

STELLENBOSCH MUNICIPALITY

SPECIAL MEETING OF THE SDF CONSTITUTIONAL WORKING COMMITTEE : WEDNESDAY, 1994-10-26 AT 20:00

Notice is hereby given of the above meeting between representatives of the Stellenbosch Community Based Organisations and Stellenbosch Town Council to be held in the Council Chamber, Town Hall Complex, Plein Street, Stellenbosch on **WEDNESDAY, 1994-10-26 at 20:00** to consider the matters on the agenda below.

CTB Davy
SECRETARY

1994-10-24

* * * * *

1. **LEAVE OF ABSENCE**

2. **STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON**

3. **MEETING OF THE CWC HELD ON 1994-10-17**
The minutes are attached as **PAGES 1 - 9.**
FOR CONFIRMATION.

4. **MEETING OF THE TECHNICAL SUB-COMMITTEE OF THE CWC (TLC) HELD ON 1994-10-26 (AT 18:00)**
A report will be tabled.
The nominations for the Stellenbosch Transitional Local Council are attached as **PAGES 10 - 15.**
An extract from section 179 of the Constitution regarding councillor qualifications are attached as **PAGE 16.**

RECOMMENDED

that the matters agreed upon by the Sub-committee be approved by the CWC.

**MINUTES OF MEETING OF REPRESENTATIVES OF COMMUNITY BASED ORGANISATIONS
AND STELLENBOSCH TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL
COMPLEX, PLEIN STREET, STELLENBOSCH ON MONDAY, 1994-10-17 AT 20:00**

PRESENT:

Facilitators : CVR Honey (Chairperson)

Secretariat : CTB Davy

Full Members

Statutory

ACDP : PJ Pelser
Me S Buchner

Cloetesville/Idas Valley Management
Committee : SW Oliphant
AN September

Democratic Party : ER Gordon

Freedom Front : HFV Boshoff
GAG Bredell

Jamestown Area Committee : CP Jooste

Johannesdal Management Committee : WJ Meyer
MJ Lackay

Kaya Mandi Town Council : SM Mayekiso
JM Mjandana

Kylemore Management Committee : JT Swartz

National Party : DJ Oosthuizen
AH Gaum

Stellenbosch Ratepayers Association : PG van Breda
BJP Pienaar
FH Stephens
FJ van Deventer

Stellenbosch Town Council : DEW Schumann
RP Conradie
J Cawood
JP Retief (Adviser)
L de Villies (Adviser)
AA Smit (Adviser)

Western Cape Regional Services
Council : MC Theron

MINUTES :

STELLENBOSCH DISCUSSION FORUM
(SDF)

: 1994-10-17

Non-statutory

ANC	:	F Adams R Moses Me M Stokwe
Eikestad Residents Association	:	WF Pietersen
Jamestown Action Group	:	M Stone DB Azer
Jamestown Civic Association	:	KC Daniels HD Jooste
Johannesdal Ratepayers and Tennants	:	CS de Wet AD Mentoor
Kylemore Ratepayers and Residents Association	:	T Newman D Carolissen
PAC	:	VV Myataza
Pniel Civic Association	:	BP Smith SP Davids
SANCO	:	MM Ngcofe WM Kalazana
SHAC	:	P Louw HC de Klerk

Observer members

Stellenbosch Relations Committee	:	Me E Retief
Cloetesville Community Health Committee	:	PH Julius

Other observers

Eikestadnuus	:	PH Malan
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1. LEAVE OF ABSENCE

1. RESOLVED

that leave of absence be granted to JAM van Schoor and EPS Taljaard (Stellenbosch Town Council), MF Patel and me D Hani (ANC) and MC Carinus (Stellenbosch Sakekamer).

MINUTES :

STELLENBOSCH DISCUSSION FORUM
(SDF)

: 1994-10-17

2. STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON

2. The Chairperson, CVR Honey, made an appeal to young people (especially students) and women to become involved in local government. *NB!!!*

it was not so much an appeal to ... it was rather a strong appeal to the members of the SDF, when they decide to nominate

3. MEETING OF THE CWC HELD ON 1994-10-17 (AT 18:00)

Due to the fact that the CWC meeting was held prior to this meeting (at 18:00) a verbal report will be submitted to the Special SDF meeting. *it was a council, that they*

Please refer to the CWC agenda dated 1994-10-17.

RECOMMENDED

that the matters agreed upon be approved by the SDF.

3. The minutes of the CWC meeting held on 1994-10-17 (at 18:00) are attached as PAGES 4 - 9.

AGREED

that the recommendation be approved.

The meeting adjourned at 20:15.

CONFIRMED.

CHAIRPERSON.

sdf17j94/cr

will consider these 2 sectors, 1 young, 1 old, 2 women.

MINUTES OF SDF CONSTITUTIONAL WORKING COMMITTEE MEETING OF REPRESENTATIVES OF COMMUNITY BASED ORGANISATIONS AND STELLENBOSCH TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON MONDAY, 1994-10-17 AT 18:00

PRESENT:

Facilitators	:	CVR Honey (Chairperson) S Adams
Secretariat	:	CTB Davy
Full Members		
Statutory		
ACDP	:	PJ Pelsier Me S Buchner
Cloetesville/Idas Valley Management Committee	:	SW Oliphant
Democratic Party	:	ER Gordon
Freedom Front	:	HFV Boshoff
Jamestown Area Committee	:	CP Jooste
Johannesdal Management Committee	:	WJ Meyer MJ Lackay
Kaya Mandi Town Council	:	SM Mayekiso JM Mjandana
Kylemore Management Committee	:	JT Swartz
National Party	:	DJ Oosthuizen AH Gaum
Stellenbosch Ratepayers Association	:	PG van Breda BJP Pienaar
Stellenbosch Town Council	:	JAM van Schoor DEW Schumann RP Conradie EPS Taljaard J Cavood JP Retief (Adviser) L de Villies (Adviser) AA Smit (Adviser)
Western Cape Regional Services Council	:	MC Theron

MINUTES :

SDF CONSTITUTIONAL WORKING
COMMITTEE

: 1994-10-17

Non-statutory

ANC	:	F Adams R Moses Me D Hani Me M Stokwe
Eikestad Residents Association	:	WF Pietersen
Jamestown Action Group	:	M Stone DB Azer
Jamestown Civic Association	:	KC Daniels HD Jooste
Kylemore Ratepayers and Residents Association	:	T Newman D Carolissen
PAC	:	VV Myataza
Priel Civic Association	:	BP Smith SP Davids
SANCO	:	MM Ngcofe WM Kalazana
SHAC	:	P Louw HC de Klerk

Observer members

Stellenbosch Relations Committee	:	Me E Retief
Cloetesville Community Health Committee	:	PH Julius

Other observers

Eikestadnuus	:	PH Malan
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1. LEAVE OF ABSENCE

1. RESOLVED

that leave of absence be granted to W Nel (SHAC), MF Patel (ANC), Me M Adendorff (Stellenbosch Relations Committee) and MC Carinus (Stellenbosch Sakekamer).

2. STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON

2. NONE.

3. MINUTES OF THE CWC MEETING HELD ON 1994-09-28

The minutes are not attached - previously circulated.

FOR CONFIRMATION.

3. RESOLVED

that the minutes be approved subject to the addition of the following words after item 3.5.1(b):

"(DJ Oosthuizen (National Party) did not support the decision)."

3.1 The Technical Sub-committee of the CWC (Transitional Local Council) agreed on 1994-09-21 (item 3(d)(ii)), inter alia:

- (a) that if the outstanding issues have been resolved by the Provincial Committee, the statutory and non-statutory components meet after this meeting with the assistance of a facilitator to decide on the number of nominees per party/organisation within the two components, with the proviso that the parties/organisations submit their specific nominations within the agreed upon quota to the SDF Secretary at a date to be determined by the CWC;
- (b) that a special SDF meeting be held after this meeting at 20:00 to ratify the matters agreed upon by the CWC;
- (c) that the SDF ensure that all potential candidates meet with the accepted qualification requirements; and
- (d) that all the parties/organisations concerned endeavour to obtain a broader mandate to expedite decision-making.

FOR CONSIDERATION.

3.1 NOTED.

3.2 At a meeting of this Committee held on 1994-09-28 it was agreed, inter alia:

- (a) that the delay regarding the status of the five parties in dispute be taken up with the Provincial Government by a delegation of three comprising of a facilitator and one each from the statutory and non-statutory side;
- (b) that pending the outcome of the aforementioned (a) the next meeting of the CWC be held on 1994-10-06 at 18:30 and the SDF meeting on the same day at 20:00 with 1994-10-11 as an alternative date if the outstanding issues have not been resolved by 1994-10-06;
- (c) that the non-statutory alliance submit detailed proposals for an assistant-secretary or co-secretary to the SDF; and
- (d) that the SDF meeting scheduled for 20:00 be re-scheduled as in (b) above.

An extract from the minutes of a meeting of the Joint Provincial Committee held on 1994-10-07 is attached as **PAGE 8**.

FOR CONSIDERATION.

3.2 AGREED

- (a) that item 3.2(a) be amended as in item 3 above;
- (b) that the division of the Forum into statutory and non-statutory components as per the list attached as PAGE 9 be approved and referred to the Joint Provincial Committee for the formal recognition of the Forum as a negotiating Forum;
- (c) that the Forum note the acceptance but also the discontent of the ACDP at their classification as statutory by the Joint Provincial Committee;
- (d) that the Premier's approval be obtained for the postponement of the date of implementation of a Transitional Local Council and extension of the term of office of the present local government bodies concerned till 1994-12-01;
- (e) that the following meetings be held before the aforementioned date:
 - (i) 1994-10-17 (after this meeting): Meeting of the non-statutory bodies to decide on the number of nominees per party/organisation;
 - (ii) 1994-10-20 (at 16:00): Meeting of statutory bodies to decide on the number of nominees per party/organisation;
 - (iii) 1994-10-24 (before 16:00): Submission of names (with 3 - 4 extra names in order of priority) to the Secretary for the Transitional Local Council by the parties/organisations concerned;
 - (iv) 1994-10-26 (at 18:00): Meeting of Technical Sub-committee of the CWC to scrutinise the names submitted;
 - (v) 1994-10-26 (at 20:00): Meeting of CWC to ratify names submitted by the Technical Sub-committee of the CWC (TLC);
 - (vi) 1994-10-31 (at 16:00): Meeting of Technical Sub-committee of the CWC (TLC) to finalise the agreement as required by Act 209 of 1993;
 - (vii) 1994-11-02 (at 19:00): Meeting of both CWC and SDF to sign and ratify the agreement as required by Act 209 of 1993; and
- (f) that it be noted that the training of the new nominated councillors by the Training Board and Institute for Local Government Development will take place on 1994-11-01 and 1994-11-02.

The meeting adjourned at 19:45.

CONFIRMED.

CHAIRPERSON.

cwc17j94/cr

8.

STELLENBOSCH (Annexure K3)

The Stellenbosch forum was confirmed at the Joint Committee's meeting of 2 May 1994.

RESOLVED:

1. That the application in respect of the forum membership be NOT CONFIRMED;
2. That the applicant be requested to reconstitute the membership of the forum in accordance with the provisions of Schedule 1, Section 3 (3), (4), (5) and (6) of the Local Government Transition Act, 1993;
3. That the forum be advised to designate statutory status to the following organisations listed below:
 - ACDP
 - DP
 - NP
 - Freedom Front
 - Stellenbosch Ratepayers Association
4. That the applicant be requested to certify when the correct determination in respect of member and observer status, and the division of the forum into statutory and non-statutory components, has been completed and is acceptable to the forum.

STELLENBOSCH DISCUSSION FORUM

Participating Organisations as at 1994-10-17

Full Members	Observer Members
Statutory	1 Association of Municipal Electricity Undertakings (AMEU)
1 African Christian Democratic Party (ACDP)	2 Cloeteville Community Health Services
2 Cloeteville/Idas Valley Management Committee	3 ESKOM
3 Democratic Party (DP)	4 Farm and Rural Workers Support Association
4 Freedom Front	5 Kaya Mandi Development Forum
5 Jamestown Area Committee	*6 Klapmuts Steering Committee
6 Johannesdal Management Committee	*7 Pniel ANC
7 Kaya Mandi Town Council	8 Rotary Club of Stellenbosch
8 Kylemore Management Committee	9 South African Association of Municipal Employees (SAAME)
9 National Party	10 South African Municipal Workers Union (SAMWU)
*10 Pniel Management Board	11 Stellenbosch Agricultural Society
11 Stellenbosch Ratepayers Association	12 Stellenbosch Chamber of Business
12 Stellenbosch Town Council	13 Stellenbosch Council for Church Co-operation
13 Western Cape Regional Services Council	14 Stellenbosch Informal Sector Trade Ass (SISTA)
Non-Statutory	15 Stellenbosch Relations Committee
1 African National Congress (ANC)	16 Stellenbosch Rural Council
2 Eikestad Residents Association	17 Stellenbosch Sakekamer
3 Jamestown Action Group	Independent Facilitators
4 Jamestown Civic Association	1 CVR Honey -- Chairperson
5 Johannesdal Ratepayers and Tenants Association	2 S Adams Vice-Chairperson
6 Kylemore Ratepayers and Residents Association	3 L du Plessis Chairperson: CWC
7 Pan African Congress of Azania (PAC)	Secretariat
*8 Pniel Civic Association	1 CTB Davy
9 SA National Civics Organisation (SANCO)	
10 Stellenbosch Housing Action Committee (SHAC)	

*Membership status pending a final decision by the Joint Premier-in-Executive/Provincial Committee.

NOMINASIES VIR STELLENBOSCH OORGANGSRAAD

1. Statutêre komponent van die SDF

Op 'n vergadering gehou op 1994-10-20 het die statutêre komponent van die SDF soos volg ooreengekom:

(a) dat die:

- (i) statutêre komponent van 14 lede bevestig word;
- (ii) indeling van statutêre groep soos volg sal wees:

Stadsraad van Stellenbosch	5
Bestuurskomitee vir Cloeteville/Idasvallei	4
Dorpsraad van Kaya Mandi	2
Gebiedskomitee vir Jamestown	1
Bestuurskomitee vir Kylemore	1
Bestuursraad vir Pniel/Bestuurskomitee vir Johannesburg	1

(b) dat die volgende lys van kandidate vir die statutêre komponent aan die Sekretaris van die SDF voorgelê word:

Stadsraad van Stellenbosch	:	JAM van Schoor J Cawood EPS Taljaard RP Conradie GP Lubbe
Bestuurskomitee vir Cloeteville/Idasvallei	:	AN September P Hough AC Martin ER Gordon
Dorpsraad van Kaya Mandi	:	SM Mayekiso JM Mjandana
Gebiedskomitee vir Jamestown	:	CP Jooste
Bestuursraad vir Pniel/Bestuurskomitee vir Johannesburg	:	WJ Meyer
Kylemore Bestuurskomitee	:	JT Swartz

(c) dat die volgende bykomende kandidate in orde van voorkeur per ondergenoemde groeperings aangewys word ingeval van vakatures in sodanige groeperings:

Gesamentlike Raad/Bestuurskomitee en Dorpsraad van Kaya Mandi	:	DJ Visser BF Lutz Me F Osman PG van Breda
Gebiedskomitee vir Jamestown	:	PJ van der Rheede
Bestuurskomitee vir Kylemore	:	PW Lawrence
Bestuursraad vir Pniel/Bestuurskomitee vir Johannesburg	:	MJ Lackay

- (d) dat die poisisie van JM Mjandana wat in diens van die Wes-Kaapse Streeksdiensteraad is as 'n saak van dringendheid uitgeklaar word en dat die Dorpsraad van Kaya Mandi ook 'n alternatiewe persoon vir hom aanwys indien hy gediskwalifiseer word.

✱

Die Vryheidsfront het voorts mnr GAG Bredell vir die Oorgangsraad benoem, alhoewel daar nie 'n setel aan die party toegesê is nie.

2. Non-statutory component of the SDF

The following /6 nominations were received for the 14 seats allocated to the non-statutory component of the SDF:

- ANC : AG Royi
CC Crowley
Me ND Hani
RE Moses
F Patel
- Additional
- VH Carolissen
Me N Swartbooi
Me M Renene
- Eikestad Residents Association : WF Pietersen ✱
(See letter attached as PAGES 13 and 14)
- Additional
- Me N McOmbring
Me J de Villiers
- Jamestown Action Committee : Me JM Simons
- Additional
Member of Jamestown Civic
MA Stone
DB Azer
- Jamestown Civic Association : HD Jooste ✱
- Additional
- KC Daniels
- Johannesdal Ratepayers and Tennants Association/
Pniel Civic Association : Me E Daniels
- Additional
- A Mentoer (jnr)
- Kylemore Ratepayers and Residents Association : D Carolissen
- Additional
- R Williams

PAC (See letter attached as PAGE 15)	: VV Myatasa M Tolobisa
	<u>Additional</u>
	S Mgqibeliso S Setona D Mgabadeli
SANCO	: MM Ngcofe E Matyatya
	<u>Additional</u>
	WM Kalazana
SHAC	: PJ Louw W Nel
	<u>Additional</u>
	W Ortell Rev S Adams

3. **Ander Benoemings**

Die volgende benoemings is ook ontvang:

Stellenbosch Gemeenskapsbelangegroep : Ds S Adams
(Nie lid van die Forum nie)

EIKESTAD INWONERS VERENIGING

Tel: 887-8121

Posbus 297
STELLENBOSCH
7600Die Stadsklerk
Munisipaliteit
STELLENBOSCH
7600

Geagte Meneer

spekfont → *dispuut*

DESPUUT: OORGANGSRAAD STELLENBOSCH

daar is in weese gelees diepunt nie

Volgens die wet op Plaaslike regering (209 van 1993) is organisasies wat breë belang in die gemeenskap het, geregtig op verteenwoordiging in die forum.

Die Eikestad Inwoners Vereniging, het volle verteenwoordiging op die forum en derhalwe geregtig op gelyke stemming oor verteenwoordiging aan die nie-staturêre kant.

Ons as organisasie was nie geken in die samestelling aan die nie-statutêre kant en maak gevolglik beswaar teen die uitsluiting van genoemde organisasie in die Oorgangsraad.

Daar was geensins konsensus bereik oor die samestelling van die nie-statutêre kant nie. Dit skyn dat die A.N.C. en sy alliansie die proses van inklusiwiteit probeer verongeluk het.

Hierdie besluit van die A.N.C., probeer om ander organisasies wat nie tot hul alliansies behoort nie, uit te sluit en derhalwe is ons as organisasie in die proses benadeel.

Ons eis dat die nie-statutêre komponent nietig verklaar word tot tyd en wyl h deeglike ondersoek se bevindinge oor die aangeleentheid afgehandel is.

Ons verwerp die gedagte dat die A.N.C. en sy bondgenote die alleenreg in die besluitnemingsproses kan hê.

Ons as die Eikestad Inwoners Vereniging eis dat die samestelling inklusief moet wees en maak gevolglik aanspraak op minstens een verteenwoordiger.

Ons hoop en vertrou dat u die saak dringend sal ondersoek en spoedig h positiewe antwoord sal kan verstrek. By versuim hiervan sal ons as organisasie genoodsaak wees om ons tevredenheid op h ander demokratiese manier te verkry.

U samewerking in die verband word waardeer.

By voorbaat dank

PAN AFRICANIST CONGRESS OF AZANIA (STELLENBOSCH BRANCH)



The PAC of Stellenbosch
Branch Stellenbosch
24-10-1994

The Secretary
S. D. F.
Stellenbosch.

RE: withhold of names submitted

Dear Mr. Davey


It has come to our attention, the executive of the PAC. That names have been submitted representing our Party (organisation) in the new T.L.C.

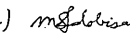
I wish hereby to tell you that, myself, as the chairman and Mr. M. Tolobisa, the vice chairman whose name is among those submitted to you, are distancing ourselves from that list.

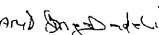
The whole executive will be present in a general meeting on Tuesday the 25/10/1994 and two names are going to be democratically elected and submitted to you by 10h00 on Wednesday morning

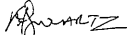
I Thank you.

P/S. Please accept our apologies for this short delay information from you, never reaches us in time, and please acknowledge the receipt of this letter.

SIGNED: 1. S. Mrali (chairman) 

2. M. Tolobisa (vice-chairman) 

3. D. MGRABADELI (VICE-SECRETARY) 

4. M. SWARTZ (ORGANISER) 

CONSTITUTION OF RSA

(Section 179 read with section 6)

Voter: Every natural person shall be entitled to vote in a local government election if he or she is

- (a) of or over the age of 18 years;
- (b) a SA citizen, or has been accorded the right to exercise the franchise in terms of an Act of Parliament;
- (c) not disqualified by law;
- (d) ordinarily resident within the area of jurisdiction of that local government, or is under law liable for the payment of property rates, rent, service charges or levies to that local government; and
- (e) registered as a voter on the voters' role of that local government.

(Section 179)

Councillor: No person shall be qualified to become or remain a member of a local government if he or she

- (a) is not eligible to vote;
- (b) is a member of the National Assembly or Senate;
- (c) is not qualified to become a member of the National Assembly;
- (d) is an employee of a local government (unless exemption of this disqualification is given by the Executive Council of the province);
- (e) is disqualified in terms of any other law;
- (f) is disqualified to be elected by any competent court; and
- (g) at 15:00 on the day immediately preceding nomination, he or she is indebted to the local government concerned in respect of any assessment rates, rent, service charges or any other monies for a period longer than three months.

Added (f) and (g) in terms of Schedule 4 to the Local Government Transition Act, 1993.