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**STELLENBOSCH MUNICIPALITY**

**STELLENBOSCH DISCUSSION FORUM (SDF) : THURSDAY, 1994-04-07**

Notice is hereby given of the above meeting between representatives of the Stellenbosch Community Based Organisations and Stellenbosch Town Council in the Council Chamber, Town Hall Complex, Plein Street, Stellenbosch on **THURSDAY, 1994-04-07 at 19:30** to consider the matters on the attached agenda.

**SECRETARY**

1994-03-30

\* \* \* \* \*

1. LEAVE OF ABSENCE

2. STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON

3. CONSIDERATION OF MINUTES OF SDF AND RELATED MEETINGS

3.1 SDF Meeting held on 1994-03-09

The minutes are attached as PAGES 6 - 15.

**RECOMMENDED**

that the minutes be approved by the SDF.

3.2 Steering Committee meeting held on 1994-03-31

The minutes of the above meeting are attached as PAGES 16 - 18.

3.3 SDF Constitutional Working Committee meeting held on 1994-03-24

The minutes are attached as PAGES 19 - 23.

**RECOMMENDED**

that the matters agreed upon be approved by the SDF.

3.3.1 Item 4.1(6) : Agreement on Finance, Services and Service Rendering

**AGREED**

- (a) that a Technical Sub-committee of the CWC (Finance) comprising of DEW Schumann, JAM van Schoor, BJP Pienaar, MM Ngcofe, W Nel and WF Ortell be appointed to address financial policy matters regarding the aforesaid agreement and the 1994/95 budget of the Stellenbosch Town Council;
- (b) that the aforementioned Sub-committee meet on 1994-04-12; and
- (c) that it be accepted that the new Transitional Local Council will finalize the budget.

**3.3.2 Item 4.2(8) : Structuring of Local Government in the pre-interim period****AGREED**

- (a) that regarding the form of local council the Transitional Local Council model be accepted;
- (b) that it be accepted that RP Conradie and MM Ngcofe be appointed as *secundi* for respectively the statutory and non-statutory side to attend the Cape Metropolitan Negotiating Forum meetings as observers;
- (c) that it be noted that only the Stellenbosch Town Council and Management Committee for Cloeteville and Idas Valley as well as the Kaya Mandi Town Council indicated that they wish to form part of the statutory component;
- (d) that a Technical Sub-committee of the CWC comprising of L du Plessis (Facilitator), DEW Schumann, JAM van Schoor, W Nel, WF Ortell, MM Ngcofe and BJP Pienaar meet on Tuesday, 1994-03-29 to address the following matters and that one member each from the Democratic Party and National Party be co-opted on the aforesaid committee:
  - (i) Areas of Jurisdiction of Forum;
  - (ii) Classification of full members of SDF as statutory or non-statutory;
  - (iii) Number of seats in local council;
  - (iv) Qualifications of councillors;
- (e) that the agreements reached by the Technical Sub-committee, CWC, DWC and SDF be ratified after the SDF has been approved as a Negotiating Forum; and
- (f) that the application of SISTA for full membership be referred to the Technical Sub-committee of the CWC (Membership of the SDF).

**3.4 Technical Sub-committee meeting of the CWC (Transitional Local Council) held on 1994-03-29**

The minutes of the abovementioned meeting are attached as PAGES 24 - 27.

**RECOMMENDED**

that the matters agreed upon be approved by the SDF.

**3.4.1 Item 2 : Local Government Transition Act, 1993 : Establishment of a Transitional Local Council (TLC)****(a) Area of jurisdiction****AGREED**

- (i) that a Transitional Local Council be established in the pre-interim period for the economical and historical (pre 1972) boundaries of Stellenbosch with the inclusion of Kaya Mandi;
- (ii) that the incorporation of the surrounding local areas be supported by the SDF in principle pending technical investigations and that they be invited to submit a formal application for inclusion in the municipal boundaries of Stellenbosch before the first democratic municipal election (interim period) indicating how inclusive their decision-making is;
- (iii) that the surrounding local areas such as Jamestown, Kylemore, Pniel and Johannesdal, be encouraged to initiate their own local forums until the said local areas have been incorporated within the boundaries of Stellenbosch;
- (iv) that the letter to be written regarding the aforementioned items (ii) and (iii) be first circularised to the members of this Technical Subcommittee for their perusal;
- (v) that an open invitation be sent to the communities of Vlotenburg, Lynedoch and Koelenhof and other local communities within the Magisterial district of Stellenbosch by means of a press report in the Eikestadnuus, to also apply for representation on the SDF; and
- (vi) that the Rural Councils concerned also be approached timeously in order to ensure that the greater Stellenbosch is represented as inclusive as possible.

**(b) Classification of full members of the SDF as statutory and non-statutory****AGREED**

- (i) that the deadlock regarding the indication by the NP, DP and Stellenbosch Ratepayers Association that they wish to be included in the non-statutory component, and the objection thereto by the SHAC/ANC/SANCO alliance, be pursued by the facilitators in order to try and resolve the issue before the next meeting of the SDF on 1994-04-07; and
- (ii) that it be accepted as guideline that the intended end-result of the Forum be first pursued.

(c) **Number of seats in local council**

**AGREED**

that the number of seats of the Transitional Local Council be provisionally determined at 22.

(d) **Qualifications of Councillors**

**AGREED**

- (a) that the aforesaid sections of the constitution be accepted by means of an agreement by the parties concerned as guidelines for qualifications of councillors subject to the scrapping of subsection 179(e) (Voters);
- (b) that the basic approach will be that the most capable persons to serve the community of both statutory and non-statutory components be nominated as councillors with the right of the parties to contest a nomination on the grounds of the qualification guidelines; and
- (c) that if deemed necessary the scrapping of subsection 179(g) (councillors) be further considered before the final agreement is finalised.

**3.5 DWC Meeting held on 1994-03-31**

The minutes of the abovementioned meeting are attached as **PAGES 28 - 44**.

**RECOMMENDED**

that the matters agreed upon be approved by the SDF.

**4. FURTHER ITEMS FOR THE SDF MEETING TO BE HELD ON 1994-04-07**

**4.1 Kaya Mandi : Naming of 18,5 ha development : Masizakhe view**

A copy of a letter dated 1994-03-16 received from the Kaya Mandi Town Council is attached as **PAGES 45 - 46**.

**RECOMMENDED**

that the matter be considered by the SDF.

**4.2 Application for full membership of the SDF**

The applications of Stellenbosch Informal Sector Trade Association (SISTA) and Kylemore Ratepayers and Residents Association for full membership of the SDF were referred to the Technical Sub-committee of the CWC (Membership of the SDF).

**FOR REPORT-BACK.**

**4.3 Availability of land for the circumcision of young Xhosa men**

The SDF noted on 1994-03-09 (item 5) that the site that was identified for the erection of temporary structures, will now be taken up by W Kalazana with the elders concerned.

**FOR REPORT-BACK.**

**4.4 Plight of farm workers**

The SDF agreed on 1994-03-09 (item 7) that due to the absence of the persons/organisations concerned, the matter not be further discussed.

**FOR REPORT-BACK.**

**4.5 Voter Education**

HC de Klerk will submit a progress report.

**FOR CONSIDERATION.**

**MINUTES OF A MEETING HELD BETWEEN REPRESENTATIVES OF THE STELLENBOSCH COMMUNITY BASED ORGANISATIONS AND STELLENBOSCH AND KAYA MANDI TOWN COUNCILS IN THE COUNCIL CHAMBERS, TOWN HALL, PLEIN STREET, STELLENBOSCH ON WEDNESDAY, 1994-03-09 AT 19:30**

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**PRESENT:**

**Facilitators** : V Honey (Chairperson)  
S Adams  
L du Plessis

**Full Members:**

**Existing Statutory Bodies:**

**Joint Stellenbosch Town Council and Management Committee** : JAM van Schoor  
DEW Schumann  
EPS Taljaard  
J Cawood  
SW Oliphant  
AN September  
JP Retief (Adviser)  
JE Delpont (Adviser)  
L de Villiers (Adviser)  
J vd M Pretorius (Adviser)  
CTB Davy (Secretary)

**Kaya Mandi Town Council** : MS Mayekiso  
GM Ntshanga  
ND Mgabadel  
A Cruywagen (Adviser)

\* \* \* \* \*

**Stellenbosch Ratepayers Association** : PG van Breda  
FH Stephens

**SHAC** : J Nortje  
HC de Klerk  
P Louw  
C Lewis

**ANC** : WF Ortell  
W Nel  
RE Moses

**SANCO** : MM Ngcofe  
WM Kalazana

**National Party** : AG Jooste  
N Flaaten  
CJ Grobbelaar

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<b>Democratic Party</b>	:	ER Gordon
<b>PAC</b>	:	VV Myataza S Makomazi SMG Qiecliso
<b>Member Observers:</b>		
<b>Stellenbosch Town Council</b>	:	RP Conradie
<b>Kylemore Ratepayers and Residents Association</b>	:	T Newman D Carolissen
<b>Stellenbosch Sakekamer</b>	:	MC Carinus
<b>Stellenbosch Relations Committee</b>	:	me M Adendorff me E Retief
<b>Klapmuts Steering Committee</b>	:	JL Wentzel PA Jacobs JC Anthony W Johannes
<b>SISTA</b>	:	MF Patel

**Other observers:**

<b>Jamestown Action Group</b>	:	DB Azer
<b>Child Welfare</b>	:	J Kulu
<b>Eikestadnuus</b>	:	PH Malan

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1. **LEAVE OF ABSENCE**1. **RESOLVED**

that leave of absence be granted to L Silberbauer (Chamber of Business) and BJP Pienaar (Stellenbosch Ratepayers Association).

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

With the permission of the Chairperson, CVR Honey, J Cawood tabled a short overview of the SDF (attached as **PAGE 15**)



- 3. **CONSIDERATION OF MINUTES OF THE SDF AND RELATED MEETINGS**
- 3.1 **SDF MEETING HELD ON 1994-02-03**  
The minutes are not attached - **previously circulated.**  
**FOR CONFIRMATION.**
- 3.1 **RESOLVED**  
that the minutes be approved.
  
- 3.2 **SDF CONSTITUTIONAL WORKING COMMITTEE MEETING HELD ON 1994-02-15**  
The minutes are not attached - **previously circulated.**  
**RECOMMENDED**  
that the matters agreed upon be approved by the SDF.
- 3.2 **AGREED**  
that the recommendation be accepted.
  
- 3.3 **STEERING COMMITTEE MEETING HELD ON 1994-02-28**  
The minutes are not attached - **previously circulated.**  
**FOR INFORMATION.**
- 3.3 **NOTED.**
  
- 4. **OCCUPATION OF ADMINISTRATIVE OFFICES : KAYA MANDI**  
The SDF agreed on 1994-02-03 (item 4):
  - (a) that it be noted that the vacating of the offices will be discussed at a meeting with the parties concerned on 1994-02-07; and
  - (b) that the Chairperson, CVR Honey, contact MM Ngcofe after the aforementioned meeting for the outcome of the discussion.The Steering Committee agreed on 1994-02-28 (item 4) that the facilitators and the Alliance meet urgently before the SDF meeting on 1994-03-09 to try and resolve the aforesaid matter.  
**FOR REPORT-BACK.**
- 4. **AGREED**  
that the matter stand over for further consideration at a later stage.

**5. AVAILABILITY OF LAND FOR CIRCUMCISION OF YOUNG XHOSA MEN**

It was agreed by the SDF on 1994-02-03 (Item 7) that the report by WM Kalazana be noted and that a further report will be submitted at the next SDF meeting.

The Steering Committee agreed on 1994-02-28 (item 5):

- (a) that a further report be submitted to the SDF; and
- (b) that JP Retief take the matter up with the municipal official concerned and liaise with WM Kalazana before the next SDF meeting on 1994-03-09.

**FOR REPORT-BACK.**

5. A map of the proposed site and conditions for the erection of temporary structures were previously attached.

**AGREED**

that it be noted that W Kalazana must now take the matter up with the elders concerned.

**6. AGREEMENT ON FINANCE, SERVICES AND SERVICE RENDERING**

The CWC agreed on 1994-02-15 (item 3.4):

- (a) that the matter be further pursued once the Transitional Local Council has been appointed; and
- (b) that the alleged grievances of the Kaya Mandi residents concerned be conveyed personally to L de Villiers and that the SDF also address the matter.

A report submitted by the Stellenbosch Town Council was previously circulated.

**RECOMMENDED**

that the SDF consider the matter and the aforesaid report.

**6. AGREED**

- (a) that the matters in the report of a financial policy nature be referred to the CWC and that service and services rendering and payment thereof be referred to the DWC;
- (b) that the non-payment of accounts be referred to the DWC to look at ways to address the situation;
- (c) that in the meantime a friendly reminder in Xhosa, similar to the first reminder sent out in English, be sent to those who defaulted on their payments;
- (d) that the DWC also address the illegal electrical connections in the informal housing section; and

- (e) that the communities (through their SDF representatives) as a matter of urgency, put their grievances in writing to L de Villiers.

#### 7. PLIGHT OF FARM WORKERS

The SDF agreed on 1994-02-03 (item 8):

- (a) that it be noted that the Farm and Rural Workers Support Association is presently pursuing the matter of the conditions under which farm workers are being transported to Stellenbosch for their weekly/monthly shopping and they will report back at the next SDF meeting; and
- (b) that the housing situation of farm workers also be addressed by the DWC.

#### RECOMMENDED

that W Nel ask the Farm and Rural Workers Support Association to submit a written report to the SDF.

#### 7. AGREED

that due to the absence of the persons/organisations concerned, the matter not be further discussed.

#### 8. STRUCTURING OF LOCAL GOVERNMENT IN THE PRE-INTERIM PERIOD

The CWC agreed on 1994-02-15 (item 3.2):

- (a) that the application submitted to the Administrator for recognition of the SDF as a negotiating forum not be withdrawn with the clear understanding that the question of inclusion of or exclusion from the Cape Metropolitan Area still has to be decided on;
- (b) that the proposed boundaries for the Cape Metropolitan Transitional Council be further discussed at a workshop on the matter to be held on Saturday, 1994-02-26 at 08:00 in the Banqueting Hall (re-scheduled to 1994-03-05 in the AP Venter Hall);
- (c) that the Stellenbosch Town Council supply the necessary refreshments;
- (d) that a Technical Sub-committee of the CWC (Workshop on Cape Metropolitan Transitional Council) comprising of members from the statutory groups, viz EPS Taljaard and JP Retief and non-statutory group, viz W Ortel and MM Ngcofe, be appointed to make the necessary arrangements for the workshop;
- (e) that the proposed Technical Sub-committee of the CWC comprising of L du Plessis (Facilitator), DEW Schumann (in his absence JAM van Schoor), W Nel, MM Ngcofe and EPS Taljaard meet on 1994-03-07 if necessary to assess the outcome of the Workshop and to make the necessary recommendations to the SDF on 1994-03-09;
- (f) that organisations submit further relevant documentation to the Secretariate for circulation beforehand and also feel free to bring advisers on the matter to the Workshop; and

- (g) that once a decision on the inclusion of or exclusion from the Cape Metropolitan Transitional Council has been reached, the CWC pursue the other matters relevant to the aforementioned decision.

#### RECOMMENDED

- (a) that a report be submitted to the SDF;
- (b) that the Technical Sub-committee as mentioned in (e) meet on 1994-03-07 at 17:00; and
- (c) that the next meeting of the DWC be held on 1994-03-07 at 19:30.
8. The minutes of the meeting of the SDF Technical Sub-committee of the CWC (Local Government Transition Act, 1993) are not attached - previously circulated.

#### AGREED (unanimously)

- (a) that the matters agreed upon be approved;
- (b) that it be noted that the Provincial Committee will now meet on 1994-03-14 to consider, amongst others, the application of the SDF;
- (c) that the next meeting of the CWC be held on 1994-03-24 to pursue further matters prescribed by the Act to be implemented in the pre-interim period;
- (d) that CVR Honey chair the aforesaid meeting in the absence of L du Plessis and that an expert on the Act/Local Government matters be co-opted to advise the CWC;
- (e) that the CWC appoint a smaller technical committee to pursue issues that may be problematic, if necessary;
- (f) that application be made to the Cape Metropolitan Negotiating Forum for observer-status by one each (and a secundi) from the statutory and non-statutory side and that J Cawood and WF Ortell respectively co-ordinate the submission of the names of the proposed representatives to the Secretary not later than Friday, 1994-03-18; and
- (g) that all full members of the SDF inform the Secretary not later than Friday, 1994-03-18 as to whether their organisation must be regarded as statutory or non-statutory.

#### 9. APPLICATIONS FOR MEMBERSHIP OF THE SDF

It was agreed by the SDF on 1994-02-03 (item 9.4) that it be noted that the Democratic Party was accepted as a full member of the SDF but that the position of the Kaya Mandi Development Forum will be finalised at a meeting of the Technical Sub-committee of the CWC (Membership of the SDF) to be held on 1994-03-09 at 19:00.

It was also agreed by the SDF on 1994-12-02 (item 2.6(b)) that the Klapmuts Steering Committee be co-opted on the Technical Sub-committee of the DWC that will consider the Stellenbosch and Environs Sub-regional plan. Due to the fact that the inclusion of Klapmuts in the Stellenbosch municipal boundaries is presently being considered, the Klapmuts Steering Committee has been invited to apply for observer-member status of the SDF.

#### RECOMMENDED

that the Technical Sub-committee of the CWC (Membership of the SDF) also consider (and resolve) the application of the Klapmuts Steering Committee, with report-back to the SDF.

#### 9. AGREED

that it be noted that the Technical Sub-committee of the CWC (Membership of the CWC), resolved that the following organisations become observer-members of the SDF:

- (a) Kaya Mandi Development Forum (did not turn up at the meeting as requested);
- (b) ESKOM;
- (c) SISTA; and
- (d) Klapmuts Steering Committee (one representative each from Klapmuts North, Klapmuts South and CIVICS).

(Should Klapmuts Management Committee opt to have separate observer membership, then only one representative and 2 for the Klapmuts Steering Committee).

#### 10. FURTHER ITEMS FOR THE SDF MEETING TO BE HELD ON 1994-03-09

##### 10.1 Housing loans for residents of Kaya Mandi

Financial institutions are presently reluctant to grant bonds to Kaya Mandi residents due to the security risk.

#### RECOMMENDED

that the SDF refer the matter to the DWC.

##### 10.1 AGREED

that the matter be addressed in conjunction with the overall housing development plan as mentioned in item of the DWC minutes of 1994-03-07 (item 3.2).

##### 10.2 Kaya Mandi : Establishment of a Library Steering Committee

#### RECOMMENDED

that a report be submitted to the SDF.

**10.2 AGREED**

- (a) that the report on the Kaya Mandi Library that was tabled, be noted; and
- (b) that the names of the proposed Library Steering Committee be approved and that the report mentioned in (a) be referred to the aforesaid Committee.

**10.3 Meeting of the DWC : 1994-03-07****RECOMMENDED**

- (a) that the minutes of the abovementioned meeting be tabled at the SDF; and
- (b) that the matters agreed upon by the DWC be approved by the SDF.

**10.3 The minutes were tabled.****AGREED**

that the matters agreed upon be approved, subject to the following amendments:

**(a) Item 3.1 : Kaya Mandi : Opening of Clinic****AGREED**

- (i) that the services offered at the Clinic, especially that of the doctor, be communicated to the community via the churches and schools;
- (ii) that the hours of the doctor be increased on a trial basis for say 3 to 6 months and statistics be kept on the visits to the Clinic by the community; and
- (iii) that a comprehensive report on health care in Stellenbosch be submitted to the DWC.

**(b) Item 3.2(e) : Sale of Houses/Flats erected with National Housing Funds**

The meeting was informed that people renting the abovementioned houses and flats, qualified for a R7 500,00 discount on the selling price.

**AGREED**

that the DWC address the issue as a matter of priority, and how it affects the various residential areas.

**(c) Item 4.3 : Agreement on Finance, Services and Service Rendering**

The meeting was referred to item 6 of the minutes.

**NOTED.**

**10.4 Tariff for burial of deceased Kaya Mandi residents****RECOMMENDED**

that the SDF refer the matter to the DWC.

**10.4 AGREED**

that the burial tariffs for the whole of Stellenbosch, and not only for the residents of Kaya Mandi, be addressed by the DWC.

The meeting adjourned at 21:45.

CONFIRMED.

CHAIRPERSON

sd109c94/cr

IMPORTANT DATES WITH REGARD TO THE ORIGIN OF THE STELLENBOSCH DISCUSSION FORUM

(ii) INITIAL DISCUSSIONS REGARDING LOCAL GOVERNMENT AFFAIRS

18 June 1991

An informal meeting was held at the home of Victor Honey between the members of the Town Council's Ad hoc liaison committee (Tajsaard, Schumann, Gildenhuys), SHAC, ANC and SANCO. The NGO's voiced their opposition to the Coloured Management Committee and the Kaya Mandi Town Council and proposed the establishment of an Interim Local Government. Members of the Stellenbosch Town Council referred to specific laws (inter alia the law regarding Interim Measures for Local Government) and explained that it was not possible to merely dismiss the Management Committee and the Kaya Mandi Town Council. Similar follow-up meetings were proposed.

(iii) INITIAL DISCUSSIONS REGARDING THE KAYA MANDI STRUCTURE PLAN

21 October 1991

With the assistance of Johan Swartz and the use of the Stellenbosch Relations Committee an opportunity for discussion was arranged for inhabitants of Kaya Mandi who normally have no access to statutory bodies. DEW Schumann, J Cawood and PG Carstens led the discussion with approximately 20 inhabitants who were mainly members of SANCO and the squatter community. Invaluable contributions were made by SANCO leaders such as Clifford Ntsomboti and Melkem N'Gcofe. Six significant proposals were formulated for submission to the Kaya Mandi Town Council.

9 December 1991

A meeting to enable discussion of the Kaya Mandi Structure Plan was arranged between the Kaya Mandi Town Council, SANCO and the Stellenbosch Relations Committee (DEW Schumann, J Cawood and F Wüst).

(iii) THE START OF INFORMAL LIAISON BETWEEN THE STELLENBOSCH TOWN COUNCIL AND SANCO

30 January 1992

Johan Swartz met with DEW Schumann and J Cawood to identify community leaders.

19 and 20 February 1992

Initial discussions held between Clifford Ntsomboti and Melkem N'Gcofe (SANCO) and DEW Schumann and J Cawood (Stellenbosch Town Council) regarding a three phase future model for local government.

(iv) MEETINGS THAT PAVED THE WAY FOR THE ESTABLISHMENT OF THE FORUM

9 March 1992

A meeting was held in the Eikestad Hall, Cloeteville, between various statutory and non-statutory groups from Kaya Mandi, Ida's Valley, Cloeteville and the Stellenbosch Town Council.

15 April 1992

28 July 1992

3 August 1992

27 August 1992

21 September 1992

Meeting between various interest groups and the Stellenbosch Town Council regarding future local government

(vi) FIRST FORMAL MEETING TO LAUNCH THE STELLENBOSCH DISCUSSION FORUM

13 October 1993

(vi) FORMAL MEETINGS OF THE SDF BETWEEN 13 OCTOBER 1993 AND 9 MARCH 1994

NB The dates listed below do not include several informal bilateral discussions and caucus meetings.

Dates of meetings of the SDF

1992-11-10	1993-03-25	1993-08-26	1994-02-03
1992-12-01	1993-06-03	1993-10-07	1994-03-09
1993-02-04	1993-08-05	1993-12-02	

Dates of meetings of the STEERING COMMITTEE

1992-10-22	1993-03-15	1993-09-27	1994-02-28
1992-11-18	1993-05-24	1993-11-22	
1993-01-27	1993-07-26	1994-01-24	

Dates of meetings of the CONSTITUTIONAL WORKING COMMITTEE

1993-05-24	1993-08-19	1993-11-22
1993-06-28	1993-09-27	1994-02-05*
1993-07-21	1993-11-08	

Dates of meetings of the DEVELOPMENTAL WORKING COMMITTEE

1993-06-21	1993-11-10	1994-01-19
1993-07-26	1993-11-29	1994-03-07
1993-09-23	1993-12-15	

Dates of meetings of the TECHNICAL COMMITTEES

* Arranged by Secretariat	7
* Department of the Town Engineer	82
* Department of the Town Treasurer	23
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	112

Meetings of the MEMBERSHIP COMMITTEE

\* 5 meetings

TOTAL NUMBER OF MEETINGS (NB EXCLUSIONS) LISTED HERE:

PREPARATORY MEETINGS (i)-(iv)	: 12
SDF-MEETINGS	: 12
STEERING COMMITTEE	: 10
CONSTITUTIONAL WORKING COMMITTEE	: 8
DEVELOPMENTAL WORKING COMMITTEE	: 8
TECHNICAL COMMITTEES	: 112
MEMBERSHIP COMMITTEE	: 5
	<hr/>
TOTAL	167



3/2/4/2/3/4/1

**MINUTES OF SDF STEERING COMMITTEE MEETING OF REPRESENTATIVES OF COMMUNITY BASED ORGANISATIONS AND STELLENBOSCH TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON THURSDAY, 1994-03-31 AT 19:00**

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**PRESENT:**

**Facilitator** : CVR Honey (Chairperson)

**Members:**

**Stellenbosch Municipality** : J Cawood  
JP Retief (Adviser)  
CTB Davy (Secretary)

**Democratic Party** : ER Gordon

**SHAC** : P Louw  
HC de Klerk

**Stellenbosch Ratepayers Association** : BJP Pienaar

\* \* \* \* \*

1. LEAVE OF ABSENCE

1. NONE.

2. STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON

2. NONE.

3. CONSIDERATION OF MINUTES OF SDF AND RELATED MEETINGS

3.1 **Steering Committee meeting held on 1994-02-28**

The minutes are not attached - **previously circulated.**

**FOR CONFIRMATION.**

3.1 **RESOLVED**

that the minutes be confirmed.

3.2 **SDF Meeting held on 1994-03-09**

The minutes are attached as **PAGES 6 - 15.**

**RECOMMENDED**

that the minutes be approved by the SDF.

3.2 **AGREED**

that the recommendation be accepted.

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- 3.3 **SDF Constitutional Working Committee meeting held on 1994-03-24**  
The minutes are attached as **PAGES 19 - 23.**  
**RECOMMENDED**  
that the matters agreed upon be approved by the SDF.
- 3.3 **AGREED**  
that the recommendation be accepted.
- 3.4 **Technical Sub-committee meeting of the CWC (Transitional Local Council) held on 1994-03-29**  
The minutes of the abovementioned meeting are attached as **PAGES 24 - 27.**  
**RECOMMENDED**  
that the matters agreed upon be approved by the SDF.
- 3.4 **AGREED**  
that the recommendation be accepted.
- 3.5 **DWC Meeting held on 1994-03-31**  
The minutes of the abovementioned meeting are attached as **PAGES 28 - 44.**  
**RECOMMENDED**  
that the matters agreed upon be approved by the SDF.
- 3.5 **AGREED**  
that the recommendation be accepted.
4. **FURTHER ITEMS FOR THE SDF MEETING TO BE HELD ON 1994-04-07**
- 4.1 **Kaya Mandi : Naming of 18,5 ha development : Masizakhe view**  
A copy of a letter dated 1994-03-16 received from the Kaya Mandi Town Council is attached as **PAGES 44 - 45.**  
**FOR CONSIDERATION.**
- 4.1 **AGREED**  
that the matter be considered by the SDF.
- 4.2 **Application for full membership of the SDF**  
The applications of the Stellenbosch Informal Sector Trade Association (SISTA) and Kylemore Ratepayers and Residents' Association for full membership of the SDF were referred to the Technical Sub-committee of the CWC (Membership of the SDF).  
**FOR RERROT-BACK.**
- 4.3 **Availability of land for the circumcision of young Xhosa men**

**4.3 Availability of land for the circumcision of young Xhosa men**

The SDF noted on 1994-03-09 (item 5) that the site that was identified for the erection of temporary structures, will now be taken up by W Kalazana with the elders concerned.

**FOR REPORT-BACK.**

**4.4 Plight of farm workers**

The SDF agreed on 1994-03-09 (item 7) that due to the absence of the persons/organisations concerned, the matter not be further discussed.

**FOR REPORT-BACK.**

**4.5 Voter Education**

HC de Klerk will submit a progress report.

**FOR CONSIDERATION.**

The meeting adjourned at 19:30.

CONFIRMED.

CHAIRPERSON

steer31c/cr

**MINUTES OF SDF CONSTITUTIONAL WORKING COMMITTEE MEETING OF REPRESENTATIVES OF COMMUNITY BASED ORGANISATIONS AND KAYA MANDI AND STELLENBOSCH TOWN COUNCILS HELD IN THE COUNCIL CHAMBER, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON THURSDAY, 1994-03-24 AT 19:30**

---

**PRESENT:**

**Facilitators** : CVR Honey (Acting Chairperson)  
GS Cloete (Adviser)

**FULL MEMBERS**

***Statutory Bodies:***

**Stellenbosch Town Council and Management Committee** : JAM van Schoor  
DEW Schumann  
SW Oliphant  
JP Retief (Adviser)  
L de Villiers (Adviser)  
AA Smit (Adviser)  
CTB Davy (Secretary)

**Kaya Mandi Town Council** : GM Ntshanga  
SM Mayekiso

\* \* \* \* \*

**SHAC** : P Louw  
W Nel

**SANCO** : MM Ngcofe

**ANC** : WF Ortell  
RE Moses

**Democratic Party** : ER Gordon

**Stellenbosch Ratepayers Association** : BJP Pienaar  
PG van Breda

**National Party** : N Flaatten  
GDT Wege (Students' Branch)

***Observer Members:***

**Johannesdal Management Committee** : W Meyer

**Stellenbosch Relations Committee** : Me E Retief

**Kylemore Ratepayers and Residents Association** : WC Keet

**Klapmuts Steering Committee** : JC Anthony  
GJ du Toit

**SISTA** : MF Patel

**MINUTES OF  
MEETING****SDF CONSTITUTIONAL WORKING  
COMMITTEE**

: 1994-03-24

ESCOM : Me LL Krause

**Other observers:**Stellenbosch Municipality : EPS Taljaard  
J Cawood  
RP Conradie

ANC : MT Kara

SHAC : C Lewis

Eikestadnuus : PH Malan

Public/Ratepayers : JB de Beer  
G Loedolff  
M Stone

\* \* \* \* \*

1. **LEAVE OF ABSENCE**1. **RESOLVED**

that leave of absence be granted to AN September (Stellenbosch Town Council/Management Committee) MC Carinus (Sakekamer) and WM Kalazana (SANCO).

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

2. The Acting Chairperson asked for dates for meetings of the SDF, DWC and Technical Sub-committee of the DWC (Stellenbosch and Environs Sub-regional Plan).

**AGREED**

that the meetings of the SDF and DWC be held on 1994-04-07 and 1994-03-31 respectively and that the DWC determine a date for a meeting of the aforementioned Sub-committee.

3. **CONFIRMATION OF MINUTES OF CWC MEETING HELD ON 1994-02-15**

The minutes are not attached - previously circulated.

**FOR CONFIRMATION.**3. **RESOLVED**

that the minutes be confirmed.

**4. MATTERS REFERRED TO THE CWC BY THE SDF MEETING HELD ON 1994-03-09****4.1 Item 6 : Agreement on Finance, Services and Service Rendering**

It was agreed, inter alia, that the matters in the report of a financial policy nature be referred to the CWC and that service rendering and payment thereof be referred to the DWC.

The abovementioned agreement and discussion document submitted by the Stellenbosch Town Council were previously circulated.

**FOR CONSIDERATION.****4.1 AGREED**

- (a) that a Technical Sub-committee of the CWC (Finance) comprising of DEW Schumann, JAM van Schoor, BJP Pienaar, MM Ngcofe, W Nel and WF Ortell be appointed to address financial policy matters regarding the aforesaid agreement and the 1994/95 budget of the Stellenbosch Town Council;
- (b) that the aforementioned Sub-committee meet on 1994-04-12; and
- (c) that it be accepted that the new Transitional Local Council will finalize the budget.

**4.2 Item 8 : Structuring of Local Government in the Pre-interim period**

It was unanimously agreed:

- (a) that the matters agreed upon as contained in the minutes of the meeting of the SDF Technical Sub-committee of the CWC (Local Government Transition Act, 1993), (previously circulated), be approved;
- (b) that it be noted that the Provincial Committee will now meet on 1994-03-14 to consider, amongst others, the application of the SDF;
- (c) that the next meeting of the CWC be held on 1994-03-24 to pursue further matters prescribed by the Act to be implemented in the pre-interim period;
- (d) that CVR Honey chair the aforesaid meeting in the absence of L du Plessis and that an expert on the Act/Local Government matters be co-opted to advise the CWC;
- (e) that the CWC appoint a smaller technical committee to pursue issues that may be problematic, if necessary;
- (f) that application be made to the Cape Metropolitan Negotiating Forum for observer-status by one each (and a secundi) from the statutory and non-statutory side and that J Cawood and WF Ortell respectively co-ordinate the submission of the names of the proposed representatives to the Secretary not later than Friday, 1994-03-18; and

- (g) that all full members of the SDF inform the Secretary not later than Friday, 1994-03-18 as to whether their organisation must be regarded as statutory or non-statutory.

In respect of the above sub-item (c) the following items have been listed by the statutory bodies for discussion:

- (i) Areas of jurisdiction of the forum
- (ii) Form of local council
  - (aa) Transitional local council : 50/50 model
  - (bb) Local Government Co-ordinating Committee
- (iii) Classification of full members of SDF as statutory and non-statutory.
- (iv) Number of seats in local council.
- (v) Qualifications of councillors.

#### FOR CONSIDERATION.

#### 4.2

#### AGREED

- (a) that regarding the form of local council the Transitional Local Council model be accepted;
- (b) that it be accepted that RP Conradie and MM Ngcofe be appointed as *secundi* for respectively the statutory and non-statutory side to attend the Cape Metropolitan Negotiating Forum meetings as observers;
- (c) that it be noted that only the Stellenbosch Town Council and Management Committee for Cloetesville and Idas Valley as well as the Kaya Mandi Town Council indicated that they wish to form part of the statutory component;
- (d) that a Technical Sub-committee of the CWC comprising of L du Plessis (Facilitator), DEW Schumann, JAM van Schoor, W Nel, WF Ortell, MM Ngcofe and BJP Pienaar meet on Tuesday, 1994-03-29 to address the following matters and that one member each from the Democratic Party and National Party be co-opted on the aforesaid committee:
  - (i) Areas of Jurisdiction of Forum;
  - (ii) Classification of full members of SDF as statutory or non-statutory;
  - (iii) Number of seats in local council;
  - (iv) Qualifications of councillors;
- (e) that the agreements reached by the Technical Sub-committee, CWC, DWC and SDF be ratified after the SDF has been approved as a Negotiating Forum; and

- (f) that the application of SISTA for full membership be referred to the Technical Sub-committee of the CWC (Membership of the SDF).

5. **CONTINUED FUNCTIONING OF THE SDF AFTER THE APPOINTMENT OF A TRANSITIONAL LOCAL COUNCIL**

It was agreed by the SDF on 1994-02-03 (item 9.6) that the matter be referred to the CWC for further investigation.

**FOR CONSIDERATION.**

5. **AGREED**

that the matter be considered at a later stage.

6. **NOMINATION OF A SMALLER TECHNICAL SUB-COMMITTEE OF CWC : 1994/95 : MUNICIPAL BUDGET**

With reference to item 4.1 of this agenda it is proposed that a smaller Technical Sub-committee of the CWC be appointed to address the abovementioned matter.

**FOR CONSIDERATION.**

6. See item 4.1(a).

The meeting adjourned at 21:40 with a vote of thanks from the Acting Chairperson, CVR Honey for the presence of and valuable inputs from GS Cloete.

CONFIRMED.

ACTING CHAIRPERSON

cwc24c94/cr



**MINUTES OF SDF TECHNICAL SUB-COMMITTEE MEETING OF THE CWC (TRANSITIONAL LOCAL COUNCIL) HELD IN THE MAYORS PARLOUR, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON TUESDAY, 1994-03-29 AT 18:00**

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**FPRESENT:**

**Facilitator** : L du Plessis (Chairperson)

**Members:**

**Stellenbosch Municipality** : JAM van Schoor  
DEW Schumann  
JP Retief (Adviser)  
CTB Davy (Secretary)

**SANCO** : MM Ngcofe

**SHAC** : W Nel

**Stellenbosch Ratepayers Association** : BJP Pienaar

**ANC** : WF Ortell

**Democratic Party** : ER Gordon

**National Party** : N Flaatten

\* \* \* \* \*

1. **LEAVE OF ABSENCE**

1. **NONE.**

2. **LOCAL GOVERNMENT TRANSITION ACT, 1993 : ESTABLISHMENT OF A TRANSITIONAL LOCAL COUNCIL (TLC)**

The CWC agreed on 1994-03-24 (item 4.2) that a Technical Sub-committee of the CWC comprising of L du Plessis (Facilitator), DEW Schumann, JAM van Schoor, W Nel, WF Ortell, MM Ngcofe and BJP Pienaar meet on Tuesday, 1994-03-29 to address the following matters and that one member each from the Democratic Party and National Party be co-opted on the aforesaid committee:

- (a) Areas of Jurisdiction of the Forum;
- (b) Classification of full members of SDF as statutory or non-statutory;
- (c) Number of seats in local council; and
- (d) Qualifications of councillors.

**FOR CONSIDERATION.**

2(a) **AGREED**

- (i) that a Transitional Local Council be established in the pre-interim period for the economical and historical (pre 1972) boundaries of Stellenbosch with the inclusion of Kaya Mandi;
- (ii) that the incorporation of the surrounding local areas be supported by the SDF in principle pending technical investigations and that they be invited to submit a formal application for inclusion in the municipal boundaries of Stellenbosch before the first democratic municipal election (interim period) indicating how inclusive their decision-making is;
- (iii) that the surrounding local areas such as Jamestown, Kylemore, Pniel and Johannesdal, be encouraged to initiate their own local forums until the said local areas have been incorporated within the boundaries of Stellenbosch;
- (iv) that the letter to be written regarding the aforementioned items (ii) and (iii) be first circularised to the members of this Technical Sub-committee for their perusal;
- (v) that an open invitation be sent to the communities of Vlotenburg, Lynedoch and Koelenhof and other local communities within the Magisterial district of Stellenbosch by means of a press report in the Eikestadnuus, to also apply for representation on the SDF; and
- (vi) that the Rural Councils concerned also be approached timeously in order to ensure that the greater Stellenbosch is represented as inclusive as possible.

2(b) **AGREED**

- (i) that the deadlock regarding the indication by the NP, DP and Stellenbosch Ratepayers Association that they wish to be included in the non-statutory component, and the objection thereto by the SHAC/ANC/SANCO alliance, be pursued by the facilitators in order to try and resolve the issue before the next meeting of the SDF on 1994-04-07; and
- (ii) that it be accepted as guideline that the intended end-result of the Forum be first pursued.

2(c) **AGREED**

that the number of seats of the Transitional Local Council be provisionally determined at 22.

- 2(d) An extract from section 179 of the Constitution of the Republic of South Africa was tabled as **PAGE 27**.

**AGREED**

- (a) that the aforesaid sections of the constitution be accepted by means of an agreement by the parties concerned as guidelines for qualifications of councillors subject to the scrapping of subsection 179(e) (Voters);
- (b) that the basic approach will be that the most capable persons to serve the community of both statutory and non-statutory components be nominated as councillors with the right of the parties to contest a nomination on the grounds of the qualification guidelines; and
- (c) that if deemed necessary the scrapping of subsection 179(g) (councillors) be further considered before the final agreement is finalised.

The meeting adjourned at 19:30.

CONFIRMED.

CHAIRPERSON

tsc29c94/cr

**MINUTES OF SDF DEVELOPMENT 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 THURSDAY, 1994-03-31 AT 19:30**

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**PRESENT:**

**Facilitators** : CVR Honey (Chairperson)

**FULL MEMBERS**

*Existing Statutory Bodies:*

**Stellenbosch Town Council and Management Committee** : EPS Taljaard  
J Cawood  
SW Oliphant  
L de Villiers (Adviser)  
B Naude (Adviser)  
LP Fourie (Adviser)  
CTB Davy (Secretary)

**Kaya Mandi Town Council** : SM Mayekiso

\* \* \* \* \*

**SHAC** : HC de Klerk  
P Louw

**Democratic Party** : ER Gordon

**Stellenbosch Ratepayers Association** : BJP Pienaar  
FH Stephens

*Observers:*

**ESKOM** : Me L Krause

**Kylemore Management Committee** : PW Lawrence  
PP Williams

**Kylemore Ratepayers and Residents Association** : T Newman  
WC Keet

**Eikestadnuus** : PH Malan

\* \* \* \* \*

1. LEAVE OF ABSENCE

1. RESOLVED

that leave of absence be granted to Me MM Gabriels (Stellenbosch Relations Committee), W Bekker (Sakekamer) and S Adams (Facilitator).

- 
2.           **STATEMENTS AND COMMUNICATIONS BY THE CHAIRPERSON**
- 2.1          The Chairperson, CVR Honey, welcomed Me LL Krause from ESKOM and apologised for not welcoming her to the meeting of the CWC held on 1994-03-24.
- 2.2          The Chairperson, CVR Honey, asked to be excused from all meetings for the next 2 - 3 weeks as he will be away overseas.
3.           **CONFIRMATION OF MINUTES OF DWC MEETING HELD ON 1994-03-07**
- The minutes are not attached - **previously circulated.**
- FOR CONFIRMATION.**
3.           **RESOLVED**
- that the minutes be confirmed.
4.           **MATTERS REFERRED TO THE DWC BY THE SDF AT ITS MEETING HELD ON 1994-03-09**
- 4.1          **Item 6 : Agreement on Finance, Services and Service Rendering**
- The abovementioned agreement and discussion document submitted by Stellenbosch Town Council are attached as **PAGES 34 - 40.**
- AGREED**
- (a)          that the matters in the report of a financial policy nature be referred to the CWC and that service and services rendering and payment thereof be referred to the DWC;
- (b)          that the non-payment of accounts be referred to the DWC to look at ways to address the situation;
- (c)          that in the meantime a friendly reminder in Xhosa, similar to the first reminder sent out in English, be sent to those who defaulted on their payments;
- (d)          that the DWC also address the illegal electrical connections in the informal housing section; and
- (e)          that the communities (through their SDF representatives) as a matter of urgency, put their grievances in writing to L de Villiers.
- A report on the rendering of services in the informal areas of Kaya Mandi is attached as **PAGES 41 - 44.**
- FOR CONSIDERATION.**

**4.1      AGREED**

that due to the absence of SANCO the matter be referred to the SDF on 1994-04-07.

**4.2      Item 10.2 : Kaya Mandi : Establishment of a Library Steering Committee**

It was agreed that the names proposed for the Library Steering Committee be approved and that the report that was tabled be referred to the aforesaid Committee.

**FOR REPORT-BACK.**

**4.2      AGREED**

that the matter stand over for report-back by MM Ngcofe and A Cruywagen to the DWC meeting.

**4.3      Item 10.3(a) : Kaya Mandi : Opening of Clinic**

It was agreed

- (a) that the services offered at the Clinic, especially that of the doctor, be communicated to the community via the churches and schools;
- (b) that the hours of the doctor be increased on a trial basis for say 3 to 6 months and statistics be kept on the visits to the Clinic by the community; and
- (c) that a comprehensive report on health care in Stellenbosch be submitted to the DWC.

A report will be submitted as soon as possible.

**FOR INFORMATION.**

**4.3      AGREED**

that the matter stand over for a full report by J Pretorius to the next DWC meeting.

**4.4      Item 10.3(b) : Sale of Houses/Flats erected with National Housing Funds**

It was agreed that the DWC address the issue as a matter of priority, and how it affects the various residential areas.

**FOR CONSIDERATION.**

4.4      **AGREED**

that the matter stand over for a full report by A Cruywagen and AC Stadler to the next DWC meeting and that the various funds available for housing also be addressed in the report.

4.5      **Item 10.4 : Burial tariffs**

It was agreed that the burial tariffs for the whole of Stellenbosch, and not only for the residents of Kaya Mandi, be addressed by the DWC.

The present tariffs are as follows:

Grave site	:	R288,00
Digging of grave	:	R175,00 (no charge if family digs its own grave)

**FOR CONSIDERATION.**

4.5      **AGREED**

that the matter stand over for a full report by J Pretorius to the next DWC meeting, indicating also how the amount of R288,00 is made up and possible suggestions for a reduced amount for (say) the poorer community.

5.      **MATTERS STANDING OVER FROM THE DWC MEETING HELD ON 1994-03-07**5.1      **Item 3.2 : Overall Housing Development by Stellenbosch Municipality**

It was agreed, inter alia:

- (a) that a short-term development plan for the whole of Stellenbosch be drawn up by Stellenbosch Municipality; and
- (b) that the question of finance and upgrading of hostels also be addressed in the aforementioned plan.

**FOR REPORT-BACK.**

5.1      **AGREED**

- (a) that items 5.1, 5.3 and 5.4 be dealt with together;
- (b) that item 5.4(c) be transferred to item 5.1(c) to read as follows:
 

*"5.1(c) that the aforementioned also form part of the development plan as agreed to in item 5.4;"*
- (c) that it be noted that Consultants Urban Dynamics have been appointed to proceed with the planning of part of Schoongezicht farm for low-cost housing;

- (d) that a Technical Sub-committee of the DWC be appointed at the next DWC committee meeting to assist the Department of Planning and Development with the planning of part of Schoongezicht farm;
- (e) that the Consultants also consider the historical character of the surrounding farms when planning for low-cost housing;
- (f) that it be noted that funds were obtained for the access road to the Smit/Costa land that is presently being built and for the appointment of consultants for the planning of the aforementioned land but no funds have been obtained as yet for the development of the land.

**5.2 Item 3.5 : Stellenbosch and Environs Sub-regional plan : Development and Conservation**

It was agreed that a date for a meeting of the Technical Sub-committee of the DWC (Stellenbosch Sub-regional Plan) now be set.

**FOR CONSIDERATION.**

**5.2 AGREED**

that a Technical Sub-committee of the DWC (Stellenbosch Sub-Regional Plan) comprising of J Cawood, FH Stephens, P Louw and T Newman meet on 1994-04-14 at 18:00 with L Fourie (Chief Town Planner) as convener, to facilitate the process.

**5.3 Item 3.3 : Kaya Mandi : Development of Smit/Costa Land**

It was noted that tenders will soon be called, for the planning and development of the abovementioned land.

**FOR REPORT-BACK.**

**5.3 See item 5.1.**

**5.4 Item 4.2 : Compilation of Development Framework for the Total Urban area of Stellenbosch**

**AGREED**

- (a) that the Department of Planning and Development of the Stellenbosch Town Council be mandated to proceed with the compilation of an umbrella policy document for the total urban area of Stellenbosch, in conjunction with the community and the SDF;
- (b) that a set of proposals for medium- and longer-term planning be submitted to the SDF in due course; and



- (c) that the aforementioned also form part of the housing development plan as agreed to in item 5.1.

**FOR REPORT-BACK.**

5.4 See item 5.1

5.5 **Item 4.4 : Occupation of illegal structures**

It was agreed that SHAC discuss the matter further with the Town Secretary and Chief: Planning and Development.

**FOR REPORT-BACK.**

5.5 **AGREED**

that a report be submitted to the next DWC meeting.

5.6 **Item 5 : South African Police**

It was agreed that the matter stand over for further inputs by S Adams (Facilitator).

**FOR CONSIDERATION.**

5.6 **AGREED**

that S Adams (Facilitator) make the necessary inputs to the SDF on 1994-04-07.

The meeting adjourned at 21:00.

CONFIRMED.

CHAIRPERSON

dwc31c94/cr

## AGREEMENT ON FINANCE, SERVICES AND SERVICE RENDERING

### 1. PREAMBLE

Whereas the signatories agree that a financial, services and service rendering crisis exists, especially in black local authority areas, and wish to resolve that crisis, the signatories commit themselves to a process to promote and expedite the normalisation and stabilisation of the situation.

The signatories acknowledge that the adoption of the Local Government Transition Act, 1993 by Parliament will mark the start of the process of restoring legitimacy and credibility to local government in general, and stability and viability to local government in general, and stability and viability to local government finance, services and service rendering in particular.

### 2. AGREEMENT

The signatories therefore agree to the following:

#### 2.1 Services and Service Rendering

2.1.1 Transitional councils, established in terms of the Local Government Transition Act, shall immediately commence with a programme to:

- (a) resume municipal services and service rendering;
- (b) improve the rendering and maintenance of such services; and
- (c) upgrade and extend the services in its area of jurisdiction.

- 2.1.2 While the primary responsibility of ensuring the availability of all essential services is vested in local government, the financing, planning and implementation will require regional and national financing and support.
- 2.1.3 A local government shall make provision for access by all persons residing within its area of jurisdiction to water, sanitation, transportation facilities, electricity, primary health, education, housing and security: Provided that such services are rendered in an environmentally sustainable manner and are financially and physically practicable.
- 2.1.4 Residents need to experience a visible and sustained improvement in the quality and quantity of services and service rendering over a time.
- 2.1.5 The immediate priority is to provide services to a level that meets basic health and functional requirements for each resident. The medium term goal is to provide services to a level that meets the basic requirements for sustained economic activity for each resident, and the community as a whole. The long term goal is to provide services to a level that promotes equal and equitable access to all such services for all persons situated within the area of jurisdiction of a local authority.

## 2.2 Finance

- 2.2.1 All municipal finance should be based on the principle of one municipality, one taxbase.
- 2.2.2 Transitional councils shall utilise all resources within their areas of jurisdiction on an efficient and equitable basis.
- 2.2.3 In order to address historical backlogs, transitional councils will require fiscal transfers from other tiers of government.

- 2.2.4 On a decision of a local government forum as contemplated by section 6 of the Local Government Transition Act, the competent legislative authority shall deal with arrears in respect of service charges owed by residents, no later than 30 days after the promulgation of the Local Government Transition Act, or after such earlier date as agreed upon in terms of locally negotiated agreement: Provided that where a forum cannot reach an agreement on the matter, it shall be referred to the Administrator for a decision; and furthermore Provided that debts accrued after the date of promulgation of said Act shall not be dealt with in such a manner.
- 2.2.5 Transitional councils should not inherit debts and liabilities accumulated by black local authorities except in so far as such debts or liabilities are in respect of infrastructure that will generate revenue or can be utilised for the purpose for which it was provided: Provided that other debts and liabilities shall be dealt with by or in consultation with the competent legislative authority in each instance.

### 2.3 Tariffs

- 2.3.1 The cost of providing services must, as far as possible, be recovered by the relevant tariff structures.
- 2.3.2 The capital and associated costs of providing or extending municipal services shall be equitably borne within the area of jurisdiction of the Transitional Council.
- 2.3.3 The principle of equity in tariffs for different municipal services and service rendering shall apply across all classes of consumers in the area of jurisdiction of Transitional Councils.
- 2.3.4 Transitional Councils shall, in their discretion, determine such interim tariffs as may be appropriate for the restoration of good governance in their area

of jurisdiction.

2.3.5 Tariff structures should be set in such a manner that they address the problems of poverty and unemployment.

#### 2.4 Payment for Services

2.4.1 The principle of payments for services is accepted by all parties and payment for services should continue or commence on or before the date contemplated in subsection 2.2.4 of this Agreement.

2.4.2 Where services are inadequately provided, or do not meet basic standards, a Transitional Council may, in its discretion, apply an interim tariff as contemplated in subsection 2.3.4, until such services are adequately restored.

2.4.3 Procedures must be established to deal with cases of genuine indigence.

2.4.4 Equitable and fair default procedures to deal with instances of non-payment for services, must be established by Transitional Councils in accordance with national guidelines.

2.4.5 Transitional Councils must immediately take all practical steps to enhance payment for services, especially in areas where such steps or measures have been disrupted. This includes, *inter alia*, the compilation or updating of all municipal records, the rendering and delivery of accurate accounts on a regular (preferably monthly) basis, the establishment of properly administered offices to receive payments and issue receipts.

2.4.6 Failure to deliver statements of accounts, shall not absolve any consumer from the liability to pay for municipal services rendered and consumed.

**2.5 Promoting the Agreement**

All parties to this Agreement hereby undertake to promote all aspects of the Agreement as from the date of the promulgation of the Local Government Transition Act, 1993.

## THE AGREEMENT ON FINANCE, SERVICES AND SERVICE RENDERING

### INTRODUCTION

The agreement was signed by Mr FW de Klerk and Mr Nelson Mandela at the summit meeting on local government at Kempton Park on 1994-01-20. At that meeting it was also signed by nearly 1 000 representatives of community and political organisations and central, provincial and local government. Since that date many more representatives of such bodies have signed the agreement.

### NATURE OF AGREEMENT

The agreement is basically an undertaking to alleviate the unacceptable situation (called a crisis situation) which has arisen mostly in black local authority areas, by improving services and service rendering. Residents must experience a visible and sustained improvement in the quality of services "provided that the services are rendered in a sustainable manner and are financially and physically practicable."

The costs of providing such services must be recovered by relevant and equitable tariff structures which should however make provision for those unable to pay on account of poverty or unemployment. The principle of payment for services is accepted by all parties.

Reference is also made to the arrears in respect of service charges owed by residents and the agreement states that a local forum should take a decision on this matter. Furthermore, transitional councils should not inherit the debts and liabilities of black local authorities.

### DECISIONS TAKEN BY THE SDF

The SDF has agreed on various measures to improve service rendering in Kaya Mandi which are presently being implemented. The rendering of accounts and payment arrangements were addressed and agreements entered into.

It was furthermore decided that arrears in respect of service charges should be "frozen" and that any appointed transitional council would not be burdened by the old debts of the Kaya Mandi council.

It is therefore obvious that the SDF has made considerable progress towards implementing at least some of the matters raised in the agreement.

The SDF could consider to support and promote all aspects of the agreement.

### FURTHER ASPECTS OF THE AGREEMENT WHICH COULD BE CONSIDERED BY THE CWC AND DWC

As a broad guideline the following could be considered:

- (i) That the CWC consider financial policy matters, eg obtaining financial assistance, budgeting, basic tariff structures and dealing with "old" arrear payments and debts.
- (ii) That the DWC concentrate on aspects such as the rendering and improvement of services, the practical arrangements regarding the payment for services rendered, actions to be taken in the case of non-payments taking into account cases of genuine indigence.

Regarding financial arrangements (par. 2.2) the implementation of "one council/one tax base" should be considered by the CWC and attention given to the 1994/95 budget. As was indicated above, the SDF resolved that arrears of residents should be "frozen" and the writing off of some or all of such debts should now be considered by the CWC. The outstanding commitments of the Kaya Mandi council could be considered by the CWC provided a report on the nature and amounts of these debts are prepared (possibly by the Treasurers department).

The DWC could consider the present tariff structures, how cases of indigence could be accommodated and what actions should be taken in cases of non-payment for services. The DWC should also consider what improvements to service rendering should be made with the available funds.

(DISCUSSION DOCUMENT SUBMITTED BY STELLENBOSCH COUNCIL)

1994-02-21

guide/cr



## RENDERING OF SERVICES IN INFORMAL AREAS : KAYA MANDI

Progress was recently made in addressing the appalling living conditions of the people in the informal areas. Solving these problems are in the best interest of the whole Stellenbosch community.

Services can be seen in two main categories namely:

1. essential services such as refuse removal, sewerage and water; and
2. electricity.

As agreed in the SDF the informal areas were structured into "zones" and each zone was asked to designate a "zone committee". To date a number of meetings were held with the zone committees where the rendering of the essential services were dealt with.

### 1. RENDERING OF ESSENTIAL SERVICES

In this regard the following was agreed on with the zone committees:

#### 1.1 *Responsibilities of zone committee*

- 1.1.1 It is the responsibility of the zone committee to motivate the community of their specific zone to act as a interactive community in the interest of their zone within the framework of the Stellenbosch community.
- 1.1.2 The zone committee will be responsible to prevent water wastage in the zone.
- 1.1.3 The zone committee will also see to it that the services and facilities are used in a orderly manner, and cared for.
- 1.1.4 Although the supervisor for each zone is employed by the Municipality, the zone committee will inform the Municipality if their supervisor does not do his work properly.
- 1.1.5 If it is found that someone in their zone is using electricity on a illegal basis, the zone committee will, with the assistance of the zone community, assist the Municipality to remove such electricity connections.
- 1.1.6 The Municipality will supply the zone committee with a monthly list of accountholders who did not pay for their services. The zone committee will take the matter up with the persons involved in order to find a solution.

#### 1.2 *Allocating of toilets and washing facilities*

- 1.2.1 For the purpose of standardization it was agreed to use the term "accountholder" rather than family or structure, on condition that the number of people attached to an accountholder should be more or less the same as that of an average family.
- 1.2.2 The zone committees will assist in compiling the list of accountholders.
- 1.2.3 Five accountholders will be allocated to each toilet facility and a key for a particular toilet will be allocated to each accountholder.

- 1.2.4 The zone committee will designate, and the Municipality will employ a person as a supervisor for each zone. The supervisor will be responsible to care for and maintain the outside of the toilets and the washing facilities, see to it that water is not wasted, arrange and help to organize the handling of refuse and refuse bags as well as look after the general cleanliness in the zone.
- 1.2.5 Each accountholder will clean and care for the inside of their toilets.
- 1.2.6 The toilet structures will be placed amongst the housing structures as conveniently as possible, but the moving of housing structures may be necessary in some cases.
- 1.2.7 The toilet structures will be erected on the basis of "job-creation".

### 1.3 *Payment for essential services*

- 1.3.1 Each accountholder will pay a once only connection fee of R20,00.
- 1.3.2 Each accountholder will pay a monthly service charge of R20,00 on the first day of each month. The service charge will be subject to increase in accordance with normal procedures when necessary.
- 1.3.3 Each accountholder will receive a kind of identification card with an accountnumber. All payments will be recorded in the computer. No accounts will be rendered and each accountholder will pay the monthly service charge on his own account with the aid of the card issued to him. A list of non-payers will be compiled monthly for liason with the zone committee.
- 1.3.4 The monthly service charge of R20,00 is made up as follows:

Sewerage service	R 5,00
Payment for erection and use of toilets	R 5,00
Water consumed	R 5,00
Refuse removal	R 3,00
Site rent	<u>R 2,00</u>
	R20,00

### 1.4 *Financing of toilet and washing facility project*

- 1.4.1 A total amount of R1 000 000 was made available by Stellenbosch Town Council as a interest free advance.
- 1.4.2 The amount of R5,00 per month paid by each accountholder for erection and use of toilets (see paragraph 1.3.4) is paid in against the mentioned advance.

## 2. **RENDERING OF ELECTRICITY SERVICE**

The availability of electricity was promised to the informal area and after some planning and investigation, the following "package" is recommended as a possible solution:

### 2.1 *Who will qualify for a electricity service?*

- 2.1.1 In *principle* any housing structure can be supplied with electricity given that the necessary reticulation system has been installed.
- 2.1.2 Electricity connections will only be supplied on application.

- 2.1.3 Only an accountholder (as explained in paragraph 1.2) will qualify to apply for an electricity connection.
- 2.1.4 Only after the reticulation for a specific zone is installed, the applications for that zone can be processed and a firm date for that will be set by the Electrical Engineer.
- 2.1.5 Only electricity connections *officially* supplied by the Municipality will be recognised as a legal connection.
- 2.1.6 People with illegal connections will have two months from the date determined in paragraph 2.1.4 to apply for a legal connection, whereafter the Municipality will exercise its rights to remove such connections.

## 2.2 *Payment for electrical connections*

- 2.2.1 The cost of a connection including a pre-payment meter and a ready-board is calculated as R1 200,00 per connection. (The cost will increase from time to time in accordance to normal procedures).
- 2.2.2 A once only connection fee of R50,00 will be payable for each connection.
- 2.2.3 Application will be made to Eskom for a subsidy of R400,00 per connection. (Discussions with Eskom already took place and the necessary application is being prepared. Although it is believed that Eskom will approve the application, final approval must still be obtained).
- 2.2.4 The balance of R750,00 is treated as an interest free advance to the accountholder.
- 2.2.5 An additional charge of 8 cents per unit purchased is charged and will be applied towards the downpayment of the advance. If an average of 200 units is consumed per month, it will mean that an amount of R16,00 will be paid off on the advance every month. At this rate it will take the accountholder about four years to redeem his advance.
- 2.2.6 The payments received towards the advance as mentioned in 2.2.5 will be recorded in the computer, and the outstanding balance can be made available on request.
- 2.2.7 Should Eskom not approve of the application for the subsidy, it will take the accountholder about six years to pay back his advance.
- 2.2.8 Accountholders who wish to pay the connection in full will also qualify for the R400,00 subsidy from Eskom (if approved) and will not pay the additional 8 cents per unit.
- 2.2.9 If practically possible, the pre-payment meter and ready-board can be re-utilised in the case where an accountholder is moved to a formal registered plot.

## 2.3 *Financing of electricity service*

- 2.3.1 Stellenbosch Town Council made a loan of R1 500 000 available towards the capital cost of reticulation. The cost of this loan will form part of the cost-structure of the greater Stellenbosch. Most of this reticulation is also for the future advantage and use of the Township.
- 2.3.2 Stellenbosch Town Council also made an amount of R1 000 000 available to enable the connections as explained in paragraph 2.2.

## 2.4 *Existing conventional houses*

- 2.4.1 A need has been expressed by numerous conventional house owners to replace their existing electricity meter with a pre-payment meter.
- 2.4.2 In these cases Eskom will not be prepared to subsidise.
- 2.4.3 The cost of replacing the existing meter with a pre-payment meter is presently calculated at R850,00. For this amount no other electrical work such as wiring, ready-board etc. is included.
- 2.4.4 In the case of existing houses without electricity the same cost of R1 200,00 (as in paragraph 2.2.1) will apply. If the applicant does not need a ready board, the cost will be adjusted accordingly. Only in cases where Eskom or RSC for instance give a subsidy, such subsidies will be applied in favour of the applicant.
- 2.4.5 The same method of financing as was explained in paragraph 2.3 can be used, namely: the occupant pays the full amount with installation, or the occupant pays R50,00 cash plus an additional 8 cents per unit purchased for as long as it takes to pay of the interest free advance.

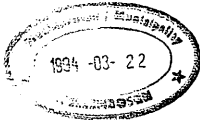
## **RECOMMENDATION**

That the contents of the report be noted and accepted with specific reference to the following:

1. The operation of the zone-committees and their responsibilities.
2. The basis of allocating toilets and washing facilities.
3. The process of payment, the tariffs as well as the method of financing of essential services (sewerage, refuse, water, site rent).
4. The basis for qualification and application for electrical connections.
5. The proposed method of financing the electricity connections, as well as the process of payment, namely a R50,00 connection fee and the additional tariff.

## **DEPUTY TOWN TREASURER**

(L:KMDIENS3)

**KAYAMANDI****MUNISIPALITEIT  
MUNICIPALITY**☒ 378 STELLENBOSCH 7600 · ☎ 808-8111 808-9200  
~~(022) 201 9550~~ · FAX: ~~(022) 201 9550~~OnsVerw./Our Ref. PROJECT 5

U Verw./Your Ref.: \_\_\_\_\_

16 March 1994

The Secretary  
Stellenbosch Discussion Forum  
c/o Stellenbosch Municipality  
P.O.Box 17  
STELLENBOSCH  
7599

ATTENTION: MR. COLIN DAVY

Sir

NAMING OF NEW AREA : (18.5HA - KAYA MANDI)

Attached correspondence received from Mr. B. Bixa, Chairman of the Residents Committee in the 18.5ha.

An application is made that the area generally referred to as the 18.5ha be renamed to Masizakae View.

Please submit this to the Steering Committee of the SDF for discussion.

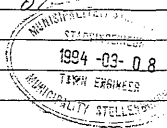
Kind regards

A. CRUYWAGEN  
TOWN CLERK/CHIEF EXECUTIVE OFFICER

Copy: Town Engineer  
Stellenbosch Municipality

HANDER AF	45
COMMENTARY	
DATE	1994-03-07
DESCRIPTION	W/ agenda - ite?

P.O. Box 1099  
 STELLENBOSCH  
 7599  
 1994-03-07



THE TOWN ENGINEER  
 STELLENBOSCH MUNICIPALITY  
 STELLENBOSCH  
 7600

SIR

08/01/03

NAMING OF THE NEW AREA (15 HACTO)  
 (KAYA MANDI)

A meeting which was held on the 03,  
 February 1994, by the residents of  
 this area has decided to give the  
 area the name "MASZAKHE VIEW"

The residents are aware of the fact that  
 the place is divided into an owners  
 and we are agreed on that.

Kindly assist us on this issue and  
 you are welcomed to contact  
 the executive chairman of this  
 area.

Yours faithfully

B. Bixa : (Chairman MASZAKHE VIEW)  
 - Chasbon wir ans op.