417. 1.1 (10)

11/8/94 SDF

3/2/4/2/3/4

STELLENBOSCH MUNICIPALITY

SPECIAL MEETING OF STELLENBOSCH DISCUSSION FORUM (SDF) :
THURSDAY, 1994-08-11

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 Chambers, Town Hall Complex, Plein Street, Stellenbosch on **THURSDAY, 1994-08-11 at 19:00** to consider the matters on the agenda below.

CTB Davy
SECRETARY: SDF

1994-08-10

Page 4 (3.3.1.c)

* * * * *

1. **LEAVE OF ABSENCE**

Siman..

2. **MINUTES OF MEETING OF THE CWC HELD ON 1994-08-08**

The minutes are attached as **PAGES 1 - 26.**

RECOMMENDED

that the matters agreed upon be approved by the SDF.

sdf11h94/cr

NOTULE VAN DIE VERGADERING VAN DIE SGF KONSTITUSIONELE WERKEKOMITEE GEHOU TUSSEN VERTEENWOORDIGERS VAN DIE STELLENBOSCH EN OMGEWING GEMEENSKAPS-GEBASEERDE ORGANISASIES EN STATUTêRE LIGGAME IN DIE RAADSAAL, STADHUIS, PLEINSTRAAT, STELLENBOSCH OP MAANDAG, 1994-08-08 OM 19:30

TEENWOORDIG:

Fasiliteerder	:	S Adams (Voorsitter)
***Volle lede*:**		
Bestaande Statutêre Liggame:		
Gesamentlike Stellenbosch Stadsraad/ Bestuuskomitee vir Idasvallei/Cloetesville	:	JAM van Schoor DEW Schumann EPS Taljaard RP Conradie J Cawood AA Smit (Adviseur) JP Retief (Adviseur) L de Villiers (Adviseur) CTB Davy (Sekretaris)
Johannesdal Bestuurskomitee	:	W Meyer
Pniel Bestuursraad	:	PJ Cyster
Jamestown Gebiedskomitee	:	PJ vd Rheede CP Jooste I February
Stellenbosch Belastingbetalersvereniging	:	BJP Pienaar
SHAC	:	W Nel P Louw
ANC	:	F Adams RE Moses IJ Simmers
Nasionale Party	:	AH Gaum N Flaatten DJ Oosthuizen
Eikestad Inwonersvereniging	:	WF Pietersen
Jamestown Gemeenskapsvereniging	:	HD Jooste AH Williams KC Daniels
Jamestown Aksiegroep	:	DB Azer M Stone
Vryheidsfront	:	HFV Boshoff
ACDP	:	Me SI Buchner PJ Pelser

Demokratiese Party	:	ER Gordon
PAC	:	VV Myataza
Kylemore Bestuurskomitee	:	JT Swartz
Kylemore Belastingbetalers en Huurders-vereniging	:	T Newman D Carolissen

***Waarnemende Lede*:**

Cloetesville Gemeenskapsgesondheidkomitee	:	MJ Siebritz
Stellenbosch Verhoudingskomitee	:	Me E Retief
SISTA	:	MF Patel

***Ander Waarnemers*:**

Pniel Civic	:	CJ Lewis S Davids
Eikestadnuus	:	PH Malan
Johannesdal Belastingbetalers- en Huurders-vereniging	:	A Mentoor C de Wet

* * * * *

1. **LEAVE OF ABSENCE**

1. **BESLUIT**

dat verlof tot afwesigheid toegestaan word aan L du Plessis en CVR Honey (Fasiliteerders), AN September (Bestuurskomitee vir Idasvallei/Cloetesville), JL Wentzel, GJ du Toit en J Anthony (Klapmuts Loodskomitee), PG van Breda (Stellenbosch Belastingbetalersvereniging), MM Ngcofe (SANCO) en L Silberbauer (SABEK).

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

2. Die Voorsitter, S Adams, vestig die vergadering se aandag daarop dat die oorgrote meerderheid van persone teenwoordig Afrikaanssprekend is en indien daar geen besware is nie, sal die vergadering hoofsaaklik in Afrikaans geskied.

3. **MINUTES OF CWC AND CWC TECHNICAL SUB-COMMITTEE MEETINGS**

3.1 **CWC MEETING HELD ON 1994-06-20**

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

FOR CONFIRMATION.

3.1 **BESLUIT**

dat die notule bekragtig word.

3.2 **MEETING OF THE TECHNICAL SUB-COMMITTEE OF THE CWC (MEMBERSHIP OF THE SDF) HELD ON 1994-08-08 (at 18:00)**

The following matter was referred to the abovementioned sub-committee which met prior to this meeting at 18:00:

3.2.1 ***Membership of the SDF***

The CWC agreed on 1994-06-20 (item 3.3.1(b)), inter alia, that the Technical Sub-committee of the CWC (Membership of the SDF), reconsider the applications of Pniel Civic Association, Pniel Ratepayers and Tennants Association and Johannesdal Ratepayers and Tennants Association.

The applications of the aforementioned organisations are attached as ***PAGES 7 - 12.***

A report will be tabled.

FOR CONSIDERATION.

3.2.1 Die notule van die gemelde vergadering is as **BLADSYE 5 - 14** aangeheg.

OOREENGEKOM

(a) dat die sake waaroor ooreengekom is goedgekeur word; en

(b) dat enige besware teen die toestaan van volle lidmaatskap aan die genoemde organisasies skriftelik aan die SGF gerig word.

3.3 **MEETING OF TECHNICAL SUB-COMMITTEE OF THE CWC (TRANSITIONAL LOCAL COUNCIL) HELD ON 1994-08-08 (at 18:30)**

The following matters were referred to the abovementioned Sub-committee which met prior to this meeting at 18:30:

3.3.1 ***Local Government Transition Act, 1993 : Structuring Of Local Government In The Pre-interim Period***

At the meeting held on 1994-06-20 (item 3.2.1) the CWC agreed:

(a) that the discussion document attached as ***PAGES 17 - 19*** *be referred back to the Technical Sub-committee of the CWC (Transitional Local Council) and that the ANC nominate their representatives on the said Committee;*

(b) that the three facilitators meet with the ANC to discuss their withdrawal from the SDF; and

(c) that the Technical Sub-committee of the CWC (TLC) finalise the statutory/non-statutory issue (after the finalisation of the membership issue) as agreed to by the CWC on 1994-05-18 (item 6).

An indication by the full members of the SDF as to whether they wish to form part of the statutory or non-statutory component of the SDF is attached as ***PAGE 20.***

A copy of circular No C/37/1994 dated 1994-07-25 received from the Province of the Western Cape is attached as ***PAGES 21 - 26.***

A report will be tabled.

FOR CONSIDERATION.

3.3.1 Die notule van die gemelde vergadering is as **BLADSYE 15 - 26** aangeheg.

OOREENGEKOM

(a) dat die sake waaroor ooreengekom is goedgekeur word;

(b) dat 'n Spesiale Vergadering van die SGF op 1994-08-11 om 19:00 gehou word ten einde hierdie Konstitusionele Werkekomniteevergadering se notule te bekragtig en die nodige goedkeuring van die SGF as 'n onderhandelingsforum as 'n saak van dringendheid by die Provinsiale Komitee te verkry (wat verder onderhewig is aan die uitslag van die bevindinge van die Afbakeningsraad);

(c) dat die belê van 'n Loodskomiteevergadering om die opstel van die agenda van die voormelde Spesiale Vergadering van die SGF, opgeskort word;

(d) dat die Tegniese Subkomitee van die Konstitusionele Werkekomigee (Oorgangsraad) se lidmaatskap uitgebrei word om vier verteenwoordigers van die satelliet dorpe (statutêr sowel as nie-statutêr) in te sluit;

(e) dat die nie-statutêre komponent van die satelliet dorpe gesamentlik twee verteenwoordigers aanwys asook twee verteenwoordigers deur die betrokke statutêre komponent; en

(f) dat die voormelde uitgebreide Tegniese Subkomitee van die Konstitusionele Werkekomitee 'n program uitwerk met 1994-10-01 as teikendatum vir die instelling van 'n plaaslike oorgangsraad.

Die vergadering verdaag om 20:35.

BEKRAGTIG.

VOORSITTER

cwc08h94/cr

MINUTES OF SDF TECHNICAL SUB-COMMITTEE MEETING OF THE CWC (MEMBERSHIP OF THE SDF) HELD IN THE COUNCIL CHAMBERS, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON MONDAY, 1994-08-08 AT 18:00

FPRESENT:

Facilitator : S Adams

Members:

Stellenbosch Municipality : J Cawood (Chairperson)
EPS Taljaard
CTB Davy (Secretary)

SANCO : MM Ngcofe

SHAC : P Louw

ANC : R Moses

* * * * *

1. **LEAVE OF ABSENCE**

1. **RESOLVED**

that leave of absence be granted to CVR Honey (Facilitator).

2. **MEMBERSHIP OF THE SDF**

The CWC agreed on 1994-06-20 (item 3.3.1(b)), inter alia, that the Technical Sub-committee of the CWC (Membership of the SDF), reconsider the applications of Pniel Civic Association, Pniel Ratepayers and Tennants Association and Johannesdal Ratepayers and Tennants Association.

The applications of the aforementioned organisations are attached as **PAGES 7 - 12.**

FOR CONSIDERATION.

2. **AGREED**

(a) that it be noted that the three organisations indicated that they wish to form part of the non-statutory component;

(b) that the letter of the Pniel Board of Management dated 1994-08-02 that was tabled as **PAGES 13 - 14,** be noted and referred to the SDF;

(c) that the Johannesdal Ratepayers and Tennants Association be granted full membership status with one representative each on the SDF, CWC, DWC and SC;

(d) that the amalgamation of the Pniel Ratepayers and Tennants Association and Pniel Civic Association be noted and that the newly-formed Pniel Civic Association be granted full membership status with two representatives on the SDF and one representative each on the CWC, DWC and SC; and

(e) that Klapmuts Steering Committee be granted full membership status if, after the investigation by the Demarcation Board, Klapmuts is included in the Stellenbosch Forum area.

The meeting adjourned at 18:30.

CONFIRMED.

CHAIRPERSON

tc05h94/cr

PNIEL CIVIC
ORGANISATION
FOUNDED 1994
TEL:

P.O. BOX 127
GROOT DRAKENSTEIN
7680

PNIEL CIVI
ORGANISAS
GESTIG 19
TEL:

DIE SEKRETARIS
STELLENBOSCH GESPREKSFORUM
POSBUS 17
STELLENBOSCH
7599

MUNISIPALITEIT — MUNICIPALITY
1994-06-20
STELLENBOSCH

06-06-94

<u>AANDAG: MNR C. DAVY</u>

U verwysing 3/2/4/2/3/4 (Mnr C. Davy: telefoonno.-021-8088106

Geagte Heer

Hiermee die volgende informasie

(a) GRONWET INGESLUIT (Nasionale Grondwet van SANCO)

(b) VOORSITTER - A. E. Meyer
SEKRETARIS - B. Smith
KASSIER - J. Solomons

(c) Besonderhede van doelstellings vervat in konstitusie (klosules)

(d) Lede is beperk tot Civic

Byvoorbaat dank.

B. Smith
....
B. SMITH(SEKR.)

PNIEL BELASTINGBETALERS EN HUURDERS VERENIGING

GESTIG 1985
TEL.:

PNIEL RATEPAYERS AND TENNANTS ASSOCIATION

FOUNDED 1985
TEL.:

P.O. BOX 127
POSBUS
GROOT DRAKENSTEIN
7680

DIE SEKRETARIS
STELLENBOSCH GESPREKSFORUM
POSBUS 17
STELLENBOSCH
7599

MUNISIPALITEIT — MUNICIPALITY
1994 - 06 - 20
STELLENBOSCH

15-06-94

<u>AANDAG: MNR C. DAVY</u>

U verwysing 3/2/4/2/3/4 (Mnr C. Davy: telefoonno.-021-8088106

Geagte Heer

Hiermee die volgende informasie

(a) GRONWET INGESLUIT

(b) VOORSITTER - S. Adams
SEKRETARIS - J.Japhta
KASSIER - S. Davids

(c) Besonderhede van doelstellings vervat in konstitusie (paragraaf 3)

(d) Lede is beperk tot inwoners en huurders van Pniel.

Byvoorbaat dank.

....

J. JAPHTA (SEKR.)

PNIEL BELASTING BETALERS EN HUURDERS VERENIGING

(1) KONSTITUSIE

DIE DAARSTELLING EN BEVORDERING VAN DIE MENSWAARDIGHEID , REGTE, SOSIO - EKONOMIESE EN WELSYN VAN INWONERS EN DIE ONDERSTEUNING VAN REG EN GEREGTIGHEID.

(2) NAAM VAN DIE ORGANISASIE

DIE NAAM VAN DIE ORGANISASIE SAL WEES :

PNIEL BELASTING BETALERS VERENIGING

(3) DOELSTELLINGS

DIE DAARSTELLING EN BEVORDERING VAN DIE MENSWAARDIGHEID , REGTE SOSIO - EKONOMIE EN WELSYN VAN INWONERS. DIE DAARSTELLING BEHOUD EN UITBREIDING VAN SOSIALE SEKURITEIT VIR ALMAL MET SPESIALE VOORSIENING VIR BEJAARDES.

(4) LIDMAATSKAP

LIDMAATSKAP SAL OOP WEES VIR ALLE BELASTING BETALERS EN HUURDERS (MANLIK EN VROULIK)

(5) JAARLIKSE LEDEGELDE

JAARLIKSE LEDEGLEDE VAN R1,00 SAL BETAALBAAR WEES.
LIDMAATSKAP IS JAARLIKS HERNIEUBAAR.

(6) AMPDRAERS VAN DIE VERENIGING

AMPDRAERS SAL BESTAAN UIT : -

(A) Voorsitter

(B) Onder Voorsitter

(C) Sekretaris

(D) Hulp Sekretaris

(E) Kassier

(7) UITVOERENDE KOMITEE

DIE UITVOERENDE KOMITEE SAL BESTAAN UIT DIE AMPDRAERS PLUS 2 GEKOSE LEDE

Bladsy 2 :...

(8) FINANSIES

(A) ALLE GELD WAT DEUR DIE KASSIER ONTVANG WORD EN WAARVOOR HY KWITANSIES SAL VERSKAF SAL BINNE 10 DAE NA DIE DAG VAN ONTVANGS GEDEPONEER WORD BY 'n GEREGISTREERDE BANK WAT DEUR DIE UITVOERENDE KOMITEE BEPAAL IS.

(B) ONDER GEEN OMSTANDIGHEDE, MAG GELD VAN DIE VERENIGING IN 'n PERSOONLIKE REKENING GEDEPONEER WORD NIE.

(C) ALLE BETALINGS SAL PER TJEK GESKIED EN GETEKEN WORD DEUR TWEE VAN DIE VOLGENDE AMPTENARE

(1) DIE SEKRETARIS
(2) DIE VOORSITTER
(3) DIE KASSIER

JOHANNESDAL

BELASTINGBETALERS EN HUURDERS VERENIGING
RATE PAYERS AND TENNANTS ASSOCIATION

POSBUS 127
GROOT DRAKENSTEIN

GESTIG 1993
FOUNDED 1993

PO BOX 127
GROOT DRAKENSTEIN

TEL:

TEL:

MUNISIPALITEIT MUNICIPALITY
1994-06-20
STELLENBOSCH

DIE SEKRETARIS
STELLENBOSCH GESPREKSFORUM
POSBUS 17
STELLENBOSCH
7599

15-06-94

AANDAG: MNR C. DAVY

U verwysing 3/2/4/2/3/4 (Mnr C. Davy: telefoonno.-021-8088106

Geagte Heer

Hiermee die volgende informasie:

(a) Grondwet ingesluit

(b) VOORSITTER- J. Davids
SEKRETARIS - C. De Wet
KASSIER - E. Oliver

(c) Besonderhede van doelstelling vervat in konstitusie (paragraaf 3)

(d) Lede bestaan uit inwoners, huurders en grondbesitters van Johannesdal

Byvoorbaat dank.

Die uwe

....
C. DE WET (SEKRETARIS)

JOHANNESDAL BELASTINGBETALERS EN HUURDERS VERENIGING
RATEPAYERS AND TENNANTS ASSOCIATION

POSBUS 127
GROOT DRAKENSTEIN
7680

GESTIG 1993
FOUNDED 1993

P.O. BOX 127
GROOT DRAKENSTEIN
7680

JOHANNESDAL BELASTINGBETALERS EN HUURDERS VERENIGING

1) KONSTITUSIE
DIE DAARSTELLING EN BEVORDERING VAN DIE MENSWAARDIGHEID, REGTE, SOSIO-EKONOMIESE EN WELSYN VAN INWONERS EN DIE ONDERSTEUNING VAN REG EN GEREGTIGHEID.

2) NAAM VAN DIE ORGANISASIE
DIE NAAM VAN DIE ORGANISASIE SAL WEES:

JOHANNESDAL BELASTINGBETALERS VERENIGING

3) DOELSTELLINGS
DIE DAARSTELLING EN BEVORDERING VAN DIE MENSWAARDIGHEID, REGTE, SOSIO-EKONOMIESE EN WELSYN VAN INWONERS.
DIE DAARSTELLING, BEHOUD EN UITBREIDING VAN SOSIALE SEKURITEIT VIR ALMAL, MET SPESIALE VOORSIENING VIR BEJAARDES

4) LIDMAATSKAP
LIDMAATSKAP SAL OOP WEES VIR ALLE BELASTING BETALERS EN HUURDERS, ONGEAG VAN GESLAG, RAS OF GODSDIENS.

5) JAARLIKSE LEDEGELDE
JAARLIKSE LEDEGELD VAN R10,00 SAL BETAALBAAR WEES.
LIDMAATSKAP IS JAARLIKS HERNIEUBAAR.

6) AMPSDRAERS VAN DIE VERENIGING
AMPSDRAERS SAL BESTAAN UIT:
A) VOORSITTER
B) ONDER-VOORSITTER
C) SEKRETARIS
D) HULP-SEKRETARIS
E) KASSIER

7) UITVOERENDE KOMITEE
DIE UITVOERENDE KOMITEE SAL BESTAAN UIT DIE AMPSDRAERS PLUS TWEE GEKOSE LEDE

8) FINANSIES
A) ALLE GELD WAT DEUR DIE KASSIER ONTVANG WORD EN WAARVOOR HY KWITANSIES SAL VERSKAF, SAL BINNE 10 DAE NA DIE DAG VAN ONTVANGS GEDEPONEER WORD BY 'N GEREGISTREERDE BANK WAT DEUR DIE UITVOERENDE KOMITEE BEPAAL IS.

B) ONDER GEEN OMSTANDIGHEDE, MAG GELD VAN DIE VEREINGING IN 'N PERSOONLIKE REKENING GEDEPONEER WORD NIE.

C) ALLE BETALINGS SAL PER TJEK GESKIED EN GETEKEN WORD DEUR TWEE VAN DIE VOLGENDE AMPTENARE
1) DIE SEKRETARIS
2) DIE VOORSITTER
3) DIE KASSIER

PNIEL BESTUURSRAAD
BOARD OF MANAGEMENT

The Secretary/Die sekretaresse, Hoofweg/Main Road, Pniel 7681
Fax: (021) 885-1680
Tel: (021) 885-1500

Adres: Die Sekretaris
Stellenbosch Discussion Forum
Posbus 17
STELLENBOSCH
7600

U VERW:/ YOUR REF :L940802A

DATUM : 2 Augustus 1994

Geagte Meneer

PNIEL: AANSOEKE VANAF PNIEL OM LIDMAATSKAP VAN FORUM

Ons is terdeë bewus van die geweldige taak wat daar op almal rus om aan 'n nuwe bestel beslag te gee wat verteenwoordigend van alle mense in Stellenbosch en omgewing sal wees. Ons sal daarom nie iets wil doen wat die proses vertraag of dit ook in die wiele mag ry nie.

Die gemeenskap van Pniel is derhalwe ook baie gevoelig vir die wyse en ongelukkig oor u forum se hantering van aansoeke vanaf Pniel en in besonder die aansoeke wat hanteer is vanaf die volgende organisasies met sogenaamde bewese en gevestigde belange binne die dorp:

1. PNIEL CIVICS ASSOCIATION
2. PNIEL RATEPAYERS AND TENANTS ASSOCIATION
3. PNIEL HOUSING FORUM
4. PNIEL DEVELOPMENT ORGANIZATION
5. ANC PNIEL BRANCH

By 'n ontmoeting van verskeie organisasies op 27 Julie 1994 is die volgende aanvaar:

1. Die eersgenoemde organisasie se aansprake om bewese steun en ander word met minagting verwerp. *Die teendeel van wat hulle beweer kan in elk geval* baie maklik getoets word. Daar is wel in die verlede kennis geneem *van individue (sommige se handtekeninge op die gesamentlike aansoek van 12* April 1994 voorkom, se strewe om onmin binne die gemeenskap te saai.

2. Dit is die gemeenskap se wens om binne die huidige bedeling die bestuur van ons dorp steeds naby ons mense te hou. Om dit te bewerkstellig sal ons:

(I) Poog om saam met Stellenbosch , buite die groter Kaapse

Metropool te bly.

(II) 'n Model te beding waar ons dorp steeds gekose verteenwoordigers naby die mense sal hê en dienste op 'n agentbasis by Stellenbosch bekom

(III) Vir die doel eersdaags self 'n inklusiewe , omvattende forum daar te stel.

Ons wil vertrou dat hierdie skrywe lig werp op die strewe van ons mense. Enige verdere inligting sal met graagte , met u gedeel word.
Die volgende organisasies steun hierdie skrywe:

1. ST. MARGARET LODGE
2. PNIEL GEMEENSKAPSORGANISASIE
3. PNIEL CONGREGATIONAL KERK
4. SIMONSBERGVERSPREIDERS
5. ANC PNIEL
6. PNIEL BESTUURSRAAD
7. PNIEL ONDERLINGE SAMEWERKING VERENIGING

Mnr. Paul Cyster en Mnr. F.A.Simpson is huidiglik die Bestuursraad en gemeenskap se amptelike verteenwoordigers.

Die uwe

Raadsekretaris

MINUTES OF SDF TECHNICAL SUB-COMMITTEE MEETING OF THE CWC (TRANSITIONAL LOCAL COUNCIL) HELD IN THE COUNCIL CHAMBER, TOWN HALL COMPLEX, PLEIN STREET, STELLENBOSCH ON MONDAY, 1994-08-08 AT 18:30

FPRESENT:

Facilitator	:	S Adams (Chairperson)
***Members*:**		
Stellenbosch Municipality	:	JAM van Schoor DEW Schumann EPS Taljaard (Observer) J Cawood (Observer) JP Retief (Adviser) CTB Davy (Secretary)
SANCO	:	MM Ngcofe
SHAC	:	W Nel
Stellenbosch Ratepayers Association	:	BJP Pienaar
ANC	:	MF Patel

* * * * *

1. **LEAVE OF ABSENCE**

1. **RESOLVED**

that leave of absence be granted to L du Plessis and CVR Honey (Facilitators).

2. **LOCAL GOVERNMENT TRANSITION ACT, 1993 : STRUCTURING OF LOCAL GOVERNMENT IN THE PRE-INTERIM PERIOD**

At the meeting held on 1994-06-20 (item 3.2.1) the CWC agreed:

(a) that the discussion document attached as **PAGES 17 - 19** be referred back to the Technical Sub-committee of the CWC (Transitional Local Council) and that the ANC nominate their representatives on the said Committee;

(b) that the three facilitators meet with the ANC to discuss their withdrawal from the SDF; and

(c) that the Technical Sub-committee of the CWC (TLC) finalise the statutory/non-statutory issue (after the finalisation of the membership issue) as agreed to by the CWC on 1994-05-18 (item 6).

An indication by the full members of the SDF as to whether they wish to form part of the statutory or non-statutory component of the SDF is attached as **PAGE 20.**

A copy of circular No C/37/1994 dated 1994-07-25 received from the Province of the Western Cape is attached as **PAGES 21 - 26.**

FOR CONSIDERATION.

2(a) **AGREED**

(i) that the document be noted and that the matter not be further pursued'

/

(ii) that it be noted that the ANC is formally back in the SDF again and that the ANC has nominated MF Patel as their representative on the Technical Sub-committee;

2(b) **AGREED**

(i) that it be noted that the three facilitators met with representatives of the ANC and thereafter with representatives of the Stellenbosch Town Council/Management Committee;

(ii) that it be further noted that thereafter, very fruitful discussions were held between representatives of the ANC and the Stellenbosch Town Council/Management Committee on 1994-08-01, to clear up a few misunderstandings, but no decision regarding SDF matters were taken during the meeting;

2(c) **AGREED**

(i) that where consensus cannot be reached on whether a organisation should form part of the statutory or non-statutory component of the Forum, the matter be referred to the Provincial Committee for a decision and the Forum and organisations abide by the aforesaid decision;

(ii) that the following organisations be referred to the Provincial Committee but that each organisation be entitled to submit a written motivation to the SDF Secretary not later than 12:00 on Friday, 1994-08-12:

African Christian Democratic Party (ACDP)
Democratic Party(DP)
Freedom Front (FF)
National Party (NP)
Stellenbosch Ratepayers Association;

(iii) that the other members of the SDF also be entitled to submit written motivations to the SDF Secretary as to why consensus could not be reached on the status of the organisation concerned;

(iv) that the Management Committee for Idas Valley/Cloetesville also be regarded as a full member, as part of the statutory component;

(v) that as indicated, Pniel Civic Association and Johannesdal Ratepayers and Tennants Association be regarded as part of the non-statutory component of the SDF; and

(vi) that ciruclar C/37/1994 received from the Provincial Government be referred to the SDF.

The meeting adjourned at 19:30.

CONFIRMED.

CHAIRPERSON

tsc08h94/cr

10/8 LAND BOV CWC. V.F.

Non Statutory Area

3/2/4/2/3/4
10/2/8/1

IDEAS PRESENTED TO THE SDF TECHNICAL SUB-COMMITTEE OF THE CWC (TRANSITIONAL LOCAL COUNCIL) FOR DISCUSSION : 1994-06-09

---

1 THE SO-CALLED 50/50-MODEL

The model provisionally decided on by the Technical Sub-committee of the CWC (Transitional Local Council) before the inclusion of the four satellite towns.

Obstacles

(a) Agreement on the issue of statutory or non-statutory status of the various member organizations represented on the forum may prove to be a stumbling block and negotiations will probably be lengthy and very time-consuming, viz the position of the NP, FF, ACDP and Stellenbosch Ratepayers Association.

(b) Number of councillors and representation for the newly-added satellite towns, eg should Johannesdal with only 462 residents be represented by one statutory and one non-statutory member? What is affordable and acceptable to the community? A budget for 22 councillors alone will amount to R1 013 840,00 !!

(c) The undesirability of two opposing sides (50/50-model) at council meetings may lead to a divided council, and problematic decision-making, which in turn may not be beneficial to the town/community.

(d) Negotiation of a representative committee to attempt to reach consensus on the persons to be nominated by the forum as members of the transitional council.

(e) 50 % of the members of the Transitional Local Council must be acceptable to the statutory and non-statutory side.

2 THE CO-ORDINATING COMMITTEE MODEL

After the inclusion of the satellite towns the Town Council/Management Committee proposed this model, which for apparent reasons, would be a very logical choice during the pre-interim phase, especially from a financial viewpoint.

Obstacles

(a) Reaching consensus on the most suitable model for Stellenbosch. The representatives of the Town Council can only negotiate on the basis of the mandate given by the Council. This represents a major obstacle, eg reviving of the Kaya Mandi Town Council; the status of management- and nominated councils in the satellite towns, etc.

(b) Negotiating the number and membership of the co-ordinating committee may probably be another 50/50 obstacle.

(c) Negotiating the powers and functions of the Co-ordinating Committee will take time.

(d) Financing such an agreement and the already insolvent position of the Kaya Mandi Town Council.

3 AN ALTERNATIVE APPROACH

3.1 Goals

(a) Much less emphasis on the process and much more focus on the <u>end result</u>.

(b) An attempt to bypass the obstacles presented by the other two models (Statutory/Non-statutory; model; politics, etc).

(c) An honest attempt to reach agreement in the <u>spirit of the act</u> and hopefully a council of unity which will be acceptable to the entire community.

(d) An opportunity to nominate a council which is <u>not</u> dominated or prescribed by party politics.

3.2 POINT OF DEPARTURE

3.2.1 Interest Groups

There are four main interest groups to be taken into account:

Group 1	:	The "town" (± 20 000) and students (± 10 000) residents
Group 2	:	Idas Valley and Cloetesville (± 22 500) residents
Group 3	:	Kaya Mandi (± 10 000) residents
Group 4	:	Satellite towns (± 6 000) residents

3.2.2 Number of council members

Representation on the basis of ± 3 000 residents per councillor, with a maximum of 25 - 26 members. The affordability of 25/26 councillors!

The following division is proposed:

Group 1 (± 30 000)	-	9 members	(- 1)
Group 2 (± 22 000)	-	8 members	(+ 1)
Group 3 (± 10 000)	-	5/6 members	(+ 3)
Group 4 (± 6 000)	-	3 members	(+ 1)

If necessary, a statutory/non-statutory basis can still be accommodated but the statutory and non-statutory sides in each group will have to sit down and talk to each other to reach consensus on who they would like to represent them on the nominated council - not because of their alliance to a certain body/organisation or political party, but because of their ability and dedication to serve the community.

This approach is a compromise between the 50/50-statutory/non-statutory model and the principle of equitable representation of the various interest groups.

It must also be kept in mind that, now, after the election, the support basis of the political parties is common knowledge.

STELLENBOSCH DISCUSSION FORUM

REPRESENTATIVES PER ORGANISATION

	Full Members	SDF	CWC	DWC	SC
X 1	African Christian Democratic Party (ACDP)	2	1	1	1
X 2	African National Congress (ANC) (ANC Youth & Womens Leaque included)	5	3	3	1
X 3	Democratic Party (DP)	4	2	2	1
X 4	Eikestad Residents Association	2	1	1	1
X 5	Freedom Front	2	1	1	1
(6)	Jamestown Area Committee	2	1	1	1
X 7	Jamestown Action Group	1	1	1	1
X 8	Jamestown Civic Association	1	1	1	1
(9)	Johannesdal Management Committee	1	1	1	1
(10)	Kaya Mandi Town Council	4	2	2	1
(11)	Kylemore Management Committee	2	1	1	1
X 12	Kylemore Ratepayers and Residents Association	2	1	1	1
X 13	National Party (NP Students Branch and Womens Action included)	5	3	3	1
X 14	Pan African Congress of Azania (PAC)	4	2	2	1
(15)	Pniel Management Board	2	1	1	1
X 16	SA National Civics Organisation (SANCO)	4	2	2	1
X 17	Stellenbosch Housing Action Committee (SHAC)	4	2	2	1
X 18	Stellenbosch Ratepayers Association	4	2	2	1
(19)	S/bosch Town Council/Management Committee	6	3	3	1
(20)	Western Cape Regional Services Council	1	1	1	1

Notes

X Non-statutory
O Statutory

Full members to be seated in inner circle at meetings
Full members are allowed two observers to be seated in outer circle
Expert advisors may be used with consent of meeting

	Observer members	SDF	CWC	DWC	SC
1	Association of Municipal Electricity Undertakings (AMEU)	1	1	1	-
2	Cloetesville Community Health Services	2	1	1	-
3	ESKOM	2	1	1	-
4	Farm and Rural Workers Support Ass	2	1	1	-
5	Kaya Mandi Development Forum	2	1	1	-
6	Klapmuts Steering Committee	3	3	3	-
7	Pniel ANC	1	1	1	-
8	Rotary Club of Stellenbosch	2	1	1	-
9	South African Association of Municipal Employees (SAAME)	2	1	1	-
10	South African Municipal Workers Union (SAMWU)	2	1	1	-
11	Stellenbosch Agricultural Society	2	1	1	-
12	Stellenbosch Chamber of Business	2	1	1	-
13	Stellenbosch Council for Church Co-operation	2	1	1	-
14	Stellenbosch Informal Sector Trade Ass (SISTA)	2	1	1	-
15	Stellenbosch Relations Committee	2	1	1	-
16	Stellenbosch Rural Council	2	1	1	-
17	Stellenbosch Sakekamer	2	1	1	-

Notes

Observer members to be seated in outer circle at meetings
Observer members have participatory rights but shall not be entitled to vote

Independent Facilitators

1	CVR Honey	Chairperson
2	S Adams	Vice-Chairperson
3	L du Plessis	Chairperson : CWC

rpo/cr

NAVRAE ENQUIRIES Dr Craythorne
TELEFOON TELEPHONE 483-4743
VERWYSING REFERENCE AAO 509/1/4
DATUM DATE 25 Julie 1994

KAAPSE PROVINSIALE ADMINISTRASIE CAPE PROVINCIAL ADMINISTRATION

Tak Gemeenskapsdienste
Community Services Branch

Munisipaliteit / Municipality
1994 -08- 01

CIRCULAR C/37/1994

TO ALL LOCAL AUTHORITIES AND REGIONAL SERVICES COUNCILS IN THE PROVINCE OF THE WESTERN CAPE

THE LOCAL GOVERNMENT TRANSITION ACT, 1993 (ACT 209 OF 1993): IMPLEMENTATION AND RELATED MATTERS

1. Cut-off date for the implementation of the Act 209 of 1993 in non-metropolitan areas of local government

The provisions of Act 209 of 1993, when read in its full context make it clear that the transitional process for the pre-interim phase was meant to be concluded within the short period of 90 days or as soon as possible thereafter. However, for various reasons, such as the need after 10 May 1994 to re-transfer functions to the provinces, caused delays. In effect, local government bodies have had since 2 February 1994 to implement the Act.

The speedy implementation of the Act is essential to bring the pre-interim phase to an end so that local government elections can be held. The longer the delay, the longer there will be non-elected councillors in office governing towns and cities.

In the light of these facts the Cabinet of the Western Cape Provincial Government has resolved that all local government bodies be advised that if agreements in terms or section 7(1) of Act 209 of 1993 have not been submitted by 2 September 1994 the Provincial Government will thereafter consider making summary use of its powers in terms of the Act in order to bring transitional local bodies into being for the pre-interim period.

HOOFDIREKTORAAT PLAASLIKE BESTUUR PRIVAATSAK X9083 KAAPSTAD 8000 FAKS (021) 483-3511
CHIEF DIRECTORATE LOCAL GOVERNMENT PRIVATE BAG X9083 CAPE TOWN 8000 FAX (021) 483-3511

2. <u>Amendments of Act 209 of 1993</u>

Attached is a copy of proclamation no R129 of 1994 published in Government Gazette No. 15874 dated 15 July 1994. Apart from entrusting the power to administer the Act excluding section 9(1) and 12 of the Act to the Western Cape Provincial Government, the aforementioned Proclamation also amends certain provisions of the Act. None of these amendments impose any duties or obligations on local government bodies or forums and merely serve as information purposes.

3. <u>Correspondence</u>

In order to avoid confusion and to ensure that correspondence and enquiries are promptly dealt with (all concerned are advised) that such correspondence and enquiries should be addressed in writing to:

The Director General: Community Services Branch.
Directorate: Local Government: Constitutional Affairs
Private Bag X9083
CAPE TOWN
8000,

or by fax to fax number (021) 483-4560
or to:

Mr Neels van Wyk (021) 483-4306
Mr Ernest Cleaver (021) 483-3106

However, if the enquiry or request deals with the gathering of information or visits to Local Government bodies or forums, it should be addressed to:

The Regional Representative
Mr Faan Naudé
Private Bag X7
GOODWOOD
7460

Tel no: (021) 591 2136
Fax no: (021) 591 8987

If the matter is of a political policy nature, the call or enquiry should be directed to:

The Minister of Local Government and
Development Planning
Mr P.J. Marais
Po Box 648
CAPE TOWN
8000

Tel no: (021) 483-3560
Fax no: (021) 483-3874

4. Executive Head/Town Clerk

Town Clerks are requested to submit this Circular before their councils as well as forums in their area. If no forum has been established, town clerks are required to submit the Circular to their councils and to send copies to all the non-statutory bodies, ratepayer or residents associations and political bodies within their council's area of jurisdiction.

DIRECTOR-GENERAL

2207DR1/sw

P.S.: Circular C/36/1994 was sent out to all local authorities and regional services councils in the Province of the Western Cape, excluding local authorities established in terms of Act 102 of 1982, which has been repealed.

REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

Staatskoerant
Government Gazette

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PROKLAMASIE

van die

President

van die Republiek van Suid-Afrika

No. R. 129, 1994

OPDRA VAN DIE OORGANGSWET OP PLAASLIKE REGERING, 1993, AAN DIE PROVINSIES KRAGTENS ARTIKEL 235 (8) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1993

Kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993)—

(a) dra ek hierby die uitvoering van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), met uitsluiting van artikels 9 (1) en 12 en enige ander bepalings (indien enige) van genoemde Wet wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleenthede bedoel in paragrawe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van die regering van 'n provinsie vermeld in artikel 124 (1) van die Grondwet wat deur die Premier van die betrokke provinsie aangewys word; en

(b) wysig ek hierby die gemelde Wet soos in die Bylae hierby uiteengesit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hierdie Veertiende dag van Julie Eenduisend Negehonderd Vier-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

J. NAIDOO,
Minister van die Kabinet.

PROCLAMATION

by the

President

of the Republic of South Africa

No. R. 129, 1994

ASSIGNMENT OF THE LOCAL GOVERNMENT TRANSITION ACT, 1993, TO THE PROVINCES UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby—

(a) assign the administration of the Local Government Transition Act, 1993 (Act No. 209 of 1993), excluding sections 9 (1) and 12 and any other provisions (if any) of the said Act which fall outside the functional areas specified in Schedule 6 of the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of the government of a province mentioned in section 124 (1) of the Constitution, designated by the Premier of the province concerned; and

(b) amend the said Act as set out in the Schedule hereto.

Given under my Hand and Seal of the Republic of South Africa at Pretoria this Fourteenth day of July, One thousand Nine hundred and Ninety-four.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

J. NAIDOO,
Minister of the Cabinet.

BYLAE

WYSIGINGS VAN DIE OORGANGSWET OP PLAASLIKE REGERING, 1993

1. Artikel 1 (1) van die Oorgangswet op Plaaslike Regering, 1993 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die omskrywing van "Administrateur" deur die volgende omskrywing te vervang:

" '**Administrateur**', vir sover hierdie Wet toegepas word in of met betrekking tot 'n bepaalde provinsie, 'n bevoegde gesag binne die regsbevoegdheid van die regering van daardie bepaalde provinsie wat aangewys is deur die Premier van dié provinsie;";

(b) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

" '**Minister**' die Minister van Provinsiale Sake en Staatkundige Ontwikkeling;";

(c) deur paragraaf (a) van die omskrywing van "plaaslike owerheidsliggaam" te skrap;

(d) deur na paragraaf (j) van die omskrywing van "plaaslike owerheidsliggaam" die volgende paragraaf in te voeg:

"(jA) enige ander plaaslike owerheidsliggaam ingestel by of kragtens enige wet van krag in 'n gebied wat deel uitmaak van die nasionale grondgebied bedoel in Artikel 1 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993);";

(e) deur na die omskrywing van "pre-interimfase" die volgende omskrywing in te voeg:

" '**provinsiale administrasie**' die provinsiale administrasie ingestel vir 'n provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994);";

(f) deur die omskrywing van "provinsie" deur die volgende omskrywing te vervang:

" '**provinsie**' 'n provinsie vermeld in artikel 124 (1) van die Grondwet van die Republiek van Suid-Afrika, 1993;"; en

(g) deur die omskrywing van "Selfregerende Gebied" te skrap.

2. Artikel 2 van die Hoofwet word hierby deur die volgende artikel vervang;

"Toepassing van hierdie Wet

2. (1) Hierdie Wet is van toepassing in die nasionale grondgebied bedoel in artikel 1 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993).

(2) In die geval van 'n teenstrydigheid tussen hierdie Wet en enige ander wet van krag in 'n gebied waarin hierdie Wet voor 27 April 1994 nie van toepassing was nie, geniet hierdie Wet voorrang.".

SCHEDULE

AMENDMENTS TO THE LOCAL GOVERNMENT TRANSITION ACT, 1993

1. Section 1 (1) of the Local Government Transition Act, 1993 (hereinafter referred to as the principle Act), is hereby amended—

(a) by the substitution for the definition of "Administrator" of the following definition:

" '**Administrator**', in so far as this Act is applied in or in regard to a particular province, means a competent authority within the jurisdiction of the government of that particular province designated by the Premier of that province;";

(b) by the deletion of paragraph (a) of the definition of "local government body";

(c) by the insertion after paragraph (j) of the definition of "local government body" of the following paragraph:

"(jA) any other local government body established by or under any law in force in an area which forms part of the national territory referred to in section 1 of the Constitution of the Republic of South Africa, 1993 (Act, No. 200 of 1993);";

(d) by the substitution for the definition of "Minister" of the following definition:

" '**Minister**' means the Minister of Provincial Affairs and Constitutional Development;";

(e) by the substitution for the definition of "province" of the following definition:

" '**province**' means a province mentioned in section 124 (1) of the Constitution of the Republic of South Africa, 1993;";

(f) by the insertion after the definition of "province" of the following definition:

" '**provincial administration**' means the provincial administration established for a province by the Public Service Act, 1994 (Proclamation No. 103 of 1994);"; and

(g) by the deletion of the definition of "Self-governing Territory".

2. The following section is hereby substituted for section 2 of the principle Act:

"Application of this Act

2. (1) This Act shall apply in the national territory referred to in section 1 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

(2) In the event of a conflict between this Act and any other law in force in a territory in which this Act did not apply before 27 April 1994, this Act shall prevail.".

3. Artikel 3 (8) van die Hoofwet word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) Die diensvoorwaardes, vergoeding, toelaes en ander voordele van lede van die Komitee word deur die Administrateur bepaal behoudens die norme en standaarde wat die Minister van Finansies bepaal.".

4. Artikel 10 (1) van die Hoofwet word hierby gewysig deur paragrawe (b) en (c) deur, onderskeidelik, die volgende paragrawe te vervang:

"(b) in so 'n maatreël voorsiening maak vir die wysiging of herroeping van 'n wet van krag in of in 'n gedeelte van daardie provinsie, met inbegrip van 'n Wet van die Parlement, of enige bepaling van so 'n wet, vir sover dit op so 'n aangeleentheid betrekking het en in of in sodanige gedeelte van daardie provinsie van toepassing is;

(c) in so 'n maatreël voorsiening maak vir die toepassing van enige wet, met inbegrip van 'n wet van die Parlement, of enige bepaling van so 'n wet, wat betrekking het op plaaslike regeringsaangeleenthede, behoudens die aanpassing of wysiging van sodanige wet of bepaling wat hy of sy in sodanige maatreël kan aanbring, op 'n plaaslike owerheidsliggaam, oorgangsraad of metropolitaanse oorgangsubstruktuur in artikel 16 bedoel, of enige kategorie van sodanige plaaslike owerheidsliggame, oorgangsrade of metropolitaanse oorgangsubstrukture, in daardie provinsie of 'n gedeelte daarvan,".

3. Section 3 (8) of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) The conditions of service, remuneration, allowances and other benefits of members of the Committee shall be determined by the Administrator subject to such norms and standards as may be determined by the Minister of Finance.".

4. Section 10 (1) of the principle Act is hereby amended by the substitution for paragraphs (b) and (c) of the following paragraphs, respectively:

"(b) provide in any such enactment for the amendment or repeal of a law in force in or in a part of that province, including an Act of Parliament, or any provision of such a law, in so far as it relates to any such matter and applies in or in such part of that province;

(c) provide in any such enactment that any law, including an Act of Parliament, or any provision of such a law, pertaining to local government affairs shall, subject to the adjustment or amendment of such law or provision as he or she may make in such enactment, apply to any local government body, transitional council or transitional metropolitan substructure referred to in section 16, or to any category of such local government bodies, transitional councils or transitional metropolitan substructures, in that province or a part thereof,".