DATUM: \_\_\_\_\_





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Date : 06/11/2013	Document No : 17048102	Account No : 74680	
Site Name :	Associated Invoice No :	Delivery No : 109727	
Our Reference : 2013 OCT GRAPEVINE BILLING		Payment Terms : 30 Days	
Your Reference :	Your Vat No : 0000000000	Contract No : V8734081	

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 OCT 2013 - 31 OCT 2013) Contract Fee	480.00	480.00	67.20	547.20

*(Faint, mostly illegible text, likely a stamp or official notice)*

*(Handwritten signature)*

Heroby I certify that / Hiermee sertifiseer ek dat

**VOTE / POS NOMMER**

(a) Goods/Services identified on this invoice were received  
 Goedere/Dienste geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Gedeele  
 an diens wat gelewer is toegewys op die gespesifiseerde begrotingsposte soos op meegelyende bestelling.

(c) Adequate funds are available on the Budget vote/Hoofartikel fonds beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy/  
 Uitgawes gemaak is in ooreenstemming met raad se SCM beleid

\_\_\_\_\_  
 HOOFKANTOR / DELEGATED OFFICIAL  
 HOOFKANTOR / DELEGASIE BEAMPTEN

\_\_\_\_\_  
 ACCOUNT SIGNATURE / DELEGATED OFFICIAL  
 REKENINGTEKENING / DELEGASIE BEAMPTEN

DATE / DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
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The Campus  
57 Sicane Street, Bryanston  
Johannesburg, South Africa  
Private Bag X163, Bryanston, 2021  
Telephone: +27 (0)11 575 1000  
Admin Fax: +27 (0)11 576 2109  
VAT NO: 4950225625  
[www.is.co.za](http://www.is.co.za)

### COPY TAX INVOICE

<b>BILL TO :</b> STELLENBOSCH MUNICIPALITY P O BOX 17 STELLENBOSCH WESTERN CAPE 7599  Attn: Nomzi +27 (0)21 8088971	<b>FOR ACCOUNT QUERIES CONTACT :</b>  Valerie Pillay Tel : (011) 575 4856 Fax : (011) 576 4856 Email : valerie.pillay@is.co.za
---	---

Date : 06/09/2013	Document No : 17036664	Account No : 74680
Site Name :	Associated Invoice No :	Delivery No : 109727
Our Reference : 2013 AUG GRAPEVINE BILLING		Payment Terms : 30 Days
Your Reference :	Your Vat No : 0000000000	Contract No : V8527141

REMIT TO : Private Bag X163, Bryanston, South Africa, 2021

Line No	Qty	Description	Unit Price	Amount	VAT	Total Amount
1	1	GRAPEVINE MESSAGING - LITE (01 AUG 2013 - 31 AUG 2013) Contract Fee	480.00	480.00	67.20	547.20

*(Faint, mostly illegible text, likely a copy of a contract or terms and conditions)*

*Handwritten signature and date: 2016/05/13*

Herby I certify that / Hiermee sertifiseer ek dat:

**VOTE / POS NOMMER** \_\_\_\_\_

(a) Goods/Services identified on this invoice was received  
Goedere/Diensle geïdentifiseer op hierdie faktuur is ontvang

(b) As per attached order, all goods and services delivered are allocated to the specified budget vote/Goedere en diensle gelewer is toegewys op die gespesifiseerde begrotingsposle soos op reogetande bestelling.

(c) Adequate funds are available on the Budget vote/ voldoende fondse beskikbaar is op die begrotingspos.

(d) Expenditure incurred is in accordance with council's SCM policy/ uitgawe aangegaan is in ooreenstemming met die Raad se SCM beleid

HOOF VAN DEPT / BEKLAGTIGDE BEAMPTTE  
 \_\_\_\_\_  
 DATE/DATE: \_\_\_\_\_

AJUKANT EXPENDITURE / BEKLAGTIGDE OFFISIAL  
 REP ENNESTER / BEKLAGTIGDE BEAMPTTE  
 \_\_\_\_\_  
 DATE/DATE: \_\_\_\_\_

Page 1 of 1	ZAR	480.00	67.20	547.20
-------------	-----	--------	-------	--------

# APPENDIX 4

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

From: Hannelie Lategan  
Sent: 13 May 2016 11:17 AM  
To: Alba Carstens  
Subject: Request 1013493 For ALBA CARSTENS Has Been Authorized

Request Number : 1013493 [Initial request]  
Authorization Ref. : 0  
Archiving document :  
Contract ID : 0  
Request Type : Normal SCM process

Application Date : 11/05/2016  
Applicant : ALBAC ALBA CARSTENS  
Contact details:- Extension Number 8559  
Cellphone Number

Fax Number 0218867319  
Captured by : ALBAC ALBA CARSTENS  
Authorized by : HANLIEE HANNELIE LATEGAN AUTHORIZED

Required by : 16/05/2016

Preferred supplier 1: 008887 INTERNET SOLUTIONS  
Reason : LEGAL MATTER

Preferred supplier 2: Not yet determined  
Reason :  
Preferred supplier 3: Not yet determined  
Reason :

Delivery Instructions: ICT DEPT

Total reserved value : 8755.20  
Provisional SCM process : Q Procurement >R2000 <R30000

STB LEGAL MATTER INTERNET MESSAGING

Costcode : 2015 94555105 Qty.: 1.000 Value : 8755.20  
DATA-AFDELING: : WYE AREA NETWORK : EXTERNAL CONTRACTOR

Delivered By SamMail-Java [SS-F410M]

# APPENDIX 5



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

From: Lindsay Linders

Sent: 16 May 2016 12:11 PM

To: Alba Carstens

Subject: Your Request 1013493 Now Has An Order No Of 321148

Request Number : 1013493 [Initial request]

Authorization Ref. : 0

Archiving document :

Contract ID : 0

Application Date : 11/05/2016

Applicant : ALBAC ALBA CARSTENS

Contact details:- Extension Number 8559

Cellphone Number

Fax Number 0218867319

Captured by : ALBAC ALBA CARSTENS

Authorized by : HANLIEE HANNELIE LATEGAN AUTHORIZED

Required by : 16/05/2016

Supplier : 008887 INTERNET SOLUTIONS

Contact :

Telephone No : 021 415 7100

Fax Number : 021 413 2082

Delivery Instructions: ICT DEPT

Total reserved value : 8755.20

Provisional SCM process : Q Procurement >R2000 <R30000

STB LEGAL MATTER INTERNET MESSAGING

Costcode : 2015 94555105 Qty.: 1.000 Value : 8755.20

Delivered By SamMail-Java [CS-F401S]

# APPENDIX 6



# APPENDIX A



## DIMENSION DATA/ STELLENBOSCH MUNICIPALITY

### Ratification of minor breaches of the procurement process

In terms of Regulation 36(1) (b) of the Municipal Supply Chain Management Regulations, the Supply chain policy of a municipality may allow the accounting officer to ratify any minor breaches of the procurement process by an official or committee acting in terms of delegated powers or duties which are purely technical in nature. The accounting officer can only rely on the provision if the official or committee who committed the breach had the delegated authority to perform the function in terms of the municipality's adopted System of Delegations, which must be consistent with the MFMA and its regulations. The accounting officer may only ratify a breach of process and not the irregular expenditure itself, which means that the irregular expenditure still remain irregular. The responsibility to ratify the actual irregular expenditure vests with the Council and processes to deal with such matters are outlined in section 32(2) of the MFMA read together with Regulation 74 of the MBRR.

Regulation 36(2) of the SCM regulations states that the accounting officer must record the reasons for the deviation and report the next Council meeting, and disclose this expenditure in a note to the annual financial statement.

- ✦ All breaches of a municipality's SCM policy will result in irregular expenditure, in the event that expenditure is incurred, the monetary value of this irregular expenditure is not relevant(my emphasis). The issue of whether the breach is minor or material relates to the nature of the breach and the intent of those responsible for the breach, not to the monetary value thereof.

In terms of regulation 36 of the SCM Regulations, the accounting officer is responsible for deciding whether a particular breach of procurement processes is minor or material. In exercising his discretion the accounting officer must be guided by:

- a) The specific nature of the breach: is it simply technical in nature, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness of the procurement process?
- ✦ b) The circumstances surrounding the breach are the circumstances justifiable or, at least, excusable ;
- c) The intent of those responsible for the breach; were they acting in good faith?
- d) The financial implications as a result of the breach: what was the extent of the loss or benefit?

The accounting officer would have to consider the merits of each breach of the procurement processes and take a decision as to whether it should be classified as a minor or material breach.

The attached item has the relevant substantiating documents to determine as to whether the breach is minor or material.

A handwritten signature in black ink, consisting of the letters 'ER' in a cursive, stylized font.

Snr Legal Advisor

EA Rhoda

---

**7.2 APPLICATION FOR APPROVAL OF JONKERSHOEK SPATIAL DEVELOPMENT FRAMEWORK**

*File number* : 15/2/2/2  
*Compiled by* : Spatial Planner (B Henning)  
*Report by* : Director: Planning and Economic Development  
*Delegated Authority* : Council

**Strategic intent of item**

Preferred investment destination	<input checked="" type="checkbox"/>
Greenest municipality	<input checked="" type="checkbox"/>
Safest valley	<input checked="" type="checkbox"/>
Dignified Living	<input checked="" type="checkbox"/>
Good Governance	<input checked="" type="checkbox"/>

---

**1. PURPOSE OF REPORT**

To obtain Council's approval for the Jonkershoek Spatial Development Framework (SDF) in terms of Chapter 5 of the Municipal Systems Act 2000 (Act 32 of 2000) and Section 21 of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013).

The SDF will be approved as a local area SDF in terms of Section 9 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015.

**2. STUDY AREA**

The study area consisting of approximately 61,8km<sup>2</sup> in extent and comprises of the portion the Jonkershoek Valley immediately south-east of the residential areas of Rozendal and Karindal of Stellenbosch, with the south-western edge being a line joining the peaks of Stellenboschberg, and the north-eastern edge begin a line joining the peaks of Jonkershoekberg. The south-eastern edge of the study follows the cadastral boundary of the Farm Jonkershoek 385.

**3. BACKGROUND**

The Jonkershoek Valley is a unique area characterized by intensive agriculture and natural beauty, but is currently begin subjected to a broad range of development pressure. It is also the main catchment area for the Eerste River and forms the core of the Jonkershoek Nature Reserve.

The Municipal Spatial Development Framework (MSDF) for the WC024 area was approved by Council in February 2013. A total of 14 nodes were identified, but Jonkershoek was not one of the nodes.

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The consultants (CK Rumboll & Partners) were appointed in 2010 to compile a Spatial Development Framework for Jonkershoek. However, due to the occupation of the area, the rights to occupation and ownership of land in Jonkershoek were investigated by Chennells Albertyn Attorneys, Notaries & Conveyancers.

An item was prepared and presented to the Planning and Economic Development Committee meeting on 31 March 2015. It was recommended that the Executive mayor approves the Jonkershoek SDF in terms of the Land Use Planning Ordinance, 1985 (ordinance 15 of 1985) and the Municipal Systems Act 2000, (Act 32 of 2000) as Draft Policy for public participation, before the policy is finally approved.

#### **4. PUBLIC PARTICIPATION**

A notice was placed in the Eikestadnuus on 10 September 2015 to notify the public that the Draft Jonkershoek Spatial Development Framework will be available for inspection during office hours at the public libraries, on the municipal website and the Advice Centre for the period from 10 September 2015 to 9 October 2015. The public was invited to submit comments and inputs in writing.

Registered letters with the draft SDF document on a CD were also sent to external departments (Public Works, Cape Pine and Cape Nature) for comment until the closing date of 16 November 2015.

An open day was held on 1 October 2015 from 17:00 – 20:00 at the Cape Nature hall in Jonkershoek.

Several comments received from the community, public and external departments were sent to the consultants at the end of October / beginning of November 2015 in order for them to amend and revise the document.

The first project team meeting for 2016 was held on 19 February 2016 at Stellenbosch Municipality to discuss the comments received from the public participation process and to determine the way forward.

The consultant finalized the Draft Jonkershoek SDF and the amended document was submitted to Stellenbosch Municipality on 18 March 2016. The amended Jonkershoek Spatial Development Framework by CK Rumboll & Partners is attached for your perusal as Appendix 1.

#### **5. PREVIOUS COMMENTS BY RELEVANT DEPARTMENTS**

The Jonkershoek SDF was circulated to all the departments on 5 September 2012 and only Engineering Services responded with the following comments:

They support the principle of formalizing and guiding further potential development in the Jonkershoek Valley. The principle of protecting the very sensitive valley by not opening it up to extensive development is also supported.

However, in respect of engineering services, there are currently no formalized engineering services in the valley. In general sewage is handled by means of either soakaways or conservancy tanks.



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Water provision is mainly by means of boreholes or extraction from the river, fountains or mountain streams. The existing main water supply pipe supplies raw (untreated) water from Jonkershoek River to the Water Treatment Plant at Idasvallei and is therefore not suitable for water provision in the Valley.

Roads in the Valley is maintained and managed by the District Municipality, to the cost of the District Municipality. The engineering department recommended that the consultants that compiled the Jonkershoek SDF liaise with the Engineering department to agree on logical, practical measure in respect of services provision before the document be finalized as some of the proposal as reflected in the Implementation Plan is not feasible and not practical to implement from a services point of view.

The Jonkershoek SDF was then again circulated to all departments on 21 January 2015 for comments and the following comments were received:

Community & Protection Services: The department supports future development in the area, but recommends provincial engineers to provide input to the current speed zone due to the intended increase of residents.

Financial Services: The plans of the Jonkershoek SDF should be costed and then a cost benefit analyses should be performed on a life cycle basis. The proposals of this SDF should also be viewed in context of the wider WC024 strategies for housing etc.

**6. COMMENTS BY RELEVANT DEPARTMENTS ON AMENDED JONKERSHOEK SDF (AFTER PUBLIC PARTICIPATION CONSULTATION)**

The amended Jonkershoek SDF was circulated to all departments on 15 April 2016 and the following comments were received:

**Department: Planning and Economic Development**

Spatial Planning: Please note that the Jonkershoek Spatial Development Framework must be approved in terms of the Stellenbosch Municipality: Land Use Planning Bylaw (not LUPO).

Environment: The Jonkershoek SDF recognises Jonkershoek valley's importance as upper catchment of the Eersteriver as well as its role as conservation area and is supported. The limited development within the valley recommended in the SDF should only occur with the provision of sufficient services to ensure that the surrounding area's integrity is maintained and protected. The sustainability of the recommended settlement will largely depend on the successful implementation of the proposed economic activities.

Director: The SDF is generally compliant with the relevant statutory requirements for a local area spatial development framework (Section 9 of the Stellenbosch Municipality Land Use Planning Bylaw) and in general, the requirements as set out in the Western Cape Land Use Planning Act, 2014, Act 3 of 2014 (LUPA). The process for the preparation of the SDF might not have followed the strict provisions and

---

requirements, as these were concluded prior to the implementation of LUPA and the municipal bylaw. Nonetheless, the document contains sufficiently detailed plans and an implementation programme to make it useful and implementable and it provides clear guidance for land use planning decisions.

In summary, the SDF recommends for a limited extent of urban development/settlement in Jonkershoek, predominantly to accommodate the historic residents of the area and some accommodation for the influx of residents up until the end of 2012. There is clearly no provision for further settlement, to establish an urban node in the area, with sufficient capacity to accommodate all the residents as this will not be feasible, nor compatible with the overarching goal of retaining Jonkershoek as a conservation and tourism attraction. The implementation programme and the recommendations of the SDF provide sufficient guidelines for integrating the proposed settlement with the tourism attraction, in order to provide exclusive economic opportunities for the residents, which would not be possible if the settlement is allowed to develop into a full-scale urban node.

Recommendations have engineering, financial, legal and property related implications. The relevant recommendations in the draft item to Council are supported.

**Department: Engineering**

This department fully supports the various statements of effective co-ordination of development and planning initiatives to ensure successful implementation of the SDF action plans.

The use of septic tanks should be eradicated through a phased implementation process seeing that the valley would suffer if this use would continue. The use of conservancy tanks are suggested and where ever possible the implementation of piped sewer systems.

Care should be taken of the effect of illegal dumping and should be monitored and rectified as soon as it is discovered. Should any further housing units be implemented it should be done with the prescribed standards of township establishment as issued by this Directorate.

The high risk road access to the Valley should also form part of the phased implementation programme to ensure that further development of the valley be done in line with upgrading the access to a more safer situation, especially for pedestrians and cyclists.

In summary the Directorate Engineering therefore support the proposals of the Jonkershoek SDF with a proviso that implementation of the suggested infrastructure be done in collaboration with this Directorate but more importantly in line with our priorities of serving the entire WC024 region.

**7. LEGAL IMPLICATIONS**

Legal comment attached as **APPENDIX 2.**

**8. FINANCIAL IMPLICATIONS**

Comment not possible – cost of development unknown.

**RECOMMENDED**

- (a) that Council approve the Jonkershoek Spatial Development Framework in terms of in terms of Chapter 5 of the Municipal Systems Act 2000 (Act 32 of 2000) and Section 21 of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013);
- (b) that the SDF be approved in terms of Section 9 of the Stellenbosch Municipality Land Use Planning Bylaw as guiding policy for decision-making; and
- (c) that the implementation plan be reviewed and expanded to include projects, project leaders and budgets.

**(DIRECTOR: PLANNING AND ECONOMIC  
DEVELOPMENT TO ACTION)**

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2016-05-31:  
ITEM 6.1.2****RECOMMENDED**

- (a) that Council approve the Jonkershoek Spatial Development Framework in terms of in terms of Chapter 5 of the Municipal Systems Act 2000 (Act 32 of 2000) and Section 21 of the Spatial Planning and Land Use Management Act, 2013 (No 16 of 2013);
- (b) that the SDF be approved in terms of Section 9 of the Stellenbosch Municipality Land Use Planning Bylaw as guiding policy for decision-making; and
- (c) that the implementation plan be reviewed and expanded to include projects, project leaders and budgets.

**(DIRECTOR: PLANNING AND ECONOMIC  
DEVELOPMENT TO ACTION)**

MAYORAL COMMITTEE MEETING: 2016-06-10: ITEM 5.1.3

RECOMMENDED BY THE EXECUTIVE MAYOR

**KINDLY NOTE: THE RECOMMENDATION OF THE  
EXECUTIVE MAYOR WILL BE  
DISTRIBUTED UNDER SEPARATE  
COVER IN DUE COURSE.**



# APPENDIX 1

# Jonkershoek

Spatial Development Framework

Prepared for:

Stellenbosch Municipality

by:

CK Rumboll & Partners

2011



# Jonkershoek

## Spatial Development Framework

Prepared for:



**STELLENBOSCH MUNICIPALITY**  
Plein Street, Stellenbosch, 7599  
Tel: (021) 808 8111 Fax: (021) 808-8200

Prepared by:



**CK RUMBOLL & PARTNERS**  
**TOWN & REGIONAL PLANNERS**  
**PROFESSIONAL LAND SURVEYORS**  
16 Rainier Street, Malmesbury, 7300  
Tel: (022) 482 1845 Fax: (022) 487 1661



By CK Rumboll & Partners

Jonkershoek SDF, 2011/2012

## Executive Summary

The Jonkershoek Valley is divided into four definite areas:

- An agricultural precinct comprising of farms and smallholdings (lower Valley);
- A mixed use precinct accommodating State and parastatal facilities and housing (central Valley);
- A forestry precinct comprising the upper Catchment and forestry area (Jonkershoek Plantation) (upper Valley) and
- A conservation and natural vegetation precinct comprising the Jonkershoek Nature Reserve (upper Valley).

Although the Jonkershoek Spatial Development Framework contains proposals for all four areas, a strong focus will be placed on the mixed use precinct. Proposals for this area are informed by the spatial vision for the Jonkershoek Valley:

*Jonkershoek Valley is the innovation, sustainable living and international nature conservation focus of the Stellenbosch Municipality.*

Overall the Valley should be defined as a placid destination and access to the upper valley should be defined.

Development in the mixed use precinct will be limited to the nodes within the precinct and any land in between will be conserved and protected.

Nodes within the mixed use precincts have to have a clearly defined settlement extent, with an approved "settlement edge" to restrict spill-overs into the remainder of the mixed use precinct or the adjacent precincts (See Figures 12 & 13).

These nodes should have a non-urbanised appearance, with the settlement not replicating urban functions normally located in Stellenbosch. A settlement form and function which reflects the character of the valley and signifies experiencing the environment as an eco-tourism, sustainable living and innovation destination should be enhanced.

The mixed used precinct will be separated into:

- The southern sub-precinct accommodating uses being predominantly associated with research and innovation, forestry, conservation management, sustainable living and eco-, recreation and educational tourism within the context of the overall Jonkershoek Valley. Accommodation for eco-tourism purposes being restricted to the temporary stay of visitors.
- The northern-sub precinct accommodating two nodes as settlement or limited "hamlet" comprising of the existing infrastructure/buildings, together with limited infill (i.e. to address the current housing shortfall of **at least 50 units, but not more than 100 units**). These two nodes will provide accommodation to any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.





Hence the restructuring of existing nodes should consider the following:

#### Southern sub precinct

Nodes in this sub-precinct provide for research and innovation, sustainable living, forestry, conservation management and eco-, recreational and educational tourism. Thus the utilization of both space and structures should be improved by establishing:

- a) the central area of the mixed use precinct area as an innovation, sustainable living and research destination;
- b) the south eastern area of the mixed use precinct as an ecotourism destination.
- c) the north western area of the mixed use precinct as a recreational and education tourism area.

#### Northern sub precinct

Two nodes at most, constitute the northern sub-precinct and provide for housing for the total population of ±445 or 123 households within the mixed use precinct. To manage access to housing, the following should be attended to:

- a) Establish a property association (Jonkershoek Property Association) to develop a shared vision regarding housing and to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley.
- b) Limit the total number of households residing in the mixed used nodes to the number of families employed by CNC and Cape Pine (i.e. total of 38 families, with 24 families

employed by CNC and 14 families employed by Cape Pine).

- a) Provide at most 50 low-income dwelling units at the Op-die-Bult node. No extension of any residential components beyond those who have rights.
- b) Refurbish thirty three (33) dwellings available for residential purposes (Op die Bult, Fisheries B and Cape Pine Flats and Houses: Develop existing dwellings in Fisheries B as town or semi-detached houses).
- c) Demolish informal structures and historic hostel/rooms being utilized for family accommodation at Fisheries A, the Compound and the Caravan Park and relocate families.
- d) Refurbish Assegaibos and Cape Pine settlement and the Central area for Tourism purposes.
- e) Keep CNC extension and CNC Scientific Services for institutional and tourism purposes.
- f) Keep SCAS and Okkie Jooste for Educational, Recreational and Tourism purposes.
- g) Refurbish dwelling units as per Stellenbosch design guidelines for farms.

The above proposals can only be implemented should there be successful integration and co-ordination of planning and development initiatives by the following management agencies:

- a) Stellenbosch Municipality.
- b) Cape Pine (Pty) Ltd.
- c) Western Cape Nature Conservation Board.
- d) Provincial and State Departments (e.g. DRDLR, DWAF).



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## Abbreviations

CBPWP:	Community Based Public Works Programme	IDP:	Integrated Development Plan
CNC:	Cape Nature Conservation	LULO:	Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
CSIR:	Council for Scientific and Industrial Research	NGO:	Non-government Organisation
DRDLR:	Department of Rural Development and Land Reform	PAWC:	Provincial Administration Western Cape
DWAF:	Department of Water Affairs and Forestry	PPP:	Public Private Partnership
EIA:	Environmental Impact Assessment	PWD:	Public Works Department
EMPR:	Environmental Management Programme Report	SCAS:	Sports for Christ Action
ESTA:	Extension of Security of Tenure Act, 1997 (Act 62 of 1997)	SDF:	Spatial Development Framework
GDP:	Gross Domestic Product	SMA:	Special Management Area
GAP:	Housing: Income R3500-R7000	SMME:	Small, Micro and Medium Enterprise
GIS:	Geographical Information System	TDS:	Total Dissolved Solids



## Chapter 1: Introduction & Background

- (ii) The Municipal Systems Act, No 32 of 2000 as one of the sector plans

### 1.1 Background

South east of Stellenbosch is the serene Jonkershoek Valley tucked away, ever present as past and future heritage. The *Jonkershoek Spatial Development Framework, 2011 -2016*, replaces the 2004 draft *Jonkershoek Spatial Development Framework*, thus ensuring an updated spatial framework to take care of this pristine and timeless asset.

### 1.2 Study Area

The study area, as depicted in Figure 1, comprises that portion of the Jonkershoek Valley immediately south-east of the residential areas of Rozendal and Karindal of Stellenbosch, with the south-western edge being a line joining the peaks of Stellenboschberg, and the north-eastern edge being a line joining the peaks of Jonkershoekberg. The south-eastern edge of the study area is not determined by the watershed between the Eerste River and the Riviersonderend catchments, but follows the cadastral boundary of the Farm Jonkershoek 385. The study area comprises approximately 61,8 km<sup>2</sup> in extent.

### 1.3 Statutory Framework and Purpose

The Spatial Development Framework for Jonkershoek was compiled in terms of:

- (i) the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), and

The Spatial Development Framework is an instrument to ensure the character of Jonkershoek is kept intact. Any development considered should be aligned with the Spatial Development Framework and its vision. The Spatial Development Framework does not grant rights or take it away but it does mobilise and prioritising public and private investment (institutionally and financially) and development implementation through the spatial structuring of the study area.

### 1.4 Approach

After establishing the scope of the assignment and existing documentation, a framework was established by collecting primary and secondary data. To verify the data collected, field visits, a demographic survey and a census survey were conducted and consultation with specialist and some stakeholders took place (See Addendum A). Based on these contributions final policy proposals and recommendations were made

### 1.5 Report Structure

The following report structure reflects the methodology adopted to compile the Jonkershoek Spatial Development Framework:

- (i) Chapter 2 (Status Quo) comprises an analysis of the bio-physical, social and built environment.



- (ii) Chapter 3 (Vision, Objectives and Spatial Perspective) comprises of the vision, objectives and spatial elements informing the spatial perspective.
- (iii) Chapter 4 (Spatial Development Framework) details key nodes and links, no go areas, opportunities and challenges and proposals for all four precincts.
- (iv) Chapter 5 (Legislation and Policies) outline the applicable legislation to implement the spatial development proposals.
- (v) Chapter 6 (Implementation plan) details steps to be taken in the medium and long term to implement the Spatial Development Framework.



## 1.6 Limitations of the report

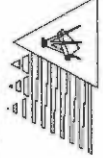
The following two limitations exist:

- (i) The census conducted (Addendum B) was extensive, but limited to
  - quantitative questions, not including preferences.
  - the mixed use precinct and excluded the farms.
- (ii) Spatial solutions to the housing challenge are broad and do not offer detailed implementation or management solutions.



**STUDY AREA**

-  Study Area
-  Cadastral boundaries

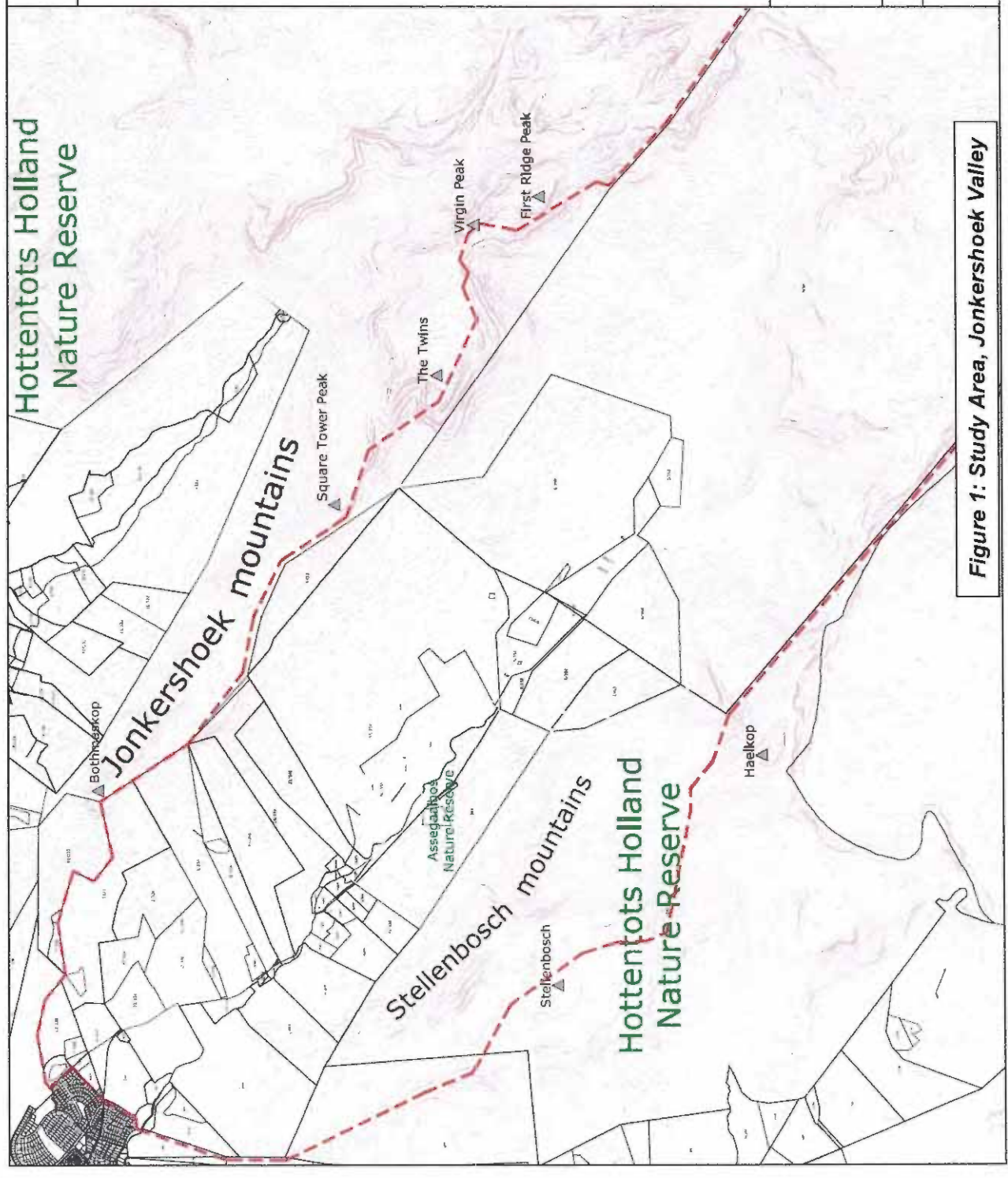
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 PROFESSIONAL LAND SURVEYORS  
 15 RAINEY STREET, WALKESBURY  
 Tel: 022 - 4821845  
 Fax: 022 - 4871661  
 e-mail: reception@rumbold.co.za

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**Figure 1: Study Area, Jonkershoek Valley**



## Chapter 2: Status Quo

### 2.1 Bio-physical Environment

#### 2.1.1 Geology and Soils

Geologically Jonkershoek Valley forms part of the Cape Fold Belt, i.e. mountains formed during deformation folding of the Table Mountain Group sandstones. The deformation phase also included the folding and faulting of these sandstones and their basement rocks. Hence the subsequent soil types are as follows:

- (i) Sedimentary rock:  
Coarse boulder and sand alluvial material (the Valley floor) having low agricultural potential other than for vines, olives and fynbos (i.e. Fernwood).
- (ii) Sandstones:  
Representing excellent aquifers (i.e. sponge function of river) which retain winter flood water and release it to maintain summer flow (other than Theewaterskloof transfer water).
- (iii) Igneous rock:  
Granites and Malmesbury rocks, having a much higher agricultural potential than that of the sandstones. This accounts for the higher planting of vines and trees on the northern slopes of the Valley where granitic soils extend to just below the cliffs. The steep deeply weathered granitic slopes have the potential to form landslides by typical slip circle formation.

#### Spatial Directives

- Given the high permeability of sedimentary rock, sewerage collection facilities should not be permeable i.e. French drains. Hence development in Valley floor should be limited.
- Guide planting of vines to prohibit landslides due to the presence of igneous rock (granites).

#### 2.1.2 Topography, Slopes & Visual Absorption Capacity

The valley is relatively narrow (3-5 km) and approximately 13 kilometres in length. The Jonkershoek Valley is totally enclosed by an exceptionally well defined ridge-line joining some twelve peaks.

Three diagrammatic cross-sections reflect the visual capacity and changing valley topography along its length (refer to Figure 2 for section positions):

- Section AA (Lower Valley) has a low absorption capacity as it consists of a narrow valley floor and steep slopes constituting the valley entrance. Hence development should be sensitive and blend in with the surroundings.
- Section BB (Central Valley) has high absorption capacity as the valley floor is sufficiently wide to accommodate development resulting in little visual impact.
- Section CC (Upper Valley) has a low absorption capacity. The high altitude of pine plantations combined with the steep slopes provides for a pleasant vista of trees and a visual contrast to higher lying fynbos. Hence development should be planned and designed to have as little impact as possible.



### 2.1.3 Hydrology

#### Sources of Water supply

Within the study area, the Jonkershoek River (the main tributary of the Eerste River) forms the main drainage network within the catchment (See Figure 3).

Two of the three zones, into which the Eerste River can be divided, fall within the study area.

#### Water Quality

An ecological assessment undertaken for CSIR, concluded that:

*"Whilst water quality in the Eerste River decreases drastically with distance from its source, water quality of the river zones within the study area remained relatively un-impacted. No negative impacts have occurred in the mountain-stream zone (upstream of the diversion weir and Klein Pleas Dam), whilst the upper-river zone indicates a substantial reduction in water quality, especially in the lower portion, with water being deemed of an intermediate quality. The mountain-stream zone is un-impacted as the area has been assigned a high conservation status. The upper-river zone has been impacted by agriculture and the removal of indigenous riparian vegetation although ecosystem functioning is essentially unchanged (Brown and Dallas, 1996)."*

#### Applicable Legislation

In accordance with the General Authorisation issued in terms of the National Water Act, 1998 (Act 36 of 1998), the following restrictions apply to the extraction of ground and surface water in Jonkershoek:  
 No extraction of surface water without a license.  
 Extraction of 750m<sup>3</sup>/ha/year of groundwater without a license.

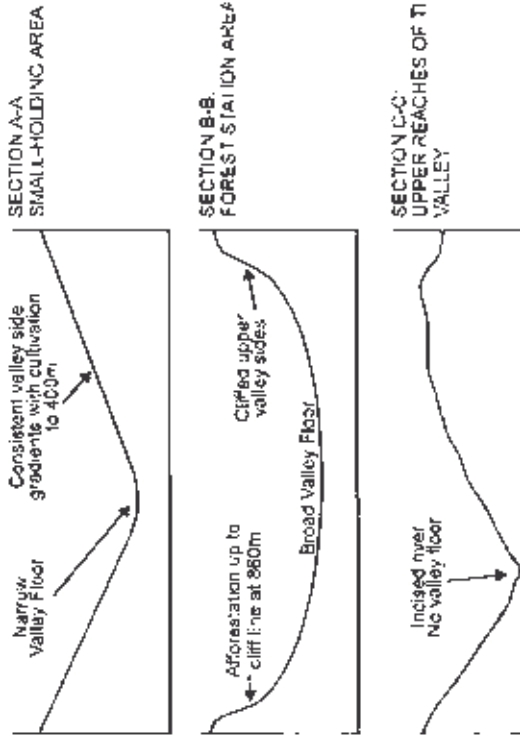


Figure 2: Cross Sections, Jonkershoek Valley

#### Spatial Directives

No development of visual sensitive topographic features of the valley i.e.:

- The convex slopes in the upper valley, covered by fynbos only.
- The spur ridge lines throughout the valley.
- The unbroken slope of the lower Stellenboschberg, inclusive of Mount Happy, Waaiwilde and Glencorner above the 200m contour.







The topography of the upper and lower Jonkershoek Valley offer little seduction and consequently presents itself highly visually sensitive.

**Limited development of the central valley as it offers some absorption capacity.**





**TOPOGRAPHY  
& DRAINAGE**

-  Study Area
-  Mountain Peaks
-  Watershed / Ridge line
-  20m Contours
-  Rivers
-  Drainage

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C.K. RUMBOLD & PARTNERS  
TOWN & REGIONAL PLANNERS  
PROFESSIONAL LAND SURVEYORS  
16 RAIMER STREET, WALUESBURY  
Tel: 022 - 4871845  
Fax: 022 - 4871861  
e-mail: reception@ambull.co.za

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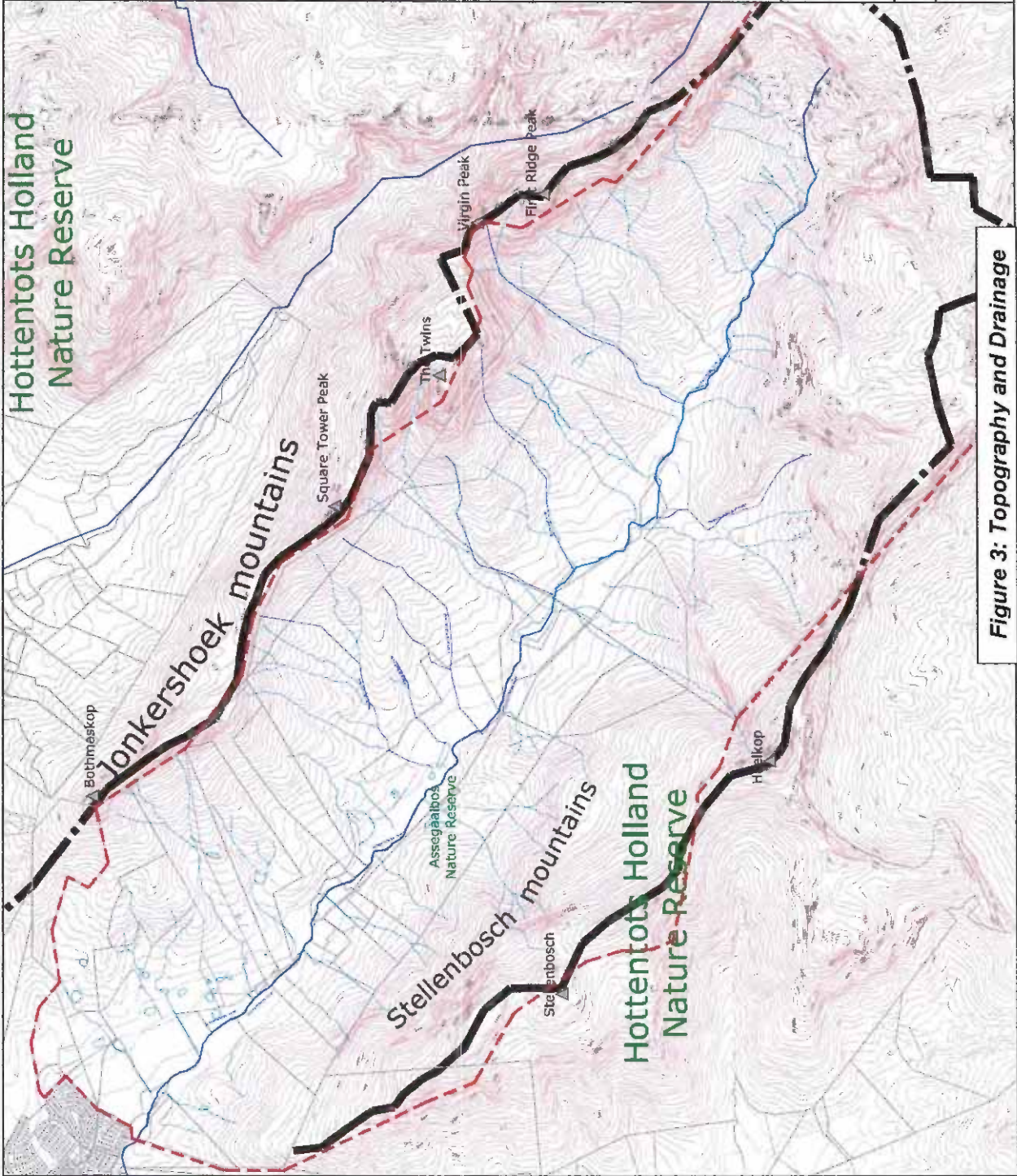
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**Figure 3: Topography and Drainage**

The forest serves as research platform for the Valley and a long-term hydrological and catchment research programme. Recognized internationally, has being undertaken by the CSIR. The research focussed on the impact of forest plantations on water resources from 1930 to 1990 and fynbos and fires from mid-1980s to 1990s and ongoing monitoring since then.

#### **Spatial Directives**

- Enhances and conserves the Valley as water catchment area.
- New developments (agriculture and other) should be subject to availability of water.

#### **2.1.4 Vegetation and Fauna**

Vegetation (See Figure 4) is dominated by mesic mountain fynbos, with the dominant species being the blue sugar bush (*Protea nerrifolia*) and the sugar bush (*P. repens*). On the southern slopes the mountain cypress (*Widdringtonia nodiflora*) and knoppies (*Brunia nodiflora*), an endemic shrub, are prominent. The lower valley contains one of the largest intact remnants of granite fynbos.

Whilst the upper valley is largely free of alien plan species (pines, wattles, Hakeas), in lower part is not..

Mammals, Bird, Reptiles and fish are found in the area. A red data fish species *Pseudobarbus burchelli* (Burchell's redfin), as well as three other indigenous species (sharptooth catfish, Mozambique tilapia and banded tilapia) were introduced into the river. (Brown, C.A and Dallas, H.F.).

#### **Spatial Directives**

- Conserve all natural areas to enhance indigenous flora and fauna.
- Ensure sufficient corridors to link natural areas.
- Clear & manage alien vegetation throughout the Valley.

#### **2.1.5 Conservation and Heritage**

The natural and built environments are described below:

##### **Conservation**

The Jonkershoek Nature Reserve is located in the upper catchment area.

The main purpose of the reserve is to ensure the maintenance of sustainable water resources and the protection and long-term reclamation of the fynbos biome. This function has also included the promotion and establishment of private catchment areas over private farm properties in the lower Valley. The extent of the reserve is 15000ha and includes the 197ha Assegaaibos Nature Reserve.










Current land uses, designated and managed in accordance with the Jonkershoek Nature Reserve Integrated Conservation Development Plan, include the following:

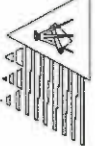
- Conservation areas as per the following environmental sensitivity classification (Figure 5):
  - > High sensitivity areas (e.g. mountain peaks, cliffs, etc.); restricted to low visitor impact and usage (e.g. Mountain Club of South Africa).



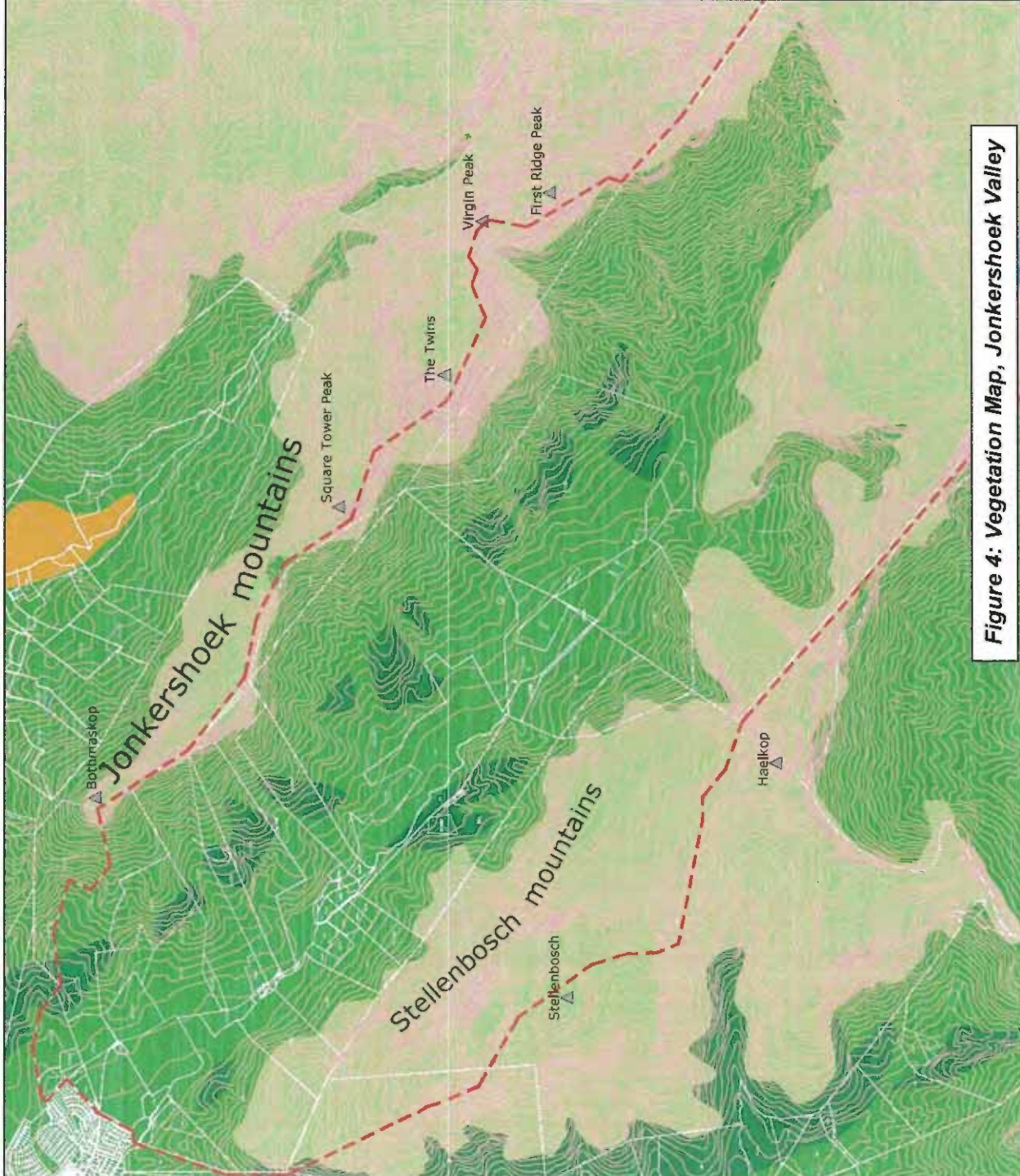


**VEGETATION  
MAP**

-  Study Area
-  Cadastral Boundaries
-  20m Contours
-  Kogelberg Sandstone Fynbos
-  Boland Granite Fynbos
-  Cape Winelands Shale Fynbos
-  Swardland Alluvium Fynbos
-  Southern Afrotemperate Forest
-  Western Coastal Shale Band Vegetation

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TOWN & REGIONAL PLANNERS  
PROFESSIONAL LAND SURVEYORS  
16 HANKEY STREET, MIDDELBURY  
Tel: 022 - 487845  
Fax: 022 - 4871661  
e-mail: reception@rusball.co.za

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**Figure 4: Vegetation Map, Jonkershoek Valley**

- Medium sensitivity areas (e.g. mountain slopes/valley): restricted to day visitors for walking/hiking, with movement restricted to designated footpaths.
- Low sensitivity areas (e.g. Assegaibos Nature Reserve): suitable for the higher impact activities e.g. mountain bike racing and conservation management offices, houses, workshops, etc.).

- Operational/utilisation areas including the Scientific Services offices, Assegaibos guesthouse/conference centre, housing areas and the previous Cape Nature Conservation Headquarters<sup>1</sup>/trout hatchery, which includes a museum, aquarium and trout dams. The trout dams were operated as a commercial fly-fishing public private partnership enterprise which ended in 2010.

The significance of the Jonkershoek Nature Reserve includes:

- Being an integral part of the Hottentots Holland mountain range. Hence the Reserve, together with a group of adjacent reserves has been put forward as an International Heritage Site as part of the CAPE Project.
- Having agriculture as an integral part of the valley resulting in a joint conservation effort between the reserve and land owners. Consequently:
  - A private catchment area over several farms, especially the higher lying portions thereof, was proclaimed.

---

<sup>1</sup> Since 2002 only one of the two "business units" of the Regional Office for the South-West Region (Boland) of the Western CNC Board has continued in Jonkershoek.

- The Jonkershoek Conservancy, which facilitates joint conservation management on private properties, was established.
- Offering conservation education opportunities. Thus eco-tourism (hiking, birding, walking), adventure-tourism (e.g. mountain biking), environmental education including visits to the aquarium and school camps at Okkie Jooste Camp (Department of Culture and Education) are promoted.

Hence the Jonkershoek Reserve has been earmarked as a site to achieve economic sustainability.

#### Heritage

Jonkershoek has a rich plethora of historical buildings and areas as it dates from 1692 when it was allocated to Andriessen by Governor Simon van der Stel. Andriessen, who was "n jonkheer" in the service of the Dutch East India Company was known as "Jan de Jonkheer" (Jonker). Hence the farm Jonkershoek (also known as Wynand) was named after Andriessen. The present State forest comprises the farm Jonkershoek and several surrounding properties (Lamb, A.J. s.a).







The historical building and areas according to Bouma and van Zyl (1995) includes:

- (i) The original farm buildings on Lanzerac and Rozendal and the residence at Aan de Oewer. These buildings are currently used as a hotel, restaurant and guesthouse whilst various original workers cottages are utilised as guestrooms/rental units.






**ECOSYSTEM STATUS**

-  Study Area
-  Cadastral Boundaries
-  20m Contours
-  Critically Endangered
-  Endangered
-  Least threatened

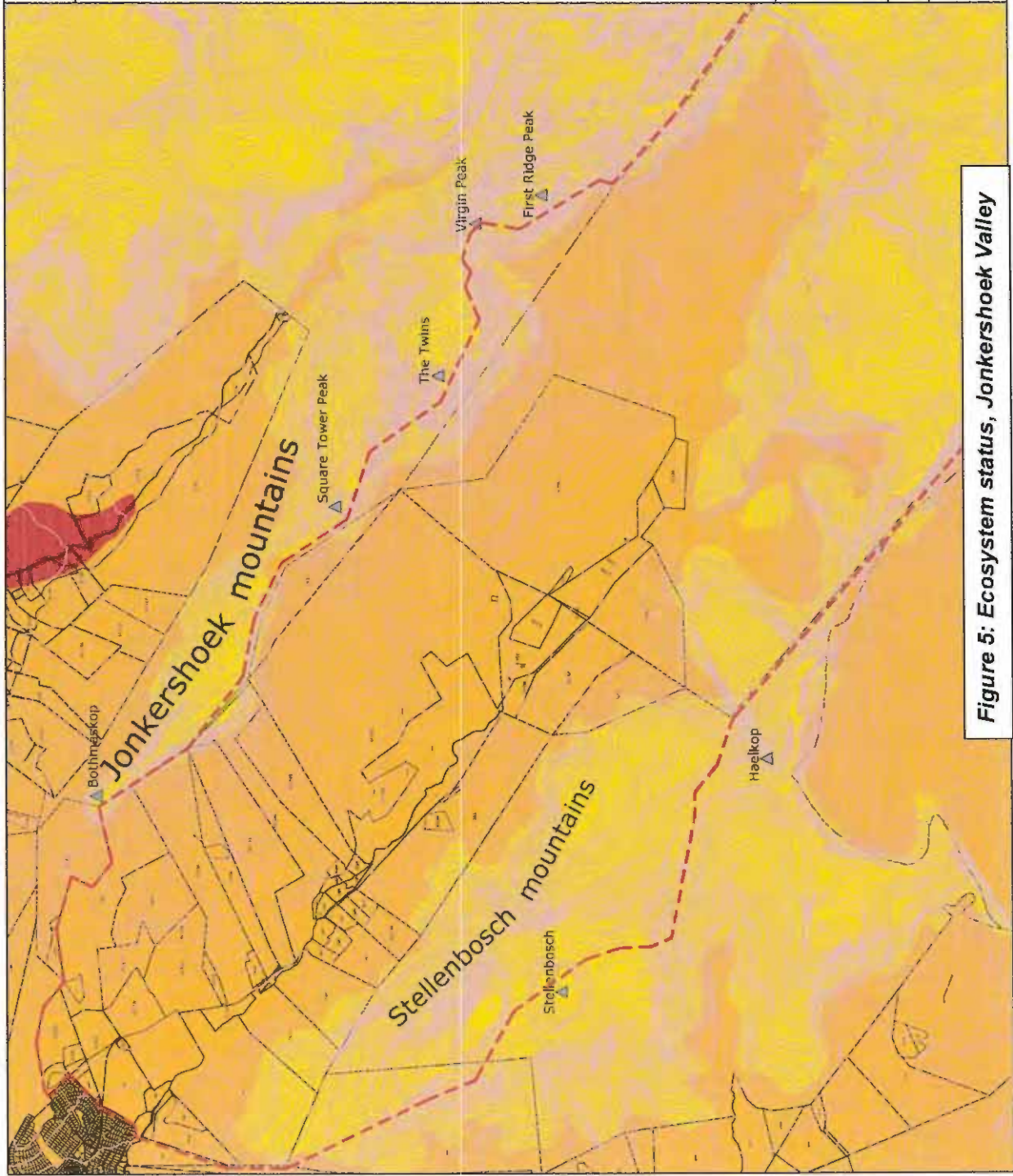
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PROFESSIONAL LAND SURVEYORS  
16 BANNER STREET, WALKERBURY  
Tel: 022 - 4629445  
Fax: 022 - 4671861  
e-mail: reception@rumbell.co.za

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**Figure 5: Ecosystem status, Jonkershoek Valley**

- (ii) The residences and some auxiliary buildings on the farms of Lanzerac, Klein Gustrow, Nektar, Assegaabosch and Jonkershoek (Wynand).

The architecture of buildings in the Valley varies from Cape Dutch to modern, with dwelling and access road development higher up the slopes impacting visually on the Valley.

A detailed rural heritage resources survey of the Jonkershoek sub-area was conducted by Steward Harris and Penny Prestorius (2005) on behalf of Stellenbosch Municipality. Figure 6 indicates the sites where heritage resources are present.

#### **Spatial Directives**

- *Manage visual impact of dwellings and access road development higher up the slopes of the Valley.*
- *Guide access gates, boundary walls and high security fences that characterises properties in the Valley, both positively and negatively.*
- *Adopt the directives provided by Harris & Prestorius (2005) in the Draft Notes for Stellenbosch Rural Heritage Survey, Jonkershoek sub-Area for Stellenbosch Municipality.*

### **2.1.6 Agriculture and Forestry**

#### **Agriculture**

The lower Valley (Farms and Smallholding area) represents a predominantly agricultural area (i.e. viticulture, olives, citrus), with rural residential being a primary use on some of the smallholdings. Totalling 45 units, the large farms nearly balance the smallholdings (25 : 20). In most instances, cultivation is restricted to the valley floor or lower slopes, with a clear distinction between mainly vineyards up the slopes,

pastures and olive groves in the valley floor and undisturbed fynbos on the upper slopes.

#### **Forestry**

Jonkershoek, given its soil, rainfall and micro climatic conditions provides a suitable growing environment, resulting in a MAI (mean annual increment) of 14,28m<sup>3</sup>/ha/year (i.e. timber yield at 20 years) which compares well with Mpumalanga and is well above any other plantation areas in the Southern and Western Cape (average of 9,8m<sup>3</sup>/ha/year). Jonkershoek Plantation covers an area of some 1000ha, of which 777ha is currently under *Pinus radiata* ( $\pm$ 100% planting capacity). Upper slope planting was limited since 1995 and some parts fall into the Hottentots Holland Nature Reserve, reducing the area with some 54,5ha. Saw timber and veneer are produced.

The Cape Pine Sawmills, a private company, in Stellenbosch producing of veneers, forms part of the secondary economic value chain. Veneers are a sought-after South African export product.

Forestry, as does agriculture, contributes approximately R1,5 million to the primary economy as the Jonkershoek plantation has an annual production turnover of 10 000m<sup>3</sup> timber.

#### **Spatial Directives**

- *Keep cultivation restricted to valley floor and lower slopes.*
- *Maintain forest and enhance production of timber and veneer.*
- *Promote aquaculture and fishing.*





### 2.1.7 Mining and Building Materials

There is a ceased gravel quarry east of the Rondaweis and south of the Municipal Picnic area located on the edge of nature conservation precinct. The quarry rehabilitated naturally and form part of the nature reserve.

#### Spatial Directives

- Prohibit primary economic activities such as mining to proceed.

## 2.2 Social Economic Environment

The demography, social cultural structure, community health, welfare and education of the local community are described below:

### 2.2.1 Demography

- The population of the Jonkershoek Valley totaled 630 people (166 households) in 1996. 2001 Census data is not available for Jonkershoek, and the 2011 Census data will be available in 2012.
- The population residing in 2011/ 2012 in the mixed use precinct totals ±445 people (123 extended households in comparison with 149 households in 2000 - 117 primary, 32 secondary households) (See Addendum B). Of those residing in the mixed use precinct, 38 families are employed, either permanently or temporarily, in the Valley.
- Nearly fifty (49) farm worker families resided in the valley (40 primary and 9 secondary) in 1996.

The demography of the mixed used precinct is as follows:

- A relatively young population with 34% of the population sixteen years and younger, 56% of the population older

than 16 but younger than 65 years of age and 10% of the population 65 years and older (2011).

- The community is predominantly Xhosa and English speaking.
- People have strong traditional association with the area, especially amongst parastatal workers.

#### Spatial Directives

- There is a need for housing within the Valley and elsewhere in the Stellenbosch Municipal Area

### 2.2.2 Community Health

Given no or inaccessible community facilities (e.g. no clinic, inaccessible hall) in Jonkershoek, workers are dependent on either employers' assistance or facilities in Stellenbosch to access medical treatment.

Community health in Jonkershoek is characterised by:

- A lack of health facilities (e.g. day-clinic), libraries and an inaccessible community hall.
- Instances of poor domestic services and housing, specifically the absence of flush sanitation and in-dwelling piped water. The 2011/2012 survey indicated an occurrence of 47 informal (wood and for corrugated iron) structures (43 at the Compound and 4 Caravan park) representing 40% of all structures in the mixed use precinct.
- Overcrowding given the occurrence of additional family members sharing the dwelling units. (e.g. Compound in mixed use nodes).



- Inadequate public transport and waiting shelters to reach health facilities.

The health profile of Jonkershoek is representative of rural communities elsewhere in the Western Cape.

#### Spatial Directives

- Provide mobile community health facility or transport to Stellenbosch.

#### 2.2.3 Welfare

Social amenities in Jonkershoek are limited as formal welfare infrastructure is lacking (e.g. old age, day-care) yet informal facilities were established which include a church, a church hall, a community hall, a crèches (Akkerland), a youth clubhouse (Prochorus in the same Cape Pine building), and a shop & shibeen

There are several individuals living in Jonkershoek involved in community work within the Valley whilst several longstanding community organizations suffer dwindling involvement of members of the Jonkershoek community.

#### Spatial Directives

- Provide for social amenities.
- Use hall at Ockie Jooste or at Cape Pine (where crèche is) for recreation and educational purposes.

#### 2.2.4 Education

- Education facilities are limited to one crèches in the mixed use node, with learners attending schools in Stellenbosch.
- Identified education problems include:
  - No adult education facility/programmes.
  - Lack of multiple school destination school transport.

- Lack of bus shelters.

#### Spatial Directives

- Provide pre-primary education facility in the Valley and transport to Stellenbosch for primary, further and tertiary education.

#### 2.2.5 Employment, occupation and income level

The Jonkershoek forestry and plantation (Cape Pine) provide permanent employment to 14 families (office and forestry staff) in 2011.

The Jonkershoek Nature Reserve provides permanent employment to 8 permanent staff and several contract workers. Eleven (11) Working for Fire Programme workers and 5 fixed term contract workers reside in the Valley.

#### Spatial Directives

- Enhance Forestry (primary economic activity) and tertiary economic activities (research and tourism)

#### 2.2.6 Security of tenure and Land Reform

While the ±45 farms are privately owned, more than 80% of households in Jonkershoek do not live in dwellings they owned (1996 census). This lack of ownership has contributed to low levels of security of tenure and low levels of housing subsidies being accessed by qualifying beneficiaries.

The 2000 census confirmed that only one (1) household (mixed use nodes and farm area) has been the recipient of a housing subsidy, but that the majority qualified in terms of household income. However a poor awareness of Extension of Security of Tenure Act (ESTA) rights amongst the lower



income groups, exists and workers need to be made aware of their rights.

During the 1996 census, 75% of households indicated that they were content with their current address as a place of permanent residency, while 95% preferred permanent residency within Jonkershoek as opposed to outside the Valley.

Whilst several farmers initiated mechanisms to improve or establish security of tenure for their employees (e.g. rental contracts, equity share participation, provision of housing in Stellenbosch), controversy exists regarding housing and land claims by a limited number of past and current conservation, forestry and CSiR staff.

#### **Spatial Directives**

*Security of tenure has the potential of undermining any spatial rationalisation of the mixed use nodes and securing private and public investment in the central Valley area if not addressed. Several informal dwellings got established with no abutment facilities and the area is gradually becoming a health risk. Thus:*

- Provide for security of tenure on-farm or off-farm.
- Limit agricultural reform to sustainable resource utilization (e.g. fynbos harvesting) in terms of predetermined quotas and regulated harvesting operations and access (e.g. harvesting activities and path development), in accordance with the requirements of the conservancy or catchment area.
- Retain the character of the Valley which spans all communities, and in particular the mixed use area.

#### **2.2.7 Cemeteries**

There is a small Neethling family cemetery in Jonkershoek which is no longer used. Inside the reserve there is a grave of an unborn child of the first community who lived at the gate of the reserve. Cemeteries in Stellenbosch are being used.

#### **Spatial Direction**

- Maintain cemetery as heritage resource.

#### **2.2.8 Property market patterns and growth pressures**

While the lower portion of the Valley is mainly privately owned (i.e. smallholding and farm area), land ownership and management in the central and upper portion (Figure 6) is characterised by the following:

- (i) The major portion of the Nature Reserve and State Forest being State owned and under the jurisdiction of the Department of Public Works, with management on an agency basis through the Western Cape Nature Conservation Board and Cape Pine (Pty) Ltd.
- (ii) Ownership of a portion of the land by Stellenbosch Municipality, (i.e. Portions 352/2, 353/3, 358/1, 358/2 and 358/3, Figure 7) with usage allocation in terms of leases. One such lease, in favour of Cape Pine, includes a 99-year lease period with an option for Cape Pine to purchase such land in 2035 for forestry use. Portion 352/2 underlies the major portion of the mixed use nodes.










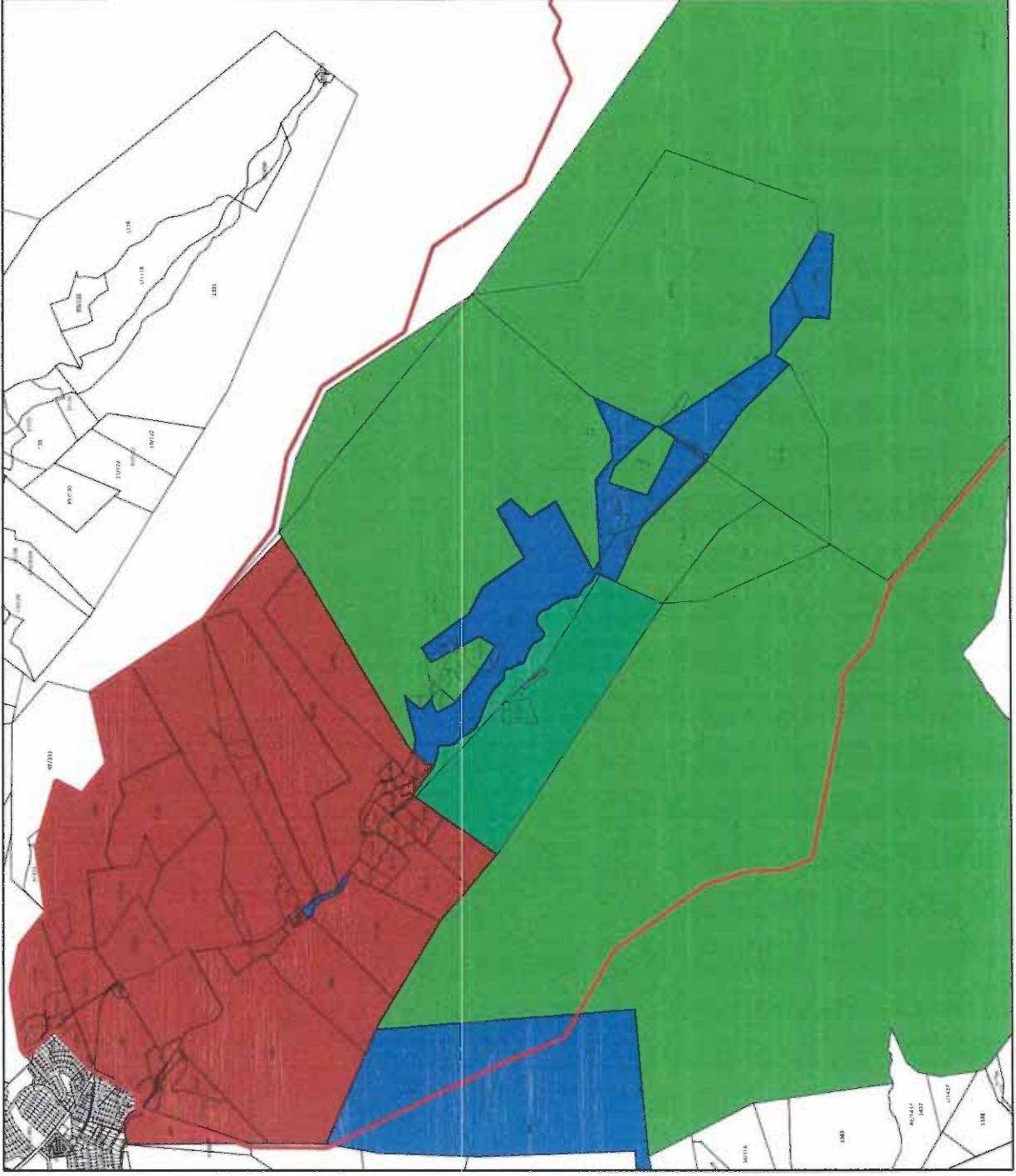




**JONKERSHOEK**  
SPATIAL DEVELOPMENT FRAMEWORK

**OWNERSHIP  
MAP**

-  Study Area
-  PGWC
-  Stellenbosch Municipality
-  RSA
-  Private Land



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**C.K. RUMBOLL & PARTNERS**  
 TOWN & REGIONAL PLANNERS  
 PROFESSIONAL LAND SURVEYORS  
 16 RANIER STREET, MAUCORRY  
 Tel: 022 - 4821845  
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(iii) Cape Pine in terms of its contract with the State, has full use right of all buildings in the mixed use nodes including research facilities and staff housing. Several staff (CNC, CSIR, DWAF) has continued to reside in Jonkershoek, with such housing being administered by Cape Pine Forestry (e.g. services provision and rental collection).

- Management of this rental housing stock and land by Cape Pine is characterised by: Rentals charged being below market related norms.
- Uneconomical services provision, given low thresholds (e.g. solid waste removal).
- An unmandated landlord (Cape Pine), not taking action against rental defaulters and illegal occupancy and overcrowding of dwellings, and the supply of services (e.g. electricity).

#### Spatial Directives

Manage the tension between the need for conservation and the need for housing

### 2.3 Built Environment

#### 2.3.1 Human Settlement: Housing provision and shortfall

Based on the demographic survey conducted during 2000 and 2011 by Rudevco and Associates and CK Rumboll and Partners respectively, the comparative analysis as per Table 1 between existing accommodation structures and total households, reveals the following shortfalls within the mixed use precinct based on the CK Rumboll and Partners survey:

Residential Area/Name	Number of Structures (2004-2011)	No of Units (2011)	Ownership	Building Material	Number of Households 2004			Shortfall (-)	Shortfall (2011)	
					Primary	Secondary	Total			
Caravan Park	7:10	7:7 3:0	PGW C	Mobile C-tren	6	4	10	8	-3	3
Assegaaibos	2:1	1:1	PGW C	Brick	2	-	2	1	0	0
Rondavels	3:3	3:0	PGW C	Dilap	1	1	2	0	+1	0
Op-die-Buul	18:18	18:18	RSA & SM	Wd Wd	17	2	19	18	-1	0
Compound	4 rooms/ Hall Church 1 Ablution 23:0	17:0	RSA	Wd						
		2:0		C-iron						
		4:0		Brick						
		1 Hall & Church		Brick	7	8	15	20	-15	20
Fisheries A	14:30	4:0 9:0 15:1 39:1	RSA	Wd C-iron Wd/CI Brick	8	4	12	39	+3	40
Fisheries B	4:3	3:3	RSA	Brick		No data		5	0	2
Cape Pine Flat/House	10:0	10:0	SM	Brick	11	-	11	10	-1	0
Cape Pine Settlement	11:9	9:9	SM	Brick	11	-	11	9	0	0
CNC Extension	2:2	1:1 +1 outb	SM	Brick	1	-	1	1	0	0
CNC Scientific Services	5:4	4:4	PGW C	Brick				4	0	0
Central Area	3:5	5:5	RSA	Brick		No data		5	0	0
SCAS Centre	1:0	0:0	NGK	NA	1	0	1	0	0	0
Okre Jooste	3:3	3:3	SM	Timber	3	0	3	3	0	0
<b>Total</b>	<b>67:112</b>	<b>129:52</b>			<b>68</b>	<b>19</b>	<b>87</b>	<b>123</b>	<b>-16</b>	<b>65</b>

Table 1. Housing Shortfall (Mixed use precinct)

? According to temporary structures



- A short-fall of some 65 dwelling units exists amongst the lower income groups, 45 units more than in 2000, with such shortfall attributable to the following:
  - Informal structures and historic hostel/rooms being utilised for family accommodation (e.g. Fisheries A and the Compound).
  - Overcrowding of existing units due to the presence of extended families.
- Increased occupancy (e.g. Compound, Fisheries A) given the continued occupation of houses by past employees and ineffective occupancy management arising from the tenure and occupancy right conflict between occupiers, Cape Nature Conservation and Cape Pine
- No shortfall in middle or upper income groups (e.g. Cape Pine settlement, Cape Pine flats/ houses, CNC Extension/Scientific Services and the Central Area).
- The total number of households (123) residing the mixed area far exceeds the number of families employed by CNC and Cape Pine who reside in the area:
  - 14 household employed by Cape Pine and living in the Valley
  - 8 households employed by Cape Nature and living in the Valley
  - 16 contract workers employed by Cape Nature and living in the Valley (i.e. 11 Working for Fire and 5 fixed term contractors).

This is ascribable to the following:

- Cape Pine renting out 16 units to private individuals.

- Past CNC and Cape Pine Forestry employees and/or their children and other family members who have continued to occupy their dwellings subsequent to employment termination (e.g. Fisheries A, Caravan Park and Assegaabos). (Cape Pine manages 22 households of which 10 families stay in the Old Compound and 12 families stay in informal structures)
- Temporary employees (Fynbos Working for Water and Working for Fire Project) who reside in this area (e.g. lodging).
- Population influx.

On the twenty (20) larger farms (exceeding 21 ha) were between 1 to 9 families reside per farm, there are adequate housing and services accommodating some 40 primary households. Some families represent extended families with single persons of working age still living with the family.

#### **Spatial Directives**

- *The provision of housing should be informed by the provision of sustainable services*

#### **2.3.2 Farm and Smallholding**

Specific land uses on the Farms and Smallholding include:

- (i) Lanzerac Hotel on Farm 1087.
- (ii) Nursery on 334/23 – Chase Farm.
- (iii) Bed and Breakfast – Aan de Oewer 345/15.
- (iv) Tricelle Youth Group (1086).
- (v) Stellenbosch University Recreation/ Sportsfield 321 and 321/1.
- (vi) Guest House Rozendal 338/7 and 12.



- (vii) Forellen Cottage Winery 327/6.
- (viii) Reservoir (Stellenbosch Municipality) 334/3
- (ix) Winelands District Council water purification works on Farm 334/12 Klein Gustrauw.
- (x) Swiss Club Chalets 350/1.
- (xi) Neil Ellis Wines (Oude Nektar).
- (xii) Die Eiland Recreation Area 345/10.

Furthermore, smallholdings and farms are characterised by:

- (i) High levels of investment (agricultural and rural living) and high land value, given its agricultural attributes, physical setting and the proximity of Stellenbosch and the Metropolitan.
- (ii) Demand for agricultural expansion, especially on the upper slopes, with associated erosion risks and visual impact.
- (iii) Demand for sub-division and non-agricultural uses, especially tourism orientated uses (e.g. farm stays, guesthouses, etc.).

#### **Spatial directives**

- *Limiting agricultural and residential expansion*

### **2.3.3 Infrastructure**

#### **2.3.3.1 Water Infrastructure, Waste Water Treatment, Energy and Solid Waste**

Whilst the 1996 census reveals relatively high levels of domestic services in Jonkershoek, the engineering report by Nortje and De Villiers Consulting Engineers cc (2011) confirms the status quo as per Jonkershoek SDF 2004:

- **Sewerage** - All dwellings/offices in the Valley utilising either pit latrines or septic tanks/soak aways. The exception is Lanzerac Hotel which is connected to the municipal sewage system, and the municipal recreation site which utilises a conservancy tank.
- **Potable Water** - All dwellings obtain potable water from boreholes, mountain streams and the river, except for Lanzerac Hotel and the farms Vergenoeg and Tricelle which are supplied via the town's system, and the municipal recreation site which is supplied by a water tanker. Within the mixed use nodes, the water supply system (from several mountain stream catchments) is inadequate and in desperate need of repair, given the increasing number of domestic consumers and non-residential users (e.g. aquaculture). It is also untreated.
- **Solid Waste** – a large majority of land owners disposing of refuse on-site. Litter bins are provided at the municipal recreation site and along the main route and adjacent to the soccer field, both areas of high pedestrian and visitor traffic.
- **Electricity** - the network is provided by Eskom.
- Within the mixed use nodes, both water and electricity reticulation is undertaken by Cape Pine.

#### **Spatial Directives**

*Access and engineering services shortcomings offer the following planning and development informants:*

- *The operational capacity of bulk services (e.g. water and on-site sewage and solid waste disposal) is being exceeded. This is evident by the CSIR's detection of Cryptosporidium and Giardia cysts in the Jonkershoek River, an indication of pollution and a potential health hazard. Any further densification of use will therefore require commensurate service provision.*





- Sub-surface conditions (i.e. highly permeable course boulder and alluvial sand) of the valley floor negate against soak ways (French drains), given the potential permeation into the river from toilets placed on the alluvium terrace of the river. This dictates either the use of conservancy tanks or a piped sewage system in the event of further urban development of Valley floor.
- Unmandated supply of services by Cape Pine (Pty) Ltd, who maintain the road and supply water and electricity in the mixed use nodes as current municipal legislation is the responsibility of the Municipality (Category B) and Eskom.
- Limited operational safety and capacity of the current access road, which will be further restricted by additional traffic flows and additional property entrances, requires upgrading.

### 2.3.3.2 Access and Movement

The Valley is accessed via Jonkershoek Road, a narrow two-lane tarred road, which extends to the entrance of the Reserve, and is characterised by:

- A high scenic value given its limited width, meandering geometric alignment and treed enclosure.
- A high safety risk given its limited width, no shoulders, numerous property access points, no speed reducing measures and mixed user/traffic profile, including timber (an average of three 12-ton trucks per working day) and agri-product transport, farm vehicles, visitor and resident automobiles, cyclists and pedestrians.

Apart from the main access road managed by the District Municipality, a minor tarred access road extends over the Eerste River to the Assegaalbos Nature Reserve. Access routes to both farms and facilities/housing areas within the mixed use nodes are predominantly gravel, with the following being noted:

- Conflict of road usage (e.g. access to Eiland recreation area and residential properties).
- The road to Waterhof and Mount Happy south of the river serves to reduce the number of river crossings and intersections (access points) with the main Valley road.
- The poor vertical alignment (steep) of the access road to Op-die-Built is restrictive to taxi-movement, especially during wet conditions.
- Residential access roads in the mixed use nodes are, in most instances, not formally constructed thereby increasing maintenance requirements.

A cycle/footpath constructed adjacent to Jonkershoek Road has improved both cycle and pedestrian access to the Valley, as well as improving safety on the road itself. However, the cycle route/footpath needs to be extended into the mixed use nodes, given that facilities (e.g. recreation, mountain bike trails) are located in the central and upper Valley area.

Within both the forestry area and Reserve, access is controlled, with movement restricted to designated routes (e.g. walking paths, timber extraction roads, firebreak roads, mountain bike routes). Of significance is the circular route, which offers vehicular access into the Reserve.

#### **Spatial Directives**

- Enhance the scenic character of the entrance road into the Valley through aesthetic guidelines.
- Improve the safety of the entrance road into the Valley by making provision for various users.
- Keep the access roads to various land units gravel, and therefore improve road structure and maintenance.



### 2.3.4 Land Use

The Valley is divided into the following distinct separate areas given different uses and ownership (See Figure 2):

- (i) Agricultural Precinct, comprising the privately owned farm and smallholding area located in the lower valley, encompassing the valley floor, pediment and upper mountain slopes.
- (ii) Mixed Use Precinct, comprising mixed use nodes accommodating State and parastatal facilities and housing. This precinct contains several pockets of development (See Figure 8).
- (iii) Forestry Precinct, including the Jonkershoek Plantation.
- (iv) Natural/Conservation Precinct, comprising the Jonkershoek Nature Reserve, including valley and mountain areas.

The mixed use precinct of the Central Valley includes predominantly state and parastatal land uses, including:

- (i) Offices and Research Facilities, including the following:
  - a. CNC main building, conference centre, former museum and trout breeding ponds.
  - b. Cape Pine offices/dwelling.
  - c. Old CSIR building now occupied by Cape Pine.
  - d. Former aquaculture research ponds including 34 dams along river and 8 dams at (3 – 4 were utilised by Stellenbosch University, whilst the rest is not used).
  - e. Scientific Services offices at Assegaibosch.
  - f. Assegaibosch conference centre and guesthouse.
  - g. Cape Pine store in the central area.

- (ii) Residential

Housing is available as per Table 2 and Figure 8.

Ref No.	Residential Area/ Name	No. of Structures (2011)	No. of units: oppor-tunities <sup>5</sup>	Description
1	Caravar Park	7	7:7	Mobile homes ( Tunnel Camp)
		3	3:0	Corrugated Iron Shacks
2	Assegaibos	1	1:1	Brick dwelling
3	Rondavels	3	3:0	Dilapidated.
4&5	Op-die-Bult	16	16:18	Timber cottages (forestry workers)
			17:0	Timber dwellings
			2:0	Corrugated Iron
			4:0	Brick dwellings
			1 Hall &	Brick dwellings
6	Combound	14	Church	Brick dwellings
			Ablution	Brick dwellings
			23:0 units	
			11:0	Timber dwellings
			4:0	Corrugated Iron
7	Fisheries A	30	9:0	Wood & Corrugated Iron
			15:1	Brick dwellings
			39:1 units	
			3:3	Brick
8	Fisheries B	3		Brick dwellings (semi-detach)
			10:10	
9	Cape Pine Flats&Houses	10	9:9	Mainly brick & timber dwellings
10	Cape Pine Settlement	9	1:1	Brick dwellings
11	CNC Extension	2	4:4	Brick dwellings
12	CNC Scientific Services	4	5:5	Brick structures
13	Central Area	5	0:0	-
14	SCAS Centre	0	3:3	Brick & Timber dwellings.
	Okkie Jooste	3		
TOT		112	129:62	

Table 2: Housing Units

<sup>3</sup> Structures refer to the number of buildings

<sup>4</sup> Units refer to the number defined space that is occupied by families

<sup>5</sup> Oppor-tunities refer to the number of housing units as per national norm available







**CREATED BY:**

C.A. RUMBOLD & PARTNERS  
TOWN & REGIONAL PLANNERS  
PROFESSIONAL LAND SURVEYORS  
16 HANET STREET, VALMOURNEY  
74 022 - 4871845  
Fax: 027 - 4871661  
e-mail: Linp@rumbold.co.za

**DATE:** MARCH 2016

**SCALE:** Visual Representation

**REF:** STE7460/AC

- Access Roads
- Access Control Points
- River Course
- Residential (Permanent Structure)
- Assegaibos
- Op-die-Bult
- Op-die-Bult
- Fisheries A & B
- Cape Pine Flats & Houses
- Cape Pine Settlement
- CNC (Extension)
- CNC (Scientific Services)
- Central Area
- Residential (Temporary Structure)
- Caravan Park
- Rondavels
- Compound
- SCAS Centre
- Okkie Jooste
- Office Buildings
- CNC main building
- Cape Pine offices/dwelling
- Old CSIR building (Cape Pine)
- Aquaculture research ponds
- Scientific Services Offices at Assegaibosch
- Cape Pine store
- Educational Building
- Eiland (SCAS Camp)
- Training Centre
- Akker Vallei Creché
- Hall / Shed (use unknown)
- Conservation/Tourism
- Herehuits
- Assegaibosch Nature Reserve
- Municipal picnic area & soccer field
- Disused quarry
- Guesthouse (Cape Pine)
- Olive groves
- Assegaibosch conference centre / guesthouse

**Figure 8: Existing Uses (Housing, Structures & Land) in Mixed use Precinct**



- (iii) Education Facilities, including:
- A. Eiland (SCAS Camp) Training Centre .
  - B. Okkie Jooste Camp.
  - C. Herehuis.
  - D. Akkerland Grêche.
  - E. Hall/ Shed (use unknown - Former CNC museum/exhibition centre).
  - F. Assegaalbosch Nature Reserve.
- The upper catchment (i.e. extending above the mixed use nodes) accommodates the following facilities and land uses:
- (i) Transfer tunnel intake house.
  - (ii) Klein Plaas Dam (Jonkershoek Dam).
  - (iii) Fish farming facility on the Klein Plaas Dam (University of Stellenbosch).
  - (iv) Jonkershoek Meteorological Station.
  - (v) Picnic facilities, a tea room, swimming facility (unofficial) and fishing opportunity at the dam.
  - (vi) Cape Pine plantation, including adventure tourism and eco-tourism (e.g. circular route, mountain bike routes).
- Jonkershoek Nature Reserve (i.e. mountain catchment management and conservation), including walking paths and Boland Trail.

The upper catchment enjoys and reflects appropriate environmental management.

Current land uses, designated and managed in accordance with the Management Policy Plan of Cape Pine and CNC, include the following:

- Plantation areas, with firebreak and fynbos areas to serve as buffers/interfaces with statutory conservation and mountain areas.
- Riparian zones (water courses) to serve as ecological corridors.
- Designated eco-tourism and adventure tourism areas and routes (e.g. cycle tracks).
- Defined operational/utilisation areas (e.g. housing, offices, stores) and access routes (e.g. timber extraction routes).
- Conservation and rehabilitation areas (e.g. Abdolskloof fynbos remnant, rehabilitation of poor forestry areas, etc.).
- 3-4ha of olives (post-forestry research) in non-forestry areas (e.g. power line servitudes).
- Tourism/visitor facility including trout fishing, tea room and circular route access control operated on a public/private partnership basis.

In 2002 the forestry operations/management structure was restructured and MTO Forestry (Pty) Ltd, a subsidiary of SAFCOL, was established. The Jonkershoek Forestry Plantation was retained whilst the management function was reduced and a forestry office and worker housing was retained. In 2011 MTO Forestry (Pty) Ltd changed to Cape Pine (Pty) Ltd.

#### **Spatial Directives**

- Maintain and enhance current land uses in agricultural, forestry and conservation precinct.
- Formalize land uses in mixed use precinct and enhance institutional and tourism related uses.





### 2.3.5 Tourism (a tertiary economic sectors activity)

Tourism is already strongly established as tertiary sector activity and opportunities exist to enhance this potential.

The Valley provides for both passive and active recreation, offering significant potential for both eco- and adventure tourism.

The findings of the post graduate study undertaken by D. F. Boon in 1997 to ascertain utilisation patterns of users in the Jonkershoek Reserve should be noted:

- Reasons for visiting Jonkershoek as a recreation destination:
  - 43% of respondents were attracted by the visual, aesthetic and natural beauty of the Reserve, while a further 22% were attracted by the peaceful and quiet atmosphere.
  - Other motivating factors included a pristine environment (12%) fauna and flora (10%), low levels of development and the availability of recreation facilities.
- Aspects impacting negatively on Reserve users included:
  - The presence of crowds, vehicles, pollution and pine plantations accounted for 36% of negative aspects.
  - Insufficient and inadequate facilities represented 48% of complaints
  - Dissatisfaction with service delivery was expressed by 6% of visitors.
- User activities and patterns included the following:
  - A relatively wide recreation spectrum exists with the most popular activity being walking, followed by pleasure drives (circular route), cycling and

picnicking, with the latter activity being combined with walking and pleasure drives.

- Public holidays, Sundays and Saturdays (in order of intensity) are days of intensive use, with low visitor numbers during the week.

- Recreation intensity is characterised by accessibility with a marked decrease further into the Valley. The circular route is the most popular given its access to vehicles, cycles and walkers, while the First and Second Waterfalls and Swartboskloof and Panorama routes are less popular.

↳ In terms of perceptual carrying capacity of the Reserve, overcrowding impacted negatively were noted:

- over week-ends and on public holidays.
- during organised activities (e.g. half marathons, trout angling competitions).

Areas of over-utilisation during weekends and on public holidays include the circular route, the First and Second Waterfalls and Klein Plaas Dam.

- ↳ The amenity value of the Reserve is generally high for all its users and users will strive to retain the present condition of the Reserve and oppose its development.

The plantation area is suitable for intensive outdoor recreation and eco-tourism, including:

- Mountain biking, with three demarcated routes (varying difficulty).
- Circular drive for vehicles, mountain biking & walking.
- Hiking.
- Trout fishing.
- Access to upper Valley area.



### **Spatial Directives**

- Utilise existing housing infrastructure to serve as tourist accommodation.
- Utilise existing buildings to provide forestry, conservation, sustainable living and eco-tourism training.
- Enhance and consider various tourism alternatives including eco and adventure tourism and recreation.
- Affect findings of "Tourism and Education Needs Assessment".
- Acknowledge that conservation replaced forestry as employment sector.
- Enhance the expression of the Valley as part of a World Heritage Site.
- Prohibit that the provision of housing destroy the tourism potential.

o Improved surface condition of the circular route.

- Anglers
  - o Improved availability of fishing regulations.
  - o Desire to fish for trout & bass in dams at Assegaibosh.
- Swimmers and canoeists
  - o Wish to utilise Klein Plaas Dam and swimming holes along the Eerste River.
- Joggers and walkers
  - o Improved user safety along the tarred access road, including an extension of the cycle/ footpath.

Furthermore, a need was expressed by user groups for a comprehensive user guide for Jonkershoek, inclusive of information relating to accommodation, recreation opportunities and education facilities.

### **Implementation guidelines**

(i) A Tourism and Education Needs Assessment' undertaken by A de Kock in 1996 for the Jonkershoek Environmental Forum identified the following main user groups and their specific requirements:

- Mountain climbers and walkers
  - o Improved safety along the Second Waterfall route.
  - o An English guidebook and the inclusion of shorter routes in such a guidebook.
- Longer gate hours, especially in summer.
- Improved footpath maintenance.
- Road cyclists and mountain bikers
  - o Improved user safety along the main access road, including an extension of the existing cycle/ footpath.
- Bird watchers
  - o Require early and later reserve access times.
  - o Provision of bird hides.
- Tourists
  - o Require a guidebook & references/ title of walking guides.

### **2.4 Synthesis of spatial issues and opportunities**

The status quo of the Jonkershoek Valley can be synthesised making use of the four components (agriculture and forestry, human resources, production and decomposition) and the component indicators of the Closed Ecological Cycle as well as the four external drivers (property market, governance & legislation, equity & inequity and funding and income).

The Jonkershoek forest and agricultural activity on the farms and small holdings serve as the primary economic activity and first component of the closed ecological cycle namely extraction: The spatial issues arising from agriculture and forestry are as follows:

- Little or no architectural theme or co-ordination, with contemporary designs detracting from historic/vernacular buildings (e.g. Herehuis, Assegaibos homestead, etc).



- An absence of maintenance norms and standards for gardens and structures.
- A need to rationalise agricultural expansion on the slopes of the valley.
- The catchment area has to be conserved to ensure high water quality.
- A need to combine the forestry with agricultural related activities and recreation. Hence provision was made for recreational needs, and in particular the following:
  - Safety along routes
  - English guidebooks
  - Longer gate hours
  - Improve pathways
  - Bird hides
  - Fishing regulations being more accessible
  - Trout and bass farming introduced
  - Using Klein Plaas dam and swimming holes along Eerste river for canoeing and swimming
  - Improved recreational facilities.

The second component of the closed ecological cycle namely human resources (reproduction) generates the following spatial issues:

- Security and location of tenure should be finalized.
- A contiguous urban edge has to be delineated balancing the housing need, recreation opportunities and drive for research and conservation.

The third component, production, is represented in the Valley by the tertiary economic sector including research and tourism as no manufacturing or processing or construction take place. The spatial issues at hand are:

- existing structures that are no longer fulfilling functions of the past and are underutilised and not maintained appropriately.

The fourth component, decomposition, generates the following spatial issues:

- A planned sewerage system, tradition or alternative, connected to the municipal sewerage system is required. From the engineering reports it appears that a sewerage system could easily be connected to the town's system, with treatment at the Stellenbosch Sewage Treatment Works.
- Access into the valley pose a safety risk and access routes to both farms and facilities/housing areas within the mixed use nodes often cause conflict.
- Stellenbosch municipality not delivering all services as yet.

The impact of the four external drivers on the Close Ecological Cycle informs the following spatial drivers:

The property market, the first driver, creates pressure to extend the built and development footprint within the Valley. However, as the Valley's prime functions is to conserve the catchment area to maintain sustainable water resources and to protect and reclaim the fynbos biome, property within the Valley is a limited and a scarce commodity. Hence management of farm subdivisions and human settlements will have to be done with great sensitivity.

The second driver, governance and legislation, emphasises the non fragmentation of land, the intensification of



conservation and accessing ESTA subsidies and the settlement of those who has a right to claim residence.

The third driver, equity and inequity, highlights land and agricultural reform and active participation by previously disadvantaged individuals in eco-tourism given the public gain in access to controlled conservation areas.

The fourth driver, funding and income, emphasizes the need for sustainable service delivery and to generate income. To this end Cape Pine manages the rental stock generating limited income and is responsible for the provision of services. Cape Pine in turn rent the land the Department of Water Affair and Forestry. Secondly the promotion of eco-tourism will enhance the municipality's options to obtain income from the use of amenities and recreation facilities.

These external drivers, the property market, governance & legislation, equity and inequity and funding and income, shape the spatial direction and vision for the Valley, as they impact on the balance between the four components of the closed ecological cycle of the Valley namely Forestry & Agriculture (Extraction), Tenure (of Human Resources), Research and Tourism (Production) and Services (Decomposition)





## Chapter 3: Vision, Objectives & Spatial Perspective

### 3.1 Vision – Stellenbosch Municipality SDF

The Jonkershoek Spatial Development Framework is based on the Stellenbosch Municipal SDF Strategies Report, 2009, and therefore the following vision and foci informs it:

- **Global warming and climate change (ecological integrity)**  
Given the expected climate change, the decade 2010 – 2020 provides an important opportunity to restructure *consumption and production* patterns to reduce demand on eco-system services considerably. Thus Jonkershoek become a sustainable community and landscape with a range of land uses designed to work together, supporting livelihoods and the well-being of its people (as per Sustainable Stellenbosch Opening Dialogues).
- **Social justice and human development**  
To ameliorate unemployment or underemployment, the agricultural, tourism, service and domestic work sectors' interests and growth potential should be carefully nurtured, specifically when using privately and publicly owned land to develop housing projects. Therefore, large scale, high income housing projects providing for local residents working in the local economy vs. providing for commuters will be supported.

- **Economic productivity**

The continued success of the economic sectors contributing most to the GDP, namely agriculture & forestry, tourism, manufacturing and financial services, is dependent on maintaining the Municipality's agricultural and forestry base and scenic quality. Present and future housing needs are situated in the social, GAP and lower middle income market. Public and private sector housing delivery should focus on this market yet honour the vibrant agricultural base and scenic quality.

### 3.2 Principles

The following principles form the basis of the Jonkershoek SDF proposals to protect, restructure, develop and manage development in Jonkershoek:

- a) Work harmoniously with nature, reduce the municipality's ecological footprint and change unsustainable patterns of resource use;
- b) Improve urban efficiency;
- c) Maximise the access of all to the municipality's resources, opportunities and amenities;
- d) Celebrate diversity in living environments, cultures and life styles;
- e) Redress spatial and social imbalances;
- f) Create high quality living environments across the municipality
- g) Ensure horizontal and vertical alignment with both provincial plans and policies as well as neighbouring municipalities; and



- h) The public good should prevail over the private good in the process of planning for the upgrading of, or for the creation of new, land use rights
- i) All development or land use change should be sustainable, including management and use of resources in the natural and built environment, and in particular management and use that may lead to threats to bio biodiversity, pollution and the threat there off and climate change adaptation.
- j) Everyone affected by spatial planning, land use management and land development actions or decisions must enjoy equal protection and benefits.
- k) The desired result of land use must be efficiently produced with the minimum expenditure of resources
- l) Separate and diverse elements involved in development planning and land use should be combined and coordinated (integrated) into a more complete and harmonious whole.
- m) Fair and good governance, requiring that spatial planning, land use management, and land development must be democratic, legitimate and participatory.

### 3.3 Development Vision

The rural character of Jonkershoek, which offers conservation, agricultural, rural living and recreation opportunities, is being threatened by non-conforming uses, insensitive architecture, pollution, alien plant infestation, community conflict, housing

shortfalls, damaging agricultural practices, a lack of multi-sectoral management and urbanisation.

To secure the status of the Jonkershoek Valley as the prime conservation area of Stellenbosch, it should be given the highest conservation status possible. The Spatial Development Framework should inform and guide future development and land uses such as agriculture, rural living, recreation, sustainable living and innovation (research) and hence the following vision:

*Jonkershoek Valley is the innovation, sustainable living and international nature conservation focus of the Stellenbosch Municipality.*

### 3.4 Objectives

The following objectives express the desirable future patterns of land use, development and planning of land in the Jonkershoek Valley:

- (i) To assimilate and reinforce the protected natural environment (i.e. Jonkershoek Nature Reserve), management/operational areas (i.e. mixed use area), resource utilization (i.e. Jonkershoek Plantation) and production areas (i.e. agricultural area) into a functional and sustainable Valley area.
- (ii) To employ the natural elements (e.g. topographical elements, river corridor and fynbos remnants), the characteristic agricultural area (i.e. viticulture), the cultural aspects (e.g. farmsteads) and environmental



experience to create firstly an attractive visitor and nature conservation destination and secondly an innovation and sustainable living destination with a limited working and living area and collectively reinforce the unique Valley landscape and setting for Stellenbosch and environs.

- (iii) To prevent urban intrusion into the Valley and maintain and enhance the integrity of the current major land uses by restricting land use diversification to "value adding" activities (e.g. tourism) and restricting densification of use in order not to replicate urban activities/uses normally located in Stellenbosch.
- (iv) To improve and optimise land utilization in order to promote sustainable environmental and economic utilization of the Valley and thereby deter degradation and commensurate alternative and non-conforming use intrusion into the Valley.
- (v) To facilitate Valley – sub-regional linkages (i.e. environmental, recreation, enviro-education and tourism).
- (vi) To attend to the development and management needs and requirements as expressed in the participatory process of both this study, the WineLands Integrated Development Framework (2000), similar surveys done to compile the 2004 and 2011 Jonkershoek SDF.

### 3.5 Spatial Perspective

The spatial perspective outlines briefly what should be preserved, what should be restructured and what new

developments should be initiated overall and at the hand of the areas (precincts) the Valley naturally divides into (See Figure 9). In order to inform the spatial perspective, spatial structuring elements (tools) are highlighted simultaneously.

#### Overall: Valley Landscape

The value of the Valley landscape for Jonkershoek, Stellenbosch and the sub-region is embodied in its "uniqueness", which derives from its distinguishing natural features (e.g. vegetation, topography, vistas) and man-made environment (agriculture, cultural heritage), and the environmental experience it affords visitors.

Maintaining the Valley "sense of place" requires the need to embrace and continuously seek to promote the "uniqueness" of the Valley, and to make a conscious concern to manage human actions on its landscape

#### Spatial Tools

The areas (precincts) the Valley naturally divides into (See Figure 3):

- Farms and Smallholdings (lower Valley).
- Mixed use precinct (central Valley).
- Upper Catchment comprising the forestry area (Jonkershoek Plantation) and
- Conservation area (Jonkershoek Nature Reserve).

#### 3.5.1 Agricultural Precinct

All agricultural units, currently either zoned or utilized for agricultural purposes, be retained, with agriculture being employed as the primary land use.





**NATURAL  
PRECINCTS**

--- Study Area

(A)

Agricultural Precinct

(B)

Mixed Use Precinct

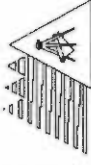
(C)

Forestry Precinct

(D)

Natural / Conservation Precinct

CREATED BY:



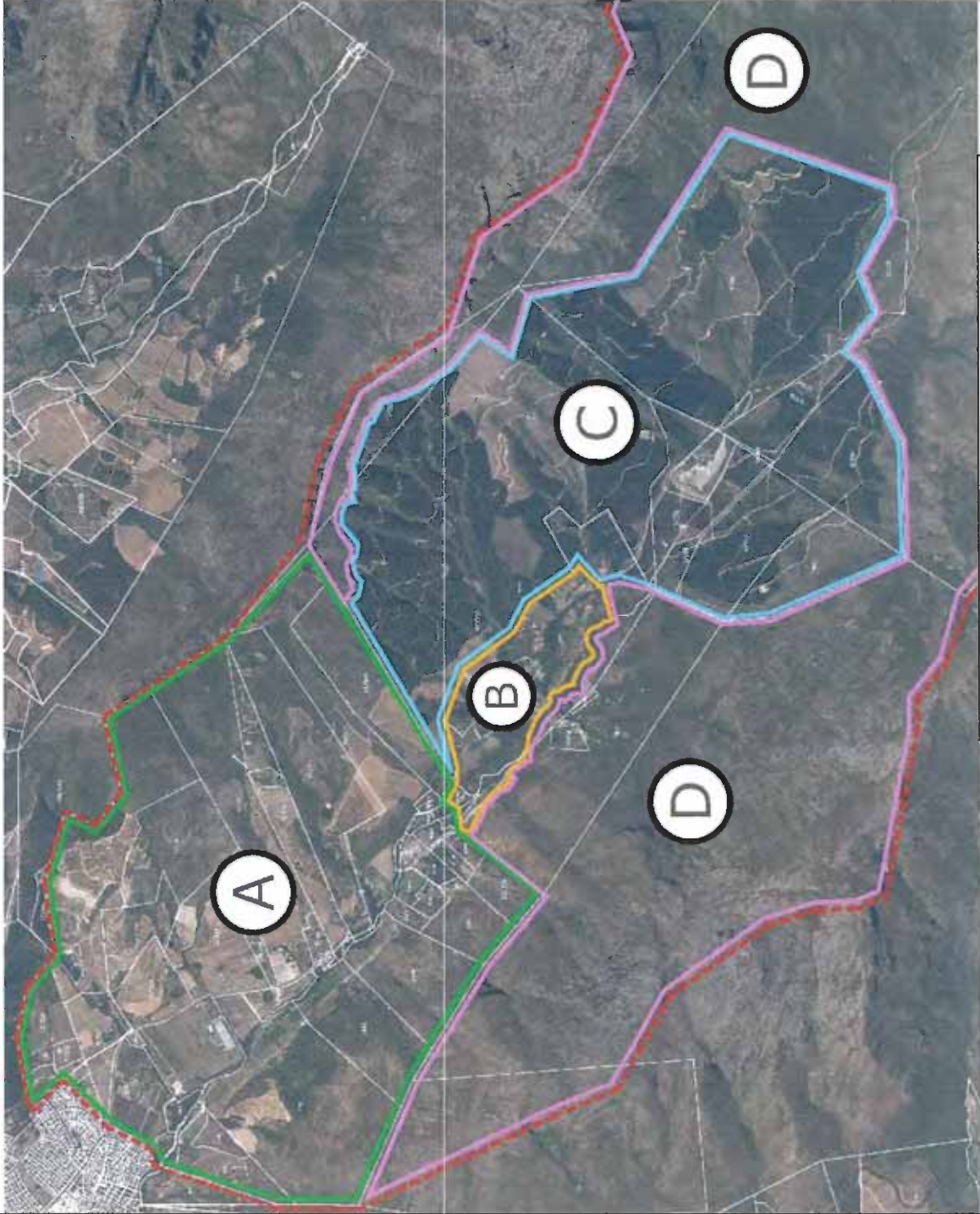
C.K. ROUBILL & PARTNERS  
TOWN & REGIONAL PLANNERS  
PROFESSIONAL LAND SURVEYORS  
116 RAMER STREET, WILMERSBURY  
Tel: 022 - 4821945  
Fax: 022 - 4821961  
e-mail: reception@rtp.co.nz

DATE:  
MRT 2011

SCALE:  
Visual Representation



REF:  
7480



**Figure 9: Natural Precinct, Jonkershoek Valley**



To keep agriculture intact, the following specific precinct objectives, are proposed:

- (i) To ensure the protection, sustainable and optimal utilization of agricultural resources (i.e. micro-climate, soils and water), given their crop production significance suitability.
- (ii) To maintain and enhance the agricultural character of the lower Valley, especially its role as a "gateway" to the Valley and its significance as a "cultural landscape" (i.e. historical significance, historical farmsteads, viticulture development, etc).
- (iii) To protect and develop the Valley as a local and regional agro-tourism (e.g. viticulture, wineries, guest houses) destination.
- (iv) To protect and increase agricultural employment opportunities for the local farm worker community of the Valley.
- (v) To protect both the "core production area", given its unique combination of production factors (e.g. micro-climate, soil type) and resultant high value product (e.g. grapes, olives) with minimum levels of non-agricultural activity intrusion, fragmentation of productive units or negative impact on production systems.
- (vi) To protect the "natural resource utilization area" which extends up-slope of conventional agricultural cultivation/ production. These undevelopable higher portions, which are more extensive on the southern slopes due to poor agricultural potential (i.e. Mispah soil form), are best managed through conservancies and/or as declared private catchment management areas.

#### **Spatial Tools and Directives**

##### **Development Line**

Determine the development line of the mountain-sides rising from the Valley to:

- > Provide a catchment areas for valuable surface water resources;
- > Protect unique and sensitive eco-systems; and
- > Protect the aesthetically scenic value that attracts tourists and recreational users, and contributing to high property values.

The traditional employment of a fixed or variable altitude (i.e. contour line) to manage urban development on steep slopes or elevated areas is not suited for such management in the Valley given the following:

- (i) Valley topography being characterised by varying heights, with steep slopes and elevated areas occurring at varying altitudes.
- (ii) Mountain-side and hill-slope sensitivity derives from a combination of factors, for example; soil type, ground cover, agricultural activity, exposure to wind and run-off, etc., with altitude being mainly a visual informant.
- (iii) The sensitivity of elevated areas derives from the extent of visual exposure, visual and physical impact of the built form, services and access routing, (e.g. cut and fill), etc, with altitude (i.e. elevation) either accentuating or lessening such exposure, depending on the nature of the surrounding landform.

Within the Valley it is necessary to determine such a development line within the agricultural/forestry context, with such line being located at the average limit of agricultural/forestry development. The development of agriculture/forestry into the natural area is to be strongly discouraged. Hence, on a case-by-case (i.e. property-by-property) basis, a development line should be determined, marking the boundary between the agricultural/forestry use area and the natural area (i.e. steep mountain-side) within the agricultural and forestry precincts. Development line determination to be in accordance with the criteria as contained in the





- Limited extent of land (i.e. river terrace).
- High pollution hazard which could emanate from upper river terrace due to cultivation/livestock grazing.
- Shortage of summer irrigation.
  - Any community based or leased agricultural development (e.g. developing farmers) needs to be subject to a feasibility study/business plan and be conducted on a "project basis".
- (vi) Maintain and enhance the agricultural character of the lower Valley, especially its role as a "gateway" to the Valley and its significance as a "cultural landscape" (i.e. historical significance, historical farmsteads, viticulture development, etc.) whilst at the same time protecting and developing the Valley as a local and regional agrotourism (e.g. viticulture, wineries, guest houses) and sustainable development destination.
  - Farm stalls to be located off the road or entrance of the farm (no road stalls).
  - Limit the extent and mass of guest houses, venues or tourism facilities. No luxury lifestyle developments.
  - Allow educational and training facilities on farms for farm workers and inhabitants.

favourable growing conditions and timber yields in the Valley.

- (ii) To protect and increase local job opportunities and secondary industry linkages, especially linkages resulting in sub-regional employment and production of export products (e.g. Cape Sawmills in Stellenbosch; production of veneer and saw timber).
- (iii) To promote and use of the plantation for eco- and adventure tourism given its suitability for high impact activities as compared to the environmentally sensitive valley and mountain areas within the Reserve.
- (iv) To retain and promote current long term catchment and hydrological research being undertaken in the Plantation.
- (v) To maintain effective management of the area and controlled access to the upper Valley.
- (vi) To promote and facilitate research for post-forestry crops/land utilization and the impact of climate change.
- (vii) To research, develop and produce "value adding" forest products (e.g. forest-bed mushrooms, honey production, etc.), with employment and business opportunities for local communities.

### 3.5.2 Forestry Precinct

The designated Jonkershoek Plantation (i.e. planted forestry area) be retained, with forestry being employed as the primary activity/land use.

To keep forestry intact, the following specific precinct objectives are proposed:

- (i) To protect and preserve the Jonkershoek Plantation for the current growth cycle (±30 to 35 years) given the

### Spatial Tools

#### Fire breaks and Buffers

As illustrated in Figures 10 the following elements are employed as land use/resource buffers and interfaces:

- (i) Designated fire breaks between forestry in the forestry precinct and the natural and agricultural precincts.
- (ii) Fynbos buffer between the forestry precinct and proclaimed Jonkershoek Reserve.





### 3.5.3 Natural/Conservation Precinct

This area, comprising the statutory Jonkershoek Nature Reserve and Assegaalbos Nature Reserve, be reserved for conservation purposes.

To keep conservation intact, the following specific precinct objectives are proposed:

- (i) To maintain a high level of catchment management.
- (ii) To conserve and reclaim the fynbos biome.
- (iii) To promote and conduct environmental, including climate change, research and education.

To promote intensive outdoor recreation and eco-tourism i.e. mountain biking (three demarcated routes varying in difficulty); circular drive for vehicles, mountain bike and walkers; Hiking; Trout fishing; access to upper Valley area. (a combined objective for the Jonkershoek Forest and Reserve).

#### Spatial Tools and Directives

##### Public Participation

Encourage discussion and participation in planning conservation of the Jonkershoek Valley, both naturally and historically.

##### Conservancies

The purpose of conservancies is to:

- (i) Protect conservation worthy vegetation, natural habitats and sensitive environments (e.g. riverine area) (See Figure 9: Ecosystem status).
- (ii) Address environmental degradation and resource depletion (e.g. steep slopes) due to an over consumption of resources.

Establish and maintain a "reserve" of resources, in quantity and quality, that is dedicated to sustaining ecosystems

Hence conservation should strongly inform land use management to achieve a balance with the development and be integrated into the planning and development process of the Valley.

Therefore voluntary co-operative environmental management through the establishment of conservancies (e.g. Jonkershoek Conservancy) to protect remnants, ecological corridors (e.g. Jonkershoek River) and linkages should fostered.

- Manage the Jonkershoek picnic site and promote conservation to prohibit the pollution of the river.
- Restore the Eerste River from the municipal picnic site through to the top of the town which should help to improve the water quality.
- Address the inlet of turbid and generally more nutrient rich water from the Kleinplaas dam into the Jonkershoek river, which effectively transformed the Eerste River's aquatic ecosystem below the dam as well as the silt deposits by forestry (poorly maintained roads, erosion after severe fires in 2009 and 2015 and silt deposits and pesticide seepage by agriculture).

Such conservancies are applicable in the forestry, mixed-use and agricultural precincts and can be overarching or site/component specific (e.g. riverine, steep slope or remnant conservancies).

Furthermore linkage to the sub-region and urban area of Stellenbosch and the City of Cape Town should be facilitated to achieve continuity of ecosystems traversing the study area into the sub-region.

Create a national park such *Penedita-Gerés Nasionale Park* where conservation and habitation can take place simultaneously. The aim of the







*Peneda-Gerers National Park is to promote national and international scientific interest, protecting the soil, water, flora, fauna and landscape, while preserving its value to the existent human and natural resources. Education and tourism are also goals of the park. (https://en.wikipedia.org/wiki/Peneda-Ger%C3%AAs\_National\_Park. Limit the number of houses in the park and provide alternative houses elsewhere in the municipal area. Control influx and expansion.*

*Enhance the expression of the Jonkershoek Valley as part of the World Heritage area declared in 2004, embracing the Cape Floral Kingdom and Region to promote exceptional natural, historic and cultural value:*

- *Utilise existing buildings for training in forestry, conservation & eco-tourism.*
- *Use existing foundations where houses were located. Formalise the Assegaai bosch settlement.*
- *Prohibit that the provision of housing destroys the tourism potential and provide architectural guidelines for formalisation and limited expansion.*
- *Enhance eco and adventure tourism and recreation. Consider various alternatives in detail.*
- *Affect findings of "Tourism and Education Needs Assessment".*
- *Acknowledge that conservation replaced forestry as employment sector.*

#### **Ecological Corridors**

*High total dissolved solids (TDS) and silt levels in the Jonkershoek/Eerste River and its tributaries testify to the impact of agriculture and forestry in the Valley due to:*

- Chemical soil enhancement and regular tilling.*
- Sloping topography and erodability of cultivated lands.*
- Absence of ecological corridors and riverine vegetation abutting drainage channels to arrest silt movement and fulfil a*

*denitrification function.*

*Establish ecological corridors and linkages along and between conservation worthy elements, including:*

- (i) *Along the river course and its drainage tributaries through the introduction of ecological set-backs to protect drainage channels and riverine vegetation.*
- (ii) *Underneath the Eskom power line servitudes and along water-pipeline servitudes (e.g. bulk water supply lines to Stellenbosch).*
- (iii) *Along all road reserves through promotion of indigenous planting or protection of existing indigenous vegetation or tree-lines (e.g. Oak avenues).*
- (iv) *Remnants and core flora linkages (e.g. Abdalskloof).*
- (v) *Limit the fire risk created by the provision of housing.*

*Such corridors/linkages can also include areas not suitable for agriculture/forestry (e.g. rocky areas, poorly drained areas, rehabilitated erosion gullies, etc.), but highly suited to the planting/restoration of indigenous vegetation.*

*Ecological corridors should extend beyond the Jonkershoek Valley (e.g. Eerste River) in order to promote and achieve environmental integration.*

#### **Development Edge**

*Prohibit the development of any kind including agriculture beyond a predetermined line (established visually, topographically and botanically).*

#### **3.5.4 Mixed Use Precinct**

*This area, comprising the central Valley and accommodating substantial built infrastructure (e.g. houses, offices, youth camps, former trout ponds) presents a unique opportunity for*



establishing Jonkershoek as an eco-tourism destination and endorsing this area as a public asset (i.e. for Stellenbosch and surroundings).

Substantial portions of this area present itself to be integrated into either the agricultural, forestry or conservation precincts. With these portions constituting different land uses, mixed used nodes will be left that can serve as an eco-tourism destination and residences to support innovation and research and to be managed and maintained according to conservation and sustainable living norms.

Therefore the mixed used precinct will be separated into:

- The southern sub-precinct accommodating uses being predominantly associated with research and innovation, forestry, conservation management, sustainable living and eco-tourism within the context of the overall Jonkershoek Valley. Accommodation for eco-tourism purposes being restricted to the temporary stay of visitors, with permanent residence rights (e.g. sectional title, share block, etc.) being restricted.
- The northern sub-precinct accommodating:
  - Scenario 1: A settlement development dominating the entire sub-precinct and providing in the need for subsidized housing in Stellenbosch Municipality.
  - Scenario 2: Two nodes as settlement or limited "hamlet" comprising of the existing infrastructure/buildings, together with limited infill (i.e. to address the current housing shortfall of at least 50

units, but not more than 100 units). This node will provide accommodation to any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.

- Scenario 3: No settlement or limited "hamlet" and exiting infrastructure being used predominantly with research and innovation, forestry, conservation management, sustainable living and eco-tourism.

### Spatial Tools and Directives

#### Urban Edge

Critical to future land use management, the character of the Valley rests on enforcement of the adjacent urban and settlement edges, including the following:

- (i) Maintain and enforce the urban edge of Stellenbosch, specifically the portion abutting the residential areas of Karindal and Rozendal.
- (ii) Establish and maintain of a "settlement edge" for the built infrastructure/housing area within the mixed use precinct in order to achieve the following:
  - A clear definition of the area designated for development.
  - An area within which consolidation can take place (e.g. infill, co-use).
  - Establishing and maintaining a functional interface with surrounding areas.

#### Eco-Tourism Focus

Define a focal point/focus area within the mixed use precinct for eco-tourism purposes (e.g. information, accommodation, etc.) providing for day visitors and educational and research events and activities related to conservation and climate change.





<p>This will serve to:</p> <ul style="list-style-type: none"> <li>(i) Identify the area as an eco-tourism destination.</li> <li>(ii) Reinforce the mixed-use precinct/central and upper Jonkershoek Valley as a broader Stellenbosch community asset.</li> <li>(iii) Reinforce consolidation of activity and built form within a defined area, underpinned by the re-employment of existing facilities, co-use of existing facilities and the integration/consolidation of existing facilities through infill.</li> </ul>	<p>Employ existing facilities, to form the focus of the mixed use precinct and upper Valley, with such facility/facilities inclusive of visitor information, accommodation, tour operators, a Valley community facility (e.g. hall), environmental and conservation education, etc.</p>	<p>Use ecotourism as a vehicle to enhance employment opportunities for un- and under-employed. Proposed housing units should be so designed that it includes guest suites to be rented out and serviced by owners. Establish a management body to finance and coordinate the accommodation provided. The area next to the access gate to the Reserve is the most suitable for infill development of this nature.</p>	<p><b>Research Focus</b></p> <p>Rethink, repurpose and link existing structures (buildings)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Become institutionally home to the hydrological studies as the valley has one of the largest running hydrological experiments in the entire world, since 1930.</li> <li><input type="checkbox"/> Research climate change and its impact on agriculture and the Floral Kingdom.</li> </ul> <p>Use the expertise of Stellenbosch University and other academic institutions and professional bodies including the residents.</p> <p><b>Settlement Restructuring</b></p>
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<p>a) The mixed used nodes being separated into:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Uses being predominantly associated with research and innovation, forestry, sustainable living, conservation management and eco-tourism within the context of the overall Jonkershoek Valley. Accommodation for eco-tourism purposes being restricted to the temporary stay of visitors, with permanent residence rights (e.g. sectional title, share block, etc.) being restricted. <u>Emphasise, consider and link World Heritage status of the Valley as whole.</u></li> <li><input type="checkbox"/> Uses of two nodes as settlement or limited "hamlet" comprising of the existing infrastructure/buildings, together with limited infill (i.e. to address the current housing shortfall of at least 50 units, but not more than 100 units). This node will provide accommodation to any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.</li> </ul>	<p>b) Nodes have to have a clearly defined settlement extent, with an approved and managed "settlement edge" to restrict overspill into the remainder of the mixed use nodes or the adjacent precincts.</p>	<p>c) Nodes to have a non-urbanised appearance, with the settlement not replicating urban functions normally located in Stellenbosch.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide Valley community facility (e.g. hall) with limited use i.e. educational, conservation or research. No entertainment as this can happen elsewhere, limited street lights and bus shelters</li> <li><input type="checkbox"/> Use existing buildings for recreation i.e. hall at Ockie Jooste or Youth Club House.</li> </ul>	<p>d) A settlement form and function which reflects the character of the Valley and signifies experiencing the environment as an eco-tourism, sustainable living and innovation destination.</p>
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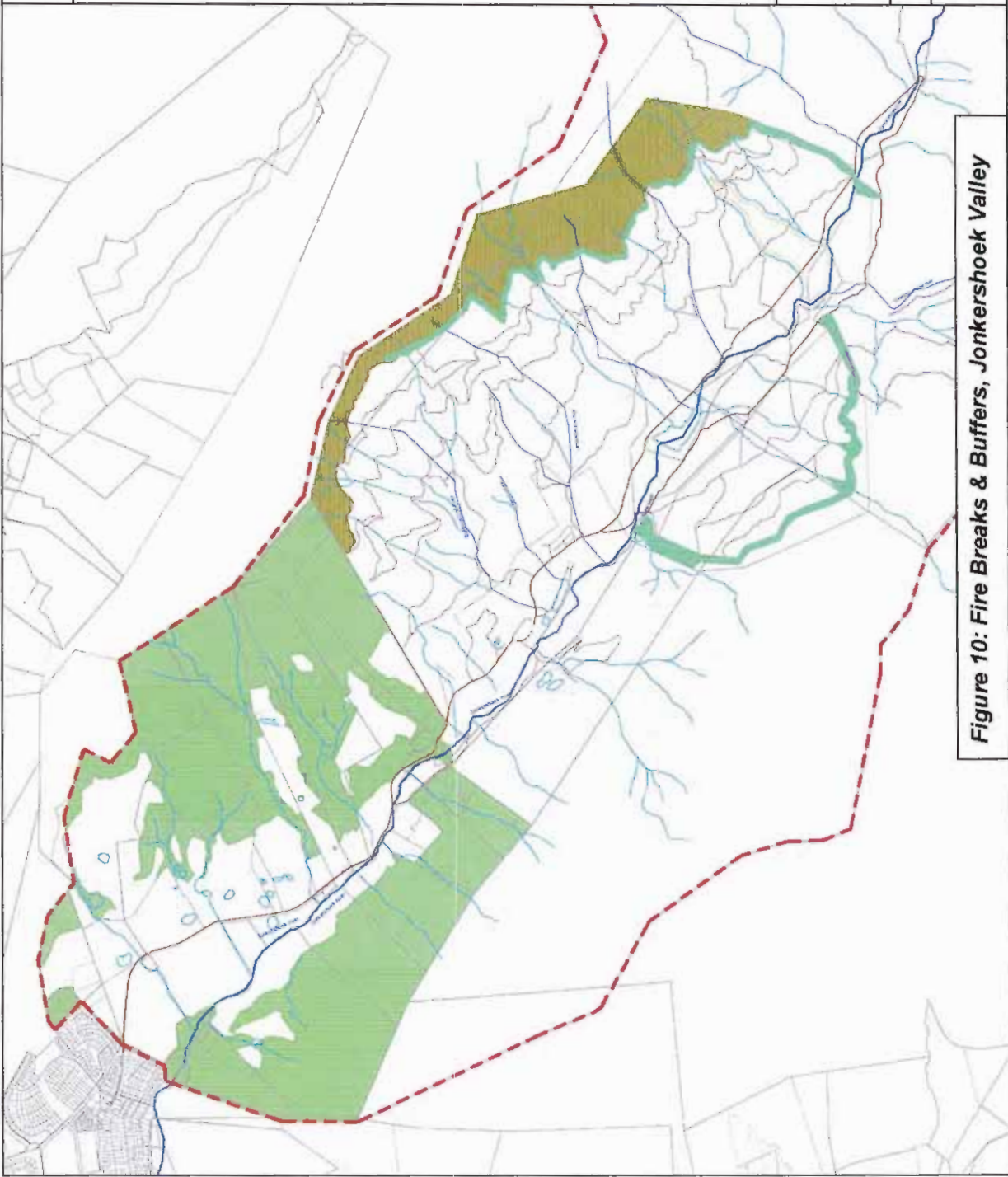


- Establish a market plain at the slave bell, selling traditional food.
- A model sustainable village and community which offers a variety of recreational facilities and opportunities to visitors, whilst being an example of self-sufficiency and sustainability physically and emotionally (wellbeing of residents) like Lyndoch. In the case of Lyndoch, the provision of services is based on alternative and eco-friendly services.
- A range of income groups makes it financially and socially sustainable and create a village based community.
- Provide for small scale farmers i.e. grazing area for animals (small & large stock) and community food gardens including tunnels.




**FIRE BREAKS & BUFFERS**


- Cadastral Boundary
- - - Study Area
- Buffer
- Forestry Buffer
- Firebreak
- ~ River / Drainage / Dams
- Roads
- Boland Hiking Trail



**Figure 10: Fire Breaks & Buffers, Jonkershoek Valley**

CREATED BY:  C.K. RUMBOLD & PARTNERS  
 TOWN & REGIONAL PLANNERS  
 PROFESSIONAL LAND SURVEYORS  
 16 RAMMER STREET, MAALMESBURY  
 TEL: 022 - 4827845  
 FAX: 022 - 4871661  
 e-mail: reception@rumbold.co.za

DATE: MRT 2011  
 REF: 7460

SCALE: Visual Representation  


## Chapter 4:

### Spatial Development Framework

The following generalised local land-use patterns, resulting in specific precinct land-use patterns, should be maintained and managed to promote conservation:

#### 4.1 General land use patterns to be maintained

- 1 The four definite areas of Jonkershoek Valley should be maintained i.e.:
  - Farms and smallholdings (lower Valley);
  - Mixed use nodes (central Valley);
  - Upper Catchment comprising the forestry area (Jonkershoek Plantation) and
  - Conservation area (Jonkershoek Nature Reserve).

#### 4.2 No go areas for urban development to protect the environment and agriculture

The upper catchment and conservation areas will be no go areas for urban development.

Development on the farms and smallholdings will be limited to a) minimum levels of non-agricultural activity intrusion, fragmentation of productive units or negative impact on "core production area" and production systems.

b) as far as the practical and environmental limit of conventional agricultural cultivation/production extends up-slope. The "natural resource utilization area" will be protected

through conservancies and private catchment areas, which set the norm for natural farming i.e. fynbos harvesting and agri-tourism.

c) related and supportive agricultural uses enhancing the sustainability of agricultural units, not repeatable in an urban environment.

#### 4.3 Key nodes, links and their foci

The built precinct (scattered pockets but limited to a particular area) represents an Innovation (research) and sustainable living node housing research related buildings, limited temporary housing stock and limited a community amenities.

The central Valley represent Jonkershoek as an eco-tourism node and endorsing this area as a public asset i.e. for Stellenbosch and surroundings and internationally. The built infrastructure will form part of land earmarked for agriculture or conservation.

Development in the mixed use nodes will be limited and any land in between will be conserved or protected according to conservation norms.

#### 4.4 Key opportunities or challenges

The formalisation of the residential component of the mixed use node has different options:





Element	Scenario 1	Scenario 2	Scenario 3:
Security of Tenure	Inside Valley	Security of tenure: outside & inside Valley	Security of tenure: outside Valley
Duration of Tenure	Long term	Long term limited; Short term supportive to innovation, sustainable living, research and eco-tourism activities.	Short term Supportive innovation, sustainable living, research and eco-tourism activities.
Dwellings: Temporary	Demolish		
Dwellings: Permanent	Use as is or upgrade		
Additional dwellings	Build	Build, limited number.	No building
Other structures (Offices etc)	Continue use as at present	Continue use as at present, increase research, sustainable living and eco-tourism foci	Continue use as at present, increase research, sustainable living and eco-tourism foci
Remaining land in precinct	Form part of conservation or agricultural area		
Management Structure	Stellenbosch Municipality	Jonkershoek Property Association	Stellenbosch Municipality

Table 3: Formalization Scenarios for Mixed Used Precinct

Scenario 1 provide for extensive settlement development and earmark the entire area including Op-die-Bult, Fisheries A & B, the Compound on the west to Cape Pine Houses and Flats the on the east all the way down to the Jonkershoek road.



Scenario 2 provide the most variety and provision would be made for additional, but limited, number of dwelling units besides the 33 dwellings that exists. Occupation should be restricted to a single household per dwelling and outbuildings. Security of tenure and permanent residence should be provided outside the Valley i.e. Stellenbosch and surroundings.





To address the need for housing and security of tenure it is suggested that a **property association (Jonkershoek property association)** be established to a) develop a shared vision regarding housing, b) to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley. (See Addendum C for report by Roger Channels, 2011) and c) **managed the hamlet within mixed use precinct.**

Housing in all other existing nodes, will be used for temporary accommodation to support research (innovation) and eco-tourism activities. The remaining land of mixed use precinct should form part of the conservation or agricultural area.

*The spatial vision for Jonkershoek Valley is that it becomes the innovation, sustainable living and international nature conservation locus of the Stellenbosch Municipality. Hence its prime functions are*

- a) to conserve the catchment area to maintain sustainable water resources
- b) to conserve the Valley as a future heritage resources.
- c) to protect and reclaim the fynbos biome.
- d) to provide the basis for innovation, research, sustainable living, education, recreation and tourism.

#### 4.5 Hierarchy and Structure

Jonkershoek Valley, and in particular the mixed use node, represent an institutional settlement (Category D.e as per Spatial Planning Categories). Institutional settlements are

development nodes within natural, agricultural or forestry areas with specific institutions that relate and are associated with the activities of the immediate environment for example research and training centres and forestry stations.

The Jonkershoek Valley will be divided into four definite areas:

- 1 Agricultural precinct comprising farms and smallholdings (lower Valley);
- 2 Mixed use nodes accommodating State and parastatal facilities and housing (central Valley);
- 3 Forestry Precinct comprising the upper Catchment and forestry area (Jonkershoek Plantation, upper Valley) and
- 4 Conserved Natural Precinct comprising the Jonkershoek Nature Reserve (upper Valley).

#### 4.6 Spatial Considerations

##### 4.6.1 Services

Services should be rationalized and all services should be delivered by Stellenbosch Municipality. However, the operational capacity of engineering services (e.g. water and on-site sewage and solid waste disposal) is being exceeded. Attention should be paid to the following:



## Sewerage

- Design and install a suitable<sup>6</sup> sewerage system that connects to central municipal sewerage system. Sewerage treatment and solid waste will be done outside the Valley.
- Or use alternative methods to dispose of sewerage i.e. gas sewer digesters or managed wetlands (ideal with the permeable soils) or modular sewerage package plants making it not necessary to take the sewer all the way to the present overloaded municipal system.

## Storm water

- Introduce formal drainage system and attenuation measures (e.g. stream channel maintenance, cut-off drains, retention facilities, pollution, screens, etc.) to reduce erosion, flood hazards and road scouring.
- Restrict river course infilling or diversion.

## Potable and Ground Water

- Pipe domestic water supply and introduce a rural water supply network in the Valley (including piped supply to the Elland recreation site to eliminate costly tanker delivery).
- Upgrade water storage and purification capacity and improve distribution management (e.g. domestic v/s aquaculture) in the mixed use precinct.

<sup>6</sup> The permeability of the valley floor negates against soak ways given the potential leakage into the river. Only conservancy tanks or piped sewage system qualifies

- Conserve the catchment area to ensure high water quality.

## Irrigation Water

- Explore additional release from Klein Plaas Dam (Stellenbosch Irrigation Board).
- Restrict irrigation allocations to bona-fide agricultural activities.

## Water sources

- Protect sedimentary soil acting as aquifers. Sandstone represents excellent aquifers (i.e. sponge function of river) which retains winter flood water and releases it to maintain summer flow.
- Without compromising health standards water can be supply without an expensive water treatment facility being built. Should the water supplies be enhanced by drawing water from the Kleinplaas dam, the need for treatment would have to be reconsidered.

## Electricity

- Extend supply to all residents (role in socio-economic development e.g. home studying).
- Eco-friendly electricity should be provided in the form of solar panels, wind turbines and hydro electricity from the Kleinplaas dam.

## Solid Waste

- Use organic waste for growing of small scale food crops or fish farming.



- Continue to separate waste for recycling at household and encourage household not doing so to join.

**Services in general:**

Before implementation a sustainable strategy, a solution should be decided upon similar to the Lyndoch example. The Lyndoch management body is responsible for services.

**Amenities/ Community Facilities**

- Provide a central facility for community meetings and the delivery of mobile and permanent services through acquisition/co-use of a building within the eco-tourism area.
- Provide play/recreation areas for children as part of the community facility in the eco-tourism area.
- Introduce a multiple destination school bus service, together with bus shelters.

**Management guidelines: Service**

- |       |  |
|-------|--|
| (i)   | Subject all new bulk services installations to Environmental Impact Assessment.  |
| (ii)  | Apply appropriate design (i.e. scale, colour and form) of bulk services installations with adequate visual screening.  |
| (iii) | Service provided in the Valley on a 'user pay' basis.  |
| (iv)  | Do not allow soak aways or French drains.  |
| (v)   | The approval of any densification or diversification of use (e.g. tourism facility) resulting in additional waste water generation be subject to an engineering feasibility. |

**4.6.2 Movement networks**

Stellenbosch Municipality has to take over the maintenance of the Valley road network. The following should be attended to:

Enhance the safety and user friendliness of the Jonkershoek Road (DR1064) through:

- Extending the cycle/ footpath, introducing certain geometric realignments and the provision of shoulders, without jeopardising the scenic value of the route, widening the cycle/ footpath.
- Introducing demarcated bus/taxi stops with shelters.
- Managing roadside activities appropriately (e.g. signage, farm stalls).
- Investigating speed calming measures (e.g. speed bumps and speed limits) and intensify law enforcement particularly at picnic area (drunken driving).
- Considering the carrying capacity of the road in the determination of future (tourism and residential) development of the valley.

Apply the following road side development guidelines given the opportunities derived from the road network enhanced safety & user friendliness (e.g. roadside sales, exposure):

- Maintain the function of Jonkershoek Road (e.g. primary distribution) and its future use and upgrading.





- Do not jeopardise the safety of the main access road for Valley and outside users (e.g. ad hoc sited roadside facilities, multiple intersections).
  - Do not impact negatively on the Valley landscape and character of its local precincts.
- Improve the condition of existing access roads within the mixed use precinct through:
- Regular maintenance and the introduction of storm water management.
  - Formalizing the access and road network to eliminate dual access and steep access at Op-die-Bult and providing separate access to the Eiland recreation users (combined access to residential properties and the Eiland).
  - Explore a single access serving both the Reserve and the proposed eco-tourism facility, moving the gate of the Reserve in a western direction.

#### **Management guidelines: Road Side Development**

The following roadside development Management guidelines apply:

- (i) Adherence to building line restrictions along Jonkershoek Road.
- (ii) Take cognisance of the operational requirements of Jonkershoek Road regarding intersection spacing, especially intersections (e.g. farm access), and restricting such access given the implications of multiple intersections (e.g. farms, farm stalls, etc.) for future road upgrading.
- (iii) Restricting roadside developments (e.g. farm stalls, craft outlets, wine sales), with the following alternatives proposed:
  - Location of farm stalls, crafts outlets, etc. within the existing farmstead area thereby reducing road safety and visual impact, and stimulating

Valley - urban linkages (e.g. farm experiences). Furthermore, this option will contribute to a clustering/consolidation of farms/smallholding structures, with operational and aesthetic advantages.

- Where appropriate (e.g. along Jonkershoek Road), locating farm stalls, craft outlets, etc., at existing intersections, with access to such facilities being via the minor or farm access road.
- (iv) Co-ordinate signage subject to design controls including:
  - Standardised colour and symbols.
  - Signage being informative and reflecting the rural character of the Valley.
  - Signage being subject to siting requirements so as to lessen sky-line intrusion and visual impact on the rural landscape.
- (v) Adequate set-back of developments along Jonkershoek Road, with screen planting or screening through mounding.
- (vi) Develop and manage roadway reserves as corridors of indigenous vegetation.
- (vii) Safeguard and modify road to limit speed to protect pedestrians and cyclists; intensify law enforcement particularly at picnic area.
- (viii) Widen pedestrian and cycling path.

#### **4.6.3 Nodes, corridors and linkages**

The built precinct (scattered pockets but limited to a particular area) represent the following links:

- Eco tourism and recreation in the Western Cape (endorsing this area as a public asset i.e. for Stellenbosch and surroundings and internationally).
- Research and innovation by the CSIR and various tertiary institutions.





The forestry and nature conservation prescient represent linkages and corridors for:

- Forestry in the Western Cape.
- Nature Conservation in the Boland and the Western Cape.
- Water catchment in the Boland.

**Spatial Tools**

**Nodes, corridors and linkages**

Promote Jonkershoek Valley as:

- an innovation (research) destination.
- an eco and adventure-tourism destination.
- a model of sustainable living (landscape, services and community).

**4.7 Protected areas**

**4.7.1 Valuable natural areas: wetlands, scenic landscapes**

The following valuable natural areas have to be protected:

**4.7.1.1 Natural/Conservation Precinct**

Keep the statutory Jonkershoek Nature Reserve and Assegaibos Nature Reserve and increase its conservation worthy status (e.g. declaration as a World Heritage Site) in order to serve its purpose through achieving the following objectives:

- (iv) Maintain a high level of catchment management.
- (v) Conserve and reclaim the fynbos biome.

(vi) Promote and conduct environmental and climate change research and education.

(vii) Promote intensive outdoor recreation and eco-tourism i.e. mountain biking (three demarcated routes varying in difficulty); circular drive for vehicles, mountain bike and walkers; hiking; trout fishing; access to upper Valley area.

**4.7.1.2 Ecological Corridors**

Maintain and establish ecological corridors and linkages (See Figure 11):

- (i) Along the river course and its drainage tributaries.
- (ii) Underneath the Eskom power line and along water-pipeline servitudes.
- (i) Along all road reserves
- (ii) Between remnants and core flora areas (e.g. Abdolskloof).
- (ii) Areas not suitable for agriculture/forestry.
- (iv) Beyond the Jonkershoek Valley (e.g. Eerste River).

Given that the Eerste River traverses the urban edge of both Stellenbosch and the City of Cape Town, it is appropriate to extend its urban ecological corridor into the Valley. The width of the corridor should be informed by the 1:50 and 1:100 year flood-lines or a 32m buffer zone from the banks of the river or an ecological set-back line<sup>7</sup> whichever creates the best protection.

<sup>7</sup> A setback line provides for a broader area allowing for groundwater recharge, nutrient recharge and re-vegetation



#### 4.7.1.3 Conservancies

##### Establish conservancies

- (i) Over private land (i.e. voluntary co-operative environmental management):
  - To protect remnants and ecological corridors (e.g. Jonkershoek River and Jonkershoek Conservancy).
  - To address environmental degradation, resource depletion and overconsumption of resources along steep slopes.
- (ii) Across precincts: forestry, mixed-use and agricultural precincts (e.g. riverine, steep slope or remnant conservancies). Conservancies can be overarching or site or component specific.
- (iii) Linked to the sub-regional area.

##### Management Guidelines: Natural/Conservation Precinct:

- (i) Land use within the Natural/Conservation Precinct to be in accordance with the Jonkershoek Reserve Management Plan, which prescribes the degree of usage within the following zones:
    - High sensitivity zone; limited access (e.g. SA Mountain Club).
    - Medium sensitivity zone; access restricted to designated footpaths and Boland Hiking Trail.
    - Low sensitivity zone; higher impact activities (e.g. mountain biking and establishment of infrastructure).
- Furthermore, land use and development is subject to the requirements of the National Environmental Management Act, 1998 (Act 107 of 1998) and the Mountain Catchment Areas Act, 1970 (Act 63 of 1970).

- (ii) A diversification of use be permitted to permit visitor requirements (e.g. eco- and adventure tourism) including an information centre, overnight accommodation, restaurant, environmental education centre, parking areas, ablution facilities, etc. However, such mix of activities must be subject to the following:
    - Conservation and catchment management to remain the dominant activity, with additional activities representing either "added value" (e.g. eco-tourism) or co-use (e.g. environmental and climate change education, research).
    - Any processing of indigenous product, conservation industry (e.g. crafts) or conservation business (e.g. angling, tour guides) being restricted either to the primary activity or "value added" activity/by-product or complementary thereto (e.g. fish sales).
    - Specific approval considerations relating to traffic, environmental, aesthetic and property integrity impact.
- Currently such activities are mainly located within the mixed use precinct (e.g. aquarium, angling facility), with mountain bike racing events being held in the Assegaalbos Reserve.
- (ii) Conservation must be subject to strict environmental and resource management requirements and responsibilities as per current practice:
    - Monitoring of use conflict and impact due to increasing visitor numbers (refer Section 3.10), with the introduction of:
      - Appropriate visitor parking, access (Reserve access time) and information (e.g. brochure);
      - Visitor volume and activity control mechanisms (e.g. use zones and user limits);
      - Safety improvements and maintenance of visitor user routes; and
      - Diversification of visitor attractions and activities (e.g. angling, environmental education).
    - Development of sustainable facilities and improved service levels.



#### 4.7.1.4 Valley Landscape

Refine *Development Guidelines for Rural Areas and Farms* (Kurger and Roos, 2002) to ensure that the "sense of place" of the Jonkershoek Valley is embraced and its "uniqueness" is promoted.

#### 4.7.1.5 Rural Development

Rural development should focus on promoting conservation agriculture in the forest and conservation area. Hence agriculture should be restricted to post-forestry trials and forestry by-products (e.g. mushrooms honey). No traditional farming including cultivation and livestock grazing should be allowed in these areas.

#### **Rural Development**

- (f) Consider the cumulative impact of rural development proposals on the Valley landscape, environment and resources (e.g. visual impact on Valley fabric, loss of agricultural land).
- (a) Restrict agriculture in the forestry and conservation precinct to post-forestry trials and forestry by-products (e.g. mushrooms honey).
- (b) Consider the location facilities subject to:
- A functional association exist with the primary use, with such facility (e.g. reception venue) directly linked to, and forming an integral part of the primary use (e.g. wine-estate).
  - The rural setting and/or landscape being enhanced by the location of such a facility (e.g. architecturally part of and contributing aesthetically to an existing farmstead) and the character of the farming precinct as a gateway to the Valley and of the Jonkershoek Valley itself does not change.



**ECOLOGICAL  
CORRIDORS**

- Cadastral Boundaries
- - - Study Area
- Ecological Corridors
- River / Drainage / Dams
- Roads
- Boland Hiking Trail

CREATED BY:

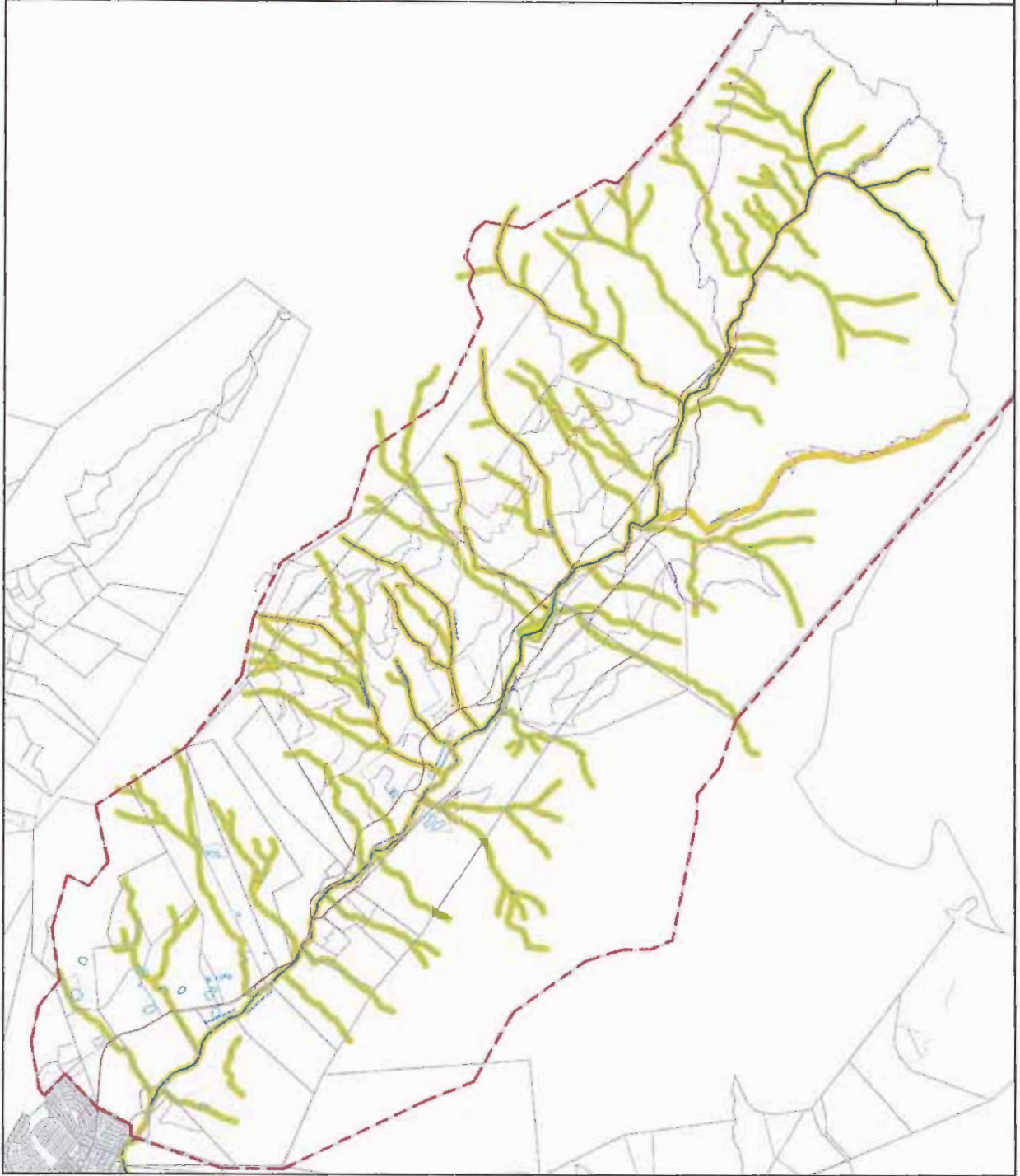


C.K. RUMBOLD & PARTNERS  
TOWN & REGIONAL PLANNERS  
PROFESSIONAL LAND SURVEYORS  
16 RAMMER STREET, WALKERSBURY  
Tel: 022 - 4871845  
Fax: 022 - 4871661  
e-mail: reception@rumbold.co.za

DATE:  
MRT 2011

SCALE:  
Visual Representation

REF:  
7460





- An environmental impact assessment in terms of the National Environmental Management Act.
  - Real benefits to be derived for the Valley, for example a quit pro quo housing contribution or similar community development in lieu of development rights
- (iv) The location of rural-based residential development (e.g. golf, wine or equestrian estates, eco- or wellness/ health villages) or development implying residential rights through various ownership or participatory mechanisms (e.g. clubs, shares, etc.) not be permitted in the Valley, given that such development:
- (a) Will contribute to urbanising the Valley.
  - (b) Represent 'service islands' and could be more appropriately sited inside the urban edge of Stellenbosch where such development could serve an 'urban fringe' function.

#### 4.8 Economy

Keep the economic activities of the Jonkershoek Valley restricted to primary and tertiary level. Secondary economic activities should be related to agriculture and restricted to the agricultural precinct.

##### 4.8.1 Primary economy

Agriculture and Forestry presents the primary economy of the Jonkershoek Valley. Hence:

- All agricultural units, currently either zoned or utilized for agricultural purposes, should be retained, with agriculture being employed as the primary land use.

- Establish the lower Valley as a gateway into Jonkershoek Valley and enhance its agricultural character (i.e. historical significance, historical farmsteads, viticulture development, etc).
- Promote the Valley as a local and regional agri-tourism (e.g. viticulture, wineries) destination.
- Protect the "core production area"; given its unique combination of production factors (e.g. micro-climate, soil type) and resultant high value product (e.g. grapes, olives) and employment opportunities with minimum levels of non-agricultural activity intrusion, fragmentation of productive units or negative impact on production systems.
- Protect the "natural resource utilization area" which extends up-slope of conventional agricultural cultivation and production. Thereby, physical development (e.g. guest cottages, access roads) can be regulated, and agricultural activities be limited to sustainable resource utilization (e.g. fynbos harvesting) in terms of predetermined quotas and regulated harvesting operations and access (e.g. harvesting activities and path development), in accordance with the requirements of the conservancy or catchment area.
- Diversification of use be permitted to facilitate agricultural production requirements (e.g. processing), investment trends and customer requirements (e.g. agro-tourism), economic forces (e.g. agricultural price squeeze), local income generation and the need for valley - urban – sub-regional linkages (e.g. rural activities).



- Determine a "development line" to distinct between the "core production area" and the "natural resources utilization area", which will indicate the upper extent of the "core production area" for each property on both the northern and southern slopes, as well as for the spur ridge lines which are extremely exposed.
- Addressing the aesthetic impact of farm structures through:
  - Reinforcing farmsteads (i.e. homestead and worker housing) through clustering of buildings, including diversified uses (e.g. restaurant, craft sales).
  - Restricting the number of structures and optimising the size of the development footprint in relation to property size.
  - Future development should be informed by the historic character and environmental constraints of the Valley.
  - Ensure that the scale, density and nature of activities or development are harmonious and in keeping with the sense of place and character of the Valley (i.e. clustering or not).
  - Employing the environmental resilience and visual screening capabilities of the landscape.

**Management Guidelines: Agricultural Precinct:**

- (i) The mix of agricultural activities to be subject to the following:
  - Agriculture to remain the dominant use, with such activities (i.e. agri-processing) representing "added value" to the primary use.
  - Agri-processing to be restricted to the processing of "on-farm" produced products.
  - Rural industry being restricted to enterprises concerned with rural-based production or manufacturing (e.g. pottery, country crafts) which benefit the Valley (e.g. tourist attraction, promoting local crafts, etc.).
  - Agri-business being restricted to business activities (e.g. sales, distribution) directly related to either the primary or "valued added" product or complimentary thereto (e.g. wine sales, restaurant).
  - Specific approval considerations (i.e. sub-division) subject to traffic, environmental, aesthetic and property integrity impacts.
- (ii) Agricultural units to be subject to stricter environmental and agricultural resource management requirements:
  - Protect conservation worthy and natural habitats, with the Jonkershoek Conservancy embodying such overall conservation.
  - Reduce surface and groundwater pollution.
  - Ensure sustainable utilisation of agricultural resources.
  - Restrict development (i.e. agricultural and infrastructure) on steep slopes (i.e. mountain side) and elevated areas (i.e. spurs), with the introduction of a conservation buffer between productive agricultural areas and formal conservation areas.
  - Introduce and maintain ecological setbacks along drainage channels and the Jonkershoek River.
- (iii) Agricultural activities and production processes must consider cumulative impacts of value adding activities such as:
  - Traffic generated dust, noise and safety impacts (i.e. on agricultural operations) when such activities are accessed via a minor road or right-



of way servitude which traverses agricultural land, especially that of neighbouring farms.

- Environmental impact due to increased water demands (e.g. groundwater) and increased disposal of wastes in terms of toxicity (e.g. processing) and volume (e.g. reception venue).
- Scale and Massing: Tourism facilities e.g. reception venues should be guided by strong design and use guidelines i.e. their accommodation component.

(iii) Agricultural and smallholding units be subject to stricter environmental and agricultural resource management requirements and responsibility regarding:

- Secondary economic activities should be related to agriculture and restricted to the agricultural precinct.
- Apply for exemption or authorisation in terms of National Environmental Management Act, 1998 (Act 107 of 1998) for "Scheduled Activities", including:
  - New cultivated lands (previously natural veldt).
  - Agricultural to any other use.
  - Use of grazing to any other form of agricultural use.
  - Land use changes and undertaking "scheduled activities".

(iv) Apply both Land Use Management regulations and the Jonkershoek Spatial Development Framework to development proposals (i.e. non-agricultural activity intrusion and fragmentation of productive units).

(v) Employ EIA regulations (Government Notice R1182.5 of September 1997) in terms of Sections 26 and 28 of the Environment Conservation Act, 1989 (Act 73 of 1989) which require application for exemption or authorisation for "scheduled activities" including the rezoning of agricultural and undetermined use to any other land use, the change of use for grazing to any other form of agricultural use, the construction

and upgrading of public and private resorts, the use of land for nature conservation or zoned open space to any other use and the construction or upgrading of most infrastructure facilities.

- (vi) Adhere to current Department of Agriculture criteria permitting cultivation of slopes up to 18%; with certain erosion attenuation measures (e.g. contouring, diversion banks).

**The designated Jonkershoek Plantation (i.e. planted forestry area) is retained, with forestry being employed as the primary activity/land use.**

Simultaneously a diversification of use to be permitted to facilitate timber production requirements, visitor requirements (e.g. eco- and adventure tourism), local income generation and business development (e.g. forestry by-products – mushrooms), and co-use (e.g. sub-regional infrastructure, research, agri-trials). Therefore:

- Promote and use of the plantation for eco- and adventure tourism given its suitability for high impact activities as compared to the environmentally sensitive valley and mountain areas within the Reserve i.e. mountain biking (three demarcated routes varying in difficulty); circular drive for vehicles, mountain bike and walkers; Hiking; Trout fishing; access to upper Valley area.
- Retain and promote current long term catchment and hydrological research being undertaken in the Plantation.
- Control access to the upper Valley.
- Promote and facilitate research for post-forestry crops/land utilization and climate change.



- Research, develop and produce of “value adding” forest products (e.g. forest-bed mushrooms, honey production, etc.), with employment and business opportunities for local communities.

Currently such activities within the Forestry Precinct include the following:

- Designated mountain bike routes of varying difficulty;
- Circular vehicle/walking route;
- Angling and swimming opportunities at Klein Plaas Dam;
- Tea room and access control;
- Bulk water infrastructure of both the Stellenbosch Municipality and Theewaterskloof Transfer Scheme;
- Jonkershoek meteorological station
- Aquaculture on the Klein Plaas Dam (University of Stellenbosch);
- And Temporary uses (e.g. adventure sport events).

**Management: Forestry Precinct**

Land use within the Forestry Precinct to be in accordance with the Jonkershoek Plantation Management Policy and Plan, and Forestry Permit issued in terms of the National Forests Act, 1998 (Act 84 of 1998), with the following permitted uses/activities:

- Forestry compartments (i.e. plantation growing areas);
- Access roads;
- Remnant conservation and rehabilitation areas, and habitat protection of endangered flora and fauna;
- Heritage resource areas for the protection of archaeological and cultural

artefacts;

- Riparian zones (water courses) or ecological corridors; and
- Firebreaks and buffer/interface zones (e.g. fynbos), with statutory conservation and mountain areas (e.g. Reserve or private land).

(ii) Diversification of use and a mix of activities must be subjected to the following:

- Forestry to remain the dominant use, with such activities representing either “added value” (e.g. forest-bed mushrooms or eco-tourism) or co-use (e.g. Stellenbosch Municipality bulk water infrastructure).
- Any processing, forestry industry or forestry business being restricted to either the primary use or “value added” product or complementary thereto (e.g. tea garden, fish sales).
- Specific approval considerations relating to traffic, environmental, aesthetic and property integrity impact.

**4.8.2 Tertiary economy**

Service sector activities with a conservation focus, focusing on interaction with people rather than transforming physical goods, should be promoted i.e. eco-tourism activities and programmes:

- Define a focus area within the mixed use precinct for eco-tourism purposes (e.g. information, accommodation, etc.). It is proposed that the area in front of the gate serve this purpose.
- Re-employ and co-use existing facilities and integrate/consolidate existing facilities through infill, with such facility/facilities inclusive of visitor information,





accommodation, tour operators, a Valley community facility (e.g. hall), environmental education, etc.

- Pay attention to the needs of recreationists:

- (i) Ensure safety along routes
- (ii) Develop an English guidebook
- (iii) Extend the gate hours (Upper Valley)
- (iv) Improve pathways
- (v) Erect bird hides
- (vi) Make fishing regulations more accessible
- (vii) Introduce trout and bass
- (viii) Use Klein Plaas dam and swimming holes along Eerste river for canoeing and swimming
- (ix) Improve recreational facilities.

#### 4.8.3 Heritage resources

Given the significant replacement value i.e. of land, infrastructure, built structures and the landscape, it should be utilized optimally.

- *Refine Development Guidelines for Rural Areas and Farms* (Kurger and Roos, 2002) to ensure that the "sense of place" of the Jonkershoek Valley is embraced and its "uniqueness" is promoted. The refined guidelines should include:

- a) Architectural and design guidelines particularly for access roads, access gates, boundary walls and security fences and separation barriers.
- b) Maintenance standards for gardens and structures.

- c) Procedure to addressing informal structures.

- Keep the low density of the mixed use nodes as it is characteristic of the Jonkershoek Valley.
- Rationalize agricultural expansion on the slopes of the Valley and in particular the higher planting of vines and trees on the northern slopes of the Valley where granitic soils extend to just below the cliffs.

#### 4.8.4 Disaster management measures

The disaster management measures have the following spatial implications which should be attended to as follows:

- Create designated fire breaks between forestry in the forestry precinct and the natural and agricultural precincts.
- Establish a Fynbos buffer between the forestry precinct and proclaimed Jonkershoek Reserve

#### 4.9 Infill Densification and Restructuring

Although the principles of infill densification and restructuring will be applied, sensitivity regarding the spaciousness and seclusion should be maintained.

The mixed use precinct will be separated into (see Figure 12):

- The southern sub precinct accommodating uses being predominantly associated with research and innovation, forestry, conservation management, sustainable living and



eco-tourism within the context of the overall Jonkershoek Valley. Accommodation for eco-tourism purposes being restricted to the temporary stay of visitors, with permanent residence rights (e.g. sectional title, share block, etc.) being restricted.

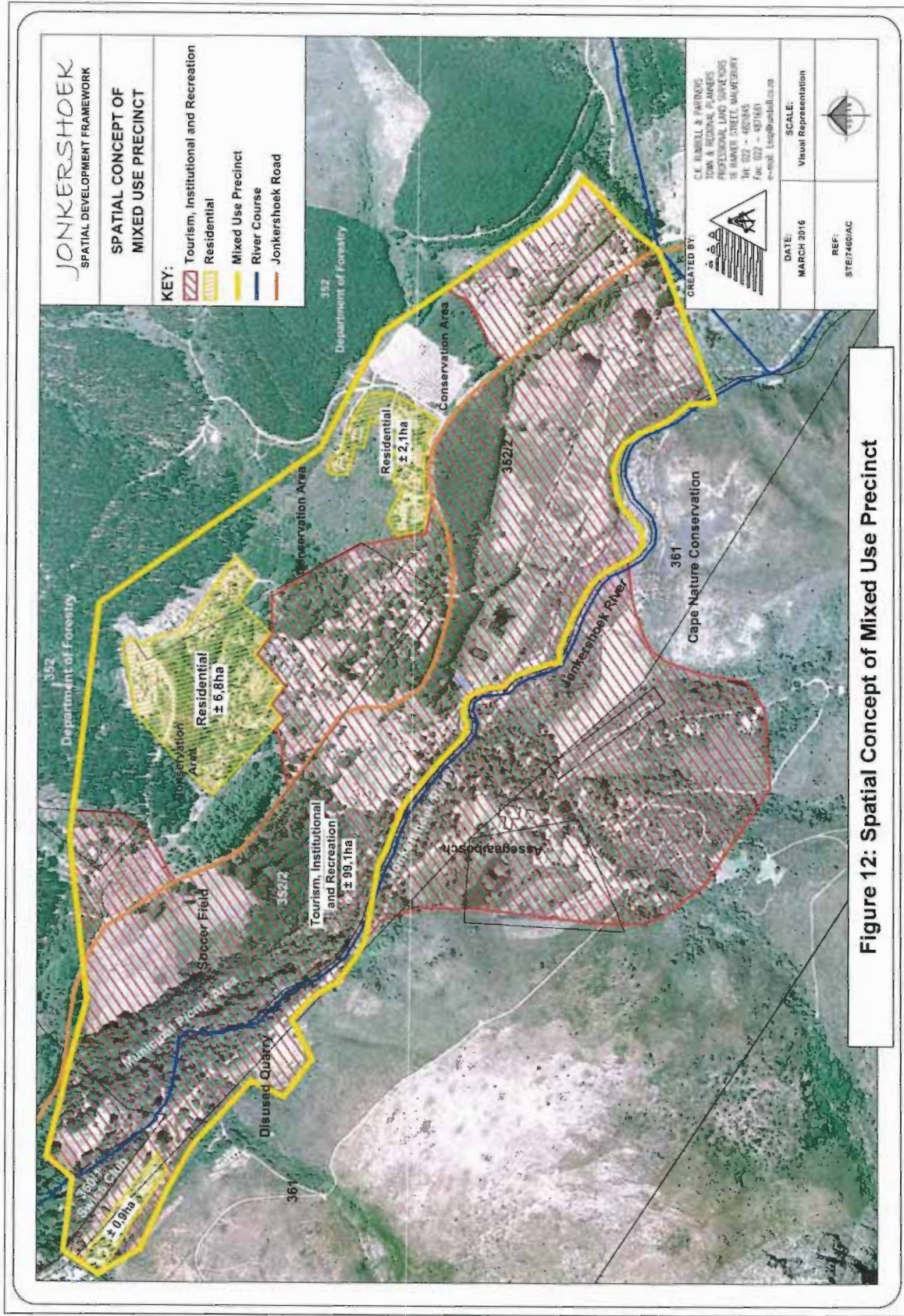
- The northern sub precinct accommodating two nodes as settlement or limited “hamlet” comprising of the existing infrastructure/buildings, together with limited infill (i.e. to address the current housing shortfall of **at least 50 units, but not more than 100 units**). This node will provide accommodation to any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.
- Nodes have to have a clearly defined settlement extent, with an approved and managed “settlement edge” to restrict sprawling into the remainder of the mixed use nodes or the adjacent precincts.
- Nodes to have a non-urbanised appearance, with the settlement not replicating urban functions normally located in Stellenbosch.
- A settlement form and function, which reflects the character of the Valley, signifies the environment as an eco-tourism, sustainable living and innovation destination. The settlement form consists of approximately six nodes consisting of 4 to 10 houses and two larger nodes with 19

and 54 houses and informal structures. The form of the proposed hamlet, providing housing for those who legally have a right, could consist of one or more nodes.

- Limited additional land is required for development nodes as extension development is restricted to **at least 50 units, but not more than 100 units**. The carrying capacity of the Valley together with the capacity of exiting services and sources (i.e. water - from tributaries not affected by the Theewaterkloof Water Scheme), storm water, sewerage and access roads, determine the extent of future development. The remainder of the land will be utilised for agriculture, forestry, conservation, eco-tourism and research (innovation) purposes.
- The location of the additional land for settlement should consider the slope of the land, waterbodies and – courses, possible fire threats, services capacity and resource capacity i.e. the provision of water which is highly limited.
- The old quarry within the Reserve is one possible location.
- Use existing footprints (open lots) where possible as it reflects the form and function of the existing nodes. The nodes have different characteristics and the most prominent nodes are: Op die Bult, Bosdorp Kampong, Fisheries and Assegaibosch Caravan Homes.









- Ensure that when those eligible for housing move to their houses, the informal structures they lived in does not provide an opportunity for new inhabitants to move into the valley.
- Start to outline who are eligible to stay in the Valley (through ESTA or other legislation) and encourage others to register on the official housing waiting list.
- Plan for the provision of housing outside the Valley to ensure that those that are not eligible to live in the Valley, have access to a home. Using structures for eco-tourism, will cause current inhabitants to live elsewhere.
- The character of Jonkershoek should not be compromised by the type of low income housing provided generally. Provide architectural and urban design guidelines. Any housing extension and its architecture should reflect the historical and cultural character of Jonkershoek Valley and should not give an impression of subsidized houses.
- Jonkershoek is a mixed community of scattered nodes, representing different community groups, within the mixed use area. Keep the community character of the various nodes i.e. traditional Xhosa (at Fishpoint) or Cape Dutch at Assegaaibosch.
- Keep the existing trees (pines, eucalyptus, wild olives and figs) and natural veldt, including the tree lane along

the tar road and the road to Op die Bult that would limit the visual impact of the proposed development area.

- Provide a feeling of security and create responsibility through securing each erf enclosed with a yard fence as an expansion development may have an impact on safety and security.
- Inform inhabitants about their financial responsibility of paying rent and or rates and taxes. Selling of houses should be restricted within the first five years. Education and counselling should accompany the allocation of houses as families will not be able to qualify for a 2<sup>nd</sup> house.

To restructure the existing mixed use precinct the following should be done (Figure 13 and Table 3):

Nodes in the Southern sub precinct provide for innovation, research, sustainable living, eco-tourism, recreation and educational tourism. Thus the utilization of both space and structures should be improved by establishing:

- a) the central area of the mixed use precinct area as an innovation and research destination;
- b) the south eastern area of the mixed use precinct as an ecotourism destination and the Caravan houses refurbish for those who have rights.
- c) the north western area of the mixed use precinct as a recreation and education tourism area.





Two nodes at most constitute the northern precinct and provide for housing.

- a) A property association (Jonkershoek property association) been established to develop a shared vision regarding housing and to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley.
- b) Limit the total number of households residing in the mixed used nodes to the number of families employed by CNC and Cape Pine (i.e. total of 38 families, with 24 families employed by CNC and 14 families employed by Cape Pine) (Currently 123 families reside in the mixed use nodes).
- c) Provide at most a 100 subsidized dwelling units at the Fisheries and fish ponds. Limit the extension of any residential components beyond those who have rights.
- d) Refurbish thirty one (31) units available for residential purposes (Op die Bult (18), Fisheries B (3) and Cape Pine Flats and Houses (10)). Develop fisheries B existing dwelling structures as semi detached/ cluster houses).
- e) Demolish Informal structures and historic hostel/rooms being utilized for family accommodation at Fisheries A and the Compound and replace where construction is not too expensive given the granite outcrops on the terrain.
- f) Refurbish the ten units at the Caravan Park.
- g) Refurbish Assegaibos and Cape Pine settlement and the Central area for Tourism purposes.
- h) Keep CNC extension and CNC Scientific Services for Institutional and tourism purposes.

i) Keep SCAS and Okkie Jooste for Educational, Recreational and Tourism purposes.

Area / Name	No of Units	Description	Action	Future use
Caravan Park	7 3	Mobile homes (ex. transfer tunnel camp) / Shacks	Keep	Residential
Assegaibos	1	Brick dwelling	Keep	Tourism
Rondavels	3	In poor condition.	Demolish	None
Op-die-Bult	18	Timber cottages	Refurbish	Residential
Compound	23	Rooms, ablution, hall & church.	Keep	Keep
Fisheries A	39	Temp. structures	Keep	Residential
Fisheries B	3	Brick dwellings	Keep	Residential
Cape Pine flats & houses	10	Brick dwellings	Refurbish	Residential & Tourism
Cape Pine settlement	9	Brick and timber dwellings	Keep	Tourism
CNC	1	Brick dwellings	Keep	Tourism
(Extension)				
CNC (Scientific Services)	4	Brick dwellings	Keep	Residential & Tourism
Central Area	5	Brick structures	Keep	Residential & Tourism
SCAS Centre	0			
Okkie Jooste	3	Timber dwellings.	Keep	Residential in support of Tourism
Olive Grove	130	Brick dwelling	Keep	Tourism

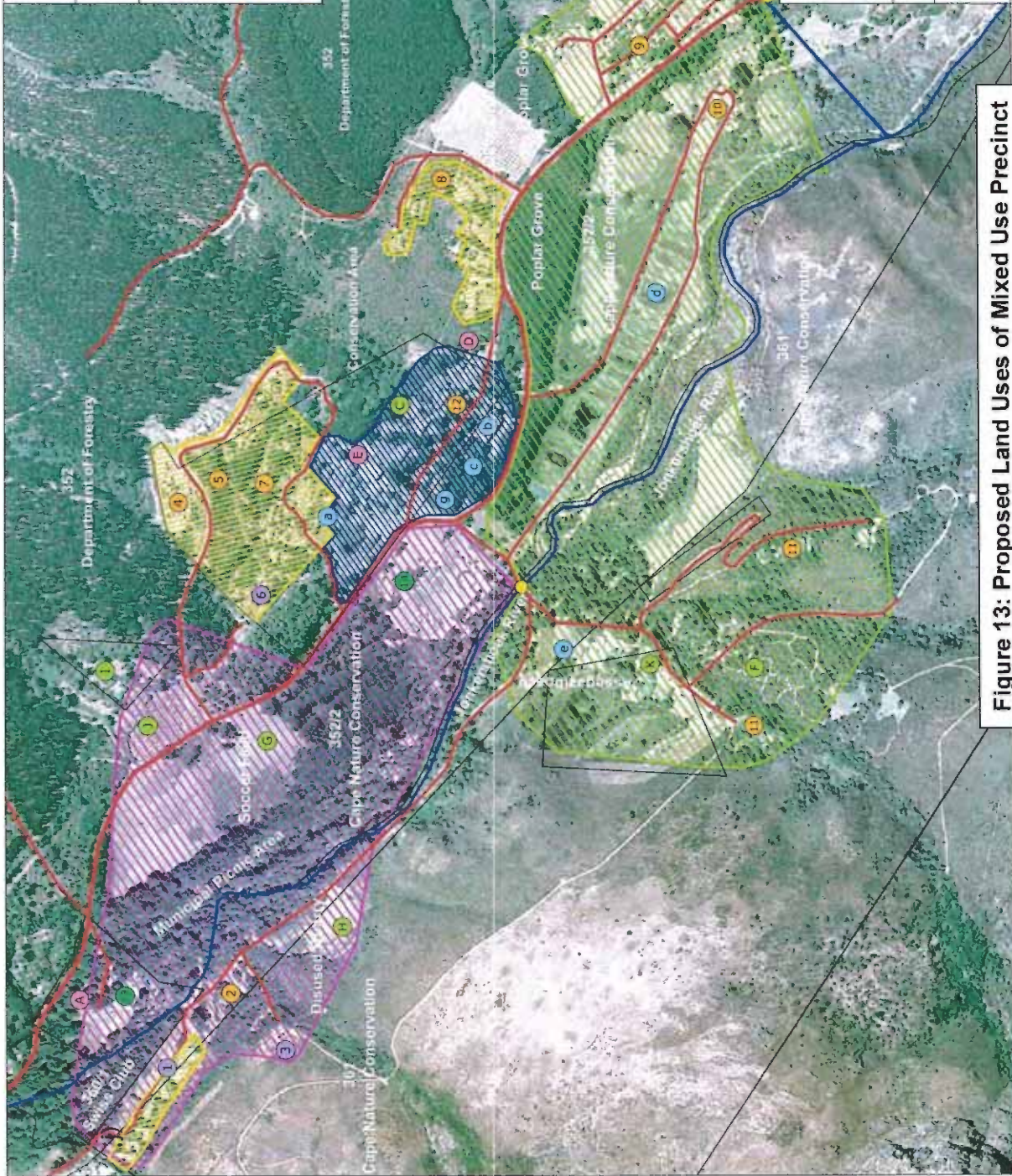
Table 4: Existing structures: to be maintained and future use





**PROPOSED LAND USES OF MIXED USE PRECINCT**

KEY:	
	Innovation and Research ± 6,9ha
	Residential ± 9,8ha
	Eco-tourism ± 54,4ha
	Recreation and Education ± 35,2ha
	River Course
	Roads



  
 CREATED BY:  
 CK RUMBOLL & PARTNERS  
 TOWN & REGIONAL PLANNERS  
 PROFESSIONAL LAND SURVEYORS  
 18 BARNES STREET, MAUMBOURIE  
 TEL: 022 - 427180  
 FAX: 022 - 427161  
 E-mail: [jonkershoek@ckr.co.za](mailto:jonkershoek@ckr.co.za)

DATE: MARCH 2016	SCALE: Visual Representation
REF: STE/7460/JAC	

**Figure 13: Proposed Land Uses of Mixed Use Precinct**



(g) Refurbish dwelling units as per Stellenbosch design guidelines for farms. Accommodate families who have relevant rights together with staff working for CNC). Such accommodation should be addressed through the optimal employment of existing housing stock (part of which is currently rented to persons employed outside the Valley), through infill of existing vacant sites in order to consolidate the built form (e.g. residential clusters) and through optimization of services and access.

(h) Enhance the central area as an innovation node and accommodate the managerial and operational requirements of both Cape Pine Forestry and the Western Cape Nature Conservation Board (e.g. offices, workshops, research, staff housing) within existing infrastructure.

(i) Redeployment of existing infrastructure (e.g. trout ponds) to enhance research, innovation, sustainable living and eco-tourism through the following:

- Refurbishment and expansion of trout ponds as a research facility for the University of Stellenbosch, and for leasing to SMME's for fish rearing (e.g. trout, tropical fish), with on-site research being of significant value to emerging aqua-culturists.
- The existing museum/aquarium forming an integral part of the visitor attraction (e.g. development of a fluvarium) and environmental education linked to the proposed eco-tourism facility.

The existing two guesthouses and Assegaaibos conference centre being employed for visitor/tourist accommodation and/or functions.

(j) Establish an eco-tourism focus and destination, comprising of a facility inclusive of accommodation, visitor information, environmental education, tour-guide and adventure sport services, mountain rescue, etc.,

(k) The residual portions of the mixed use precinct (e.g. river terrace, olive groves and unused areas) be optimally utilised in accordance with their current and future resource and environmental potential/characteristics, including:

- Limited agricultural development directed at post-forestry trials (e.g. alternative crops), forestry-based agriculture (e.g. mushrooms, honey production) and community based/leased agricultural projects.
- Additional land requirements to accommodate functions associated with the eco-tourism facility.
- Rehabilitation of areas (previously cultivated or disturbed) to their natural condition, with such areas being designated for passive recreation or as conservation areas (e.g. sensitive habitats), with such areas forming part of, or being linked to, the adjacent natural /conservation precinct.



- (l) Improve utilization of both space and structures given current organizational and usage of structures;
- a) Create a placid destination marking access to the upper valley.

**Management Guidelines: Mixed Use Nodes:**

(i) Facilities should meet the following requirements:

- Incorporating/utilizing existing infrastructure/buildings (e.g. renovation, upgrading) and serving to consolidate the existing built fabric. Renovations or new structures need to be of a scale and design commensurate with the character of the Valley.
  - Such a facility being Valley and eco-tourism specific and not merely an urban facility (e.g. hotel) within a rural setting.
  - Such a facility being inclusive of a Valley community facility (e.g. hall venue for meetings, functions, etc.).
- (ii) Nodes have to have a clearly defined settlement extent, with an approved and managed "settlement edge" to restrict overspill into the remainder of the mixed use nodes or the adjacent precincts.
- (iii) Nodes to have a non-urbanised appearance, with the settlement not replicating urban functions normally located in Stellenbosch.
- (iv) A settlement form and function which reflects the character of the Valley and signifies experiencing the environment as an eco-tourism, sustainable living and innovation destination.

#### 4.10 Urban edges for settlements

##### 4.10.1 Development Line

Development on the mountain sides and elevated spurs in the Jonkershoek Valley needs to be considered in terms of the following key principles:

- (i) Ensure the continued functioning of eco-systems and maintenance of species diversity through habitat protection.
- (ii) Avoiding inappropriate development (i.e. intrusive and consumptive), by taking into account the character of existing development.
- (iii) Where development does take place, its layout and design must take cognisance of sensitive features and environmental constraints.
  - i. Preserve landform features through employing the environmental resilience and visual screening capabilities of the landscape.
  - ii. Ensure that the scale, massing, density and nature of activities or development are harmonious and in keeping with the sense of place and character of the Valley.
- (iv) Establish, on a case-by-case (i.e. property-by-property) basis, a development line to determine the boundary between the agricultural/forestry use area and the natural area (i.e. steep mountain-side) within the agricultural and forestry precincts.
- (v) No development should take place on the spur ridges of the mountains.





#### 4.10.2 Urban Edge

- Maintain and enforce the urban edge of Stellenbosch, specifically the portion abutting the residential areas of Karindal and Rozendal.
- Establish and maintain a "settlement edge" for each node within the mixed use nodes (i.e. a contiguous urban edge balancing the housing need, recreation opportunities and drive for conservation) (See Figure 13).

#### 4.11 Environmental Sinks

##### 4.11.1 Sewerage Treatment

- All sewerage treatment and solid waste will be done outside the Valley.
- The approval of any densification or diversification of use (e.g. tourism facility) resulting in additional waste water generation be subject to an engineering feasibility. This is specifically applicable to the river terrace where soil conditions dictate a piped system or conservancy tanks in the event of additional development.

##### 4.11.2 Recycling

###### Solid Waste

Introduce recycling facilities (e.g. glass, aluminium and paper collection points) and enhance existing practises.

#### 4.12 Land Reform

##### 4.12.1 Security of Tenure and "Off-farm" Settlement

Settlement of farm workers could be off-farm or on-farm. In the case of on-farm settlement, cost effectiveness and feasible should be considered.

###### Applicable legislation:

*Settlement of Farm Workers (Western Cape), 2000 and ESTA.*

##### 4.12.2 New Farmer Establishment

New farmer projects need to:

- (i) Comply with an engineering feasibility of service provision (e.g. potable water).
- (ii) emphasize the sustainable utilization of resources, avoiding "urbanization" of the rural hinterland and minimum impact of associated settlement on natural resources.

###### Applicable legislation:

*The Establishment of Agricultural Holdings in the Urban Fringe (Western Cape), 2000*

#### 4.13 Relationship with Land Use Management System

Zoning of the area has to facilitate appropriate development and management, with the following considerations:



- The mixed use precinct to be zoned Institutional Settlement or Spatial Planning Category D.e. with the development and management provisions applicable to this zone being determined by Council.
- All land uses/properties (e.g. state, parastatal) be assigned zonings in terms of their existing or proposed use.
- All uses that can take place else where i.e. private schools should not be encouraged in the Valley.

The metropolitan proximity, topographical characteristics, natural features and the forest-valley-mountain setting make the Valley a sought after venue for a variety eco- and adventure sport challenges and championships of local, national and international significance (e.g. mountain biking, trout fishing, orienteering, etc). However the environmental sensitivity of the Valley, together with limited access (e.g. Jonkershoek Road), limited facilities (e.g. parking areas, toilets), daily agricultural/forestry /conservation/research activities, and product/property security, dictates the need to address and minimise both participant and spectator impact during such events.

#### **Spatial directives**

Request a "code of conduct" from operators of adventure and eco-sports events.

#### **4.14 Vertical and Horizontal Alignment**

The need for sustainable multi-sector integration arises from the following characteristics inherent to Jonkershoek, namely:

- (i) The diversity, scarcity and vulnerability of resources (e.g. conservation worthy fauna & flora, agricultural resources, cultural and heritage resources, scenic value, etc).
- (ii) The diversity of use, ownership, management and divergent development strategies of the major role-players/sectors in the Valley (e.g. agriculture, forestry, conservation).
- (iii) The divergent issues, aspirations and development visions of the various community groups (e.g. farm and other workers, land owners, etc.).

These characteristics require the management of resources (natural, financial, management) collectively in order to achieve the greatest benefit. Therefore the following should be pursued:

- (i) Integration of land use and environmental management programmes (e.g. fynbos cultivation/harvesting/processing and conservation through the establishment of conservancies over the steep slopes).
- (ii) Integration of economic development (e.g. job creation) and environmental management (e.g. Fynbos Working for Water Programme) or environmental education programmes (e.g. environ-education centre).
- (iii) Integration of socio-economic programmes (e.g. local community) and agricultural, aquaculture and forestry



development (e.g. equity share/ partnerships/mentor programmes).

(iv) Integration of infrastructure and environmental programmes (e.g. off-stream reed beds, agricultural setbacks/ecological corridors).

(v) Integration of maintenance (e.g. housing, Reserve footpaths) and economic development (e.g. job creation, establishment of community based public works programmes).

(vi) Integration of social development (e.g. community Valley facilities) and infrastructure programmes (e.g. eco-tourism facilities).

However, such integration will be dependent on the following:

(i) The successful integration and co-ordination of planning and development initiatives by the following management agencies:

- Stellenbosch Municipality (i.e. various directorates).
- Cape Pine (Pty) Ltd.
- Western Cape Nature Conservation Board.
- Provincial and State Departments (e.g. Departments of Land Affairs, Water Affairs and Forestry).

The effective functioning of a single Jonkershoek Property Association comprising of officials of Stellenbosch Municipality and the local community (e.g. local forums, community groups and individuals). This local community should be represented

(by at least seven) various interest groups:

- a) Owners of private property (mainly farms)

b) Research institutions, previously involved in the Valley i.e. Forestry, Cape Nature and Water Affairs and University of Stellenbosch.

c) Lessees of brick houses on Cape Nature and Cape Pine land.

d) Lessees of wooden houses at "Op-die-Bult"

e) Inhabitants of 3 less formal areas (i) Forestry kampong, (ii) Fish Point and relate structures and (iii) Assegaibosch caravan homes and informal structures.

f) People spending time within the Valley for recreation purposes (including groups picnicking, mountaineering, hiking, biking or anglers).

g) Volunteers of Wildfire Service assisting Cape Nature.

h) Raymond Bouma, inhabitant of the Valley and architect

i) The Stellenbosch Heritage Foundation.

(ii) The extent to which proposals put forward in the Spatial Development Framework serve as input or informants to the following:

- Investigatory assessments regarding municipal infrastructure and facilities (e.g. regional waste disposal, sewage treatment).
- The IDP process.
- Other studies for the Valley and surroundings.





## Chapter 5: Legislation and Policies to Implement the SDF

Legislation and policies guiding the agriculture, forestry and conservation are as follows:

### 5.1 Agriculture

The following legislation is application to change land use of agricultural land:

	Change of land use	Sub-division of Agricultural Land
National Environmental Management Act, 1998 (Act 107 of 1998)	X	X if applicable
Environmental Impact Assessment (EIA) Regulations, 2010	X	X if applicable
National Heritage Act, 1999 (Act 25 of 1999)	X	X if applicable
Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983)	X	X if applicable
National Water Act, 1998 (Act 36 of 1998)	X	X
Ribbon Development Act, 1940 (Act 21 of 1940).	X	X
Subdivision of Agricultural land, 1970, (Act 70 of 1970)		X (national & provincial)
Land Use Planning Ordinance 18 of 1985	X	X

Table 5: Applicable legislation to agriculture, forestry and conservation

The current sub-division guidelines are based on the principle of sustainable agriculture, economically and environmentally.

The criteria employed are inclusive of:

- (i) Soil association/type.
- (ii) Local climatic conditions.
- (iii) Present use.
- (iv) Primary production/feasibility.
- (v) Availability of water for the sub-divided portion and the remaining portion.

In order to protect the integrity of agricultural units, the following guidelines are applicable:

- (i) Non-agricultural uses (e.g. agri-industry) not to be established by sub-division, but rather through rezoning of the applicable footprint.
- (ii) The sub-division of agricultural and natural areas (e.g. indigenous veld on hilltops) on condition that the natural portions being zoned for open space purposes (e.g. private nature reserves).
- (iii) Short- and long-term leasing and rental of agricultural land, as opposed to sub-division, offers opportunities for land use intensification and broadening access (e.g. new farmers). Such rentals and leases should promote agricultural activities and restraint other non-agricultural land uses.

### 5.2 Forestry

Forestry must be subject to strict environmental and reserve management requirements and responsibility (as per current practice) regarding:







## Chapter 6: Implementation Plan

The implementation plan is separated into medium term (1-3 year activities) and long term activities (3-5 years). Activities were listed according to the outline of Chapter 5: Spatial Development Framework. The responsible sector or relevant sector plan are indicated for easy integration.

This implementation plan should be revised and agreed to the community property association which should include various interest groups i.e:

- j) Owners of private property (mainly farms)
- k) Research institutions, previously involved in the Valley i.e. Forestry, Cape Nature and Water Affairs and University of Stellenbosch.
- l) Lessees of brick houses on Cape Nature and Cape Pine land.
- m) Lessees of wooden houses at "Op-die-Bult"
- n) Inhabitants of 3 less formal areas (i) Forestry kampong, (ii) Fish Point and relate structures and (iii) Assegaibosch caravan homes and informal structures.
- o) People spending time within the Valley for recreation purposes (including groups picnicking, mountaineering, hiking, biking or anglers).
- p) Volunteers of Wildfire Service assisting Cape Nature.
- q) Raymond Bouma, inhabitant of the Valley and architect
- r) The Stellenbosch Heritage Foundation.

6.1 Medium Term Implementation Activities		Sector Plan
6.1.1	Hierarchy and Structure	
1.	Endorse the Spatial Category D.e., Institutional Settlement. Approve Jonkershoek Spatial Development Framework in terms of: <ul style="list-style-type: none"> <li>▪ the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), and</li> <li>▪ the Municipal Systems Act, No 32 of 2000 as one of the sector plans.</li> </ul>	SDF
2.		SDF
3.	Endorse four natural precincts.	SDF
6.1.2	Services	
1.	Decide who provide and maintain services in mixed use precinct: Stellenbosch Municipality(SM) or a private provider (as per Lyndoch example – Lyndoch management body is responsible for services)). Obtain/ confirm co-use of infrastructure i.e.: <ul style="list-style-type: none"> <li>▪ Shared or adjacent servitude/alignment of bulk service lines (e.g. water, power, &amp; outfall sewer).</li> <li>▪ Co-use of transmitter masts.</li> <li>▪ Construct additional water storage/ limited purification/ pumping facilities.</li> </ul>	ISP
2.		ISP
3.	Determine if service provision is economically sustainable when considering service level increases, especially for lower income groups (e.g. parastatal employees residing in mixed use precinct).	ISP



11.	Identify an existing building to serve as a crèche and formalise use i.e. Cape Pine Building	IDP
<b>6.1.3</b>	<b>Transportation</b>	
1.	Stellenbosch Municipality to reach agreement with Department of Roads, district level, to take over the maintenance of the Valley road network.	ITP
2.	Ensure that roadside sales and exposure are addressed in Land Use Management and building regulations and consider applications accordingly.	SDF ITP
3.	Extend cyclist footpath; introduce geometric realignments & provision of shoulders (widening), without jeopardising scenic value of route.	IDP
4.	Introduce demarcated bus/taxi stops with shelters.	IDP
5.	Investigate speed calming measures (e.g. speed bumps and speed limits) and intensify law enforcement particularly at picnic area (drunken driving).	IDP
6.	Maintain existing access road regularly and introduce storm water management.	ISP IDP
7.	Formalize access and road network to eliminate dual & steep accesses at die Eiland and Op-die-Bult respectively. Provide separate access to the Eiland recreation users.	ITP IDP, DMP
8.	Continuously consider the carrying capacity of the road in the determination of future tourism and residential development planning.	SDF, IDP
<b>6.1.4</b>	<b>Protected areas</b>	
1.	Cape Nature to endorse Jonkershoek SDF.	SDF, BDSP

	Service provision improves within the mixed use precinct to meet the minimum Standards as per Municipal Systems Act. Yet	
	<ul style="list-style-type: none"> <li>▪ Supply water without an expensive water treatment facility yet according to health standards.</li> <li>▪ Supply eco-friendly electricity (solar panels, wind turbines and hydro electricity from Kleinplaas dam).</li> <li>▪ Use organic waste for growing of small scale food crops or fish farming.</li> <li>▪ Continue &amp; encourage households to separate waste for recycling at household level.</li> </ul>	IDP & ISP
	Install either sewerage system that connects to central municipal sewerage or alternative sewerage system (sewer digesters, wetlands or modular package plants).	ISP
5.	Install rural water supply network and pipe domestic water (including the Eiland).	ISP
6.	Formalise additional release in Kleinplaas Dam including treatment of water.	ISP
7.	Develop water allocation norms.	ISP
8.	Introduce alternative energy as well as energy saving measures including: <ul style="list-style-type: none"> <li>▪ Utilising off-peak Eskom power (e.g. agriculture).</li> <li>▪ Appropriate architectural design, building materials and orientation.</li> <li>▪ Reduce climatic exposure (e.g. windbreaks).</li> </ul>	IDP, ISP, SDF.
9.	Identify an existing building to serve as an accessible community hall and formalise use i.e. Cape Pine building or Ockie Jooste.	IDP
10.		



<p>Quarterly bi-lateral meetings Cape Nature Conservation and Stellenbosch Municipality to achieve conservation objectives as set out in Jonkershoek Spatial Development Framework and the Jonkershoek Reserve Management Plan:</p> <ul style="list-style-type: none"> <li>• Establishment of conservancies (e.g. Jonkershoek Conservancy)</li> <li>• Manage the Jonkershoek picnic site and prohibit pollution of the river.</li> <li>• Restore Eerste River from the municipal picnic site through to the top of the town.</li> <li>• Address the inlet of water from the Kleinplaas dam into the Jonkershoek river as well as the silt deposits by forestry after the sever fires.</li> <li>• Clear &amp; manage alien vegetation throughout Valley</li> <li>• Limit the fire risk created by housing.</li> </ul>	<p>traversing the upper and pediment slopes.  <input type="checkbox"/> Accommodating natural flood events.</p>	<p>SDF, BDSP</p>
<p>2.</p>	<p>Quantify the width of ecological corridors/ setbacks based on guidelines, as contained in the draft MOSS (CMC, 2000) and subject to expert knowledge of the Jonkershoek/ Eerste River, as:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> a minimum set-back; 40m where the 1:50 year flood-line is less than 40m, with such area kept clear of development and agriculture.</li> <li><input type="checkbox"/> a maximum set-back line; 1:50 year flood-line or ecological set-back line, whichever is the more onerous.</li> </ul>	<p>BDSP, DMP</p>
<p>3.</p>	<p>Improve soil management and erosion control, through:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Regular maintenance of drainage channels.</li> <li><input type="checkbox"/> Programmed cultivation preparation to avoid erosion (e.g. dry and windy summer months).</li> <li><input type="checkbox"/> Avoidance of fallow and marginal land preparation or clearing without subsequent cultivation.</li> <li><input type="checkbox"/> Restricting cultivation of steep slopes (i.e. &gt;18%).</li> <li><input type="checkbox"/> Application of erosion attenuation measures (e.g. contouring, diversion banks, etc.).</li> </ul>	<p>BDSP, IDP, SDF</p>
<p><b>6.1.5 Ecological Setbacks</b></p>	<p>Establish a farm owner monitoring group.</p>	<p>BDSP</p>
<p>1.</p>	<p>Meet with farm owner monitoring group and Nature Conservation and Department of Water Affairs on a quarterly basis to monitor compliance.</p> <p><b>6.1.6 Conservancies</b></p> <p>1. Develop a detail location plan of conservancies.</p>	<p>Cape BDSP, IDP</p> <p>BDSP, SDF</p>





2.	Meet landowners individually and discuss strategy and obtain buy in.	BDSP
<b>6.1.7</b>	<b>Valley Landscape</b>	
1.	Commission refinement of <i>Development Guidelines for Rural Areas and Farms</i> (Kurger and Roos, 2002).	SDF, IDP
<b>6.1.8</b>	<b>Rural Development</b>	
1.	Limit community based agriculture given high pollution hazard and shortage of summer irrigation.	SDF, BDSP
2.	Raise awareness and research climate change to inform practises and future crops.	
3.	Maintain and enhance the lower Valley's: <ul style="list-style-type: none"> <li>The agricultural character,</li> <li>Role as a "gateway" to the Valley</li> <li>Significance as a "cultural landscape" (i.e. historical significance, historical farmsteads, viticulture development, etc.). Thus <ul style="list-style-type: none"> <li>Farm stalls to be located off the road or entrance.</li> <li>Limit extent and mass of guest houses, venues or tourism facilities. No luxury lifestyle developments.</li> <li>Allow educational and training facilities on farms for farm workers and inhabitants.</li> </ul> </li> </ul>	
<b>6.1.9</b>	<b>Primary economy ~ Agriculture</b>	
1.	Establish conservancies to promote sensitive habitats, indigenous vegetation, river courses & wetlands.	BDSP
2.	Start a program to improve farming practices (e.g. reducing spray drift on remnants, permaculture, etc).	BDSP
3.	Reduce surface & groundwater pollution through	BDSP

	improved farming practices i.e. using bio-degradable fertilisers, reducing soil erosion, restricting cultivation along water courses, controlling illegal dumping and improved on-site disposal of domestic wastes.	
4.	Comply with the following requirements in terms of the National Water Act, 1998 (Act 36 of 1998): <ul style="list-style-type: none"> <li>Register and licensing of all water users.</li> <li>Control &amp; monitor irrigation of agricultural fields with waste water. Waste Water Users to register.</li> <li>Control &amp; monitor discharge of water or water containing waste (e.g. winery) into a water resource. Register waste water discharge.</li> <li>Register on-site water storage (e.g. dams) and licensing of new storage facilities.</li> <li>Monitor consumption &amp; quality by establishment &amp; registration of a Water User Association.</li> </ul>	BDSP, SDF, ISP, IDP
5.	Ensure sustainable utilisation of agricultural resources <ol style="list-style-type: none"> <li>Enforce agricultural land use reservation.</li> <li>Maintain sustainable agricultural units.</li> <li>Comply with EIA regulations (scheduled activities).</li> <li>Being partners in rehabilitation and maintenance programmes (e.g. Fynbos Working for Water Programme and Land Care).</li> <li>Being responsible for sensitive building and signage design, and adherence to land use and building development regulations.</li> <li>Establish Fire Prevention Committees in terms of the National Veldt &amp; Forest Fire Act 101, 1998.</li> </ol>	BDSP, SDF, ISP, IDP



7)	Restrict "on-farm" accommodation to bona-fide workers, retirees & other rural occupiers with residence rights i.t.o. ESTA, and not establishing "on-farm" rental residential complexes.	SDF
6.	Commission an urban designer to develop a lower Valley gateway design and guideline.	SDF
7.	Commission a marketing material to promote the Valley as a local and regional agro-tourism (e.g. viticulture, wineries) destination.	LED
8.	Survey a development line to protect southern and northern slopes.	SDF
9.	Promote agri-industry and -business and agro- or eco-tourism on a needs based approach.	LED
10.	Determine a "Development Line" in accordance with the -Guideline for Management of Development on Mountains, Hills and Ridges of the Western Cape, 2002 (Department of Environment, Cultural Affairs and Sport).	SDF
11.	Promote Ecotourism:	LED, IDP
(i)	Promote utilisation during the week.	IDP
(ii)	To prevent carrying capacity from being exceeded: <ul style="list-style-type: none"> <li>- Implement user, access &amp; activity control</li> <li>- Sustainable utilisation management practises</li> <li>- Implement certain activities on certain days</li> </ul>	
(iii)	Implement activity zoning to prohibit activity clashes.	
(iv)	Develop: <ul style="list-style-type: none"> <li>- sustainable facilities &amp; improved service levels.</li> <li>- the Reserve as eco-tourism destination.</li> </ul>	

12.	Develop the required tracks and routes to promote and use of the plantation for eco- and adventure tourism given its suitability for high impact activities as compared to the environmentally sensitive valley and mountain areas within the Reserve i.e. mountain biking (three demarcated routes varying in difficulty); circular drive for vehicles, mountain bike and walkers; Hiking; Trout fishing; access to upper Valley area.	LED, IDP, BDSP
13.	Retain and promote current long term catchment and hydrological research being undertaken in the Plantation.	BDSP
14.	Control access to the upper Valley.	LED
15.	Promote and facilitate research for post-forestry crops/land utilization and climate change.	LED
16.	Research, develop and produce of "value adding" forest products (e.g. forest-bed mushrooms, honey production, etc.), with employment and business opportunities for local communities.	LED
<b>6.1.10 Tertiary economy – Eco Tourism and Research</b>		
1.	Agree to focus area within mixed use precinct for eco-tourism (e.g. information, accommodation, etc.), for conservation & climate change and research purposes.	SDF
2.	Approve focus area and compile a redevelopment plan for the focus area including re-employ and co-use existing facilities for tourism, community and research activities.	SDF
3.	Ensure safety along routes.	IDP
4.	Develop an English guidebook.	IDP



5.	Extend the gate hours (Upper Valley).	IDP
6.	Improve pathways.	IDP
7.	Erect bird hides.	IDP
8.	Make fishing regulations more accessible.	IDP
9.	Introduce trout and bass.	IDP
10.	Use Kleinplaas dam and swimming holes along Eerste river for canoeing and swimming.	IDP
11.	Improve recreational facilities.	IDP
12.	Use ecotourism as an employment opportunity vehicle for the un- and under-employed: Proposed housing units should include guest suites to be rented out by owners, managed and financed by a management body.	
13.	Rethink, repurpose and link existing structures <ul style="list-style-type: none"> <li><input type="checkbox"/> Become institutionally home of hydrological studies</li> <li><input type="checkbox"/> Research climate change and its impact on agriculture and the Floral Kingdom.</li> <li><input type="checkbox"/> Use expertise of Stellenbosch University and other academic institutions and professional bodies.</li> </ul>	
<b>6.1.11 Heritage resources</b>		
1.	Commission refinement of <i>Development Guidelines for Rural Areas and Farms</i> (Kurger and Roos, 2002) <ul style="list-style-type: none"> <li><input type="checkbox"/> Architectural and design guidelines particularly for access roads, access gates, boundary walls and security fences and separation barriers and</li> <li><input type="checkbox"/> Maintenance standards for gardens and structures.</li> </ul>	SDF, IDP
2.	Adopt the directives and proposals generated during the National International Workshop facilitated by the Stellenbosch Heritage Foundation in 2014	

3.	Adopt directives by Harris & Prestoriorous (2005) in the Draft Notes for Stellenbosch Rural Heritage Survey, Jonkershoek Sub-Area, Stellenbosch Municipality	
4.	Determine the density of the Jonkershoek Valley and approve a density norm for Jonkershoek.	SDF
5.	Delineate a development line on a case by case basis on the northern slopes of the Jonkershoek mountains.	SDF, IDP
6.	Maintain and create designated fire breaks between forestry in the forestry precinct and the natural and agricultural precincts.	SDF, DMP, BDSF
7.	Maintain and expand a Fynbos buffer between the forestry precinct and proclaimed Jonkershoek Reserve.	SDF, BDSF
8.	Enhance the expression of Jonkershoek Valley as part of the World Heritage area declared in 2004, embracing the Cape Floral Kingdom and Region to promote exceptional natural, historic and cultural value; <ul style="list-style-type: none"> <li>• Utilise existing buildings for training in forestry, conservation &amp; eco-tourism.</li> <li>• Use existing foundations where houses were located. Formalise the Assegaai bosch settlement.</li> <li>• Prohibit that the provision of housing destroys the tourism potential and provide architectural guidelines for formalisation and limited expansion.</li> <li>• Enhance eco and adventure tourism and recreation. Consider various alternatives in detail.</li> <li>• Affect findings of "Tourism and Education Needs Assessment".</li> <li>• Acknowledge that conservation replaced forestry as employment sector.</li> </ul>	





<b>6.1.12 Development Line</b>	
1.	Establish, on a property-by-property basis, a SDF development line to determine the boundary between the agricultural/forestry use area and the natural area (i.e. steep mountain-side) within the agricultural and forestry precincts.
2.	Caution development along the spur ridges of the SDF mountains.
<b>6.1.13 Urban Edge</b>	
1.	Maintain and enforce the urban edge of Stellenbosch, SDF specifically the portion abutting the residential areas of Karindal and Rozendal.
2.	Establish and maintain a "settlement edge" for each node within the mixed use nodes (i.e. a contiguous urban edge balancing the housing need, recreation opportunities and drive for conservation).
<b>6.1.14 Infill Densification and Restructuring</b>	
1.	Stellenbosch Municipality should be appointed to act as facilitator to establish the Jonkershoek Property Association or Management Body along the lines of Lyndoch Village Management Body. The body will have executive powers to manage the mixed used precinct.
2.	Define land use, specifically the location and extent of a settlement or development area, together with appropriate zonings.
3.	Define the scope of engineering services requirements.
4.	Define the scope of housing requirements within the

	settlement/development area through Jonkershoek Property Association or Management Body.	
5.	As a matter of urgency, resolve current land/housing claims by current and past employees of CSIR, Cape Forestry and the Western Cape Nature Conservation Board using an independent arbitrator be appointed and that the resolution process be inclusive of a tenure rights investigation in terms of ESTA.	HSP
6.	Formalise the current dwelling leasing agreements in terms of priority leases for conservation and forestry staff, the fixing of realistic market rentals and services charges and the appointment of an appropriate authority/agency to administer such housing stock and its rental, maintenance and servicing.	HSP
7.	Agree to infrastructure and land requirements of Cape Pine and the Western Cape Nature Conservation Board within the mixed use precinct and how such infrastructure will be provided.	HSP
8.	Formalise land usage within the mixed use precinct to promote sustainable environmental and economical employment of the area and its infrastructure considering <ul style="list-style-type: none"> <li>□ the impact of permitted land uses and duration of lease agreements on development proposals</li> <li>□ Community claims on land and housing.</li> <li>□ WC Nature Conservation Board and CAPE PINE Forestry managerial and operational requirements.</li> <li>□ Settlement pattern and building utilisation.</li> </ul>	HSP





<p>9. The mixed used nodes being separated into:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Uses being associated with research and innovation, sustainable living, forestry, conservation management and eco-tourism within the context of the overall Jonkershoek Valley. Accommodation being restricted to temporary accommodation (permanent residence rights e.g. sectional title, share block, etc. not allowed)</li> <li><input type="checkbox"/> Uses of two or more nodes as settlement or limited "hamlet" comprising of the existing buildings, together with limited infill (i.e. to address current housing shortfall of at least 50 units, but not more than 100 units). These nodes provide for any person who may have a right to settle in the Jonkershoek Valley as well as persons renting residual existing housing stock.</li> </ul> <p>The mixed used nodes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Being linked to the World Heritage status of the Valley as whole.</li> <li><input type="checkbox"/> Utilise existing buildings to provide forestry, conservation and eco-tourism training.</li> <li><input type="checkbox"/> Enhance and consider various tourism alternatives including eco and adventure tourism and recreation.</li> <li><input type="checkbox"/> Affect findings of "Tourism and Education Needs Assessment".</li> <li><input type="checkbox"/> Acknowledge that conservation replaced forestry as employment sector.</li> <li><input type="checkbox"/> Enhance the expression of the Valley as part of a World Heritage Site.</li> </ul>		<ul style="list-style-type: none"> <li><input type="checkbox"/> Prohibit that the provision of housing destroy the tourism potential.</li> </ul>	<p>Limited additional land is required for development as extension development is restricted to a limited number of houses (±50). The remainder of the land will be utilised for agriculture, forestry, conservation, eco-tourism and research (innovation) purposes.</p> <p>The extent of future development is determined by the carrying capacity of the Valley together with the capacity of existing services and sources (i.e. water - from tributaries not affected by the Theewaterkloof Water Scheme), storm water, sewerage and access roads (i.e. Jonkershoek Road).</p>	<p>HSP, SDF</p>
<p>11.</p>	<p>To restructure the existing mixed use precinct the following should be done:</p> <ul style="list-style-type: none"> <li>a) A property association or management body been established to develop a shared vision regarding housing and to establish, as per existing legislation, the rights of those residing currently in the Jonkershoek Valley.</li> <li>b) Limit the total number of households residing in the mixed used nodes to the number of families employed by CNC and Cape Pine (i.e. total of 38 families, with 24 families employed by CNC and 14 families employed by Cape Pine) (Currently 123 families reside in the mixed use nodes).</li> <li>c) Provide at most 50 low-income dwelling units at the Op-die-Bult or more nodes (one or more nodes</li> </ul>	<p>HSP</p>		



<p><b>settlement). No extension of any residential components beyond those who have rights.</b></p> <p>d) Refurbish thirty one (31) units available for residential purposes (Op die Bult (18), Fisheries B (3) and Cape Pine Flats and Houses (10): Develop fisheries B existing dwelling structures as semi detached/ cluster houses).</p> <p>e) Demolish Informal structures and historic hostel/rooms being utilized for family accommodation at Fisheries A, the Compound and the Caravan Park and relocate families.</p> <p>f) Refurbish Assegaibosch and Cape Pine settlement and the Central area for Tourism purposes.</p> <p>g) Keep CNC extension and CNC Scientific Services for Institutional and tourism purposes.</p> <p>h) Keep SCAS and Okkie Jooste for Educational, Recreational and Tourism purposes. <i>(Use hall at Okkie Jooste or at Cape Pine (where crèche is) for recreation and educational purposes only. Entertainment events can be hosted elsewhere).</i></p> <p>i) Refurbish dwelling units as per Stellenbosch design guidelines for farms. Accommodate families who have relevant rights together with staff working for CNC). Such accommodation should be addressed through the optimal employment of existing housing stock (part of which is currently rented to persons employed outside the Valley).</p>	<p>through infill of existing vacant sites in order to consolidate the built form (e.g. residential clusters) and through optimization of services and access.</p> <p>j) Establish a market plain at the slave bell, selling traditional food.</p> <p>k) Provide for small scale farmers i.e. grazing area for animals (small &amp; large stock) and community food gardens including tunnels.</p> <p>l) Develop a model sustainable village and community being an example of self-sufficiency and sustainability physically (alternative and eco-friendly services), emotionally or socially (wellbeing of residents) and financially (different income groups) like Lyndoch.</p> <p>m) Consider topography i.e. the slope of the land, waterbodies and –courses, possible fire threats and services capacity and resource capacity i.e. the provision of water which is highly limited to determine location of land. The old quarry within the Reserve is one possible location.</p> <p>n) Use existing footprints (open lots) where possible as it reflects the form and function of the existing nodes. The nodes have different characteristics and the most prominent nodes are: Op die Bult, Bosdorp Kampong, Fisheries and Assegaibosch Caravan Homes. Provide access via contour paths.</p> <p>o) Ensure that when those eligible for housing move</p>
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<p>to their houses, the informal structures they lived in does not provide an opportunity for new inhabitants to move into the valley.</p> <p>p) Start to outline who are eligible to stay in the Valley (through ESTA or other legislation) and encourage others to register on the official housing waiting list.</p> <p>q) Plan for the provision of housing outside the Valley to ensure that those that are not eligible to live in the Valley, have access to a home. Using structures for eco-tourism, will cause current inhabitants to live elsewhere.</p> <p>r) The character of Jonkershoek should not be compromised by the type of low income housing provided generally. Provide architectural and urban design guidelines. Any housing extension and its architecture should reflect the historical and cultural character of Jonkershoek Valley and should not give an impression of subsidized houses.</p> <p>s) Jonkershoek is a mixed community of scattered nodes, representing different community groups, within the mixed use area. Keep the community character of the various nodes i.e. traditional Xhosa (at Fishpoint) or Cape Dutch at Assegaibosch.</p> <p>t) Keep the existing trees (pines, eucalyptus, wild olives and figs) and natural veldt, including the tree lane along the tar road and the road to Op die Bult</p>
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<p>that would limit the visual impact of the proposed development area.</p> <p>u) Provide a feeling of security and create responsibility through securing each erf enclosed with a yard fence as an expansion development may have an impact on safety and security.</p> <p>v) Inform inhabitants about their financial responsibility of paying rent and or rates and taxes. Selling of houses should be restricted within the first five years. Education and counselling should accompany the allocation of houses as families will not be able to qualify for a 2<sup>nd</sup> house.</p>		
12.	Establish the mixed use area as an innovation and sustainable living destination;	SDF
13.	Establish the mixed use area as an ecotourism destination.	SDF
<b>7.1.15</b>	<b>Environmental Sinks</b>	
1.	Locate bulk sewerage treatment facilities outside Valley.	ISP
2.	Use conservancy tanks until alternative system is implemented or sewerage is connected to Stellenbosch sewerage system.	ISP





<b>6.1.16 Recycling</b>	
1.	Introduce recycling facilities (e.g. glass, aluminium and paper collection points) and enhance existing practices for solid waste. IDP
2.	Introduce a formal drainage system and attenuation measures (e.g. stream channel maintenance, cut-off drains, retention facilities, pollution, screens, etc.) to reduce erosion, flood hazard and road scouring. ISP
3.	Restrict river course infilling or diversion. BDSP
<b>6.1.17 Land Reform</b>	
1.	Scrutiny of the current land leases (PWD and HSP, Stellenbosch Municipality) and assessment of any restrictions such leases may have on future land use proposals in terms of permitted land use, termination conditions and extent of the lease period. Use this information to inform restructuring of mixed use precinct proposal. IDP
2.	Provide community facilities (e.g. accessible community hall/facility, agriculture). HSP, SDF
3.	Provide housing/security of tenure of persons who have relevant rights as determined through the establishment of the Jonkershoek Property Association. HSP
4.	Encourage farm worker settlements (on and off-farm). HSP
5.	New farmers' projects only based on off-farm farm worker settlements, and with exception on-farm farm worker settlements. IDP

<b>8.1.18 Relationship with Land Use Management System</b>	
1.	Stellenbosch Municipality to take on authority to manage land use. IDP, SDF
2.	All land uses/properties (e.g. state, parastatal) be assigned zonings in terms of their existing or proposed use. SDF
3.	Judicious evaluation of applications for sub-division, agricultural land and non-agricultural activities to achieve: SDF
	<ul style="list-style-type: none"> <li>□ A balance between land use diversification and densification, and environmental sustainability.</li> <li>□ An optimisation of the economic potential of properties in the agricultural precinct.</li> </ul>
4.	Set up municipal multi-directorate/ department management team to manage Valley. SDF, IDP
5.	Set up an interdepartmental committee with provincial and national departments operative in the Valley (e.g. Departments of Agriculture, Water Affairs and Forestry, Land Affairs, etc.). SDF, IDP
6.	Include Jonkershoek Spatial Development Framework in IDP. IDP
7.	Compile data base for the Valley comprising land use, ownership, demographic and environmental information, with such a data base being linked to GIS. IDP
8.	Develop codes of conduct to address temporary land use requirement for adventure and eco-tourism events held in the Valley. IDP





9.	Develop codes of conduct that <ul style="list-style-type: none"> <li>□ Delineate operational area for both competitors and spectators.</li> <li>□ Specify amenity provision, including first aid/rescue, toilets, litter management, information, etc.</li> <li>□ Require spectator management plan, including parking, security, route and access demarcation, etc. (Provide Norms)</li> <li>□ Require rehabilitation plan of competition route and spectator areas. (Provide Norms).</li> <li>□ Should events require installation of permanent infrastructure (e.g. routes, ramps), such infrastructure should be subject to environmental scoping/assessment in terms of the National Environmental Management Act, 1998 (Act 107 of 1998).</li> </ul>	BDSP, IDP
10.	All uses that can take place else where i.e. private schools should not be encouraged in the Valley.	SDF, IDP
<b>6.1.19</b>	<b>Vertical and Horizontal Alignment</b>	
1.	Pursue a Private Public Partnerships (PPP's) to further engage community representative groups in management and development, and the engaging of NGO's and CBO's for the initiation and co-ordination of Valley rehabilitation and development programmes (e.g. Ukuvuka fire prevention, Land Care, etc.).	IDP
2.	Introduce community-based public works programmes (CBPWIP's) to facilitate community-based	IDP

3.	infrastructure/service delivery and maintenance (e.g. small contractors for solid waste removal). Allocate adequate resources (e.g. manpower and finance) for management of the Valley.	IDP
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## 6.2 Long Term

<b>6.2.1</b>	<b>Transportation</b>	
1.	IDP: Explore a single Reserve access linked to the proposed eco-tourism facility.	
<b>6.2.2</b>	<b>Conservancies</b>	
1.	IDP: Task and support Nature Conservation to register conservancies.	
<b>6.2.3</b>	<b>Rural development</b>	
1.	SMP: Create a "service island" (i.e. engineering services requirements) given that many such projects generate substantial services requirements (e.g. reception centres).	

## 6.3 Way Forward

Stellenbosch Municipal Council should:

a) Consider the establishment of a settlement as per the three Scenario's:

<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3:</b>
Security of Tenure: Inside Valley	Security of tenure: outside & inside Valley (50 - 100 dwellings)	Security of tenure: outside Valley



- b) Establish that, should settlement development proceed, it should be a rural development (as per zoning scheme). There will not be formal services as the inhabitants have to a) manage the settlement (CPA or similar entity) and b) provide services. Stellenbosch Municipality will continue to remove rubbish. Housing delivery will be at a special rate as all services will not be provided.
- c) Request and assist the Jonkershoek community to establish their own management structure. This structure has to decide:
- a. Should the settlement be gated (complete mixed precinct) (Create a similar environment as Peneda-Gerês National Park). All stakeholders should be involved in this decision.
  - b. The type of ownership to be granted (i.e. sectional title as land belong to community property association (CPA) or similar entity)
- d) Adopt the Spatial Development Framework as a precinct plan of the Stellenbosch SDF, a sector plan of the Integrated Development Plan, as per Municipal Systems Act, No 32 of 2000.
- e) Provide directive that the implementation of the Jonkershoek SDF (precinct plan) is budgeted for and is included in the IDP.
- (i) Inform the spatial structuring, land use and resource management of the Jonkershoek Valley, specifically the rationalisation and future employment of the mixed use precinct.
- (ii) Provide a local spatial basis for the Stellenbosch Integrated Development Plan.
- (iii) Spatially secure the sustainability of the natural and built processes which underpin the uniqueness and character of the Jonkershoek Valley and its regional and national significance as an agro- and eco-tourism destination, agricultural production and conservation area.
- (iv) Inform other studies and planning initiatives.
- (v) Broaden representation on the Jonkershoek Property Association or Management Body and Forum (IDP Forum) and reinforce its role as a partner in the future management of the Valley.

#### 6.4 Conclusion

The spatial and management proposals contained in the Spatial Development Framework serve to:



### Addendum A: Census Survey & Related Maps

Praect	HNUM	Occupants	Occupancy in years	Employed
Assegaaibosch	2	6	15	1
Assegaaibosch	3	5	16	3
Assegaaibosch	4	3	4	2
Assegaaibosch	6	3	Born in Valley	0
Assegaaibosch	7	4	43	2
Assegaaibosch	A	3	10	1
Assegaaibosch	B	3	4	2
Assegaaibosch	9	3	23	1
Compound	H1	1	40	1
Compound	JH43	5	39	1
Compound	JH30	2	12	1
Compound	JH42	7	15	1
Compound	JH3	3	6	1
Compound	JH7	11	38	2
Compound	JH7	4		2
Compound	JH34	2	11	1
Compound	JH20	3	12	1
Compound	JH18	2	15	1
Compound	JH5	4	15	1
Compound	JH10	1	3	1
Compound	JH21	3	4	1
Compound	JH24	5	3	1
Compound	JH26	5	10	2
Compound	JH25	6	17	1
Compound	JH29	5	16	2
Compound	JH25	5		2
Compound	JH26	3	7	2
Compound	JH1	4	5	1
Compound	JH4	2	12	0
Compound	JH15	4	8	1
Compound	JH16	3	15	2
Compound	JH27	1	10	1
Compound	JH28	1	10	1

Compound	JH12	6	39	0
Compound	JH13	5	12	3
Compound	JH36	14	40	2
Compound	JH45	5	17	1
Compound	JH44	3	18	2
Compound	JH35	4	15	1
Compound	JH42	3	1	1
Compound	JH33	4	17	1
Compound	JH45	4	17	1
Compound	JH35	5	19	2
Compound	JH32	2	10	1
Compound	JH22	3	10	2
Compound	JH22	1	10	1
Compound	JH30	5	22	2
Compound	JH28	3	20	1
Compound	JH11	5	22	1
Compound	JH17	1	20	0
Compound	JH10	6	20	1
Compound	JH5	1	6	0
Compound	JH2	2	20	1
Compound	JH8	1	29	1
Compound	JH9	1	22	0
Compound	JH43	6	14	1
Compound	JH42	2	1	2
Compound	JH17	1		1
Compound	JH33	2		2
Compound	JH18	1		1
Compound	JH41	1		1
Okkie Jooste	1	6	20	2
Okkie Jooste	2	2	34	1
Okkie Jooste	3	2	28	2
Op die Bult	5	1	16	1
Op die Bult	2	4	24	2
Op die Bult	3	5	21	3
Op die Bult	4	5	18	2
Op die Bult	5	3	20	1
Op die Bult	6	4	19	2

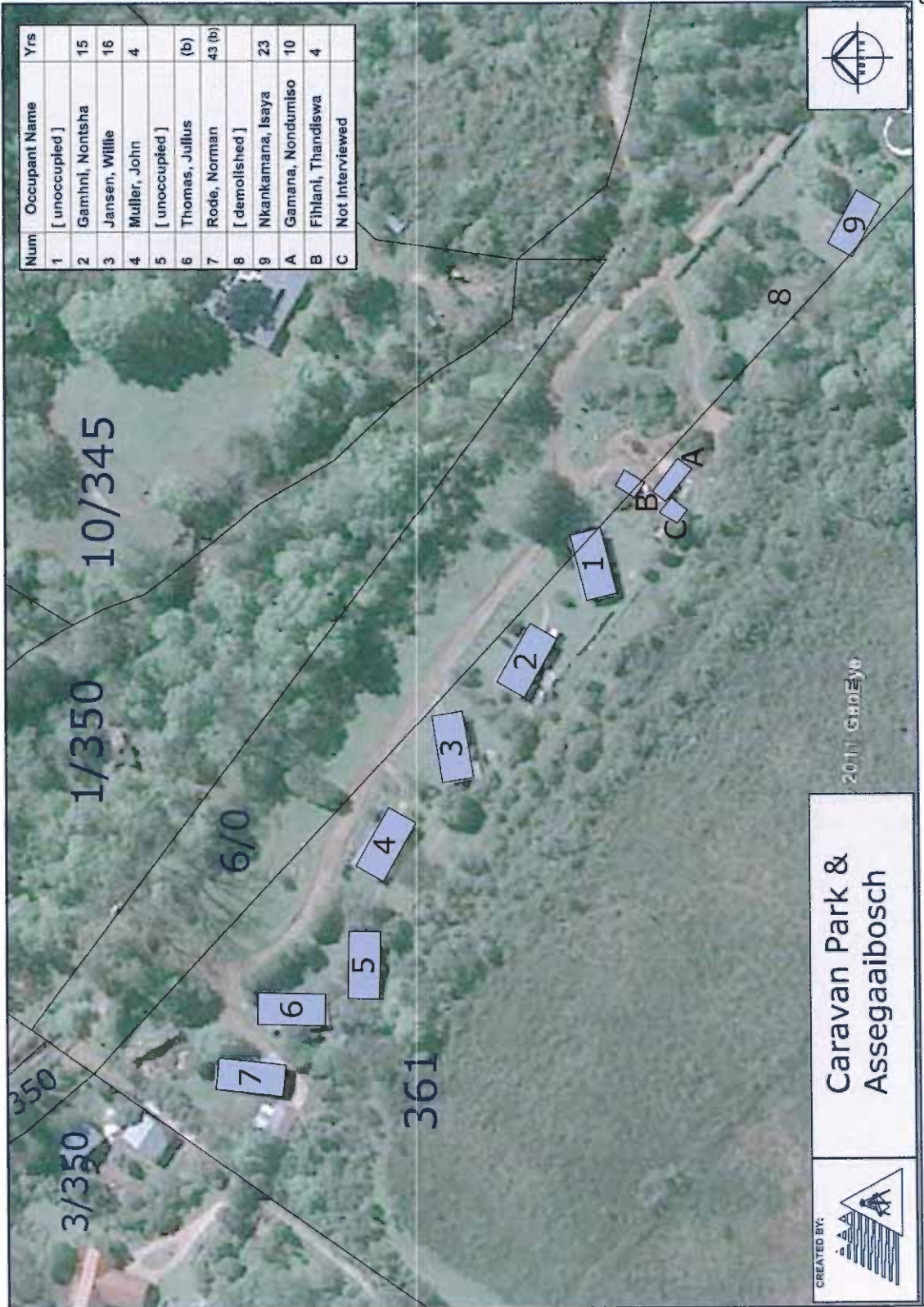



Op die Bult	7	9	30	2
Op die Bult	8	7	25	1
Op die Bult		3	58	0
Op die Bult	10	4	20	2
Op die Bult	11	4	20	1
Op die Bult	13	3	26	2
Op die Bult	12	7	17	2
Op die Bult	14	5	16	2
Op die Bult	15	3	17	1
Op die Bult	16	8	7	3
Op die Bult	19	4	27	3
Op die Bult	17	1	28	1
Voor die Bult	1	4	20	2
Voor die Bult	2	4	19	2
Voor die Bult	4	1		1
SAFCOL Flats	1	4	6	1
Cape Pine Flats	2	4	15	2
Cape Pine Flats	3	4	21	2
Cape Pine Flats	4	2	37	1
Cape Pine Flats	6	3	10	2
Cape Pine Flats	7	1	15	1
Cape Pine Flats	8	2	13	1

Cape Pine Flats	9	1	2	2
Cape Pine Flats	10	5	32	5
Cape Pine Sett.	5	4	18	2
Cape Pine Sett.	7	5	15	2
Cape Pine Sett.	4	4	18	2
Cape Pine Sett.	6	1		1
Cape Pine Sett.	3	4	20	2
Cape Pine Sett.	1	6	17	3
Cape Pine Sett.	8	4	1	2
Cape Pine Sett.	2	9	2	1
Cape Pine Sett.	9	1		1
Cape Pine Sett.	10	1		1
Asbos Complex	5	3	15	3
Asbos Complex	6	1		1
Asbos Complex	7	1		1
Asbos Complex	8	1		1
Central Area	1	2	6	1
Central Area	2	4	8	2
Central Area	3	3	2	1
Central Area	4	3	13	2
Central Area	5	1	10	0
		404		163





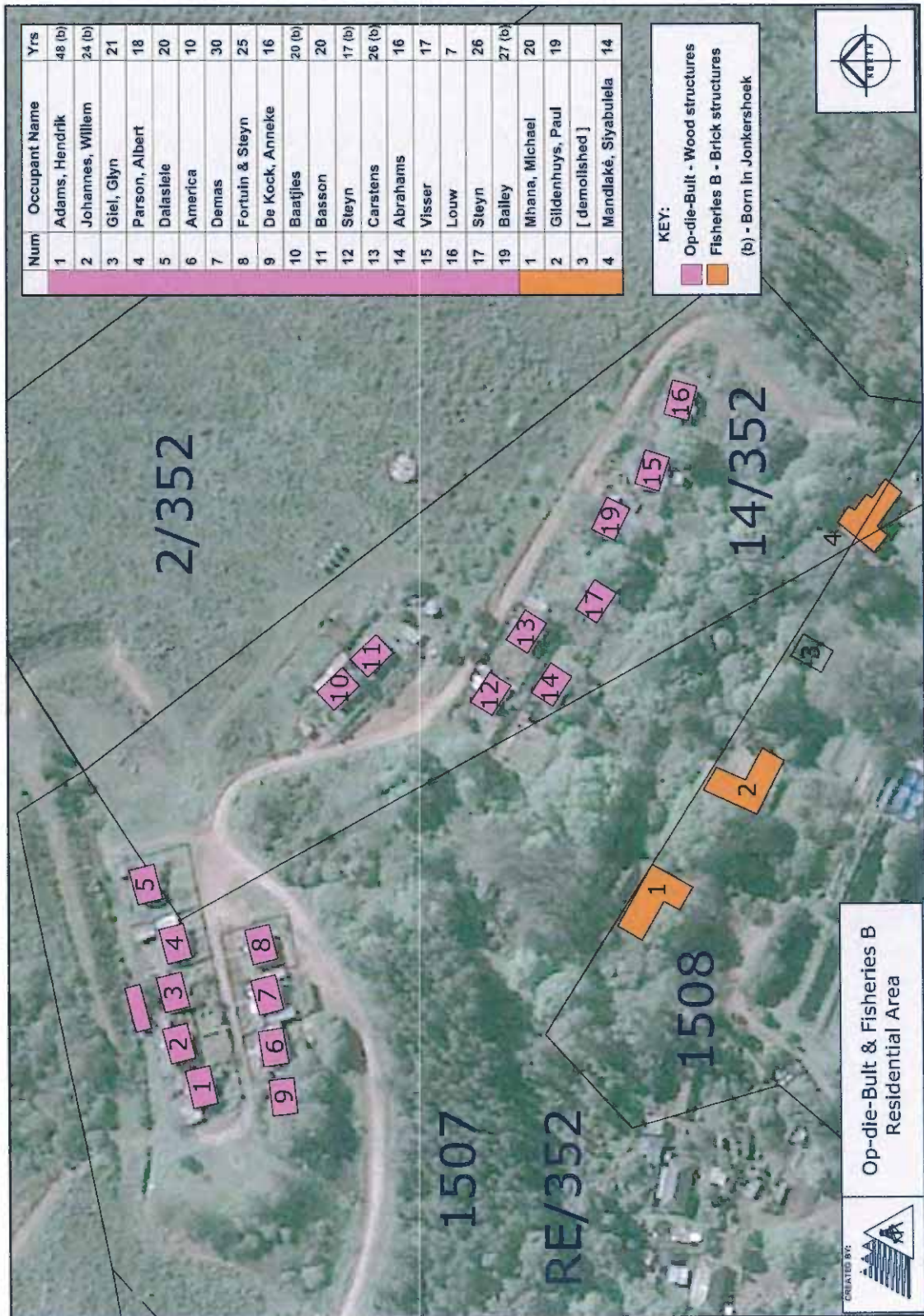


CREATED BY:   
**Caravan Park & Assegaibosch**  
 2011 © CK Rumboll & Partners



By CK Rumboll & Partners


Jonkershoek SDF, 2011/ 2012



Num	Occupant Name	Yrs
1	Adams, Hendrik	48 (b)
2	Johannes, Willem	24 (b)
3	Giel, Glyn	21
4	Parson, Albert	18
5	Dalstelele	20
6	America	10
7	Demas	30
8	Fortuin & Steyn	25
9	De Kock, Anneke	16
10	Baatjies	20 (b)
11	Basson	20
12	Steyn	17 (b)
13	Carstens	26 (b)
14	Abrahamis	16
15	Visser	17
16	Louw	7
17	Steyn	26
19	Bailey	27 (b)
1	Mhana, Michael	20
2	Gildenhuys, Paul	19
3	[ demolished ]	
4	Mandlaké, Siyabulela	14

KEY:  
 Op-die-Built - Wood structures  
 Fisheries B - Brick structures  
 (b) - Born in Jonkershoek



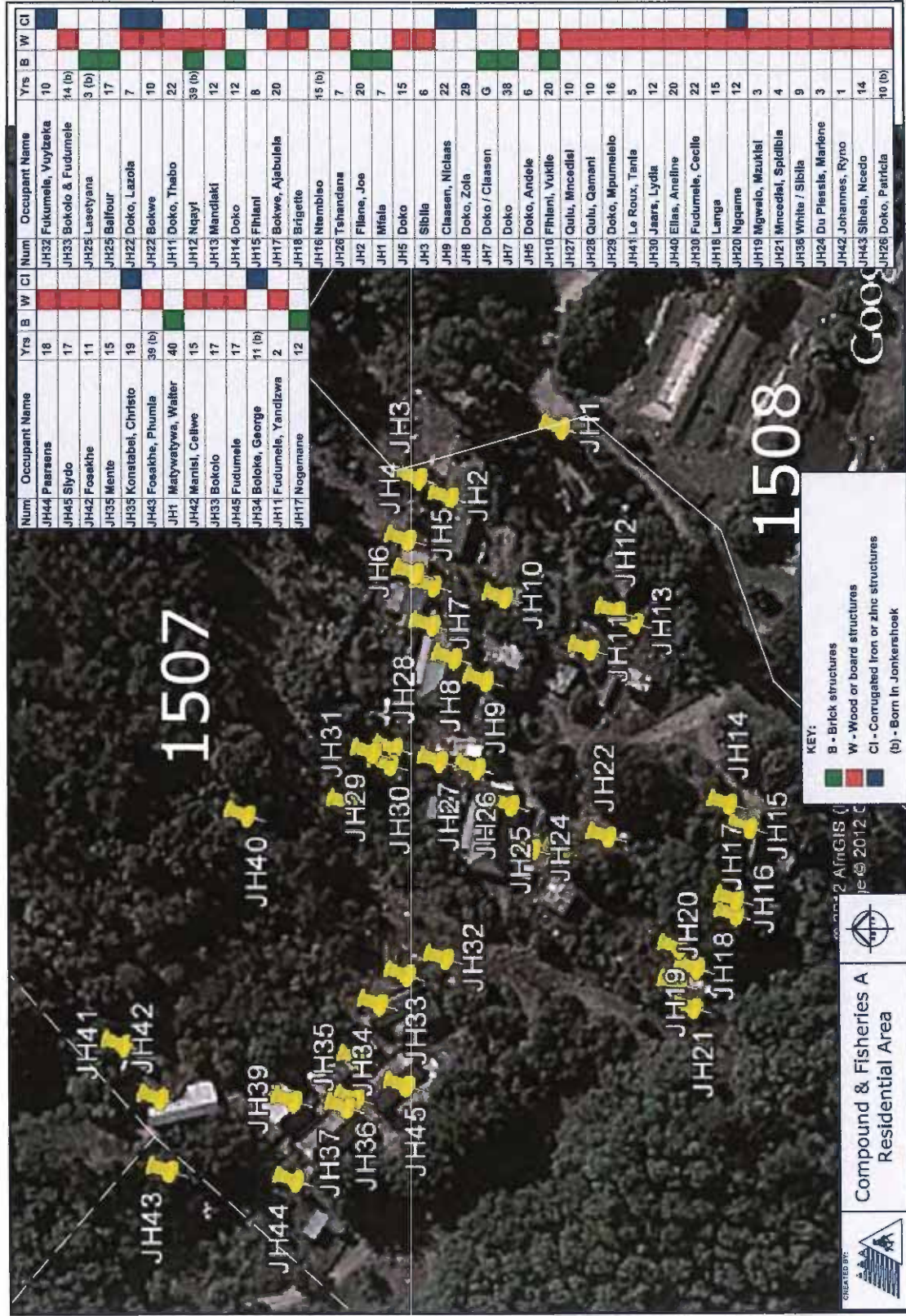
CREATED BY:   
 Op-die-Built & Fisheries B Residential Area

By CK Rumboll & Partners



Jonkershoek SDF, 2011/2012

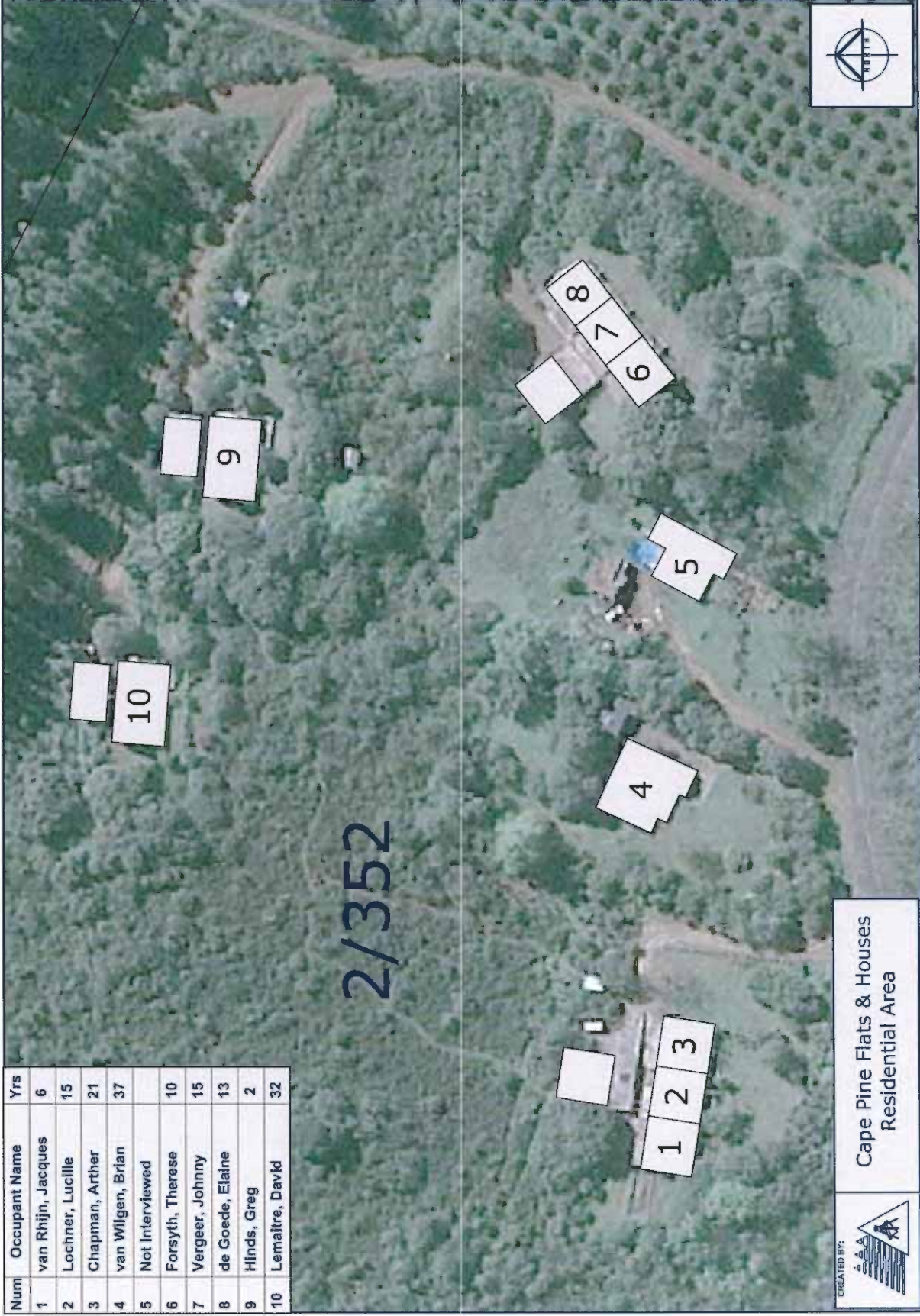






Num	Occupant Name	Yrs
1	van Rhijn, Jacques	6
2	Lochner, Lucille	15
3	Chapman, Arther	21
4	van Wilgen, Brian	37
5	Not Interviewed	
6	Forsyth, Therese	10
7	Vergeer, Johnny	15
8	de Goede, Elaine	13
9	Hlinds, Greg	2
10	Lemaitre, David	32

2/352



Cape Pine Flats & Houses  
Residential Area



By CK Rumboll & Partners

Jonkershoek SDF, 2011/2012



Cape Pine Settlement		
Num	Occupant Name	Yrs
1	de Wee, Mantla	17
2	Sipiwo Celciso, Elias	21
3	Besuidenhoudt	20
4	Lanz, Johan	18
5	Machintosh	17
6	Morant, Patrick	
7	Soltau, Christoff	15
8	Adrian	12
9	Nati Knoetze	

CNC Extension		
Num	Occupant Name	Yrs
10	Not Interviewed	



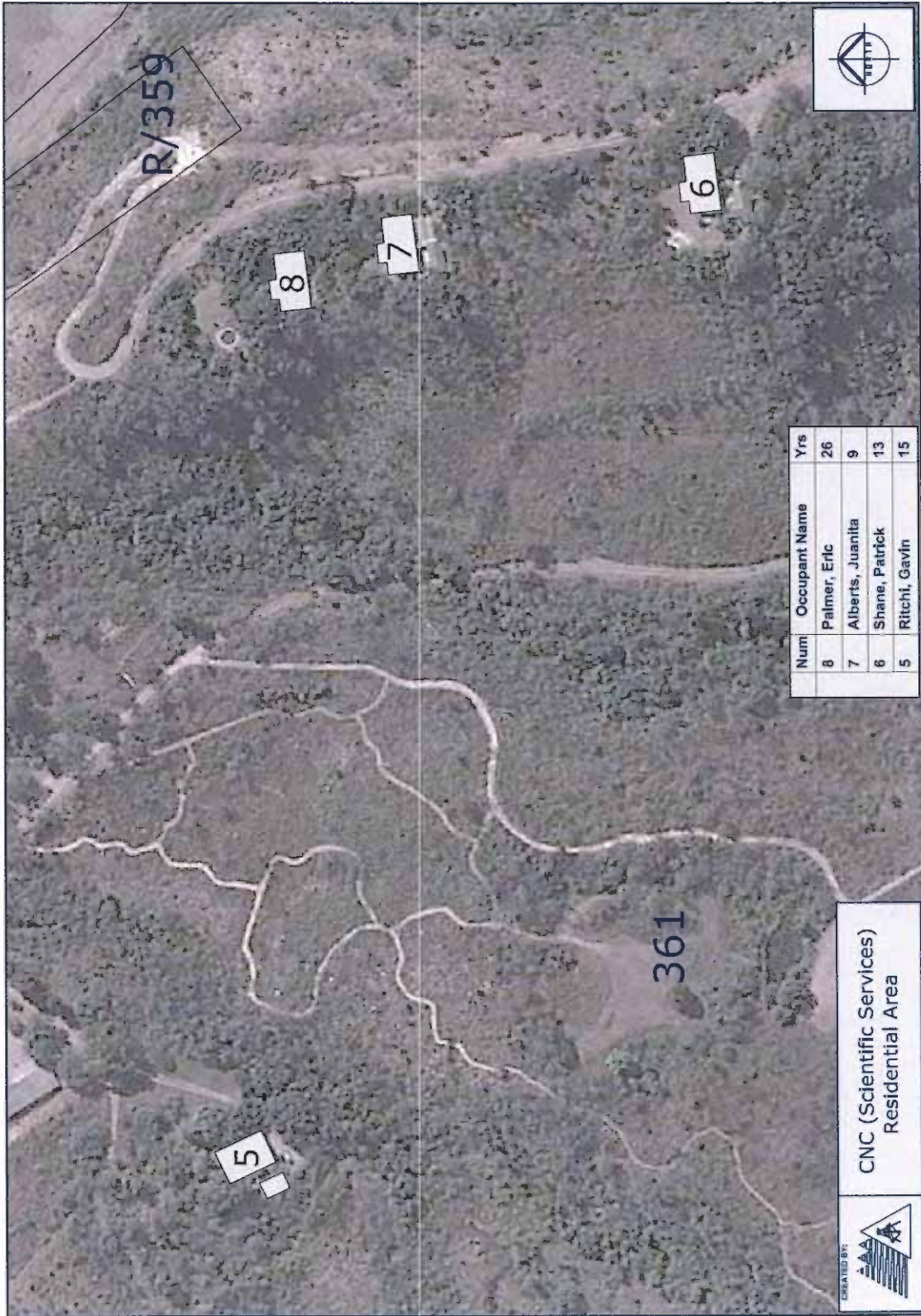
Cape Pine Settlement & CNC Extension  
Residential Area



By CK Rumboll & Partners

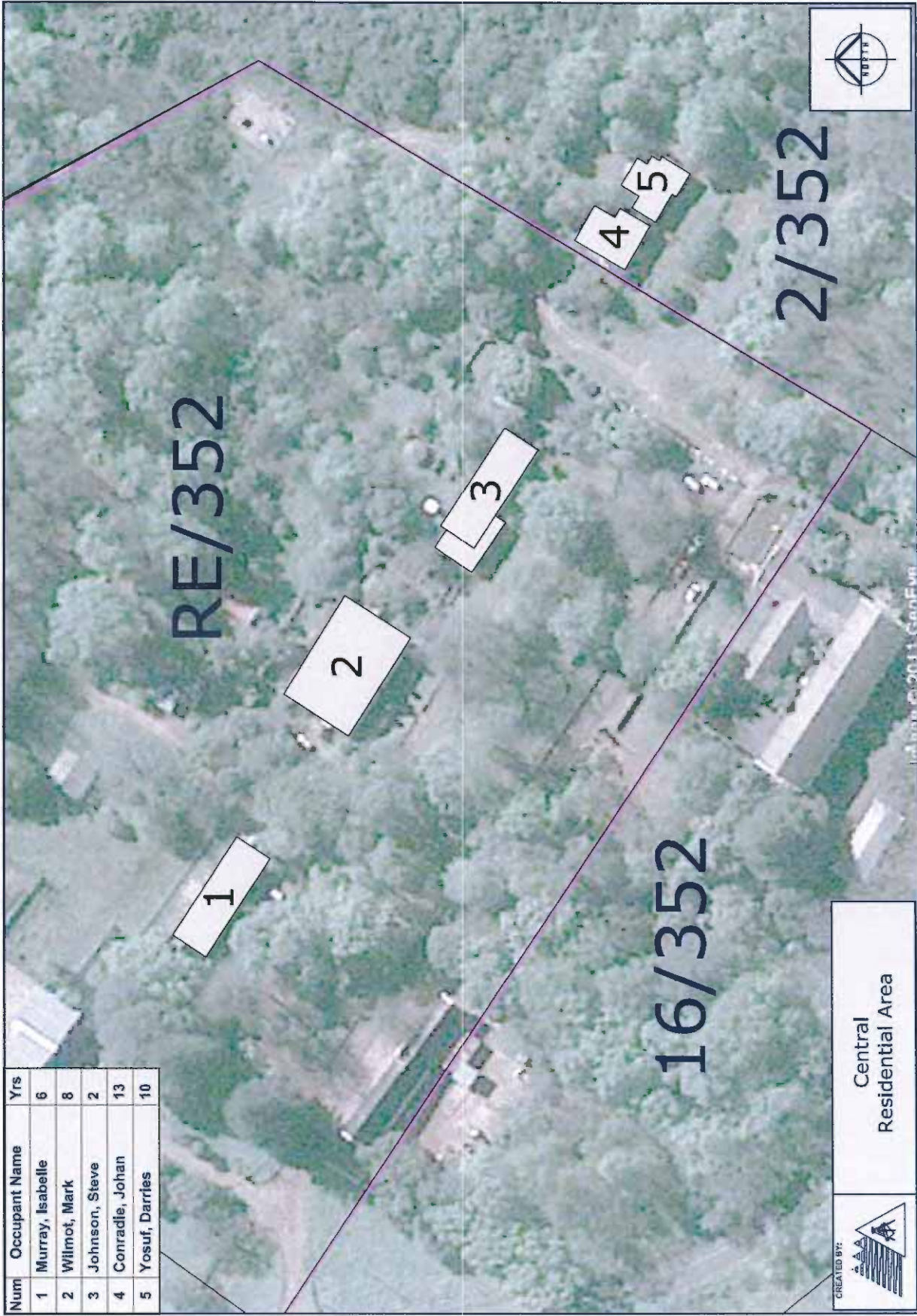
Jonkershoek SDF, 2011/ 2012







Num	Occupant Name	Yrs
1	Murray, Isabelle	6
2	Wilmot, Mark	8
3	Johnson, Steve	2
4	Conradie, Johan	13
5	Yosuf, Darries	10



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Jonkershoek SDF, 2011/2012





## **Addendum B: Preliminary Settlement Options**

**By R. S. Chennells**

**Proposed Steps to address housing need in Jonkershoek Valley.**

- a) The key role-players need to formulate a shared vision, (if this is not already in place) and to mandate the working groups and actions required to get the process under way. (Stellenbosch Municipality, Cape Wine lands District Municipality, Cape Pine/ CAPE PINE, Cape Nature Conservation, Department Water Affairs and Forestry, and Department of Public Works. It is essential that the project proceeds with complete 'buy-in' from the Municipality and key institutional role players, as a foundation for the planning and legal work that needs to be done.
- b) Basic information gathering. The identity and legal status of each household, and grouping of households, should be collated and obtained. Key information required is whether each tenancy or occupancy is regulated by lease or other agreement, or not. A data base needs to be built up, showing which groups and families pay rent, services and the like.
- c) Normalise the management. An overall strategy needs to be formulated in order to coordinate the various land units under one formal management agency (a property association or trust) This would enable all communications with occupiers and authorities to proceed from one coherent source, and would be a useful, if not essential, manner to manage the process. Tenants would note and respond to the

new sense of purpose, and note that a steady process is now under way.

- d) Normalise the occupancies. All occupiers should be advised in writing of the name of the single agency, and provided with information setting out their legal status vis a vis their occupation. Rental should be demanded, where appropriate, and where rental is not appropriate, they should be advised that they are tenants occupying at the behest of the manager. The relationship of tenant and landlord needs to be instituted, and a communication system that is viable.
- e) It would be useful if a principle or slogan could be promulgated to accompany and 'brand' the project, such as "no person will lose existing rights in the process". This would not mean that a person has the right to housing in that particular setting, (certainly not to enhanced rights, such as ownership) but rather that a person with certain rights to housing will not be forced or placed in a worse situation. Tenants whose rights are not strong (for example foreigners without proper documents) will be vulnerable to this, as their "existing rights" would not be strong, nor allow them to assert housing rights.
- f) A planned time line should be redrafted which incorporates a well-managed public engagement strategy over time (that minimizes the openings for political interference) and the development of a project plan that is clearly in the interests of Stellenbosch. It would be appropriate to include the local Department of Rural Development as an active stakeholder in this process, to reassure possible reactionary



*By CK Rumbold & Partners*

elements that this process is not aimed at a private agenda, and to facilitate access to the housing grants.

g) Implementation of a coordinated strategy to legally terminate the occupancy of those that require such formalities, in such a way that resistance, whether political or legal, is unlikely. Some categories (such as non-South Africans) that are not able to access housing grants may require special attention.

### **Addendum C: Department of Agriculture, Western Cape Concept Policy for Subdivision and Change of Land Use (2008)**

#### **1. Inleiding**

Onderverdeling van bona-fide landbougrond in die Wes Kaap, vind op grond van die beginsel van volhoubare landbou plaas. Volgens hierdie beginsel, moet boerdery nie plaasvind tot nadeel van die omgewing nie, dit moet ekonomies volhoubaar wees en vir die gemeenskap aanvaarbaar wees. 'n Goeie balans moet gevolglik tussen hierdie drie faktore gevind word.

Hoë potensiaal landbougrond soos omskryf in verslag nommer GW/A/98/21 van die Instituut vir grond, klimaat en water gedateer Maart 1998 moet vir landbou en die beoefening daarvan bewaar word.

#### **2. Definisies**

Coördone I – vakansiebehuising (stegs sonering verander/geen onderverdeling)

Coördone II – vakansiebehuising (sonering verander en onderverdeling, kan dus verkoop word)

Coördone III – privaat natuurreservaat

#### **3. Wetgewing betrokke**

i) Wet 70 van 1970: Wet op die onderverdeling van landbougrond

Die Departement maak 'n landboukundige aanbeveling in terme van Wet 70/70 aan Nasionale Departement Landbou wat die aansoek oorweeg.

ii) Ordonnansie 15 van 1985: Grondgebruikbeplanning

Die Departement lewer landboukundig kommentaar in terme van Ordonnansie 15/85 aan 'n munisipaliteit, distrik munisipaliteit of die Direkoraat Beplanning wat die aansoek oorweeg.

iii) Wet 59 van 1980: Wet op die beheer van aandeleblokskemas





belannings- sowal as omgewingsimplikasies, soos vullisverwydering, maontlike besoedeling van ondergrondse waterbronne en kompetisie om water.

#### 4.2 Waardetoeweging

Waardetoeweging word ook ondersteun. Prakties beteken dit dat 'n melkplaaas byvoorbeeld 'n sonering vir 'n kaasfabriek kan verkry. Indien melk egter aangekoop word deur 'n nie-melkplaaas en hulle doen aansoek vir 'n kaasfabriek, kan dit nie ondersteun word nie. Die spesifieke fabriek hoort dan in 'n nywerheidsgebied. Die selfde beginsel geld vir ander nywerhede en industrieë.

#### 4.3 Volhoubare eenhede

In 'n konsultasieproses met georganiseerde landbou, die verskeie bedryfsorganisasies en die Departement van Landbou. Wes Kaap, is die normeringlyne in Tabel 1 bepaal vir plaasgrootte vir verskillende bedryfstakke. Hierdie grootte-norme vir 'n landbou-eenheid ten einde volhoubaar bedryf te kan word, is bepaal oor die lang termyn ( kort termyn hoë pryse word gevolglik nie as maatstaf gebruik nie), vir die gemiddelde plaas met 'n medium-plus potensiaal en vir die gemiddelde bestuurder. Die rede vir laasgenoemde is dat langtermynbepalings van plaasgrootte nodig is.

Tydlike tendense soos hoë pryse en bo-gemiddelde bestuurders, verdwyn oor die langtermyn en indien plaasgrootte op grond van sulke faktore bepaal is, kan die volgende eienaar/generasie wat nie oor dieselfde bestuursbevoegdheid beskik nie, of lae pryse, aanleiding gee tot 'n gesukkel om 'n bestaan op die betrokke eenheid te maak.

Hierdie gevolg kan weer op sy beurt lei tot die oorbenuiting van die natuurlike hulpbron in 'n poging om die tekort te oorbrug, wat op sy beurt weer nie-volhoubare landboupraktyke tot gevolg het.

Artikel 5.- Bepoerking op bedryf van aandeleblokskema – (1) Geen aandeleblokskema mag bedryf word nie ten opsigte van - landbougrond soos omskryf in artikel 1 van die Wet op die Onderverdeling Landbougrond, 1970 (Wet no. 70 van 1970), tensy skriftelike toestemming vir die verkoop of verlening van 'n reg op 'n deel van sodanige landbougrond voorsaf deur of die eienaar of die voornemende koper van sodanige landbougrond by die Minister van Landbou verkry is.

Prakties beteken dit dat 'n ander sonering as landbou l aan die grond toegeken moet word, voordat 'n aandeleblokskema ondersteun word.

iv) Wet 43 van 1983: Wet op die bewaring van landbouhulpbronne.

Voordat "nuwe" grond bewerk word, moet daar in terme van bogenoemde wet goedkeuring verkry word. Reeds bewerkte grond (ou lande) wat vir 'n tydperk van meer as 10 jaar nie bewerk is nie, word ook as "nuwe" grond beskou.

#### 4. Geleentehede

##### 4.1 Agri-toerisme

Die Departement ondersteun agri-toerisme. Dit beteken dat gastehuise en vakansiebehuising (oordrone 1) gepas gelaas op lae potensiaal grond gunstig oorweeg sal word. Dit word as 'n aanvulling tot die potensieële boerdery inkomste van die boerderyeenheid beskou.

Ordonnansie 15/85 maak ook voorsiening vir vergunningsgebruike. In terme hiervan kan 'n grondeienaar addisionele huise op sy plaas bou. Die riglyn is 1 per 10 hektaar tot 'n maksimum van 5 eenhede.

Oordrone II op landbou gesoneerde grond, word nie ondersteun nie, aangesien dit eenmalig 'n kontantbydrae maak as dit verkoop word en versnippering van volhoubare eenhede tot gevolg het. Op die langtermyn het dit ook nadelige



Normeënglyne vir die onderskeie bedryfstakke, word in Tabel 1 weergegee. Die besproeiingswater is die hoeveelheid water wat benodig word vir besproeiing soos bepaal deur die besproeiingsbehoefte van sagtevrugte vir daardie area te bereken.

**Tabel 1 Ideale grondgrootte vir die belangrikste bedryfstakke in die Wes Kaap**

Bedryfstak	Grootte/Hoeveelheid	Besproeiingswater	Opmerking
1. Koring	1200 ton	-	
2. Vee: Ekstensief Vesbeeste, Melk (weiding)	1 200 KVE 200 GVE	-	
3. Sagte Vrugte	60 koeie in melk 30 hektaar	30 ha	Op meniale Bewerkbaar
4. Sitrus	40 hektaar	30 ha	Bewerkbaar
5. Wingerd	40 hektaar	30 ha	Bewerkbaar
6. Droeland wingerd	80 hektaar		Geskipte klimaat
7. Uitvoertafeldruwe	30 hektaar	30 ha	Bewerkbaar
8. Kombi-rase van bg.	Op meriete, vergelikbaar met bogensomde groottes		
9. Geen van bg.	Op meriete met besighheidsplan.	Soos bepaal	
*D. Intensiewe boerdery	Op meriete	Soos bepaal	Varkboerdery, melkvee, ens.
1. Klei-boer projekte	Op meriete met besighheidsplan		Bedryf op projekbasis en goedkeur in terma van LRAD op die DAC

Dit is belangrik dat die potensiaal van die grond in ag geneem word by die bepaling van plaasgrootte. Sou die potensiaal van die grond uiters hoog wees, sal

die groottes aangepas kan word, terwyl 'n laer potensiaal 'n verhoging in grootte vir die onderskeie bedryfstakke tot gevolg sal hê.

Verdere onderverdelingslyne wat positief oorweeg sal word, is as volg:

- Die skeding van volhoubare landbou- en nie-landbougebruike.
- Die skeding van landbou en natuurgebiede (bv. Berge onder natuurlike veld wat nie landboukundig benutbaar is nie). Die voorwaarde hieraan verbonde is dat die betrokke natuurgedeelte gehersonseer word na Oopruimte III. Hiervoor is 'n Kontraktuele Stewardship ooreenkoms met CapelNature 'n vereiste.

#### 4.4 Kleinhoeves

Die beleid vir die vestiging van landbouhoeves in die stedelike soomsgebied soos gepubliseer op 1 September 2000 in die Buitengewone Provinsiale Koerant no. 5576 is ook van toepassing.

Onderverdeling in kleinhoeves kan slegs plaasvind op swak (lae potensiaal) landbougrond of waar die bestaande eenheid vyf hektaar en kleiner is en die landboukundige potensiaal medium en laer is, hierdie gebied in 'n goedgekeurde Struktuur Plan of geakkrediteerde Ruimtelike Ontwikkeling Raamwerk so aangedui is, of andersins binne die dorpsgebied ingelyf kan word. Die implikasie is dat die grond vanweë fisiese beperkings (beperkte grondtepte, natheid, ens.)

slegs geskik moet wees vir weidings. Hierdie riglyn beteken egter nie dat elke stukkie swak grond op 'n plaas afgesny kan word as kleinhoeve nie. Elke aansoek sal op meriete hanteer word en indien 'n kleinhoeve so geplaas is dat dit 'n hindernis vir die alledaagse praktiese landbou kan wees, sal dit nie aanbeveel word nie. Die skep van residensiële eenhede in 'n landbou omgewing word nie aanbeveel nie. Sou 'n kleinhoeve wel toegestaan word, moet dit plaasvind op een van die grense van die eiendom, en nie in die middel van 'n plaas nie. In 'n geval waar daar geen beswaar teen die onderverdeling is nie, sal die derde vlak owerhef in kennis gestel word dat die betrokke grond nie geskik is vir die volhoubare beoefening van landbou nie en die beslissing aan hulle oorgelaat word. 'n Voorwaarde sal egter wees dat sou die betrokke onderverdeling goedgekeur



## Addendum D: Design Guidelines for Stellenbosch Farms

### SUMMARY

The objective of this report is to illustrate the characteristics of rural buildings in the Stellenbosch hinterland as well as their relationship to the landscape. Based on this understanding, design principles and guidelines are then formulated for use in conservation and development in rural areas.

Stellenbosch is located between the foothills of the Heidelberg and the Simonsberg mountains on the flood plains of the Eersterivier. It is situated at the intersection of two routes: the R44 (linking Stellenbosch to Klipmuis and the N1/N2) and the Route 310 (linking Stellenbosch to Pnel and the R45). Franschhoek is located between the Groot Drakenstein and the Klein Drakenstein mountain ranges along the banks of the Franschhoekrivier. Franschhoek is accessed off the N1 via the R45, linking Franschhoek to Paarl (see Map 1).

The local topography is formed largely by the drainage pattern of the Eersterivier, the Bergriver and their tributaries that flow through the area. The Eersterivier Valley, the Jonkershoek, the Groot Drakenstein and Banthoek and the Bergivier Valley and basins define the area topographically.

The main role of the small towns in the area is to provide social services, serve as a gateway for tourists to the winelands and provide places of employment.

Any future planning in agricultural areas therefore needs to take into consideration current development trends that include the provision of tourist orientated services, subdivision of farms and development on the upper slopes.

#### Cape Place making

The vernacular architecture of the Cape developed as a result of several restrictive conditions, based on the availability of materials and on the climatic, economic as well as the social conditions at the Cape.

The elements that make up the farmstead are then the main house and outbuildings that form a courtyard with sides played out to give a large perspective to the approach. A low white washed wall encloses the inner area of the farmstead, called the weif. Tallpiers at the

entrance relate to the tree-lined avenue of the approach to the main farmhouse. Big oak trees shade the front of the house.

#### Design Principles

An understated architecture, that is in harmony with the environment.

#### Guidelines

The guidelines are intended to give planners, architects, designers and other professionals a clear understanding of the appropriate responses to the characteristic patterns and features of the area under the jurisdiction of the Stellenbosch Municipality.

Signage on the farmstead entrance gate, wall or any free-standing signage should be simple and well placed.

#### Gateway, entrance, enclosure

Materials used in the construction of the gateway and the perimeter fencing should complement the architectural language of the buildings on the farmstead.

It is advisable to use materials that recede into the landscape that is to say low walls that do not interrupt the views from the roadside.

The entrance gateway should step back from the boundary line and extend in proportion with the length of the street front to a distance not exceeding 10m either side of a typical entrance gate opening.

Siting, scale & technological developments respecting the scale of surrounding developments and the nature of the landscape upon which it is to be built. When building on a sloping site:

- Buildings should be arranged in a linear arrangement along the contours.
- Buildings should be sunk into the slope so that it is less visible from the road.
- Natural materials like stone and grass rocks, where appropriate, could be used to conceal the building on a sloping site.

When building a new building

- Set the building back from the road and make it less visible by growing vegetation in front of it.

- Historical buildings are seldom higher than two storeys. The height of new buildings should also not be taller than this, or other floors should be concealed underground.

- Avoid combining many different functions under one roof, the use of foreign elements such as rondavels and the over scaling of minor buildings.

- The industrial processes on a farmstead should be designed to respond both to the context and to a scale that does not impact negatively on the environment.

- New buildings should be a composite of appropriate materials and colours that enhance but do not detract from historical buildings. It would be best to avoid trying to copy traditional buildings and use decorative elements in a contemporary manner.

- Building materials that are used should be compatible with traditional materials used in the area, in terms of scale, colour and texture.

Many examples exist of Cape revival architecture replicating Cape place making qualities, the principles of building around a weif space should be encouraged. Fakes should however be discouraged. Fakes make a mockery of historical architecture taking away from the quality of the old building and giving a false aesthetic to the new building.

A Cape vernacular already exists; it seems highly perverse to introduce another vernacular, especially a foreign one.

Colour should be used judiciously especially on historical buildings, as the walls were traditionally lime-washed. Natural pigments were sometimes added to the lime to give subdued pastel shades (earth colours), while woodwork was almost invariably painted green or white. The colour of roofing materials should also be carefully considered as roofs tend traditionally to be dark in colour.





- The use of exaggerated over-scaled architectural elements should also be avoided. It is best to reinterpret historical detailing and decoration in an understated manner that is appropriate to the present.

- Architectural language & elements
- The language for new buildings should be a contemporary language. The new building should respect the vernacular architecture and interpret it in a way that responds favourably to the context.

- Similarly the subdivision of agricultural land should be sympathetic to the context as the division of land may impact adversely on the character of the area. Subdivision of agricultural land should therefore be strictly controlled.

The role of the guideline is to:

- Provide local authority, property owners, developers and professional consultants with the traditional patterns of Cape place-making and an understanding of the landscape that gives this area its distinct characteristics
- Give guidance about appropriate conservation and development actions.
- Assist the Department of Economic Development Services at the Stellenbosch Municipality to make consistent decisions about applications affecting the area
- Assist the heritage committee in the evaluation of developments

These guidelines cannot however stand-alone and need to be seen as part of an integrated strategy for the conservation and development of rural areas that should include adequate development control measures and urban design frameworks

- Further work necessary:
  - A larger scale analysis that will highlight the relationship between agricultural land and rural industrial land. Especially where there are buildings of historical significance.
  - Develop an approach to 'gated villages' and golf estates.

Identify rural areas that are conservation worthy. This study is already being undertaken at the time of the writing of this document in the form of a Biosphere study to highlight areas that need protection.

Identify views, vistas and gateways that need to be maintained.

Develop an integrated urban design proposal for the small towns in the 12 sub-areas that takes into consideration public landscaping, signage, street furniture and lighting. Landscaping elements such as beehood and poplar or plain trees are not indigenous but they are part of the history of the area.

An urban design framework also needs to be developed for the 'routes' connecting the sub-areas. Compiling a report of what

developments along the routes would be appropriate and the future carrying capacity of the existing roads and where and what road construction is to be undertaken (i.e. whether roads are to be widened or if by-passes are to be built).

Finally appropriate policies need to be developed that will ensure that these guidelines can be put into practice.



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# APPENDIX 2



t: +27 (0) 21 850 6400  
 f: +27 (0) 21 852 1770  
 1st Floor, Dynarc Triangle, 13 Urstel Crescent  
 Somerset Mall, Somerset West  
 PO Box 327, Somerset Mall, 7137  
 DX 15 Somerset West Somerset West  
 Direct Line: +27 (0) 21 850 6400  
 GuanP@stbb.co.za | www.stbb.co.za

**THE STELLENBOSCH MUNICIPALITY**  
 Stellenbosch

Your Ref:

Our Ref: GPI/AVRI/AS

Date: 15 May 2016

Dear Sir / Madam

Re: Legal considerations in respect to the application for approval of the Jonkershoek Spatial Development Framework (File No. 15/34/34/2)

1. We have been requested by the Stellenbosch Municipality ("*the Municipality*") to consider the legal implications of an approval of the latest Jonkershoek Spatial Development Framework ("*the latest SDF*") in respect to an application for that purposes, under File No. 15/34/34/2 ("*the application*").
2. The application annexes, as Appendix I, a Spatial Development Framework dated 2011 ("*the 2011 SDF*") and it accordingly appears that the latest SDF was not annexed to the application.
3. In this regard, the application refers to a consultative process for the drafting of a SDF that commenced in October 2015 and that a draft SDF and amended document was submitted to the Municipality on 18 March 2016.<sup>1</sup>
4. We are accordingly not in a position to advise as to the legal implications of adopting the latest SDF and kindly request that our offices be furnished with a copy thereof.
5. In the event that the application correctly refers to the 2011 SDF, it should be pointed out that that SDF was compiled in terms of the, now repealed, Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) ("*the Ordinance*") and the Municipal Systems Act, No. 32 of 2000. The

<sup>1</sup> The application makes reference to 18 March 2015, but we assume for the purposes of this advice, that same was a typing error and should have referred to 18 March 2016.

**Attorneys, Notaries & Conveyancers**

**Directors:** Jonathan Steyn (Wentzema) | Nicole Anselmann | Peter Annet | Mark Bos | Jacques Sijthoff | Daniel Brander | Judith de Groot | Tim Chase | Ingrid de Klerk | Marnie de Klerk | Koen Dorval | Thibault Gamin | Riddiah Fatima Ho-Yee | Harry Fendall | Neil Grounough | Wessel Lötters | Jay O'Neil-Burns | Roy Schoor | Gerhard Kitzler | Beate Jans | Robert Mouton | Corlene Ntsheni | Brian Minton | Marlene Neuman | Rufus Parker | Nance Phegion | Clotilde de Joss | Martin Shorro | Kobus Schreiner | Ed de Steyn | Marjol Steyn | Cornelia Tabata | June Tarran | Annette van Rooyen | Emily van Staden | Ferdinand Vermeir | Shereen Vols | Alan West  
**Senior Associates:** M Belina | J De Gooijer | D De Klerk | F Düssel | H Erasmus | J Gerrard | M Hayes | V W Jacobs | D Markey | N Meyers | L Sullam | A White  
**Associates:** S Chetty | J Grayson | F Heunis | A Mouton | J Spudismore | T Smith | G Polgenet | A Van Vuuren | S Wainwright | B White | M Williams  
**Executive Consultants:** L Zelle (Robson) | Graham LeComber | Andy McFarlane | Andre Smit | Colette Toubert | Richard Vols | **Financial Manager:** Cullen Pennie

Cape Town: 021 426 9100 | Bedfordview: 011 413 6574 | Centurion: 012 331 1461 | Claremont: 021 674 4700 | Fish Hoek: 021 784 1580 | Ikwe: 011 218 4220 | Somerset Mall: 021 850 6400 | Six Arboretum: 021 890 2170 | Table View: 021 521 4200 | Tyger Valley: 021 943 5900 | Meyers: 012 348 2682

Registration No.: 952700-916/20  
 VAT Reg No.: 2010112577

Ordinance was repealed by the Stellenbosch Municipal Planning Bylaw, 2015 (*"the Municipal Planning Bylaw"*) which came into operation on 1 December 2015.

6. In view of the fact that the application in question was submitted after 1 December 2015, the application stands to be considered in view of the Municipal Planning Bylaw and not in terms of the Ordinance.
7. In addition to the repeal of the Ordinance, the Spatial Planning and Land Use Management Act, No. 16 of 2013 (*"the SPLUM Act"*) came into operation during August 2013. Section 21 of the SPLUM Act describes the content for a municipal spatial development framework. In this respect, section 21 reads as follows:

*"A Municipal spatial development framework must—*

- (a) give effect to the development principles and applicable norms and standards set out in Chapter 2;*
- (b) include a written and spatial representation of a five year spatial development plan for the spatial form of the municipality;*
- (c) include a longer term spatial development vision statement for the municipal area which indicates a desired spatial growth and development pattern for the next 10 to 20 years;*
- (d) identify current and future significant structuring and restructuring elements of the spatial form of the municipality, including development corridors, activity spines and economic nodes where public and private investment will be prioritised and facilitated;*
- (e) include population growth estimates for the next five years;*
- (f) include estimates of the demand for housing units across different socio-economic categories and the planned location and density of future housing developments;*
- (g) include estimates of economic activity and employment trends and locations in the municipal area for the next five years;*
- (h) identify, quantify and provide location requirements of engineering infrastructure and services provision for existing and future development needs for the next five years;*
- (i) identify the designated areas where a national or provincial inclusionary housing policy may be applicable;*

- (j) *include a strategic assessment of the environmental pressures and opportunities within the municipal area, including the spatial location of environmental sensitivities, high potential agricultural land and coastal access strips, where applicable;*
- (k) *identify the designation of areas in the municipality where incremental upgrading approaches to development and regulation will be applicable;*
- (l) *identify the designation of areas in which—*
  - (i) *more detailed local plans must be developed; and*
  - (ii) *shortened land use development procedures may be applicable and land use schemes may be so amended;*
- (m) *provide the spatial expression of the coordination, alignment and integration of sectoral policies of all municipal departments;*
- (n) *determine a capital expenditure framework for the municipality's development programmes, depicted spatially;*
- (o) *determine the purpose, desired impact and structure of the land use management scheme to apply in that municipal area; and*
- (p) *include an implementation plan comprising of—*
  - (i) *sectoral requirements, including budgets and resources for implementation;*
  - (ii) *necessary amendments to a land use scheme;*
  - (iii) *specification of institutional arrangements necessary for implementation;*
  - (iv) *specification of implementation targets, including dates and monitoring indicators; and*
  - (v) *specification, where necessary, of any arrangements for partnerships in the implementation process".*

8. It is accordingly clear that the provisions of section 21 of the SPLUM Act are peremptory and that any SDF must comply strictly therewith. It is accordingly necessary to evaluate the proposed SDF against the aforementioned requirements prior to the council of the Municipality approving and recommending same.



9. In this regard, section 9 of the Municipal Planning Bylaw provides as follows:

*"9. (1) The Municipality may adopt a local spatial development framework for a specific geographical area in a part of the municipal area.*

*(2) The purpose of a local spatial development framework is to, for a specific geographical area—*

*(a) provide detailed spatial planning guidelines;*

*(b) provide more detail in respect of a proposal provided for in the municipal spatial development framework;*

*(c) meet specific land use planning needs;*

*(d) provide detailed policy and development parameters for land use planning;*

*(e) provide detailed priorities in relation to land use planning and, in so far as they are linked to land use planning, biodiversity and environmental issues; and*

*(f) guide decision-making on land use applications".*

10. In the event that the application correctly refers to the 2011 SDF, such SDF would not be compliant with the requirements of the Municipal Planning Bylaw or the SPUM Act, and would require consequential amendments. In as far as the latest SDF was omitted from the application, we are unable to advise further in respect to the legal implications of adopting same until such time as we have been furnished with a copy thereof.

We advise accordingly.

Yours faithfully

**STBB | SMITH TABATA BUCHANAN BOYES**

**G Potgieter**