

PUBLIC SECTOR - LOCAL AUTHORITIES - CAPE

1995

JUNE - AUGUST

THOUSANDS OWED IN RENT, SERVICE PAYMENTS

Councillors' debt shock

263

CT 16/95

Exclusive COUNCILLORS who are in arrears on their service payments say the disclosure is "a blatant attack on individuals". **PETER DENNEHY** and **WILLEM STEENKAMP** report.

A SECRET source has disclosed that six Cape Town city councillors collectively owe the council more than R28 000 in arrear payments for rent, electricity and water. This week the council publicly threw its weight behind the Masakhane (Let us build for each other) campaign to get everyone to pay their municipal services bills.

The six are Mr Riedewaan Isaacs of the Africa Muslim Party, who owes R8 781 in rent, R568 for electricity, and R100 for water; Ms Faldiela de Vries of Sanco, who owes R2 269 in rent and R310 for electricity, Mr George Rosenberg of Cahac who owes R2 914 in rent, R770 for electricity and R600 for water, Ms Dorothy Campher of Cosatu who owes R5 637 in rent, R3 261 for electricity, and R598 for water, Ms Carol Jackson of Cahac who owes R956 in rent, R356 for electricity and R395 for water; and Ms Washiela Baker of the Inkatha Freedom Party, who owes R407 in rent, R369 for electricity and R414 for water.

SA National Civics Organisation (Sanco) councillor Ms De Vries said yesterday the leaking of her arrears was in conflict with her constitutional right to privacy and vowed to write immediately to the council's exco.

Restitution

"The issue is not who didn't pay or why not, but who made the information available to the press," she said.

African Muslim Party councillor Mr Riedewaan Isaacs confirmed that he and other councillors were in debt but said they were "making good on their arrears".

"Restitution is being made," he said.

Mr Isaacs pointed out that "there are more than just councillors in arrears", and that residents of well-off areas also owed the council large sums of money.

"This seems to be a blatant attack on individuals rather than arrears per se," he said.

He added the debts had not been incurred while the councillors were in office, but during the apartheid years when many councillors were "permanently unemployed" and when bills were not paid for political reasons.

Ms Jackson said she had run up the arrears when unemployed and had now arranged to pay them off.

"I do believe in Masakhane, I support it fully. I always knew I would pay, but my children did not even have shoes, and they were my first concern."

Mr George van Schalkwyk, deputy city treasurer in charge of income, said: "The information you have is privileged. It was removed from council premises under false pretences. You are not entitled to it, it's a leak."

"It will contravene the individual rights of people if it is published. It violates their right of privacy. The municipal ordinance prohibits disclosure of that information."

He added South Africa was in a transitional phase between "non-payment culture and Masakhane culture", and debts could not be wiped out overnight. Councillors were being very responsible in regard to their own arrears.

'Unfortunate'

Mr Van Schalkwyk refused to confirm the information leaked to the press.

Exco chairwoman Ms Nomalinda Mfeketo, whose own record is clean, said it was unfortunate that the Masakhane campaign was being mixed up with "a media campaign about elections".

She had a problem with focusing on individuals, especially those who had been earning very little or even nothing, she said.

The Cape Times understands that councillors were recently advised to get their own accounts in order, though this could not be confirmed. The Local Government Transition Act says people who are more than three months in arrears may not be nominated as candidates in the forthcoming local elections.

● According to Cape Times files, city councillors now get monthly allowances of R2 011 a month, while members of the executive committee like Mr Isaacs and Ms Campher get an additional R4 214 a month.

New councillors have been serving officially since February 1 this year, although their first allowance payment was made a month or more after that.

Deal on city demarcations imminent?

**CHRIS BATEMAN AND
WILLEM STEENKAMP**

THE NP and the ANC will continue talks this morning — with the help of central government mediators — to end the Western Cape demarcation row precipitated by Local Government Minister Mr Peter Marais.

A last-minute deal may narrowly avert intervention by President Nelson Mandela.

One proposal under discussion late last night was that Bishop Lavis, Montana, Bonteheuwel and Charlesville be taken out of Tygerberg and included in Cape Town — with the hotly disputed Khayelitsha going to Tygerberg as recommended by the Demarcation Board.

Mr Marais has rejected the board's recommendation to include Khayelitsha in Tygerberg, in a move widely believed to allow the National Party to entrench its stronghold in the Northern Suburbs.

The matter came to a head as the central government's Constitutional Affairs Committee last week voted retrospectively to amend the Transitional Local Government Act to render Mr Marais' controversial demarcation of the Cape Metropole null and void.

However, the ANC-led committee emphasised that political consensus was in the best interests of national and provincial unity, rather than asking President Mandela to finally sign the retrospective amendment into law.

Yesterday's negotiations, which

began in the early afternoon and adjourned for a supper break in the early evening, were attended by the NP and the ANC's top Western Cape ministers. The mediators were Provincial Affairs and Constitutional Development Minister Mr Roelf Meyer and his deputy Mr Mohamed Valli Moosa.

● ANC Metropolitan and city councillor Mr David Dlahl told a Claremont meeting on the issue last night that Mr Mandela was poised to sign the amendment into law unless a deal was made.

At the meeting speakers from the full spectrum of political parties urged Capetomians to unite against Mr Marais' proposed inclusion of Khayelitsha in the Cape Town municipality.

The meeting urged the Cape Town

sub-structure to "adopt all lawful means" — including legal action — to stop Mr Marais should he apply his plan.

Representatives of the Democratic Party, ANC, PAC, African Christian Democratic Party and a ratepayers' body, the Good Hope Alliance, slammed the NP's "blatant gerrymandering" and called for a "consolidated front" against the NP and Mr Marais.

Mr Dlahl said last night's negotiations had adjourned at one point to enable the NP to consider "one of our suggestions to collapse the sub-structures altogether and have a single mayor and councillors with wards".

However, he said he was "not very hopeful that we'll avoid having to change the law entirely".

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Markovitz denies self-interest

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PETER DENNEHY

COUNCILLOR Mr Leon Markovitz, who voted in favour of municipal boundaries for Cape Town which will drive up its rates, is in favour of keeping the Waterfront out of the municipality for the moment.

Mr Markovitz has a significant interest in a Waterfront hotel.

He said yesterday, however, the rates-increase-avoidance had nothing to do with recent high-level representations that the Waterfront should stay out of the municipality for a while.

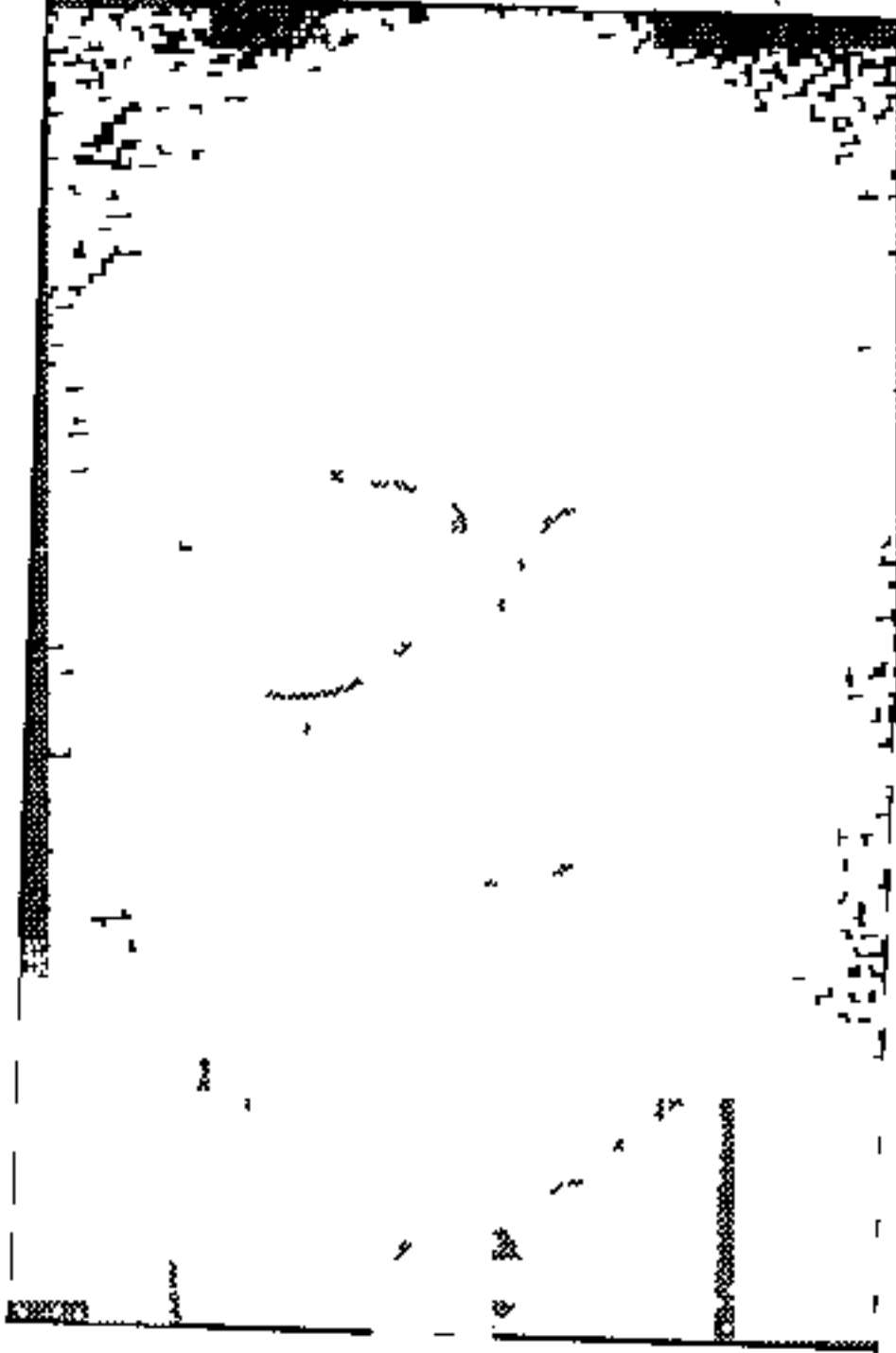
A spokesman from local government Minister Mr Peter Marais' office confirmed that an approach had been made for the Waterfront and the railways-owned land at

Culemborg to be kept out of the municipality for a while, but he said this was purely for planning reasons. He understood that Mr Markovitz knew about the matter.

Mr Markovitz denied last night that he had led the delegation to the provincial government, but he was aware of the matter.

He said the city obtains rates from the Waterfront (which is still outside the municipality) by virtue of an agreement between them.

There were difficulties associated with including the Waterfront in the municipal boundaries, he said. There was every intention of making it part of Cape Town, but in the meanwhile it may be better to leave it out, "until there is less time pressure and the pot has stopped boiling".



WATERFRONT Mr Leon Markovitz denies self-interest.

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**Arrears: Pay
won't be docked**
ET 2/6/95

COUNCILLORS who are in arrears on their service payments will not have their allowances docked, council spokesman Mr Ted Doman said yesterday.

The Cape Times revealed yesterday that six councillors collectively owe the council R28 000 in water, electricity and rent arrears.

Nominated transitional councillors were not in danger of losing their seats — until nomination time for the local elections.

Staff Reporter, Sapa

Marais defends boundary ruling

CT 2/6/95

(263)

CHRIS BATEMAN

UNFAIRLY vilified and misunderstood is what Local Government Minister Mr Peter Marais believes he is, claiming yesterday that he had the best interests of Khayelitsha's half million residents at heart by trying to include them in the Central sub-structure

Rejecting widespread perceptions that he gerrymandered boundaries to keep Tygerberg's seven major NP-supporting municipalities from diluting their resources through a recommended merger with Khayelitsha, Mr

Marais said the following points had motivated him.

- Wanting to give the long-neglected giant black suburb to the strongest municipality with the greatest administrative competence and financial base to immediately begin an upliftment and development plan

- Tygerberg would lack urgent capacity through the merging of seven major and autonomous municipalities (Bellville, Parow, Durbanville, Kuils River, Goodwood, Brackenfell and Kraaifontein), which would take 18 months to complete before

Khayelitsha could benefit

- Cape Town's demographic pattern in which white and coloured suburbs were developed as "twin suburbs" whose amalgamation was a natural process "I followed natural settlement patterns."

Demonised

- Cape Town already officially supported a host of municipalities and no dissolution and merging, as required in Tygerberg, were necessary, enabling immediate upliftment of Khayelitsha and the meet-

ing of RDP funding criteria

"I have been demonised by the media and my side of the story was never fully told to inform the debate," Mr Marais said

He reiterated his intention to take any amendment of the Local Government Transition Act to the Constitutional Court if this was signed into law

Mr Marais rejected claims that he was motivated by apartheid-style considerations, saying he was confident his plan had "divided the poverty circle equally between Central and Tygerberg. I did not look at colour".

ANC, NP deadlock on city boundary demarcations (263)

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STAFF REPORTERS

TALKS to solve the Cape metropole's demarcation debacle deadlocked last night — setting the scene for a possible delay in the November local elections

ANC and NP negotiators have been holding marathon meetings over the last two days to strike a deal on Local Government Minister Mr Peter Marais' demarcation of Cape metropole boundaries

Mr Marais raised a storm of opposition by including all African townships in one municipality, Cape Town.

The ANC said after midnight last night that negotiations had deadlocked. No more details were available.

Mr Marais yesterday repeated his threat to go to the Constitutional Court if the central government altered what he said was a correctly followed procedure.

Leak of councillor arrears probed

□ Six exco members owe thousands for rent, electricity and water

Municipal Reporter

THE Cape Town City Council is investigating a leak of information from its credit department which showed at least six councillors were heavily in arrears for rent, electricity and water.

The six are Riedewaan Isaacs (African Muslim Party), Faldela de Vries (SA National Civics Organisation), George Rosenberg (Cape Areas Housing Action Committee), Dorothy Campher (Cosatu), Carol Jackson (Cape Areas Housing Action Committee), and Washela Baker (Inkatha Freedom Party).

Mr Isaacs and Ms Campher are members of the city's executive committee.

The council has declined to confirm the amounts of money owed by the councillors, but according to the information leaked to the press, they range from R8 781,63 to R407,38 for rental arrears, R3 271,16 to R310,83 for electricity, and R598,51 to R138,55 for water arrears. The total is more than R28 000.

Assistant city treasurer, George van Schalkwyk, said detailed information had been removed from an office "fraudulently and without authority".

Mr Van Schalkwyk said where councillors were in arrears they would be treated in the same way as any other citizen and normal credit procedures would apply.



AKG 216/95 (2b3)

Boundaries deadlock may pit Nat against Nat

ST(CM) 4/6/95 (263)

By NORMAN WEST
Political Reporter

THE deadlock over Cape Metropolitan boundaries seems set to develop into a national crisis following a threat by Western Cape Local Government Minister Peter Marais to take the matter to the Constitutional Court

If President Nelson Mandela signs into law an amendment retrospectively nullifying decisions taken by Local Government MECs — as he is expected to do — the matter will end up in court, with Roelf Meyer as first respondent, Western Cape Local Government Minister Peter Marais vowed yesterday

Stripping ministers of powers could prove to be particularly problematic in the Western Cape as it would pit the provincial Nats against the government of national unity and Mr Meyer, a member of the NP, the Minister of Constitutional Affairs

"Ironically, Mr Meyer did everything in his power to broker a mutually acceptable political solution to the impasse," Mr Marais said

Mr Cameron Dugmore, one of the ANC participants in the

failed negotiations, said yesterday that the ANC was "still willing to find a negotiated solution"

He said the fundamental principle was whether sound socio-economic principles and a non-racial approach underpinned the demarcation process

"The ANC wants all the deprived and disadvantaged populations — African and coloured people — to benefit from the change in boundaries and in the creation of a new Cape Town," he said

Mr Marais claimed he had the backing of Premier Hernus Kriel and the entire extended NP caucus (National Assembly, Senate and Western Cape legislature) including Cape NP leader Dawie de Villiers and national leader F W de Klerk, in his decision to take the matter to court

He said until the court decided on the legality of stripping ministers of powers retrospectively, and which the constitution had devolved to them, the four Cape metropolitan substructures as originally agreed upon by him and his provincial committee, would remain

The Constitutional Committee of Parliament, chaired by the ANC's Pravin Gordhan, has already passed an amendment to the Local Government Transition Act

If it becomes law, it will take the power to reconstitute Provincial Committees, which must concur with Ministers of Local Government on issues like boundaries and wards, away from them and confer such powers retrospective to April 30 on Mr Meyer and his deputy Mr Valli Moosa

They would then, in concurrence with premiers, have the power to form new provincial committees and draw new boundaries — of which 97 have already been approved in the Western Cape alone — for the November 1 community elections

● The ANC announced yesterday it would hold a full briefing at 1pm on Tuesday on what transpired during the discussions Organised by the "Unify the City Campaign", the summit will be held in the Civic Centre's Banqueting Hall

□ See page 2

Boundary battle: Why talks failed

(263) ST 4/6/95

A TERSE five-minute meeting at midnight on Thursday brought to an abrupt end hopes of a negotiated settlement to the municipal boundary dispute in the Western Cape.

Earlier rounds of talks — which often continued into the early hours of the morning — centred on determined moves by Western Cape Minister for Local Government Peter Marais to include Khayelitsha in the central substructure. This was in spite of a proposal by the Demarcation Board that the sprawling township should form part of the Tygerberg substructure.

ANC negotiators believe Mr Marais' "gerrymandering" is aimed at ensuring that the NP maintains control of the traditionally Nat-supporting Tygerberg area. The NP, on the other hand, argues that if Khayelitsha were to be included in Tygerberg, along with 13 other coloured sub-economic housing schemes, the substructure would be crippled financially.

This week's failure to find a negotiated solution to the dispute holds serious implications for the local government elections planned for November 1, as internal boundaries need to be proclaimed before voters' rolls can be finalised.

The final meeting lasted only five minutes — from midnight on Thursday to 12 05am on Friday when the two

By NORMAN WEST
Political Reporter

teams shook hands and parted.

Talks first commenced at 11am on Wednesday and continued for 16 hours until 3am on Thursday when negotiators agreed on a compromise proposal.

Well-placed sources revealed on Friday that the compromise had been agreed to by ANC negotiators, but after consulting their "principals" they returned to the negotiating table to report that the proposal, put together by the ANC's Valli Moosa, had been rejected.

In terms of the proposal, Khayelitsha would have been included in the Central Cape Town substructure — on condition that Guguletu, Nyanga and Crossroads fell within the Tygerberg substructure and Nyanga and Lingeletu West in the Central substructure.

A meeting was planned for 11am on Thursday, but the ANC team found they "could not sell" the proposal to their principals and failed to turn up.

Mr Meyer urged them to return to the negotiating table. The ANC team, led by Leonard Ramatlakane, the Minister for Roads, Transport and Public Works, arrived at the meeting at 12 45pm with new proposals.

They wanted Guguletu, Nyanga, Langa, Crossroads plus at least half of Khayelitsha lumped with Tygerberg in exchange for some of the 13 poorer coloured areas being included in Central Cape Town.

The meeting adjourned at 3 25pm with a final session planned for midnight on Thursday. When the ANC arrived at the meeting with a demand that the entire Khayelitsha be included in Tygerberg, there was a deadlock and the NP said there was no deal.

All the sessions were facilitated by NP member Roelf Meyer, the Minister of Provincial Affairs, Local Government and Constitutional Development, and his deputy, Mr Moosa.



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CLUB

SOUTH AFRICA'S FASTEST-GROWING MUSIC CLUB

By CHARL DE VILLIERS

CAPE Town Town Clerk Keith Nicol, who has been away from his office for over 100 days since March last year, came under blistering attack this week for not being at his post at one of the more critical periods in the history of the city.

This week, as the dispute over the Cape Metropolitan boundaries reached boiling point, Mr Nicol was in Australia investigating Sydney's successful Olympics 2000 bid.

Councillors from across the political spectrum slammed Mr Nicol's regular absences from his office and said he "should spend less time on jaunts" away from Civic Centre and more time at the head of the organisation which he serves as chief executive officer.

Their criticism is based on council records which this week revealed that Mr Nicol had been absent from his office for 104 days between March 1, 1994, and May 15 this year with R62 128 spent on airfares.

"Whenever there's a crisis, he's never there," councillor Arthur Wienburg, a former exco chairman and independent member of council, charged this week.

And while Mr Nicol had exco permission for most of his "jaunts", the timing of his absence could not have been worse, says D P councillor Neil Ross.

On his latest trip to Australia, argued Mr Wienburg, a member of Cape Town's Olympic Bid Committee rather than Mr Nicol should have gone to Sydney.

"And, if anyone from council should have gone, it should have been the city treasurer."

Calculated on a basis of 307 potential working days, Mr Nicol was away more than 33 percent of the time when the city was undergoing a difficult, convulsive change towards democracy and unity, said Mr Wienburg.

In reply to a question in council this week, he was told Mr Nicol had spent 54 days on courses and seminars, another 20 away on council business, 21 at meetings of the Institute of Town Clerks or the Town Clerk Council, and nine days on leave.

"The city is facing major problems like demarcation and reorganisation of the metropolitan substructures. The town clerk should be here, leading on these issues," Mr Ross said.

ANC local government spokesman David Dlah says Mr Nicol's role is vital, particularly as a technical advisor on economic issues relating to the demarcation debate and threatened rates increases.

"As town clerk, he should have been around to help handle these situations. The city needs strong leadership and back-up for its officials."

The NP's Leon Markowitz agrees "The town clerk is virtually the MD of the company. To lead, he needs to be in his office."

But according to exco deputy chairman Llewellyn van Wyk, the charges are unfounded and ignore the town clerk's job of leading the city out of decades of international, apartheid-induced isolation. Mr Nicol's recent trips had been fully authorised by exco, he says.

"For decades, South Africa was isolated from the rest of the world. We now have the opportunity to establish new international linkages."

Town Clerk's trips

Slammed

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UK protests at rugby service

OWN CORRESPONDENT

LONDON: There are increasing protests about the quality of the SABC Rugby World Cup service being broadcast in Britain by Independent Television (ITV) and the scheduling of some programmes

British rugby fans, used to the experienced and expensive quality of BBC rugby coverage, have contacted newspapers to protest particularly against the use of slow-motion replays which disrupt the run of play and the "strange" camera angles used by the SABC

A spokesman for the main TV broadcast sponsors, the brewers Heineken, said the company was "disappointed" about some aspects of the coverage and was having urgent talks with ITV

Law will invalidate appointments

BARRY STREEK
POLITICAL STAFF

PRESIDENT Nelson Mandela will sign a law this week invalidating the appointment of two additional members of the Western Cape Provincial Committee, Deputy Provincial Affairs and Constitutional Development Minister Mr Valli Moosa said yesterday

The cabinet had approved the amendment adopted by the Portfolio Committee on Constitutional Affairs, but the National Party members of the cabinet had voted against the amendment last week.

The new law would also invalidate all decisions taken by the Provincial Committee since the appointment of the two additional members, Mr Moosa said

50 000 jobs a year needed

BARRY STREEK
POLITICAL STAFF

ABOUT 50 000 new jobs would have to be created in the Western Cape every year to reduce unemployment and keep up with an estimated annual population increase of 100 000, according to the provincial Reconstruction and Development policy paper.

The document, released on Friday by Minister for Economic Affairs Mr Chris Nissen and Premier Mr Hennis Kriel, said the officially accepted population estimate for the province was 3,633 million. The most recent estimate, however, was 4,2m and the truth was somewhere between.

Projections indicated that this would grow to five million by the year 2000 and six million by 2010.

"It is clear that the province's infrastructure and natural resources cannot cope with this increase."

"Unless the growth in gross

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geographic product reaches an estimated four to seven percent over the next five years, the province will not be able to sustain its job-creation ability.

"Maximising the growth potential of the province over the next five years should be a key priority of the RDP"

The document identified RDP-linked high growth sectors as low-income housing and infrastructure development, agriculture, electricity and water distribution, basic education, health services and transport

Summit

It warned, however, that "acute problems of poverty, unemployment and a lack of basic facilities" characterised many communities in the province.

Mr Nissen said the document had been released for public comment before an RDP summit in the Western Cape on July 22.

Crucial op for Reeve

LONDON: Superman star Christopher Reeve will have a crucial operation today which doctors hope will set the paralysed actor on the road to recovery

He was injured in a fall from a horse.

Two damaged vertebrae will be fused to prevent further damage to his spinal cord.

The operation, in which surgeons will use metal plates, screws or wires to anchor the bones, could take up to five hours.

But experts warn it may at best keep Reeve alive. It will not guarantee that the once athletic star will ever recover the use of his limbs. — Own Correspondent

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Opponents to NP plan for Cape Town meeting tomorrow

ANDREA WEISS, Municipal Reporter

A SUMMIT of all parties opposed to the National Party's plans for municipal demarcation in Cape Town is to be held in the city tomorrow as a campaign to "Unify the City" gets under way

Deputy Minister of Constitutional Affairs Mohammed Valli Moosa will give the meeting a report-back on the latest situation in the deadlock over future boundaries for the city

Mr Moosa and Regional Local Government Minister Peter Marais appeared on television last night in an acrimonious debate over the political impasse in the Western Cape

The summit will take place amid growing indications that the matter between the NP and the African National Congress is likely to end in court

This week President Nelson Mandela is expected to sign into law an amendment to the Local Government Transition Act to nullify Mr Marais's reconstitution of

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the provincial committee in the NP's favour

Mr Marais has to concur with this committee on boundaries, and all other issues of importance in the run-up to local elections in November

He has threatened to go to the constitutional court to challenge the proposed amendment. However, should he refuse to work in accordance with the Act, he in turn could be taken to the Supreme Court by national Constitutional Affairs Minister Roelf Meyer, also a member of the National Party

If he fails to get the provincial committee to accept his proposed boundaries, the matter will be taken to a special electoral court, as is happening in a dispute over boundaries in Gauteng

Among the parties likely to attend tomorrow's meeting are several ratepayers' and civic organisations, the SA Communist Party, Democratic Party, African Christian Democratic Party, SA National Civics Organisation, the ANC and Cosatu

The meeting begins at 1pm in the banqueting hall of the Civic Centre

BOUNDARIES

SUMMIT

NP to fight amendment

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ANTHONY JOHNSON



[Faint, illegible text, likely a list or schedule of items]

Disagreed

[Faint, illegible text, likely a list or schedule of items]

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Councillors may have to repay allowances

PETER DENNEHY

A HANDFUL of Cape Metropolitan councillors may have to repay up to R20 000 of the amount they have received in allowances this year.

A backdated proclamation in the Provincial Gazette limits the amount they may receive to less than they have been getting since February.

About 140 ordinary councillors on the Cape Metropolitan Council (CMC) may have to pay back the difference between the monthly allowance that a Grade 15 councillor gets (R2 601) and the allowance that a Grade 14 councillor gets (R2 425).

This is R176 a month. There have been four paydays since the CMC decided at one of its earliest meetings in February this year that it would provisionally pay Grade 15 allowances.

Senior councillors who serve on more than one executive committee face a much larger problem.

A clause in proclamation 82, in the Provincial Gazette of May 12, says that where councillors receive allowances from both the

CMC and a municipality, one of the two allowances must be that of an ordinary councillor.

Those potentially affected include the mayor of Cape Town, Mr William Bantom, Mr Bathembu Lugulwana of Cape Town, Mr Leon Deacon of Strand, Mr Andrew Ross-Munro who is mayor of Constantia, Mr J P Adriaanse of Parow, Mr Louwtje Rothman of Goodwood, and Mr Willie van Schoor of Bellville, who is also chairman of the CMC.

The proclamation was enacted by regional Local Government Minister Mr Peter Marais with the concurrence of the multi-party Provincial Committee.

Mr Van Schoor said a meeting had been arranged with Mr Marais for Monday to "sort this out".

Mr Van Schoor said he had not made any calculations, but some councillors might have to repay about R20 000.

"It is not a question of money, but of principle," he said.

He said it had been agreed the metro council should not be graded lower than the largest of its constituents. Cape Town is a grade 15 council.

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Move to reverse Marais' map ⁽²⁶³⁾

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CHRIS BATEMAN
POLITICAL STAFF

THE powerful Constitutional Affairs Committee is to meet this morning to tighten up measures to overturn Western Cape Local Government Minister Mr Peter Marais' controversial setting of Cape Metropole boundaries.

The move would prevent any of the nine local government ministers changing membership of provincial committees without the joint approval of the Minister of Provincial Affairs and Constitutional Development, Mr Roelf Meyer, and his deputy, Mr Valli Moosa.

Mr Marais has signalled his intention to fight any retrospective amendment to the Transitional Local Government Act in the Constitutional Court.

He claims he followed the procedures correctly — with backing from his cabinet.

Today's central government

committee meeting is aimed at technically bolstering the retrospective part of the amendment by calling on some of President Nelson Mandela's wide powers.

Sources said the amendment would be handed to Mr Mandela for signing into law immediately on his return from Pretoria this afternoon.

Signing

Opponents of Mr Marais' proposals meet at the Cape Town Civic Centre this afternoon for a "summit" that promises to be a colourful show of strength.

Objectors include Archbishop Desmond Tutu, Mr Valli Moosa, trade unions, more than a dozen local councils and scores of businesses.

Mr Marais has said he would relish a Constitutional Court challenge because it would "prove that they (the ANC-led central government) wrote a weak constitution".

'We back any bid to kill boundary plan'

Staff Reporter

PINELANDS has rejected Local Government Minister Peter Marais's plan for a huge Cape Town municipality of more than 2 million people and will support any bid to overturn it.

The decision was taken at the monthly meeting of the Pinelands Transitional Metropolitan Substructure.

Pinelands TMS said it was disappointed with the Demarcation Board's findings, which did not accommodate Pinelands' proposals for the substructure.

Executive committee chairman Brian Watkyns said, "We supported the findings as we understood the matter had gone through a democratic pro-

cess of listening to representations from all sections of the community and making an informed and professional evaluation.

"The democratic and professional approach has been totally negated by the political gerrymandering of Local Government Minister Peter Marais to protect party interests by combining two proposed substructures and including Khayelitsha."

The proposed new substructure would make Pinelands residents even more remote from local government.

With the area facing the possibility of being less than a third of a ward, representation would be severely curtailed

and services could only deteriorate.

Mr Watkyns said that Pinelands, like many other local authorities, had shown that small was effective. He said Mr Marais was creating a metropole within a metropole.

"The new substructure has a projected population of more than two million of which Pinelands will represent fewer than 12 000."

"Even the label of Tafelberg given to the new substructure shows sectional bias. Translated it will be the unappealing Table Mountain Metropolitan Substructure."

Mr Watkyns said the Pinelands TMS should

● Reaffirm its acceptance of the report of the Demarcation Board which was based on a process of consultation with all role players.

● Reject in the strongest possible terms the "political gerrymandering" by Minister Marais of the metropolitan substructures as proposed by the Demarcation Board.

● Continue to serve on the informal joint executive committee already established.

● Support any bid to overturn the minister's decision.

Councillor Chris Schultz said Pinelands TMS had to support any bid to overturn the minister's decision since it would affect Pinelands residents adversely.

Ministers now in charge of local appointments

Cape Town — A provision in the Local Government Transition Act giving the central Government the decisive say in appointments to provincial committees on local government was amended again by Parliament's joint constitutional affairs committee yesterday.

It now gives the Minister of Provincial Affairs and Constitutional Development the task to fill vacancies in these provincial committees in consultation with the Minister of Justice, and after consultation with the premier of the affected province.

The Act was recently amended by the committee to provide for the minister and his deputy to fill vacancies, after consultation with the premier.

But a special adviser to Provincial Affairs and Constitutional Development Minister Roelf Meyer, S S van der Merwe, told the committee yesterday that as

~~the~~ (263) the constitution regulated the relationship between the minister and his deputy, the Act should stipulate a full minister as his consultee

He proposed that "Minister of Justice" be inserted in place of "Deputy Minister".

This was approved, with the ANC, DP and PAC voting in favour and the NP and IFP against. *SAN 7/6/95*

The amendments are aimed at overturning controversial appointments by Western Cape MEC for Local Government Peter Marais to the province's local government provincial committee.

In dispute is the proposed placement of the Khayelitsha township in Cape Town's central metropolitan sub-structure rather than in that of Tygerberg as the Demarcation Board proposed. — Sapa.

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Boundary Overruled

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Rural councils to mark off wards

CHRIS BATEMAN
POLITICAL STAFF

THE Western Cape Demarcation Board called urgently on rural councils yesterday for colour-coded submissions for ward delimitation outside the Cape Transitional Metropolitan Council.

It set an 11-day deadline. Chairperson of the Demarcation Board, Professor G S "Fame" Cloete, asked rural transitional councils to submit maps outlining their predominantly white, black, coloured, Indian, commercial, industrial, public utility and nature areas. Different colours are allocated to mark the various areas.

The councils also have to outline agricultural areas, topographical features, where proposed and alternative voting stations would be and the distance between the two furthest points of every ward.

Stringent deadlines

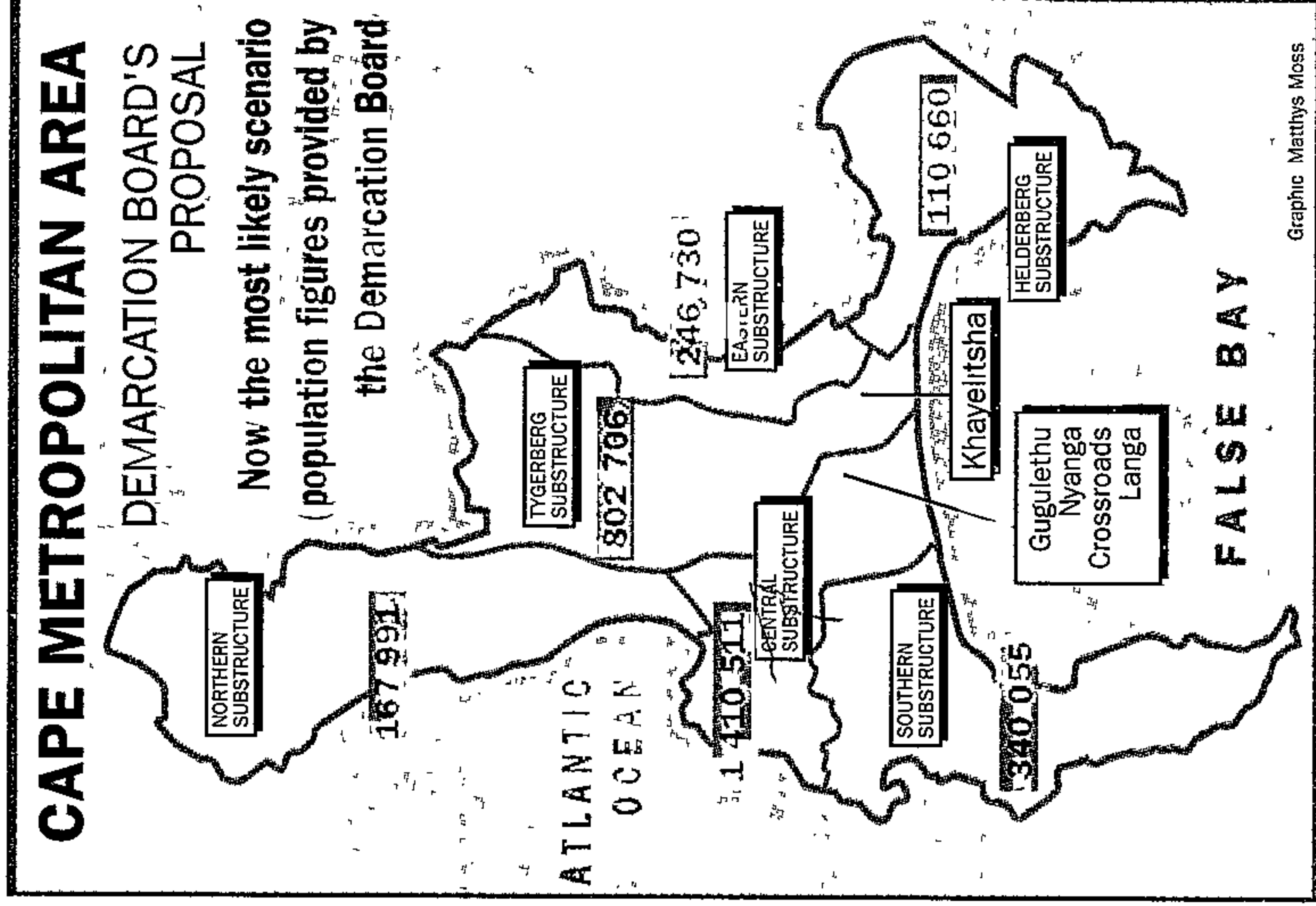
Mr Michael Randall, secretary of the Demarcation Board, explained the apparent short notice by saying that the board had to meet stringent deadlines before the November 1 elections.

He said the current controversy over the Cape Metropolitan Council boundaries had further retarded the process.

Rural councils also have to submit two further maps outlining the location of all areas within their jurisdiction that fall under the relevant schedule of the Transitional Local Government Act.

Interested bodies can put forward proposals at public hearings to be held at Regional Services Council offices at the following places at 9.30am: Beaufort West, June 19; Moorreesburg, June 19 and 20; George, June 19 and 20; Oudtshoorn, June 20 and 21; Worcester, June 21 and 22; Bredasdorp, June 22 and 23; and Stellenbosch, June 23.

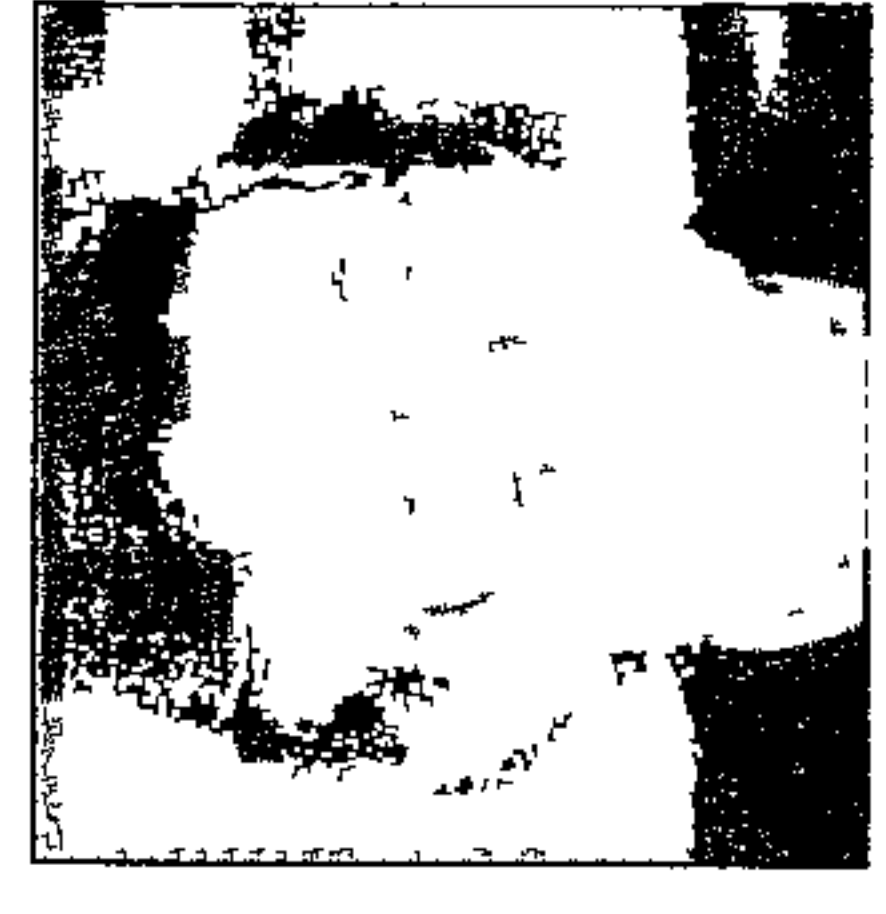
Further information can be obtained from Mr Randall at (021) 483 4127.



DEMARCATION: The boundaries as they are now most likely to be drawn — based on the original Demarcation Board proposals which the ANC endorsed but which Local Government Minister Mr Peter Marais overruled.

CT 7/6/95

WESTERN CAPE Premier Mr Hernus Kriel said he would take legal opinion should President Mandela sign into law an amendment that would effectively overrule his government's boundary decision.



NULLIFIED: Mr Valli Moosa said the govt was stepping in to end the boundaries' battle

THE government yesterday effectively overruled the controversial boundary decision made by Local Government Minister Mr Peter Marais.

The move follows the decision by Mr Marais and a majority of the Provincial Committee to include Khayelitsha in the new Cape Town municipality, instead of in Tygerberg as recommended by the Demarcation Board.

Deputy Minister of Provincial Affairs and Constitutional Development Mr Valli Moosa made the announcement at a "Summit to Unify the City" in the Cape Town Civic Centre.

Mr Marais had succeeded in getting the legally-required two-thirds vote of approval from the multi-party Provincial Committee, which oversees his decisions, soon after he had reshuffled its membership.

The decision caused an outcry, particularly from the ANC, the City of Cape Town, representatives of Khayelitsha, and from southern suburbs ratepayers who feared that massive property rates increases would flow from the boundaries' decision.

Mr Valli Moosa said the parliamentary standing committee dealing with Local Government Affairs had adopted an amendment to the Local

said he was taking legal advice. Mr Valli Moosa said it was necessary for the central government to "step in" where it saw flagrant violations of the central government process that made local government transition possible.

"We did not say we will remove the power from the main party in this province and give it to the central government. Had we done this, we would be doing the same thing that Peter Marais is doing."

Instead, the people of Cape Town will still decide on their municipal boundaries, he said.

In terms of the new ruling, once the two new people are on the Provincial Committee, Mr Marais will again have to put his proposals to the Provincial Committee. Negotiations must then be repeated, and if agreement is not reached the matter will go to a special Electoral Court.

Mr Kriel yesterday asked the President not to sign the proclamation, saying the door for negotiation "is still open".

An agreement had been reached among the province's leader core but was rejected by the ANC. Signing a proclamation finalising the amendment would be a "direct transgression of democracy", he said.

People at yesterday's summit meeting declared themselves in favour of the Demarcation Board boundaries, in terms of which Khayelitsha merges with Tygerberg while Cape Town merges with Langa, Nyanga, Gugulethu, Crossroads and Brown's Farm.

— Staff Reports

Moosa: We had to stop Marrais boundary move

ANDREA WEISS
Municipal Reporter

CENTRAL government stepped into the boundary dispute in Cape Town to ensure the National Party negotiated an acceptable agreement with the people of the city, and did not impose its own solution

This was how Deputy Constitutional Affairs Minister Moshamed Vally Moosa described a parliamentary standing committee decision to amend the Local Government Transition Act

Mr Moosa was speaking at a "Unify the City" summit of all parties opposed to the NP's proposed boundaries for Cape Town, among them several ratepayer and civic groups, the ANC-alliance, Cosatu, African Christian Democratic Party, Democratic Party and the Pan-

Africanist Congress

He said the amendment gave Local Government Minister Peter Marrais the option of negotiating a solution to the boundary dispute or letting the electoral court decide

The amendment nullifies two appointments by Mr Marrais to the provincial committee with which he must concur on boundary decisions, and overturns a decision by Mr Marrais to divide the city into four municipalities with one giant sub-structure of two million people.

Mr Moosa said Mr Marrais's appointments negated the "very essence" of the reasons for having provincial committees, which was to ensure there would be broad consensus during the transitional process

By reconstituting the committee, Mr Marrais was "deviating from and undermining a very solemn political pact" en-

tered into by various parties to make the April 27 elections possible

As soon as President Nelson Mandela has signed the law, two new members will be appointed by Constitutional Affairs Minister Roelf Meyer, in consultation with Justice Minister Dullah Omar

The new committee will have to review the boundary decision, and if Mr Marrais cannot persuade it to accept his proposal, the matter will go to the electoral court

Mr Moosa said if central government turned a blind eye to what had happened in the Western Cape, provincial ministers in all the other provinces could make similar changes to their committees

"Then legitimacy would be undermined and the wheels would come off," Mr Moosa said

(263) ARLT 7/6/95

Mr Moosa said local government elections were a national event which had to be conducted in terms of the Local Government Transition Act which could not be altered by the provinces

"These are clear indications that central government is expected to act as the guarantor of the entire transition

"Where there are flagrant and blatant violations of the national settlement, it becomes necessary for central government to step in"

Mr Moosa said it would make no sense for central government to allow the dominant party, namely the African National Congress, to make the appointments, because this would not be in the spirit of the transition

That was why it was decided that Mr Meyer, with Mr Omar, would make new appointments



VALLI MOOSA: 'Essential for government to step in'

BOUWEN

Metro boundaries excluded

Municipal Reporter

(263) ARG 7/6/95 registration figure in the Western Cape

THE Demarcation Board is to begin a round of hearings on proposed ward delimitations on June 20 — but only in towns outside the metropolitan area

Chairman Fanie Cloete said the board would not be able to delimit wards in the metro until the dispute around boundaries was resolved.

It also could not study the issue of rural wards outside towns, because parliament still had to finalise the model for rural local government.

Local authorities are being asked to submit colour-coded maps to the board before June 15, and people wishing to make submissions should notify the board before that date

Professor Cloete said ward boundaries would be determined by the number of registered voters and not by the number of people presumed to live in an area, because of the good

Other criteria for delimitation include topographical and physical characteristics and the availability of voting premises, as well as a clause in the Local Government Transition Act which determines that 50 percent of wards must be in former black local authorities

The Central Karoo Regional Services Council hearing will be in Beaufort West on June 19, West Coast RSC on June 19 and 20 in Moorreesburg, South Cape RSC on June 19 and 20 in George, Little Karoo RSC on June 20 and 21 in Oudtshoorn, Breë River RSC on June 21 and 22 in Worcester, Overberg RSC on June 22 and 23 in Bredasdorp, and Winelands RSC on June 23 in Stellenbosch

● For more information on the hearings, call M P Randall on 483 4127 or Professor Cloete on 808 2244

Angry ANC hits out at Marais's claim

Municipal Reporter

(263) ARG 7/6/95
THE African National Congress has hit out angrily at local government minister Peter Marais for suggesting that Western Cape ANC leader Chris Nissen had lost their support

Mr Marais recently suggested Mr Nissen should resign because he did not take part in last week's failed negotiations between the National Party and the NP over municipal boundaries for Cape Town

The ANC said the decision not to include Mr Nissen was taken by the ANC because he had other tasks to attend to. Provincial secretary-general James Ngcucu and roads minister Leonard Ramatlakane represented the political party instead.

Voters: One more chance

Municipal Reporter

VOTERS who failed to get their names on the voters roll by Monday this week will have a second chance when the roll lies open for inspection from June 24 to July 7.

This was announced by Deputy Constitutional Affairs Minister Mohammed Valli Moosa at a summit on the Cape metropolitan boundaries yesterday

Mr Moosa said voters could make application to register during the inspection period

Avoid housing bottleneck, council urged

Municipal Staff

(263) ARG 7/6/95
MUNICIPALITIES unable to get housing plans approved or to inspect the quality of builders' workmanship must not be allowed to slow up the delivery of houses to the homeless.

They should instead turn to the private sector for help, says Barry Probert, president of the Association of South African Quantity Surveyors.

He said most municipalities would not be able to cope with the increased workload created by the new housing subsidy scheme, and that construction professionals such as quantity surveyors and engineers could help by approving plans and inspecting building progress.

Last month the Cape Town City Council's city planner reported that the council had a backlog of more than 40 percent on plans needing approval.

"The civil and building professions can be engaged at a reasonable fee to assist in eliminating the potential bottleneck," Mr Probert said.

Hernus Kriel enters fray on municipal boundaries

Calls on President not to sign change

(263) ARG 7/6/95
Political Staff

WESTERN Cape Premier Hernus Kriel has entered the fray over Cape Town's municipal boundaries issue, calling on President Mandela not to sign an amendment to the Local Government Transitional Act.

The amendment, which deals with appointments to provincial committees, is aimed at overturning controversial appointments and demarcation decisions by Western Cape Minister for Local Government Peter Marais, who has included Khayelitsha in the Cape Town central sub-structure, contrary to a Demarcation Board plan.

And, the National Party has warned that the amendment may cause a delay in the holding of the November 1 local government elections.

Yesterday, the parliamentary joint committee on constitutional affairs passed an amendment which means Mr Marais and other regional local government ministers can no longer make their own appointments to the important provincial affairs committee, with which he has to agree on major local government issues.

Appointments to the provincial committees now will be made by the Minister of Provincial Affairs and Constitutional Development in consultation with the Minister of Justice and after consultation with the premier of the province concerned.

The amendment, sponsored by the African National Congress, will take effect retrospectively. It differs from an earlier amendment, passed a week ago, by having the Minister of Justice replace the provincial affairs minister's deputy.

Yesterday's amendment was approved, with the African National Congress, Democratic Party and Pan Africanist Congress voting in favour and the National Party and Inkatha Freedom Party against.

Mr Marais, who attended the previous, heated meeting of the parliamentary committee, was in George yesterday.

Speaking on his behalf, Premier Hernus Kriel said the proclamation of the latest amendment would have to be stayed so that Mr Marais could

obtain further legal advice.

"In the meantime, I call on the President not to sign the proclamation as it is a direct infringement of democracy."

He said the door to negotiations was still open, especially as the amendment was the result of failure to adhere to an agreement which had been reached between the leadership corps of various parties, but had been rejected by ANC supporters.

Mr Kriel said he believed the matter could be resolved through reasonable negotiation which would circumvent drawn-out court cases.

In its reaction, the National Party described the passing of the amendment by the parliamentary committee as "high-handed".

"We are not surprised that the law advisers, who have to put political decisions into legislation, find it difficult, because there is no precedent for this type of high-handed legislative process," said André Fourie, chairman of the NP caucus study group on constitutional and international affairs.

The proposal that the Minister of Constitutional Affairs should make decisions in consultation with the Minister of Justice was laughable.

"Why not the Minister for Home Affairs, Water Affairs or any other affair?"

Mr Fourie said this difficulty had arisen because the ANC wanted to legislate for a specific incident and/or personality.

He said the NP stand was clear that local government was a provincial function, that provincial legislatures were elected institutions and that the central government should not interfere in provincial matters if everyone was committed to provincialism and/or federalism.

Mr Fourie said the amendment was dangerous furthermore as it might cause a delay in the November elections, as the amendment would certainly invite legal actions in different courts and forums.

The ANC, well aware of this risk, did not seem to care.

"Its insistence to prescribe from the top stops at nothing."

● See also page 6

Green policy for SA to be formulated

Michael Moon

7/16/95
FORMULATION of a comprehensive, integrated environmental policy for SA would start at a national consultative conference on August 17, deputy environment affairs and tourism minister Bantu Holomisa announced yesterday.

Input was being sought from all interested parties, including civics, non-governmental organisations, environmental groups and provincial governments, and a policy White Paper would be drawn up at the end of the process, Holomisa told an Environment Week seminar in Pretoria.

Holomisa singled out policy on hazardous substances as being one area needing urgent policy attention and said this would be in line with the Basle convention which now banned toxic waste exports to Africa.

He said African nations needed to exercise greater control over their genetic materials. There was a net flow of genetic material from the developing south to the developed north, and modern agricultural and horticultural systems needed a diverse supply of genetic material, generally from the Third World.

He said the ultimate goals of the reconstruction and development programme, such as an improvement in quality of life, were shared by environmentalists, and his department had adapted its budget to fit the requirements of the programme.

Areas it was currently involved in included integrated pollution control, development control and environmental impact assessment and guidelines for environmental resource economics.

ANC alliance rejects boundary proposal

(263)
Edward West

7/16/95
CAPE TOWN — Resistance to Western Cape local government NP MEC Pieter Marais' boundary proposal gathered momentum yesterday when a summit convened by the ANC alliance and a wide range of civic organisations rejected his plan.

Deputy Constitutional Affairs and Local Government Minister Valli Moosa said at the summit that if Marais did not change the proposal, steps would be taken "so he will be left with no choice — negotiate or fight in a court of law". Marais recently decided that Khayelitsha should be included in the central and southern Peninsula metropolitan substructures, a decision which was contrary to the demarcation board's proposal that the township should be included in the Tygerberg substructure.

Parliament's constitutional affairs committee has voted to amend the Local Government Transitional Act to overturn Marais' decision, but the amendment still awaits the signature of President Nelson Mandela. Marais has threatened to take the issue to the Constitutional Court if his decision is overturned.

Moosa said he did not believe any reasonable court would respond in such a way as to delay the local government elections.

Western Cape premier Hernus Kriel appealed to Mandela not to sign the proclamation, which he said was a "direct transgression of democracy".

Kriel said negotiation was still possible and a court battle could be prevented.

Moosa said the NP's claim that central government was aiming to interfere with the powers of the provinces was not true. Central government was acting to see that the way towards local government was negotiated to ensure inclusivity.

"The people of Cape Town must decide on the boundaries, but the boundaries must not create another volkstaat," he said.

At the constitutional affairs committee meeting yesterday, NP caucus leader Andre Fourie slammed the amendment to the Local Government Transitional Act as "a blatant intervention by government in provincial affairs", and he called on the ANC to revisit the amendment.

The committee yesterday voted through an amendment to give Constitutional Affairs and Local Government Minister Roelf Meyer and Justice Minister Dullah Omar powers to appoint provincial committee members. The amendment also terminates all committee appointments by the provinces after April 30 1995.

At the committee meeting, electoral task group convener Van Zyl Slabbert appealed for solutions to be found as soon as possible to the many political problems that were expected to be encountered on the road to the local government elections.

He cited as an example of the potential political pitfalls the fact that 50% of local government seats would have to be occupied by whites, Asians and coloureds, while the remaining 50% of the seats would be occupied by blacks, irrespective of whether one group dominated another in a particular area.

Security branch printed

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(263)
Edward West

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(263)

City draws the line at Khayelitsha

By AUDREY D'ANGELO

CAPE BUSINESS EDITOR
CT (22) 8/6/95

Including the sprawling black township of Khayelitsha in the municipal boundaries of Cape Town — which would mean a rates increase of 80 percent — would “seriously undermine the city’s business base”, the Cape Chamber of Commerce and Industries warns

Director Alan Lighton says in the chamber’s current newsletter “Any setback to business in the city would negatively affect all who live in the metropole

“The inclusion of Ikapa, which embraces established black townships, into Cape Town’s municipal area will strain the city’s resources to its limits. To add the cost of servicing the whole of Khayelitsha to the city’s rates bill would be to impose an impossible burden on ratepayers.

“Business in Cape Town already pays the highest rates of any city in the country and the region is at a competitive disadvantage as a result,” Lighton continues

“While it is accepted that the major cities throughout the country must each accept responsibility to contribute towards the costs of upgrading and maintaining services in the black townships, this burden should be distributed fairly across the metropole and not skewed in the case of Cape Town.”

Lighton says the chamber has made urgent representations to the national minister of provincial affairs and the provincial premier

The chamber’s warning was given as a result of a controversial decision by Peter Marais, local government MEC in the Western Cape, to alter the suggested boundaries to exclude Khayelitsha from Bellville municipality

President blocks Marais boundary plan

CHRIS BATEMAN
POLITICAL STAFF

PRESIDENT Nelson Mandela has signed into law two amendments overruling Western Cape Local Government Minister Mr Peter Marais, effectively blocking his controversial Khayelitsha boundary move.

In response, a defiant Mr Marais vowed to prevent rural elections in the Western Cape until the central government "honoured" a compromise Cape Metropolitan boundary "deal" thrashed out last week.

The first amendment to the Local Government Transition Act overrules Mr Marais' recent appointment of two new

people to the Provincial Committee.

The proclamation has been signed by President Mandela and, significantly, by the Nationalist Minister for General Affairs, Mr Chris Fisser.

The second amendment, approved last night by a joint parliamentary committee, declares invalid any decisions taken by the Provincial Committee as restructured by Mr Marais. It states that any proclamation between April 30 and June 7 this year by a committee restructured without consent shall be without any legal force and effect.

Last night Mr Marais said he would inform the Speaker of the Western Cape government, Mr Willem Doman, this

ET 8/6/95 (263)
morning that he was withdrawing the Rural Local Councils Bill before its third reading at the end of July.

This would effectively leave the Western Cape with no law to run the elections in the rural areas — where the Demarcation Board is already urgently laying down ward delimitation groundwork to pre-set deadlines.

Mr Marais said he would like "nothing better" than a political settlement, but "the ANC has chosen the battlefield and must bear the consequences".

He was prepared to go to the Constitutional Court and the Electoral Court to defend his boundary proposals.

Town clerk defends his 104-day absence

CT8/6/95 (263)

STAFF REPORTER

CITY town clerk Mr Keith Nicol yesterday defended his 104-day absence from his office over the past 15 months, saying overseas trips and seminars he had undertaken and attended were "unanimously sanctioned" by the executive committee and in line with a

policy to promote Cape Town

This follows a scathing attack on him by councillor Mr Arthur Wienburg, who said Mr Nicol was a "bureaucrat" and that it was not his job to lead the city out of isolation but that of the politicians

Criticism over his long absence was also voiced by other ANC, NP and DP councillors who said Mr

Nicol's time would have been better spent in the city while it was going through a critical stage over its future boundaries

"I am appalled and disappointed at the criticism about my absence which was unanimously sanctioned by exco and forms part of my work as chief executive

"If the council wants to isolate

itself, then fine, but this is contrary to its policy of encouraging senior officials to be involved in leadership roles and contrary to the city's objectives of being internationally competitive. I realised we were in the middle of a transition and I should stay in the city, but I was also mindful of criticism if I didn't take part in international events"

Marais accused of 'gerrymandering' in rural wards

(263) ARCT 8/6/95

Municipal Reporter

A FRESH row has erupted over Local Government Minister Peter Marais's handling of preparations for the municipal elections, with the African National Congress accusing him of "gerrymandering" wards in rural areas

The row follows central government intervention to nullify appointments made to the provincial committee for local government by Mr Marais, stalling his controversial decision on Cape Town's municipal boundaries.

In a call for Mr Marais's resignation today, the ANC said the demarcation of wards was an "extremely sensitive issue" and needed to be handled "fairly and objectively"

If manipulated by the National Party the whole process would be "stillborn"

The ANC accused Mr Marais of another "sleight of hand" because he had listed among black local authorities in the rural areas certain white rural councils

This effectively watered down the 50/50 provision in the Local Government Transition Act which determined that half the wards for new councils should be in former black areas and half in white areas

The ruling by Mr Marais that some white local authorities belong with black areas contradicts an earlier circular from the Demarcation Board

It has particular effect on Hermanus and Plettenberg Bay

The ANC said today that in Hermanus voters were expected to elect 16 councillors in the election, 10 of whom would be drawn from wards

The assumption would be that five of the wards would be in Zwelihle and five in the white and coloured community

But, because of Mr Marais's ruling, the white councils of Fisherhaven, Sandbaai and Vermont were being included with Zwelihle, meaning they would have to share five seats among them

"This amounts to gerrymandering of the crudest type as it is aimed at undermining the votes of ANC supporters in Zwelihle," the party said.

"It appears as though once again Peter Marais's head is guided only by what is in the best interests of the NP and not in the best interests of the province

"He is responsible, he must be made accountable, he must resign"

● Mr Marais was not available for comment. A spokesman in his office said he was on business out of town

11 percent rates increase likely — for now

ARLT 8/6/95

(24) (263)

ANDREA WEISS, Municipal Reporter

TONIGHT the Cape Town City Council is likely to pass a R2,8 billion budget which will put rates up by 11 percent — for now.

The rates increase is in line with current inflation rates.

Because new boundaries for the city are still in dispute, the council is unable to draft a budget taking in the former black local authorities and so may have to consider a revised budget in the future.

This could mean a further rates rise.

Tonight, because of a provision in the interim constitution, a two-thirds majority will have to vote in favour of the budget, which applies only to the council's present area of jurisdiction.

Each portion of the draft capital budget has been considered and approved by the relevant standing committee, which in turn reported to the city's executive committee, chaired by Nomandla Mfeketo, who makes the budget speech tonight.

The draft operating budget was considered by a separate committee, which also reported to the executive committee.

Because of this process it is unlikely that there will be any major disputes over particular aspects of the budget.

The budget is described as an interim budget which will be in force until the council's new area of geographic jurisdiction becomes clear.

The council has already agreed to an average nine percent increase for electricity and a five percent increase for water.

In line for a big cut is tourism organisation Captour, whose R2 million grant is likely to be slashed to R500 000.

The rationale for the cut is that the Cape Metropolitan Council should take greater responsibility for organisations with a metropolitan function.

Wesgro, which has been given R500 000 a year for the past three years in terms of an agreement to market Cape Town overseas, will get only R250 000 this year.

● Lifeline for Captour, page 7.

R2.8bn BUDGET PASSED

Council holds rates hike down to 11%

SENIOR council officials pledged yesterday that every effort will be made not to increase rates again when new boundaries come into effect. **PETER DENNEHY** reports.

THE City Council passed a R2,8-billion holding budget yesterday which includes an 11% rates increase

Senior council officials said every effort will be made to prevent another increase within months of the new boundaries coming into effect

Yesterday's annual council budget had to be prepared based on the present municipal boundaries

The Local Government Transition Act requires that 104 days after the boundaries change, a Joint Executive Committee must integrate the budgets of the various councils that have been merged, such as Cape Town, iKapa, Pinelands and Crossroads

Assistant city treasurer Mr Mike Richardson said provision has been made in the municipal ordinance for another rates increase

over the 11%

However, city treasurer Mr Eddie Landsberg said the city aimed to get financial help from the provincial authorities, which have been funding the running of the townships

Funds will also be provided by the Cape Metropolitan Council for the re-establishment of township services, some of which have virtually collapsed

Councillors said during last night's budget debate the new budget did not differ much from those in the past, with the exception of having to provide for RDP projects to the tune of R15 million

Councillor Mr Neil Ross said the city had some money in the kitty to provide housing, mainly because over R25m from the sale of the Clifton bungalows is in a social development fund. This may soon be increased to R40m if the per-

~~12~~ (263) CT 9/6/95
centage of the proceeds from bungalow sales that goes into the development fund rises from 50% to the 80% as the council had requested.

Features of the R2,8-billion budget, broken down into R2,1bn for operating expenses and R657m for capital projects, include:

Electricity

- A 10% increase in council housing rentals, along with the 11% rates increase;

- Electricity tariffs will rise by about 9% from August 1, and water tariffs will rise by about 6%;

- Owners of residential properties will have to pay rates of 6,815 cents per rand of the municipal valuation of their houses. The rate for non-residential properties will be 9,212 cents in the rand.

- R586m will be raised from property rates in the coming year;

- Council houses will receive an R11,2-m subsidy from the rates account.

Councillors hit back at arrears leak

CT 9/6/95

MUNICIPAL REPORTER

THE ANC launched a furious attack on councillors, or a councillor, who leaked information to the Cape Times that six non-statutory councillors were in arrears to the extent of R28 000 for water, lights and rent yesterday.

In a press release, ANC councillor Mr Mansoor Jaffer, speaking for the councillors identified in the leak, said leaking the details was a "manifestation of resistance" to the changes taking place in local government.

Mr Jaffer said the central issue was that the leak must have come "from sources" who have for decades lapped up the privileges which apartheid patronage bestowed on them.

'Pensions'

It annoyed those councillors named that they, who collectively owed R28 000 to the council, stood accused while there were other councillors who had willingly accepted "apartheid pensions totalling huge amounts"

"It is cowardly for nameless and faceless people to drag their names through the mud, especially since many of them had voluntarily done community work over the years, alleviating the plight of members of their community."

Govt sets tight limit for Marais

CT 9/6/95 (263)

CHRIS BATEMAN
POLITICAL STAFF

THE central government yesterday swiftly enforced its legal "slapping down" of Western Cape Local Government Minister Mr Peter Marais' boundary proposals by giving him just 18 hours to propose a new Provincial Committee.

However, Acting Provincial Affairs and Constitutional Development Minister Mr Chris Fisser apparently relented after a furious response from Premier Mr Hennis Kriel's office and extended the deadline.

The Provincial Committee to which Mr Marais appointed two NP-supporting members, ensuring his controversial exclusion of Khayelitsha from the Tygerberg

sub-structure, is supposed to be a neutral watchdog of transition.

The amendment to the Local Government Transitional Act declared invalid decisions taken by restructured provincial committees between April 30 and June 7 this year, negating Mr Marais' Cape Metropole demarcation

It also requires Provincial Affairs and Constitutional Development and Justice Ministry approval for any new Provincial Committee appointments by provincial ministers.

Top NP sources in the central government said no chance of a political settlement — as pleaded for by Mr Kriel and Mr Marais — now existed as the ANC would rely on the amendment to force the Western Cape's hand.

Shopping till they drop

STAFF REPORTER

WHAT do the wives and girlfriends of the English rugby players do while the boys are busy training for their most important game in the World Cup? Shop, of course

Tracked down at the Waterfront they said travelling on a rugby tour could be a bit lonely

Ms Jayne Guscott, wife of centre Jeremy Guscott, who brought the couple's two young children, said she was enjoying herself even though she spent most evenings in the hotel with the children while the rest of the group went out to enjoy the city night life

The two groups are living in separate hotels.

Ms Michele Lawrence, girlfriend of loose forward Ben Clarke, said: "You have to be a certain type of woman to have a boyfriend or husband as part of the English team. We are all independent and most of us have our own careers."

'Serious client' for the Rooivalk

CT 9/6/95

THE armaments company Denel has decided not to send its Rooivalk attack helicopter to the prestigious Paris Air Show this year, mainly to enable a full demonstration in SA for a "serious potential client"

Denel chief executive officer Mr Johan Alberts did not name the client, but informed sources said

yesterday it could be Malaysia, which was interested in building the Rooivalk under licence.

The helicopter has also undergone modifications, including more powerful engines and better exhaust suppression, improving its overall performance by 10%.

Meanwhile, a South African armaments firm, Reumech, manu-

facturers of the Olifant tank, Rooikat and Ratels, has been short-listed for a R1 billion contract to supply 450 armoured infantry vehicles to the Australian army in 1998.

Reumech has teamed up with the Australian National Industries to supply the vehicles — Own Correspondent, Staff Reporter

BRIEFS

Workers break bins, pot plants

ET 9/16/95
(263)

THE municipality of Goodwood has appealed to residents to remain calm after members of the SA Municipal Workers' Union went on the rampage yesterday, breaking refuse bins on street poles and overturning pot plants.

The workers, who have been on strike since Tuesday, were demanding a minimum salary of R1 500 a month. The municipality was unable to meet their demands.

"We don't even pay clerks R1 500," Mr Wilkin said. Negotiations were continuing.

Arrear councillors hit back

Municipal Reporter

COUNCILLORS in arrears came under attack — and defended themselves vigorously — during the budget debate (263)

Kenneth Penkin said it was a "disgrace" that, for the past four months, they had received allowances while being in arrears

Rudwaan Isaacs of the African Muslim Party said those councillors in arrears were no different from their comrades in marginalised townships.

Faldela de Vries of the SA National Civics Organisation said she held her council seat "with dignity" **ARC 9/6/95**

Her rent debt, which was published in the Press, was not up during the rent boycott and she had declared her position at meetings

She said transparency had to be looked at from all angles, suggesting that councillors who had business interests which benefited from council decisions also should be put under the spotlight

Council budget gets grudging nod

(263) (12)
AKS 9/6/95

ANDREA WEISS
Municipal Reporter

COUNCILLORS have grudgingly accepted a run-of-the-mill annual budget for the Cape Town City Council, but agreed to an almost-immediate review process to reassess the city's priorities.

A narrow two-thirds majority of the 98-member council was achieved last night in terms of the interim constitution when 70 councillors voted for the budget.

A thread that ran throughout the debate, which followed a tradition allowing councillors to speak their mind on any matter of their choice, was the dispute over boundary demarcation.

Another was the recent Press leak of a list of councillors who were in arrears to the city council for rent, electricity and water charges.

After her budget speech, ex-

ecutive committee chairman Nomandla Mfeko asked that the question of Caplour's funding be deferred until the next council meeting because exco earlier had decided to offer the organisation a R1,5 million loan to make up for its budget cut to R500 000.

Deputy exco chairman Llewellyn van Wyk described the budget as "not the end, but the beginning" of a process which could be used as an effective and "critical tool" for transforming the city.

He appealed that new criteria be set, with budgeting being linked to projects rather than departmental needs.

Leon Markovitz, National Party leader in the council, said the budget was "fair and indeed a milestone for the city".

Neil Ross, leader of the Democratic Party caucus, said the budget had the "fingerprints of a hurried process" all

over it. However, he supported the idea of reassessing priorities and building the RDP into the budget after approving it.

Riedwaan Isaacs of the African Muslim Party said there was a need to ensure that basic services be restored and maintained, and suggested that imbalances in the budget should be a priority in the standing committees.

Chris Joubert of the DP appealed to the council to initiate talks between Abakor and the unions with a view to striking a fair deal before the abattoir's reserve fund ran out next April.

Mzukisi Gaba of the Communist Party said the budget "failed to be informed by the RDP". He also questioned the council's system of awarding rates rebates, claiming this perpetuated inequality.

Saleem Mowzer of the African National Congress gave the budget his qualified sup-

port, but said it did not meet the needs of the majority.

Hanief Triseker, also of the ANC, said Cape Town was a city where the poor subsidised the rich. Rates were unrelated to realistic market values because the valuation roll was at least 10 years out of date.

Siviwe Matika, formerly of Azapo, successfully moved an amendment to the budget, asking the executive committee to look into the valuation roll from a political and legal perspective with a view to equity being achieved.

Arthur Wienburg described the budget as being "inflationary, empire building and imprudent". It was made up of "grandiose spending" which was like a "runaway train".

He cited as examples R18 million for the Sea Point pool and R20 million for the Hartleyvale hockey stadium.

City's trading services take biggest slice

Municipal Reporter

THE biggest slice of the Cape Town City Council's budget goes towards trading services, including electricity and water.

The city will spend R1 025,7 million on electricity, 36 percent of the budget. The next largest amount goes to water (R393,8 million or 13,8 percent).

Epping market will need R23,1 million, followed by Maitland abattoir, R20,9 million. ARG 9/6/95

Moves are afoot to restructure the market as a Section 21 company, while negotiations around the troubled abattoir, operating at a deficit, continue.

Infrastructure will claim the second largest slice (R301,2 million), followed by amenities (R284,3 million).

The city will spend R237,2 million on direct services, R171,7 million on health, R144,9 million on protection, R126,2 million on housing, and R120,4 million on administration.

Marais figures for (263) borders 'misleading'

Municipal Reporter

FIGURES used by local government minister Peter Marais to justify his proposed boundaries were "gravely distorted and misleading"

This was said by Nomaindia Mfeketo in her budget speech to the Cape Town City Council

Ms Mfeketo said Mr Marais had justified his proposals on the grounds of financial equity and had produced figures to try to justify his decision

But his proposed boundaries created a "highly inequitable situation" and placed a very unfair burden on the residents and businesses of the central municipality

Those living outside the central area would be relieved of their responsibilities to deprived areas and the consequences to the city would be disastrous

"This council will thus oppose these proposed boundaries with all the resources and energy we can muster until an equitable and workable solution is reached."

ARG 9/6/95

In the debate that followed, Leon Markovitz, who leads the National Party caucus in the council, gave his version of events during last week's failed negotiations between the African National Congress and NP

Mr Markovitz said two negotiating teams had reached an agreement that Tygerberg would take Ikapa and Crossroads and Cape Town would be linked to Khayelitsha. But the following day the ANC negotiators returned to say there was no deal

"They could not deliver"

Neil Ross, leader of the Democratic Party caucus, said it was not for the ANC and NP to strike deals in "little dirty backrooms"

Demarcation principles were outlined in the Local Government Transition Act and fiddling for political purposes had to be condemned

Hanief Tisseker of the ANC said it had been clear that the ANC had no mandate to make an agreement and needed to consult other groups

City Council extends hand of friendship

Municipal Reporter

CAPE Town City Council wants to move away from its domineering image and extend "a hand of friendship and co-operation" to all local authorities.

This was said by executive committee chair Nomaindia Mfeketo in her budget speech last night.

Ms Mfeketo said that for too long the city council had been seen "fairly or unfairly" as arrogant and domineering.

"We believe in strong local government, not just for Cape Town but for the whole of the metropolitan area. Let us work together to meet the serious financial and political challenges facing all of us."

Ms Mfeketo said the council would not use its size and resources to dominate the "arranged marriages" of local authorities into new structures when the boundaries were decided.

(263) ARG 9/6/95

Olympics financial commitment 'limited'

Municipal Reporter

CAPE TOWN City Council's financial commitment to the Olympics at this stage is "extremely limited"

Executive committee chairman Nomaindia Mfeketo told the council there were no obligations in the contract with the National Olympic Committee of South Africa that placed any significant possible future burden on the residents of Cape Town

Arrear councillors hit back

Municipal Reporter

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Riedwaan Isaacs of the African Muslim Party said those councillors in arrears were no different from their comrades in marginalised townships.

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She said transparency had to be looked at from all angles, suggesting that councillors who had business interests which benefited from council decisions also should be put under the spotlight



Need to reconvene Committee 'urgent'

CF 12/6/95 (213)

CHRIS BATEMAN
POLITICAL STAFF

THE Western Cape cabinet sits tomorrow to discuss two central government membership proposals for the powerful Provincial Committee which has been at the centre of the Cape Metropole boundary dispute.

The central government is under pressure to reinstate the Provincial Committee, which vets all decisions by Local Government Minister Mr Peter Marais, so that the Western Cape can meet the November 1 election deadline.

The government last week changed the Local Government Transition Act to render null and void Mr Marais' controversial NP-leaning appointments to the Provincial Committee. It also invalidated all decisions taken by the committee between April 30 and June 7, including the controversial exclusion of Khayelitsha from the Tygerberg sub-structure. With public submissions on

ward delimitations in rural areas coming in, the reconvening of the Provincial Committee is becoming urgent as it must first reconsider all its now-invalidated decisions.

Although both Premier Mr Herens Kriel and Mr Marais said they would take up with the Constitutional Court what they view as central government "interference", it was reliably learnt that by the weekend the Department of Constitutional Affairs had received no such legal notification.

Rural elections

Top constitutional sources have scoffed at suggestions by Mr Marais that the withdrawal of his controversial Regional Councils Bill could prevent rural elections from being carried out.

Even if he refused to issue the necessary proclamation enabling rural elections, the Transitional Local Government Act allowed the government to ensure all elections took place, they said.

Rates in Pinelands may double

CF 12/6/95

(213)

MUNICIPAL REPORTER

PROPERTY rates in Pinelands are likely to double after it is incorporated into Cape Town. But the increases will be very gradual and will only start in July next year.

The Pinelands municipality this month decided not to increase rates, for the second year in a row. Cape Town has just passed an 11% rates rise budget, when its rates are already perceived to be higher than those in Pinelands.

Asked this week whether Pinelands might face an upwards adjustment a few months after the boundaries change, assistant treasurer of Cape Town Mr Mike Richardson said it was far more likely that Pinelands rates would go up only in the middle of next year.

At the time of last year's budget, there was also speculation that Cape Town's then 9,5% rates increase could be further increased by additional levies imposed by

the Cape Metropolitan Council. This has not yet happened, nor is it likely to this year. But there is a small possibility that the financial experts who merge the Cape Town, Pinelands, Ikapa and Crossroads budgets might call for a special supplementary rates increase within months.

Mr Richardson felt this was not very likely. On the other hand, he said, there would be upward pressure on Cape Town and partly on Pinelands rates over time.

Pinelands charges 3,08c rand of the municipal valuation a property, according to its clerk Mr Alwyn Landman. Cape Town's rate in the r for a residential property is more than double that, at 6,815c in rand.

Mr Richardson said Pinelands rates would not double overnight even at this time next year. "No politician will do that," said "But over five years or so possible to phase in a doubling

Cave woman identified

NICOSIA - A female hunter-gatherer has been identified in a cave in the Taurus mountains in northern Iraq. The woman, who lived about 10,000 years ago, was named after a Swedish folk singer.

The woman's name was given to her by a Swedish folk singer who discovered her skeleton in the cave. She was found in the Taurus mountains in northern Iraq.

Plan to export 'small', live perlemoen

DAN SIMON
STAFF REPORTER

A BRAND new South African product — live cocktail-size perlemoen — is to hit overseas markets soon in a bid to undercut the burgeoning illegal trade in the delicacy.

In recent trial runs, a Gansbaai fishing company successfully

exported limited quantities of its first maturing harvest of farmed perlemoen to Japan with a minimum mortality rate.

Premier fishing hopes to increase the amount to 250kg by the end of the year.

Perlemoen is being farmed by only five fishing companies in the Western Cape and Port Elizabeth

and it is expected that by the end of 1996 the first real significant exports of the live delicacy will be made.

Besides earning the country potential R50 million annually, the legal trade would help reduce the immense pressures on natural resources through legal fishing rampant poaching.

Recluse feels

Demarcation Board

Proposals: Round 2

(263) 2/16/95

NOW that the government has overruled the municipal boundaries decision of Western Cape Local Government Minister Mr Peter Marais and the Provincial Committee, the Demarcation Board proposals on boundaries will surely be back on the agenda.

Mr Marais can put his proposal to the committee again, but whoever the two new members appointed by Mr Roelf Meyer and Mr Dullah Omar will be, they will surely raise the Demarcation Board

boundaries as an alternative

One of the great advantages of the Demarcation Board boundaries is that they do not skew the allocation of wards on racial lines nearly as much as Mr Marais' proposal would have done.

Any new municipality which includes what used to be a formally-constituted black local authority will have to draw up its wards so that half of them are in former black local authority areas.

This is a constitutional require-

ment, negotiated at Kempton Park.

At the time, this race-based compromise seemed necessary to stave off a rebellion in the northern parts of the country by right-wing groupings which felt strongly about losing control of local government too suddenly.

The other "new-boundary" municipalities — Southern, Northern, Eastern and Helderberg — need not worry about allocating a set proportion of their wards to black suburbs, because their black suburbs were not properly-constituted black local authorities.

They can allocate wards on a completely non-racial basis.

Once the boundaries issue has been settled, the mammoth task of unifying previously separate local



CIVIC DIARY

By PETER DENNETT

authorities that subsequently fall into the same municipality can begin.

Deputy Minister of Constitutional Affairs Mr Mohammed Valli Moosa expects that the boundaries will be settled soon, even if Mr Marais does take his objections to being overruled to the Constitutional Court, as he has threatened to do.

Mr Valli Moosa said he had confidence that the court will

know the importance of coming up with a judgment quickly, so that the elections are not delayed.

During last week's budget debate, councillor Mf Sivyiwe Matlaka of Cape Town made a useful suggestion which will help municipal officials to merge previously separate local authorities.

He said the executive committee should explore legal means of speeding up a revaluation of properties, and the council passed his motion.

The present valuations ordinance, although recently revised, is not clear on whether it allows computer modelling to be used in working out municipal valuations of properties.

It still appears to indicate that every property must be visited every time the valuations roll is

updated

Surely every building needs to be visited by a municipal valuator only once in its lifetime, unless it is almost entirely rebuilt.

It makes sense to change the valuations ordinance to reduce the workload of officials.

Unless this change is made, Cape Town may easily wait another half decade for a new valuation.

Thousands of residents of black townships will soon be owning their own homes, thanks to various government and private sector schemes to assist this process.

The property rating system will have to keep up with these developments.

If valuations are not made easier to do, property tax may eventually fall away — which would be a pity for local government.

Dept heads appointed

(263)
POLITICAL STAFF

ET 12/6/95

SEVEN heads of department in the Western Cape administration have been officially appointed in terms of constitutional advertising requirements and after exhaustive interviews by a legislative committee.

They are Dr Johan Stegmann, Finance and Corporate Services; Mr C O du Preéz, Housing, Local Government and Planning; Mr Roy Petersen, Department of Transport and Public Works, Mr Tony Ruiters, Economic Affairs and RDP; Dr Tom Sutchiffe, Health; Dr J D Burger, Agriculture, and Mrs Virginia Petersen, Welfare Services.

Most of the seven were already effectively running their departments. The appointments take effect on July 1.

Boundary hiatus puts brakes on a R1-b plan

(263) ARG 13/6/95
Municipal Reporter

THE municipal boundaries dispute is delaying a proposed R1 billion technopark development in Muizenberg East with the potential to create 25 000 jobs.

This was pointed out yesterday to the city council's economic development committee by development co-ordinator Rod Young.

The Capricorn project will be undertaken on about 250 hectares of land near the False Bay coast, if the city council is willing to sell it off at the price of residential land in blocks of about 60 hectares each.

Included in the development will be a training centre drawing on the expertise of the three universities and two technicians in the Western Cape.

But, because it is unclear who the land will belong to until the municipal boundaries of the city are declared, the project has been stalled.

Mr Young said a decision was necessary so that the consortium willing to develop the project could go ahead with an environmental impact assessment.

"We want this matter to go before the city council this month," he said, adding that developers could be wooed by Gauteng.

A public participation project would take place over the next three or four months, after which a R90 000 environmental impact study for the first phase would take place.

The project has already enjoyed support from President Nelson Mandela, the national cabinet and the provincial government.

Among the commitments that government will have to make will be to extend the M5 freeway through to Prince George Drive.

A special presentation is due to be made to the city council's executive committee on June 23.

Objections poser for councillors in debt

CT 14/6/95

(263)

MUNICIPAL REPORTER

COUNCILLORS who owe money for municipal services to the council on which they serve were still complaining yesterday about the leak of their private account details to the press.

But the council's voter registration official, Mr Brent Gerber, was asked by the Cape Times how anybody could object on nominations day to councillors standing for election on the grounds of their owing money for municipal services if the council was going to keep this information secret.

The Local Government Transition Act states that councillors are not eligible for nomination if they are more than three months in arrears with their payments for municipal services.

Mr Gerber said that council officials would check that all candidates for the local elections qualified according to the regulations.

"If there is a problem with any of them, the regulations allow us a certain number of days to fix it.

"If it is not fixed by nomination day, the candidate's name will be rejected. I don't know whether the reason will be made public," he said.

Some councillors accused council officials of responsibility for the leak and Ms Carol Jackson, one of the councillors named as a debtor, accused the senior deputy city administrator, Mr Barney Botha, of trying to defend the council staff. He insisted there was no cover-up and noted the leak could have come from a council politician instead of an official.

NOVEMBER ELECTION IN BALANCE

Kriel to fight govt in court

ET 14/6/95

(253)

WESTERN CAPE Premier Mr Hennus Kriel is accused of not honouring pre-election agreements as he announces he is to take action in both the Supreme and Constitutional courts over central government intervention in the province **CHRIS BATEMAN** reports.

SOUTH AFRICA'S November 1 election deadline hung in the balance yesterday after Western Cape Premier Mr Hennus Kriel announced he was taking President Nelson Mandela to court over central government "intervention" in the demarcation row.

The NP-led Western Cape cabinet decided to contest the President's overruling of Local Government Minister Mr Peter Marais' controversial Provincial Committee appointments and his demarcation of the Cape Metropole.

Actions are to be brought in the Supreme and Constitutional courts against President Mandela, Provincial Affairs and Constitutional Development Minister Mr Roelf Meyer and Justice Minister Mr Dullah Omar. Mr Omar and Mr Meyer have joint

power to make Provincial Committee appointments, over-riding ministers and premiers.

The double-barrelled court approach is aimed at declaring the retrospective amendment to the Local Government Transition Act both procedurally and constitutionally incorrect.

With Mr Marais at his side after a 20-minute emergency cabinet meeting, Mr Kriel said it could not be expected of his government "to accept this willy nilly and say Big Daddy has spoken and we must toe the line". Local government was the "domain of the provinces".

Mr Mandela's proclamations had over-ruled the decisions of a legitimately elected provincial government. Mr Marais promised to do "what I can" to stick to the narrow time frame for election preparations should a set-

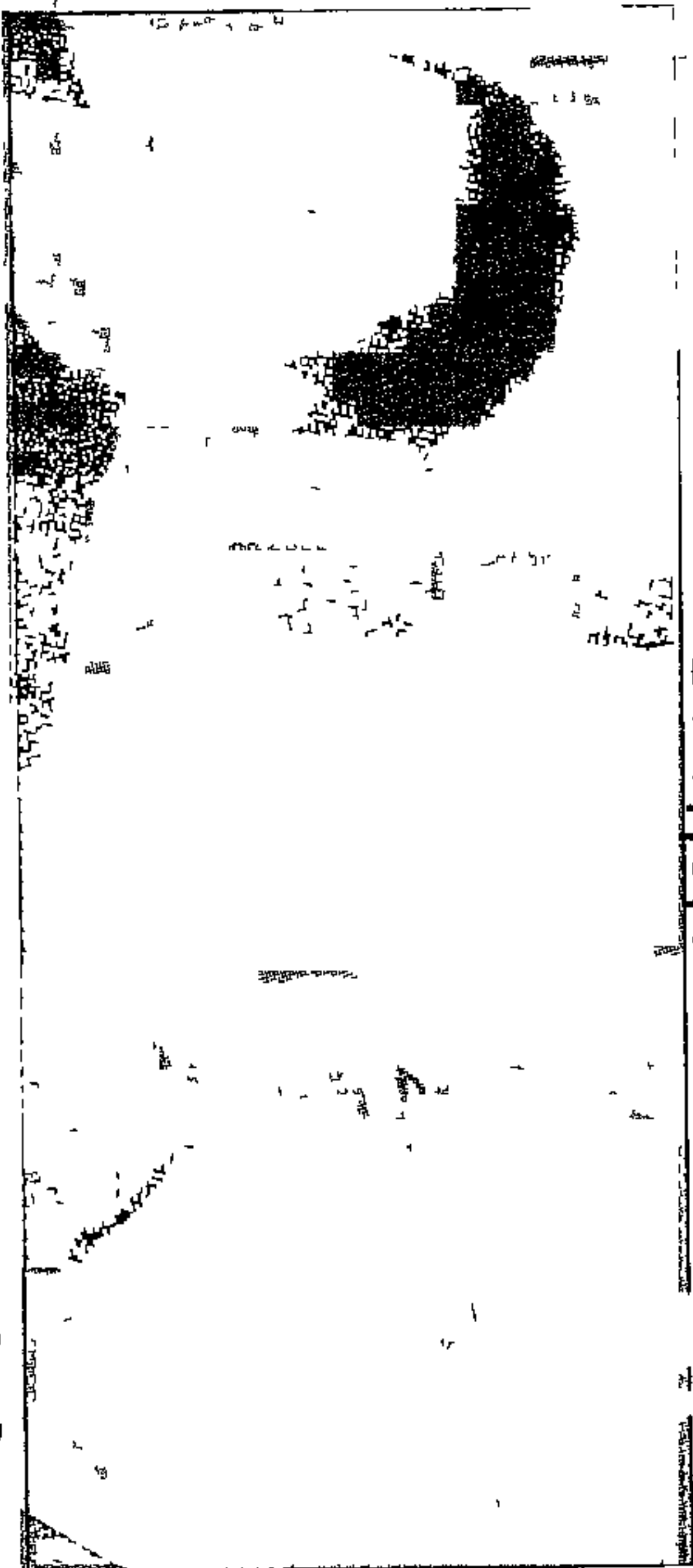
tlement be reached.

Mr Pravin Gordhan, chairman of the Constitutional Affairs portfolio committee that voted to overturn Mr Marais' decisions, accused Mr Kriel of "deliberately" misreading the constitution.

"Regrettably he has put his leadership ambitions within the NP above the interests of the country. We must encourage him to come back to the negotiating table rather than engage in brinkmanship".

Mr Kriel was "as aware as anyone else" that local government was equally the responsibility of both the national and provincial governments.

The national government had to ensure that democratic elections took place on schedule on November 1. Mr Kriel's decision to change the Provincial Committee violated a pre-



LEGAL BATTLE: Local Government Minister Mr Peter Marais (left) with Western Cape Premier Mr Hennus Kriel at yesterday's press conference

PICTURE: CLIVE SMITH

election political agreement to which he and his party were an integral part. Cape Town's deputy city administrator, Mr Barrie Botha, said that on "the most generous assessment" of a host of election preparation deadlines, it would be extremely difficult, "if not impossible", to hold the local government elections on November 1.

Top constitutional sources said that until the Provincial Committee was in place to vet all Mr Marais' decisions, election preparations would fall irretrievably behind.

Catch 22 delays council plans for local elections

PETER DENNEHY

CT 14/6/95 (263)

THE Cape Town City Council is to express its concern to the Western Cape authorities about a Catch 22 situation which is delaying preparation for the local government elections.

Deputy city administrator Mr Barney Botha said local election deadlines were not being met, because municipal boundaries had not yet been promulgated.

The council's Transitional Affairs Committee was told that ward boundaries could not be drawn up until joint executive committees decided how many councillors

each council will have. But these committees do not officially come into existence until municipal boundaries have been set.

The council decided to write to Local Government Minister Mr Peter Marais and Premier Mr Her-nus Kriel in an attempt to address this situation.

Another letter will be sent about a commission for the restructuring of local government. This will have six people on it, all appointed by Mr Marais, and dismissible by the premier. Councillor Mr David Dlahi, said: "This commission is going to be biased, I can tell you that right now."

Kriel accused of ignoring crisis

□ Demarcation issue not raised at meeting
ARC 14/6/95 (263)

CLIVE SAWYER
Political Correspondent

SENIOR African National Congress sources have accused Western Cape Premier Hennis Kriel of acting in bad faith by not raising the demarcation crisis at an inter-governmental forum meeting this week.

Mr Kriel has also been accused of using the crisis to build his standing in the National Party in his bid to succeed F W de Klerk as leader.

He has sparked widespread ire for interfering with the principle of balanced representation in the provincial committee on local government, agreed to during Kempton Park talks, and while he was a member of the cabinet.

A witness said Mr Kriel had been present, with other premiers and Provincial Affairs Minister Roelf Meyer, at Monday's meeting of the inter-governmental forum.

"What's the purpose of sitting in a five-hour meeting and not raising the issue of the amendments to the Act?" asked an ANC source.

Meanwhile, chairman of the national assembly committee on constitutional affairs Pravin Gordhan said Mr Kriel seemed to be deliberately misunderstanding the situation.

"His belief that this (the amendment of the Local Government Transition Act) is national interference in a provincial matter is a deliberate misunderstanding of the constitution."

Functions set out in Schedule Six of the constitution were concurrent between national and provincial government.

Mr Gordhan said Mr Kriel was trying to hold local government elections in the Western Cape to ransom.

The NP in the province was trying to put a smokescreen around the real issue, which was whether Mr Kriel was prepared to negotiate a solution with those opposed to his demarcation proposals.

Mr Kriel's proposed lawsuits against President Nelson Mandela and Mr Meyer were a travesty of the spirit of reconciliation and accountable and transparent government, he said.

"We can do without this kind of brinkmanship," said Mr Gordhan.

The amendment to the Act was aimed at enabling leaders in the Western Cape to reach an accommodation.

Mr Kriel announced yesterday that the Western Cape cabinet had decided to take the central government to the constitutional court. This announcement, which it was feared would delay the November 1 local election, was made after the regional cabinet met to discuss amendments to the Local Government Transition Act around a dispute over municipal boundaries in Cape Town.

Western Cape to tackle central govt

Edward West

(263) BO 14/6/95

CAPE TOWN — The Western Cape provincial government would take central government to the Constitutional Court over two proclamations signed by President Nelson Mandela last week amending the Local Government Transition Act, premier Hernus Kriel said yesterday. The Act was amended by the ANC through the constitutional affairs parliamentary committee to overturn appointments made by local government MEC Peter Marais to the local provincial com-

mittee and his subsequent Cape metropolitan boundary decisions. Kriel said the decision to go to court was taken by the provincial cabinet yesterday. ANC MECs had opposed the decision. The move followed legal advice that the proclamations were unconstitutional. Kriel said the proclamations violated the constitutional principle prohibiting the national government from exercising its authority in a way that violated the integrity of the provinces.

Continued on Page 2

Western Cape

(263) BO 14/6/95

Continued from Page 1

The province was also advised that the proclamations were in breach of administrative law since they were aimed at objectives not authorised by the relevant Act. This breach would be fought in a separate Supreme Court action.

He said the province was no longer prepared to participate in appointments to the local provincial committee in terms of the amended Act.

Respondents in the Constitutional Court action would be Mandela, Provincial Affairs and Constitutional Development Minister Roelf Meyer and Justice Minister

Dullah Omar.

The court actions could delay the local government elections, "but the principle is so strong we have to protect the autonomy of the provincial government", he said.

Kriel said he had appealed to Mandela not to sign the proclamations, but to let the issue be negotiated further. "I believe the President was forced into the decision by grassroots people in the Western Cape who do not understand the situation.

"We cannot accept willy nilly that because big daddy has spoken we must toe the line. The moment the proclamation was signed, the ANC closed the door to negotiations. They know where to find us to open that door again," he said.

'NOT ACTING JUST FOR NP'

W Cape to foot bill for Kriel's court bid

CT 15/6/95 (263)

BOUNDARY ROW: Premier Mr Hernus Kriel says his court action is in the interests of the people of the Western Cape, report **CHRIS BATEMAN** and **ANTHONY JOHNSON**.

THE Western Cape government — not the National Party — will foot the bill for the Constitutional and Supreme Court challenge to the overturning of its Cape Metropolitan boundaries by President Nelson Mandela

This was said yesterday by Western Cape Premier Mr Hernus Kriel

"We're not acting in the NP's interests, but in the interests of the people of the Western Cape," he said

The ANC's four Western Cape ministers distanced themselves yesterday from the majority NP cabinet decision

They said that Mr Kriel's court challenge violated a delicately negotiated Kempton Park agreement

The province's Local Government Minister Mr Peter Marais had loaded the provincial committee with NP-leaning members to ensure a Cape Metropole demarca-

tion favouring his party, they claimed

Meanwhile, the cabinet yesterday asked Deputy Presidents Thabo Mbeki and FW de Klerk to negotiate with Mr Kriel to defuse the demarcation row, which is threatening to delay the November 1 elections

Provincial Affairs Minister Mr Roelf Meyer said ministers had unanimously accepted his proposal that the deputy presidents should become involved in the boundary dispute

Provincial Health Minister Mr Ebrahim Rasool said Mr Kriel had caused the controversy

He described the court challenge as a "bid for federalism"

Mr Meyer told a press conference yesterday that the main concern about the boundary dispute in Cape Town — and developing rows in Johannesburg and Durban — was the tight local election time scales, which would be affected by

protracted court proceedings
"But as far as I know, Mr Kriel has indicated that he is prepared to negotiate," he said.

No date has been set for a meeting between the deputy presidents and Mr Kriel

ANC sources said yesterday they were sure Mr Kriel's court challenges would fail but they were worried about their effect on the election date.

A constitutional amendment would be required for elections to be delayed in certain areas.

Government sources said last night that areas that failed to hold elections as scheduled could be penalised in terms of RDP benefits.

The NP Western Cape caucus yesterday thanked Mr Kriel and Mr Marais for their role in the boundary dispute and vowed "to fight this matter at all costs"

"The caucus believes that the autocratic attitude of President Mandela in his attempt to erode the powers of the Western Cape represents a serious infringement of the spirit of the constitution," the NP said

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Council seeks clarity on 'closed shop' agreement

PETER DENNEHY
MUNICIPAL REPORTER

CT 15/6/95

(263)

THE Cape Town City Council is to go to the Industrial Court today to obtain clarity on whether or not it can continue with its "closed shop" agreements with its unions.

Where a closed shop exists, employees are compelled to join one or other union. This requirement is part of the conditions of service under which employees are hired.

There has been resistance to this from some of the staff, although the agreement goes back at least 50 years.

One objector is paying his "union dues" to the Community Chest, while another 40 or 50 are paying theirs into holding accounts, depending on the ruling.

Mr Ernie Thorne, deputy director of the council's labour relations department, said the action was a sequel to an Industrial Court ruling on December 13, 1993 that in its then-existing format, the council's closed shop arrangement was an unfair labour practice.

ANC appeals to Kriel over boundaries row (263)

Municipal Reporter

WESTERN Cape African National Congress ministers have appealed to Premier Hennis Kriel not to jeopardise the November 1 election date by tying up the dispute over municipal boundaries in the Constitutional Court.

And the party has started to ask questions about who will pay for the court action decided on by the NP majority in the 10-member provincial cabinet.

In a further development yesterday, Deputy-Presidents Thabo Mbeki and F.W. de Klerk were asked by the cabinet to intervene to resolve the Western Cape demarcation crisis.

ANC provincial leader Chris Nissen invited the NP to reopen talks in spite of a failure earlier to reach agreement on the issue.

He said a delay in the local elections would send a negative message which would affect South Africa's credibility and its ability to attract investment.

He hoped the NP would be willing to talk about the issue before launching any court action.

"Let's be rational about this matter," he said.

Mr Nissen said November 1 would still be achievable if the NP put its boundary proposals to the "properly constituted" provincial committee, which would have to refer them to an electoral court if agreement could not be reached.

At a Press conference yesterday, the four ANC ministers issued a statement publicly distancing themselves from Mr Kriel and his sector of the provincial government in their decision to take President Mandela to court.

Health Minister Ebrahim Rasool said the issue was not about how lines were drawn, but that Mr Kriel had "violated" the provincial committee to force through a proposal on municipal boundaries.

Mr Rasool said the central government had decided to amend the Local Government Amendment Act to "nurture the balance" of what was negotiated at Kempton Park.

The intended court action would be a waste of money and a "breast-thumping" exercise by the NP, because the ANC was confident of the legality and correctness of the intervention by central government.

Provincial Affairs Minister Roelf Meyer said yesterday that he believed the matter could be resolved by negotiation.

He said he understood Mr Kriel to be willing to negotiate.

Mr Meyer told a Press briefing yesterday "I cannot see any reason why negotiations cannot be picked up again."

He warned that drawn-out court cases in the Western Cape and in Johannesburg and Durban could jeopardise the November elections.

Councillors must take responsibility

(263) APR 15/6/98

□ *Exco chief urges ratepayers to act*

GILL TURNBULL
Staff Reporter

LOCAL councillors who "are not called to account for their decisions and only show their faces when they want to be voted in", should not be tolerated, Exco chairman, Nomandiya Mfeketo, told the audience at the annual meeting of the Rondebosch Civic Association this week.

"Citizens of Rondebosch it is your duty to respond when you don't agree with decisions that affect your area," she said.

Civics were the only structures that could achieve change in government because through them people could vote for change.

"My vision for Cape Town is not different from that of most South Africans. It is of a city of happy people free of crime and violence where black and white can walk safely in the city centre, where slums will be a thing of the past and where citizens can make decisions with the councillors of the future.

"To achieve this we need truth and tough decisions, we

need to meet the basic needs of all citizens and to redress the scars of group areas and apartheid and only when we speak with one voice will the challenges be met."

A programme which sought to redress the past and build a culture of payment could not be achieved without strong civic structures.

Cape Town needed non-government organisations and civic associations to present to council suggested ways of running the city cost-effectively and to rid council of the image of being "far away from people, taking decisions on its own and not being accountable to the people."

Urging acceptance of the Olympics bid for Cape Town Ms Mfeketo said the Games would act as a catalyst for development and put the city "on the map of Africa."

"We must not only look at the financial implications for us as citizens we must also look at the benefits of programmes of infrastructure greatly needed in this city."

Ms Mfeketo added that it was her belief that training the

current nine and 10-year-olds in sports (for the Olympics) was the best way of uniting schools.

Several people suggested from the floor that the Olympics bid question should be put to a referendum.

To a question from RCA chairman Bill Sewell on whether the local government elections would take place on November 1, ANC MP Willie Hofmeyr said from the floor that in spite of delays (central government was still saying the elections would be held on that date and "people should not get discouraged").

In a short address, Rustenburg High School pupil, Sue-Ann Tappan, suggested what Rondebosch needed most was an adequate CBD of more shops (like Woolworths) and offices to boost the local economy and to allow residents to shop and work closer to home.

Rondebosch police station commander Captain Henry Hubbard told the meeting officials were "looking at" the possibility of working with metropolitan/civic policing as had been suggested for Sea Point.

Impasse threatens basis of local government

(263) 09015/6/95

THE Western Cape legislature's court challenge to the central government, announced by the office of premier Hennis Kriel this week, has implications far beyond those which are immediately evident. What started out as a provincial spat is raising the spectre of a constitutional impasse that could undermine the very structure of local government.

The first process under threat is the local government election scheduled for November. In terms of the relevant legislation, all nine provinces must conduct this simultaneously — if the Western Cape is not ready, the election does not happen.

The row began when the Demarcation Board's recommendations on the placing of the boundaries in the Cape Metropolitan area were thrown out by local government MEC Peter Marais, who came up with some proposals of his own. The essential differences between the two are that Marais proposed four substructures compared to the board's six, and that his plan positions the major black areas all in the central Cape Town substructure.

Under the board's proposals, the debt-ridden black local authority areas were divided up into two camps. Ikapa, which includes Guguletu, Nyanga and Langa were to be included in the central substructure along with Crossroads, while Khayelitsha was to be included in the

Tygerberg substructure

In order to ensure his plan was approved by the required two-thirds majority of the provincial committee, Marais appointed two new committee members, who swung the balance. The central government, recognising old NP tactics, moved fast. The parliamentary standing committee dealing with local government affairs adopted, and President Nelson Mandela signed, two amendments to the Local Government Transition Act which effectively and retrospectively nullified Marais' appointment of the two crucial new members. In terms of the new amendments, Provincial Affairs and Constitutional Development Minister Roelf Meyer — in consultation with Justice Minister Dullah Omar — can override provincial committee appointments.

Marais, backed by provincial premier Hennis Kriel, is to contest the overruling. Deputy Cape Town city administrator Barney Botha says that it has now become extremely difficult "if not impossible" to hold the local government elections on November 1.

Outside of government, response to the Marais demarcation proposals has also been heavily critical. Alan Lighten, director of the Cape Town Chamber of Commerce, wrote in the chamber's newsletter that the move "will strain the city's resources to

HEATHER PARKER

the limit. To add the cost of servicing the whole of Khayelitsha to the city's rates bill would be to impose an impossible burden on ratepayers." He went on, "Business in Cape Town already pays the highest rates of any city in the country and the region is at a competitive disadvantage as a result. The burden should be distributed fairly across the metropole."

Certainly, in hard financial terms, Marais' proposal appears unbalanced. Ratepayers, aquiver over the projected 80% rates increase the inclusion of all three would entail, are up in arms. "With a central substructure of more than 2-million people — two-thirds of the total population of the metropole, by some calculations — and a 100-seater council, one is looking at an up to sixfold increase in the number of residents to be served by each councillor," says Belinda Walker, chairman of one ratepayers' association. "The position would be absolutely hopeless. People are far enough removed from local government as it is."

Financial concerns drive what is also a political tactic on the part of the provincial legislature. Although Marais has denied charges of gerrymandering, his proposals are widely



□ KRIEL

perceived to be an attempt to preserve a white, conservative heartland in the traditional Afrikaner northern suburbs of Cape Town.

According to the constitution, any new municipality which includes what used to be a black local authority will have to draw up its wards so that half of them are in former black local authority areas. In the central

ward, Cape Town, which is close to a hung constituency in terms of the Demarcation Board proposals, becomes a clear ANC stronghold with the inclusion of Khayelitsha. Tygerberg, on the other hand, would be "saved" as a white, NP homeland and be spared the pain of paying for the upgrading of Khayelitsha.

"There are political, financial and demographic agendas operating here," says deputy city treasurer Neville Lomnitz. "Ultimately, however, the positions of the boundaries are a political decision."

He points out, however, that ultimately it was artificial to imagine that the substructures could operate in isolation. "I think a lot of the confusion comes from the fact that we're forgetting the bottom line, which is the one-city, one-taxpayer concept," says Lomnitz. If the central substructure takes on an impossible financial burden, it could be detrimental in economic terms to the whole metropolitan area unless the Cape Metropolitan Council plays its redistribution role to the full. The concept of the metropole is to bring together previously separated local authorities, and to look after the area as a whole.

If Marais wins in court, and if his proposal goes through, he could go down in history as the man who killed the goose that lays the golden egg of Cape Town's success.

LETTERS

'Kriel, don't wreck local election date'

263

Sowetan 10/6/95

WESTERN Cape African National Congress MECs have appealed to premier Mr Hennis Kriel not to jeopardise the November 1 local government election date by taking the dispute over municipal boundaries to the Constitutional Court

The ANC has also started to ask questions about who will pay for the intended court action decided on by the NP majority in the 10-member provincial cabinet

Earlier failure

ANC provincial leader Mr Chris Nissen extended an invitation to the NP to reopen talks, despite an earlier failure to reach agreement over the issue

He said a delay in the local election date would send out a negative message

to the international community, damaging the credibility of this country and its ability to attract investment

Election date

He hoped, in a bid to rescue the November 1 election date, the NP would be willing to talk about the issue before launching any court action

"Let's be rational about this matter," he appealed

Nissen said November 1 would still be achievable if the NP put its boundary proposals to the "properly constituted" provincial committee, which would have to refer them to an electoral court if agreement could not be achieved

At a press conference yesterday, the four ANC ministers issued a statement publicly distancing themselves from Kriel and his sector of the provincial

government in their decision to take President Mandela to court

Health minister Ebrahim Rasool said the issue was not about how lines were drawn, but that Kriel had "violated" the provincial committee to force through a particular proposal on municipal boundaries

Rasool said central Government had decided to amend the Local Government Amendment Act to "nurture the balance" of what was negotiated at Kempton Park

Court action

The intended court action would be a waste of money and a "breast-thumping" exercise on the part of the NP, because the ANC was confident of the legality and correctness central government intervention

Defiant in Kriel in new snub to Govt

269

ST(CM)18/6/95

By NORMAN WEST
Political Reporter

THE crisis over Cape metropole boundaries deepened this week with the rejection by Western Cape Premier Hermus Kriel of two central-government appointments to the controversial Provincial Committee.

The decision to reject the nominations — one a National Party member and the other believed to be sympathetic to the ANC — comes after the Western Cape government instructed its attorneys to challenge a presidential proclamation overturning two earlier appointments to the PC.

The attorneys have been instructed to institute legal proceedings in the Constitutional Court against President Mandela, the Government of National Unity and the national ministers of provincial affairs and justice.

With the pending action set to delay the setting in motion of urgent essential procedures in the run-up to the nationwide November 1 local government elections, "only a miracle" could rescue these elections, Western Cape Minister of Local Government, Mr Peter Marais, said yesterday.

By late yesterday no solution to the boundary deadlock was in sight. Planned talks between executive presidents Thabo Mbeki and F W de Klerk and Mr Kriel aimed at resolving the impasse have not yet taken place.

The amendments passed by Parliament on June 7 and 8 effectively stripped Mr Kriel and Mr Marais of the province's power to appoint three statutory and three non-statutory members of the PC.

In terms of the proclamations, this authority was transferred to the Minister of Provincial Affairs, Local Government and Constitutional Development, Mr Roelf Meyer, and the Minister of Justice, Mr Dullah Omar, "in consultation with the Premier". Mr Meyer wrote to Mr Kriel on Wednesday.

ANC wants crisis talks

By NORMAN WEST
Political Reporter

THE ANC has called for a snap debate in the Western Cape parliament early this week to debate the Cape metropole boundaries crisis and Western Cape Premier Hermus Kriel's looming court action in the Constitutional Court.

Speaker, Mr Willem Doman, said "The matter is sufficiently important to be seriously considered and can certainly be accommodated this week." ANC chief whip Roseberry Sonto said the ANC caucus wanted an urgent debate scheduled on Wednesday "as a matter of public importance".

He said the proposed court action, which Mr Kriel has said will be financed by the Western Cape Government, had serious financial implications and could also affect local government transition

nesday informing him that he had appointed two new members, Cecil Herandien of the NP and Mr K Chetty, PC. He informed Mr Kriel that he needed his agreement by noon on Thursday.

Mr Kriel wrote back to Mr Meyer saying that, in the light of legal advice that the presidential proclamation was constitutionally invalid, he did not accept these appointments.

"This could mean that the matter will be irretrievably deadlocked and the November 1 elections are beyond rescue," said Mr Marais.

Western Cape ANC leader the Rev Chris Nissen said on Friday he felt there could be a "simple solution" to the dispute.

The ANC believed Mr Marais should reconstitute the PC in line with the agreement reached at the Kempton Park talks that three committee members should be from the statutory side and three from the non-statutory side nominated by the non-statutory caucus — rather than the two "so-called non-statutory members" who were canvassed by Mr Marais "and then co-opted on to the PC".

Mr Nissen said the reconstituted PC should then decide on the original six metropolitan substructures proposed by the Demarcation Board (DB) which the ANC had accepted.

"If no consensus is reached then the matter must be referred for arbitration to the Electoral Court, the mechanism prescribed by the constitution to solve such disputes," said Mr Nissen. But Mr Marais said yesterday that the solution was in the hands of the ANC.

"If they are prepared to accept the compromise proposal brokered by their colleague, deputy minister Valli Moosa during recent negotiations, there is a glimmer of hope that the elections will go ahead on schedule."

This compromise deal proposed the inclusion of the sprawling Cape Flats township of Khayelitsha into central Cape Town, with other black areas being incorporated into Tygerberg.

Mr Marais added "We are not prepared to go back to the drawing board or to compromise beyond what has already been agreed on."

'Four years, much cash to restore Ikapa'

ARC 19/6/95

(263) (124)

□ *Services completely broken down*

PETER GOOSEN
Staff Reporter

IT WILL take up to four years and a lot of money just to restore basic services to the Ikapa town council area where there has been a complete breakdown of services and management, says city engineer Arthur Clayton

He told a meeting of the Wards 14 and 15 Ratepayers Association at the Claremont Civic Centre that he had been party to a strategic management plan to put Ikapa back on its feet and fortunately it had been accepted by the Cape Metropolitan Council Implementation had started three weeks ago

Mr Clayton said the existing staff in Ikapa, the local community and his department had been involved in a tripartite agreement so that the clean up operation was being handled in cooperation with the residents. Local people had been employed to help with the clean up campaign.

Stormwater drains were

blocked with sand and refuse, there was no refuse removal, sewers were blocked, refuse had piled up and all the manhole covers had been stolen. There was no-one in charge of the council staff who remained and they had no direction

Even if people did pay for their services, there was no staff to take the cash from them

"And if we had that level of service we wouldn't pay it either," Mr Clayton said

A large store of the former Ikapa town council had one boot in it and a member of the council staff had been found one day industriously painting a wheelbarrow. There were five drain cleaning machines, all broken, and none of the staff knew how to operate them

The clean-up campaign was being done bit by bit, but progress was being made

The Ikapa area, including Langa, Guguletu, Nyanga and Crossroads and the Brown's Farm community had asked to be included in the new clean-up campaign.

Speaking about the local authority boundary dispute, Mr Clayton said the figure of an 80 percent increase in rates to pay for the upliftment of Khayelitsha — if it became part of a larger Cape Town substructure — was a worst-case scenario and in his personal opinion it would probably be less because it was obvious that the government and the Cape Metropolitan Council would have to help

For instance, the 10 percent levy which all businesses paid to the CMC would have to be increased and this money should be made available to upgrade the former black areas. Grants from the Reconstruction and Development Programme fund could also help.

Mr Clayton said when new substructure boundaries were decided, it would be a major headache for existing local authorities because it would involve moving staff, and working out water, sewage and other tariffs which would differ from area to area. He described it as "a minefield"

Kriel opts to proceed with court action

(263) ARG 21/6/95

CLIVE SAWYER
Political Correspondent

WESTERN Cape premier Hernus Kriel is to press ahead with court action against central government over the demarcation issue, in spite of the resumption of negotiations with the African National Congress to resolve the dispute

The decision to proceed with court action, hours after the agreement on talks, drew condemnation from the ANC today

The point of holding talks was to avoid actions such as going to court, said ANC Western Cape spokesman Brent Simons

The resumption of negotiations was agreed to following a meeting yesterday between Deputy President and National Party leader F W de Klerk and Mr Kriel

Mr Kriel's spokesman, Frikkie Odendaal, said the court action was a separate issue from the row about demarcation of Cape Town metropolitan sub-structure boundaries

It was a matter of principle that the Western Cape government would oppose central government interference in provincial powers

The Constitutional Court would be asked to pronounce on the validity of the proclamation invalidating decisions on boundaries, while the Supreme Court would be asked to rule that the action was administratively wrong

It was unclear today when negotiations between the NP and ANC would resume, although it was hoped this would happen by the end of the week

Yesterday, Speaker of the Western Cape legislature Willem Doman turned down an ANC request for a snap debate on the demarcation issue

The request was refused because negotiations were to be restarted

ANC Western Cape leader Chris Nissen said he had asked whip Roseberry Sonto to request a review of the decision

Mr Nissen said he did not see what the resumption of negotiations had to do with the request for the debate

Mr Simons said it was questionable whether Mr Kriel had the backing of all NP members in the province for his court action against President Mandela and Provincial Affairs Minister Roelf Meyer

Kriel to take GNU to court

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The point of holding talks was to avoid actions such as going to court, said ANC Western Cape spokesman Mr Brent Simons. The resumption of negotiations was agreed to after a meeting yesterday between Deputy

President and National Party leader FW de Klerk and Mr Kriel.

Kriel's spokesman, Mr Frikkie Odendaal, said the court action was a separate issue from the row about demarcation of the Cape Town metropolitan sub-structure boundaries.

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— *Sowetan Correspondent*

sowetan

22/6/95

(263)

Boundary deal — legal action threat

Municipal Staff

THE Southern Peninsula sub-structure has threatened legal action if the municipal boundary deal that emerges from the latest negotiations between the African National Congress and the National Party is not to its liking

Executive committee member Andrew Ross-Munro said any decision on metropolitan boundaries not in accordance with criteria prescribed by the Local Government Transitional Act "would not be taken lying down"

The Democratic Party caucus in the Cape Town City Council has slammed the latest round of talks between the ANC and the NP about the dispute over new metropolitan boundaries as a "disgrace"

The dispute was of concern to all role players and was not an issue that could be finalised and determined by back-door deals between the ANC and NP, caucus leader Neil Ross said.

"It is therefore with distress that we find the words of (Western Cape) Premier Hennis Kriel that negotiations between the ANC and NP are to be reopened on the boundary dispute

"This dispute is not between the NP and the ANC — it is between all the rôle players and

the NP

"Deals behind closed doors negate the whole process," said Mr Ross *ARG 22/6/95*

Criteria for the drawing of the boundaries were prescribed in terms of the Local Government Transitional Act

"These criteria were evaluated in detail by the demarcation board and rôle players who made representations to this board at numerous open hearings

"They were extensively questioned by board members to establish whether their proposals met the criteria of the act

"The point of departure is that the NP gerrymandered the demarcation board proposals to meet their own political ends," Mr Ross said

Over 400 declared insolvent in Cape

Political Staff

MORE than 400 people were declared insolvent in the Cape of Good Hope division of the Supreme Court last year, according to Minister of Justice Dullah Omar

Answering a question tabled in the senate, Mr Omar said 418 people had been declared insolvent in the Cape division, 1 544 in Pretoria, 274 in Maritzburg, 265 in Bloemfontein and 184 in Grahamstown

Slow progress on urban demarcation disputes

Mduduzi ka Harvey

THE Western Cape provincial government was divided over legal action against central government linked to the Cape Town demarcation dispute, party sources said yesterday.

The sources said some members, including provincial premier Hernus Kriel and local government MEC Pieter Marais, favoured a negotiated solution to the dispute. Others remained adamant that the legal option should be pursued to stop central government interference in provincial matters.

Later yesterday Kriel's spokesman Frikkie Odendaal said the provincial government would press ahead with its Constitutional Court case against central government. The proceedings would be called off only if a negotiated settlement was reached, he said.

In KwaZulu/Natal, local government and housing MEC Peter Miller said a multiparty commitment to settle short-term differences was essential if local government elections were to go ahead.

Conflict in the province centres on the number and form of substructures in Durban, as well as changes to tribal boundaries by the demarcation board. Meetings between parties at both provincial and central government level were in the pipeline, and Miller said he expected matters to be resolved by the end of this month.

In Gauteng, premier Tokyo Sexwale's legal adviser Mark Phillips said legal documentation on the Greater Johannesburg demarcation dispute had been referred to the Special Electoral Court, which would give the city's metropolitan transitional council and other substructures three days to make representations.

□ The Gauteng cabinet yesterday adopted a formula for the allocation of electoral seats based on data supplied by the Central Statistical Service.

The province's four metropolitan areas — Johannesburg, Pretoria, Vaal and North East Rand — would be allocated 30 seats for a potential electorate of less than 700 000, 40 seats for between 700 000 and 2-million, 50 seats for between 2-million and 3-million, and 60 for more than 3-million potential voters. The formula will be submitted to the provincial committee. If rejected, it will be referred to the Special Electoral Court.

● Comment: Page 10

Oops! Own goal as province document says move parliament

CLIVE SAWYER
Political Correspondent

THE Western Cape Provincial Administration has scored a spectacular own goal by submitting a document to the constitutional assembly which proposes that parliament should move to Pretoria.

The startling advice is given in a letter to the constitutional assembly signed by Cape Nature Conservation chief director Johan Neethling.

It was among a series of submissions passed on to the constitution-writing body by provincial administration director-general Herbert Beukes.

Disclosure of the letter follows the handing over by Western Cape premier Hennis Kriel of a R1 million cheque to the Citizens Alliance for Parliament (CAP), the group lobbying to keep Cape Town as the legislative capital in the 1999 constitution.

This month, representatives of the African National Congress and the National Party as well as local government leaders put aside their differences to urge the constitutional assembly to keep parliament in Cape Town.

(263) (207A)
Dr Neethling's letter covers proposals to the theme committee which is to deal with the future seat of government.

It reads, in part "To solve the constant wrangling among the various provinces about the seat of parliament and other important structures of state, the new constitution should create a capital territory totally independent of a province.

"Examples are Washington DC in the United States and the Capital Territory of Canberra in Australia.

"It is suggested that the present municipal area of Pretoria be excised from Gauteng and used for this purpose."

The letter, dated January 30, was among submissions sent to the constitutional assembly by the Western Cape provincial administration on February 24.

A spokesperson said CAP was surprised that Cape Nature Conservation felt itself competent to deal with the issue of the seat of government.

Dr Neethling could not be reached for comment.

A spokesman for Mr Kriel said the premier would investigate the matter and comment later. *ARC 23/6/95*

(263) (263A)

Parliament in Pretoria, urges W Cape official

Cape Town — The Western Cape Provincial Administration has scored a spectacular own goal by telling the Constitutional Assembly (CA) that Parliament should move to Pretoria.

The startling advice is given in a letter to the CA signed by Cape Nature Conservation chief director Johan Neethling, among a series of submissions passed on by provincial administration director-general Herbert Beukes.

It reads, in part.

STAN 24/6/95

"To solve the constant wrangling among the various provinces about the seat of Parliament and other important structures of state, the new constitution should create a capital territory totally independent of a province

"It is suggested that the present municipal area of Pretoria be excised from Gauteng province and used for this purpose" — Own Correspondent

Red faces over parliament proposal error

CLIVE SAWYER

Political Correspondent

RED-FACED members of the Western Cape provincial administration are to assure the constitutional assembly that they do NOT want parliament to move to Pretoria

The step follows the inadvertent passing-on to the constitutional assembly of an internal document saying that a 10th province should be set up as an independent capital territory and that Pretoria should be used for the purpose

The letter, from Cape Nature Conservation chief director Johan Neethling to the Western Cape chief legal adviser, has become part of the official record of the body writing South Africa's new constitution.

It was passed on by the provincial administration, among a collection of submissions by various provincial departments on a range of topics.

A letter is to be written to the con-

stitutional assembly distancing the Western Cape provincial government from the proposal

The internal letter reflected no more than the point of view of an individual and not the provincial administration

An investigation is being held into how a document meant purely for internal circulation was included among other submissions

Dr Neethling declined to comment on the matter to Weekend Argus, referring inquiries to the premier's office

His letter, dated January 30, read:

"To solve the constant wrangling among the various provinces about the seat of parliament and other important structures of state, the new constitution should create a capital territory totally independent of a province

Examples are Washington DC in the United States and the Capital Ter-

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"It is suggested that the present municipal area of Pretoria be exised (sic) from Gauteng province and used for this purpose"

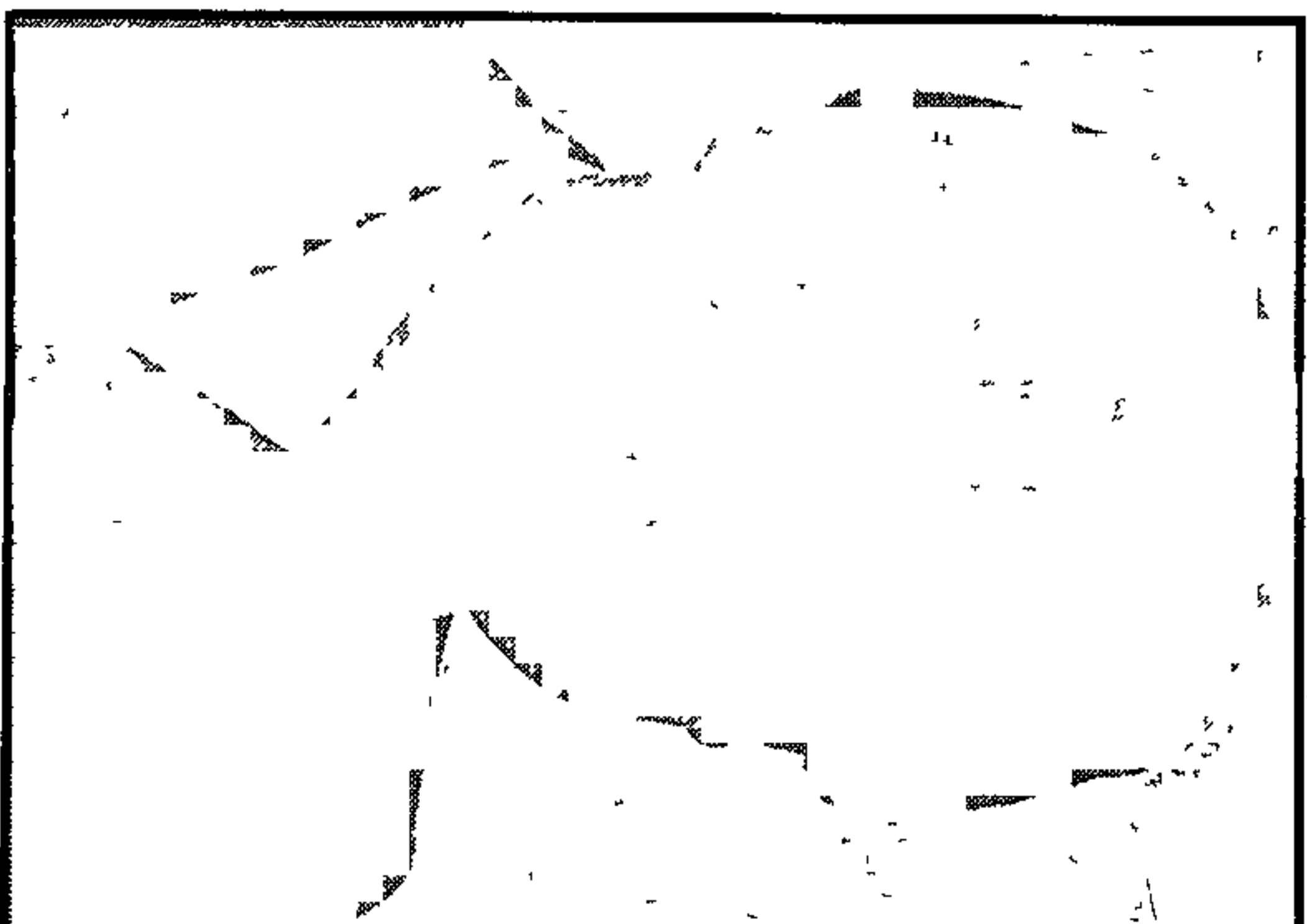
A spokesman for the Citizens Alliance for Parliament, the multiparty group lobbying to keep parliament in the Cape, said they were "surprised" by the view expressed in Dr Neethling's letter

This month the Western Cape government gave R1 million to the campaign to keep parliament in the Cape. Politicians from both main parties in the province, the ANC and National Party, have backed the effort

The issue of the seat of government will be among those covered by a draft text of the constitution, which the constitutional assembly hopes to have ready by early in the next session of parliament

Midrand and Pretoria have challenged Cape Town to be the home of the national legislature.

ARC 24/6/95



SENT LETTER: Cape Nature Conservation chief director Johan Neethling

It's a demarcation

DAVID YUTAR, JEAN LE MAY and GLYNNIS UNDERHILL
Staff Reporters

DEADLOCK still rules in the Khayelitsha demarcation battle — and Western Cape provincial Local Affairs Minister Peter Marais has dug in his heels even if it means postponing the November 1 local elections

The National Party-led Western Cape government has instituted action in the Cape Town Supreme Court and the Constitutional Court to declare null and void central government's overruling of its demarcation plan for the Cape metropole. The Nats want to keep Khayelitsha out of Tygerberg.

Western Cape Premier Her-nus Kriel filed papers in the Supreme Court in Cape Town yesterday as part of the court action against central govern-

ment over the demarcation issue

Papers were filed in the Constitutional court in Johannesburg and presented to the offices of President Nelson Mandela in Pretoria on Wednesday, according to Mr Kriel's spokesman Frikkie Odendaal

Mr Marais said yesterday he was ready to compromise on his Cape boundary proposals by incorporating Ikapa townships into Tygerberg, while leaving Khayelitsha as part of Cape Town

But the African National Congress totally rejected the NP compromise proposal, which was first tendered earlier this month

The NP put it forward again at a meeting held in Cape Town yesterday in an attempt to solve the dispute about sub-structures, Western Cape ANC leader Chris Nissen said yesterday afternoon

The NP proposed that Ikapa (Guguletu, Nyanga and Langa), as well as Crossroads, should be included in the Tygerberg substructure, but that Khayelitsha should go to the central substructure

This was a reversal of its original stance that both Ikapa and Khayelitsha should be in the central substructure. The NP recently began proposing the compromise deal, which the ANC has consistently opposed

The ANC itself proposed a compromise of five substructures — southern, central, northern, Helderberg and Tygerberg

However, it insisted that Khayelitsha should remain in Tygerberg, where the Demarcation Board had placed it. This was rejected by the NP. The ANC delegation made it clear that its position on Khayelitsha was not negotiable, said Mr Nissen

■ The deadlock between the Western Cape and central government over the demarcation of Cape municipal boundaries continues in spite of this week's negotiations.

Mr Nissen said that the NP proposal to put Ikapa with Tygerberg while Khayelitsha was in the central substructure made geographical and economic nonsense

Asked whether the ANC was counting votes in suggesting that Khayelitsha should go to Tygerberg, Mr Nissen said that ANC's objections were based on economic grounds

"Anyway, it does not make much difference as far as votes are concerned, because there are more registered voters in Ikapa than in Khayelitsha," he said

Mr Nissen said the real issue was that there were poverty traps in Khayelitsha and in parts of the townships which

would go to the central substructure and that it was only fair that responsibility for them should be given separately to the wealthy areas of Bellville and Cape Town

"It was clear to us that the NP was not ready for a compromise. The meeting ended in deadlock," he said

"We regard it as extreme bad faith that the NP decided to go ahead with court action against President Mandela in spite of their public commitment to re-open negotiations"

Mr Marais told a Press Club lunch that court action against the central government would go ahead, even if it resulted in the postponement of the November 1 elections

Mr Marais said he was not prepared to allow President Mandela to strip him and the province of their constitutional powers. He said he did not consider the election date more important than his constitutional rights. "I have done everything in my power to ensure the elections take place on November 1. But I cannot allow President Mandela and central government to whittle away the constitutional rights of this province just so that we can hold the elections on time."

In terms of the latest NP compromise plan, the Southern Peninsula would be a separate sub-structure, as proposed by the Western Cape Demarcation Board

This represents a major shift from Mr Marais' earlier position, in which he proposed that the Ikapa townships, together with Khayelitsha, be incorporated in one massive local council including central Cape Town.

Asked whether he did not think that it would be preferable to split large substructures into twenty smaller local councils, Mr Marais said he was not opposed to the introduction of smaller ward councils

Under such a scheme, residents of suburbs such as Constantia and Scarborough, which fall under the Southern Peninsula substructure, would be able to elect small ward councils to represent them in their respective areas

Mr Marais acknowledged that this was a new proposal, but said it was one which he would be prepared to support. Mr Marais was adamant that Khayelitsha be part of the Cape Town metropolitan substructure for financial reasons

He said only the Cape Town substructure with its massive income was able to support the sprawling and rapidly-expanding township

The latest plan proposed by Mr Marais provides for the demarcation of five metropolitan areas as follows

- Cape Town Central together with Khayelitsha,
- Southern Peninsula from Wynberg southwards,
- Tygerberg, including Bellville and Parow, the formerly-proposed Eastern substructure plus the Ikapa townships,
- Northern, including Milnerton, Melkbostrand and Atteridgeville,
- Helderberg

Talking about the needs of sprawling Khayelitsha, Mr Marais said he saw his relationship to the township as that of "guardian to a child"

deadlock

PRG. 24/6/95

265

2

MRG 24/6/95

Boundaries crisis: It's up to the courts

ST(CM) 25/6/95 (263)

By **NORMAN WEST**
Political Reporter

ATTEMPTS to broker a solution to the Cape Metropole boundary crisis appear to have broken down irretrievably after talks on Friday failed after only one hour — with the National Party and the ANC blaming each other for the collapse.

ANC Western Cape leader Chris Nissen blamed the breakdown in the talks on the NP's "intransigence and an unwillingness to give and take".

But Western Cape Minister of Provincial Affairs Peter Marais, says the blame rests with the ANC, who fielded a "new team" which until Friday had played no role in any of the earlier talks.

"The new ANC team was amateurish, ill-informed, lacked comprehension of the complexities of the issues involved and the necessary background of what had already transpired. This doomed the new initiative from the beginning," he said.

The failed talks were brokered by deputy presidents Thabo Mbeki and F W de Klerk, who had been instructed by the central cabinet to attempt to resolve the bitter dispute.

It now seems a solution will have to come from the courts. This week the

Western Cape government launched two court actions — one in the Cape Town Supreme Court and the other in the Constitutional Court — both challenging central government's interference in constitutionally devolved provincial powers.

This week's talks were held after Constitutional Affairs Minister Roelf Meyer and his deputy, Valli Moosa two weeks ago failed to get agreement on a compromise, which would have resulted in four Cape metropolitan substructures, instead of the six originally proposed by the Western Cape Demarcation Board.

In terms of this proposal, Khayelitsha would have been included in the central Cape Town substructure, with the majority of the other black areas being included in NP-dominated Tygerberg.

Yesterday the leader of the Freedom Front in the provincial legislature, Mrs Eleanor Lombard, criticised the ANC for insisting on the incorporation of Khayelitsha in Tygerberg.

She also hit out at central government for interfering in provincial affairs and said the clash over the demarcation of the inner boundaries of the Cape Metropole "showed" once again how vulnerable the powers of the provinces were.



Court papers lodged by W Cape govt

Cape Town — The Western Cape government yesterday lodged papers in the Cape Supreme Court seeking to overturn central Government interference in the constitution of the provincial committee dealing with the demarcation of wards for the local government elections.

The papers were lodged by Western Cape Premier Hennis Kriel, Local Government and Development MEC Peter Marais and two members of the provincial committee. They follow the lodging of a similar set of papers in a concurrent challenge in the Constitutional Court last week.

The Supreme Court case will be heard on August 10 and the other after the Constitutional Court recess. Political Reporter

(263) SA 27/6/95

Councillors get go-ahead

CT 27/6/95
MUNICIPAL REPORTER

(263)

CAPE TOWN metropolitan councillors have been given the go-ahead to take part in meetings of the Joint Executive Committee (JEC) of Milnerton, because that municipality is relatively unaffected by the boundaries dispute.

In the scenarios favoured by both Mr Peter Marais and the demarcation board, and their supporters, the "Northern Sub-structure" (Milnerton) boundaries are the same.

Until the boundaries of all the municipalities in greater Cape Town have been officially proclaimed, JECs can only meet unofficially.

Council legal adviser Mr Chris Glaum told a meeting of Cape Town's transitional affairs committee yesterday that important decisions were being taken by council staff members on the informal JEC in the meanwhile for ratification later.

Councillor David Dlah of the ANC said another protest march about the boundaries was being planned as was a possible public meeting.

Kriel takes W Cape boundary row to court

(263)

ARLT 27/6/95

□ *Twin actions would delay local elections*

Staff Reporter

THE Western Cape municipal boundary row is to be settled by the courts with lawyers for Western Cape premier Hernus Kriel and his cabinet filing papers in both the Constitutional Court and Cape Town Supreme Court

The twin court actions would delay local government elections due in November 1, local government minister Peter Marais has said

Mr Mandela amended the Local Government Transition Act by proclamation early this month to overturn Mr Marais's appointments to the provincial committee for local govern-

ment

The amendment also retrospectively overturned any decisions taken by the committee — effectively reversing the controversial decision to incorporate Khayelitsha into the Cape Town municipality.

Mr Mandela has been named as first respondent in the Constitutional Court action

His co-respondents are Minister of Justice Dullah Omar, Minister of Constitutional Affairs Roelf Meyer, and the two people named to replace Mr Marais's appointments to the provincial committee, Cecil Herrandien and Kamal Chetty

Deon Malherbe, the lawyer

acting for Mr Kriel, Mr Marais, the Western Cape cabinet and the two ousted members of the provincial committee — Lesley Ashton and Stafford Petersen — said yesterday the Constitutional Court action would challenge the presidential proclamation on two points

● It was contrary to Constitutional principle number 22 which states central government may not encroach on the functions or institutional integrity of provinces, and

● It was also contrary to Section 24 of the Constitution which broadly states that any person in office is entitled to

fair and just administrative and procedural treatment

This latter point has reference to the two ousted committee members

The Cape Supreme Court action is for an "administrative review"

Mr Malherbe said his clients alleged various aspects of the proclamation were administratively unlawful

"The two actions lie on the same set of circumstances but different principles," said Mr Malherbe

Both actions were brought as a matter of "extreme urgency", given the looming date of local elections

Elections ⁽²⁶¹⁾ row: 'It's this ⁽²⁶³⁾ week or bust'

CHRIS BATEMAN

CT 28/6/95

HOPES for the nationwide November 1 elections faded further yesterday as three provinces remained bogged down in demarcation squabbles or court actions — with the Western Cape's court challenge unlikely to be heard before mid-August.

A staggered election among the provinces loomed large when co-chairman of the Local Government Task Group Dr Frederik van Zyl Slabbert warned politicians yesterday they had "just this week or bust".

Acting president of the Constitutional Court, Mr Justice Ismail Mahomed, said it was "very unlikely" he and his 10 colleagues would convene an urgent sitting before the current court recess ended on August 14.

His court is being asked by the NP-led Western Cape government to declare President Nelson Mandela's retrospective amendment of the Transitional Local Government Act unconstitutional and an interference with provincial affairs.

President Mandela made his proclamation on the recommendation of the powerful ANC-led Constitutional Committee — preventing the alleged "loading" of provincial committees by local government ministers.

It automatically nullified the appointment of two NP-leaning members to the Western Cape Provincial Committee which would then have ratified Local Government Minister Mr Peter Marais' controversial demarcation proposals.

Dr Slabbert said yesterday that "if this drags on to mid-August — then elections on November 1 are impossible".

Gauteng and kwaZulu/Natal also had to solve their problems before the end of the week.

● See Page 5

Kriel 'taken to task' (263)

CT 28/6/95

STAFF REPORTER

THE City Council has berated Western Cape Premier Mr Hennis Kriel, albeit politely, for the demarcation debacle.

In a letter to Mr Kriel yesterday, Mr Llewellyn van Wyk, acting exco chairman, said the council believed it was time for vision and a time to place the community's interests ahead of personal and political advantage.

"Political slogans and lip service will not suffice — democratic local government elections at an early date must be made a real priority by the government."

He called on Mr Kriel to use his "considerable influence" to persuade all role players to support the Demarcation Board proposals.

It "followed a process which was transparent and produced results based on a wide range of inputs and careful analysis".

Constantia to fight Minister in court over boundaries

Staff Reporter

(263) ARLT 28/6/95

THE Local Metropolitan Substructure of Constantia has unanimously resolved to take the Minister of Local Government, Pieter Marais, to court if necessary to oppose the transitional substructure boundaries which were made by a ministerial proclamation.

A resolution at the substructure's recent meeting expressed support for the Demarcation Board's transitional substructure boundaries. In particular, as they were drawn by the board for the Southern Peninsula.

The resolution rejects the minister's proclamation, and "authorises the institution of such legal proceedings as may be appropriate to secure the establishment of boundaries in accordance with the findings of the Demarcation Board".

Constantia's mayor Andrew Ross-Munro told the meeting that all other South Peninsula substructures were taking similar resolutions, and therefore legal costs could be shared in a joint action. But if necessary, he said, Constantia wanted to be empowered to take legal action on its own.

Municipal boundaries plan the 'only democratic option'

ARG 28/6/95 (263)

Staff Reporter

THE Demarcation Board's proposal for Cape Town's municipal boundaries is the only democratic option and should be supported by all role players in the interests of an early local government election.

This is what the Cape Town City Council has told Western Cape Premier Hennis Kriel in a letter signed by acting chairman of the executive committee Llewellyn van Wyk.

The letter, sent yesterday, calls on Mr Kriel to use his "considerable influence" to persuade all parties to support the board's proposals

The council was increasingly perturbed over the continuing political in-fighting surrounding proposed substructure boundaries and related issues

"This in-fighting appears to

place early local government elections in jeopardy," it stated

The council believed it was a time for vision and a time to place community interests above personal or political advantage.

The failure to convince people to follow a course which would ensure local government elections took place as previously negotiated, would undermine the credibility of government at all levels

It would also perpetuate the refusal of the community to recognise the legitimacy of local government bodies and decisions, the letter stated

"We are convinced that you share our concern about the possible refusal to pay rents and service charges, or even to indulge in civil instability"

Political leaders should re-examine the election programme

and process, and establish what remained as a realistic possibility

"We must decide which aspects of the election process must be retained and which could be adapted or simplified

"This way we can formulate an achievable plan of action for an early election"

Political action, the letter stated, had to be translated into detailed action plans and guidelines, and conveyed to every local government body and role player throughout South Africa.

The findings of the Demarcation Board might not be "to the liking of some of us", but had to be adopted as this was the only acceptable option

"We have to relinquish our own views for the benefit of all, not seek to destroy the election because of party political agendas"

Boundary row is still unresolved

Edward West (263)

CAPE TOWN — The Cape Metropolitan joint management body (JMB) had been forced to tackle local election issues independent of substructure demarcation because of the Constitutional Court action taken by the Western Cape provincial government against central government, JMB chairman Ashiek Manie said yesterday.

The province has filed papers in the Constitutional Court in support of its view that government acted unconstitutionally in amending the Local Government Transition Act to declare null and void NP MEC Pieter Marais' boundary decisions.

A source said the Constitutional Court was unlikely to address the issue until after August. Resumed negotiations to try and break the impasse between the NP and ANC on the boundary row deadlocked again on Friday after 40 minutes.

Manie said options for juggling time frames for the preparation of the elections in the Cape had already been exhausted.

DD 28/6/95
Because boundaries had not been proclaimed, it was not possible to have electoral rolls for the substructures and official inspection of the rolls had been postponed. An unofficial roll had been made available for the 90% of the registered people in the metropolitan area.

The JMB planned to tackle election issues that were not dependent on demarcation, such as voter education and planning for amenities and resources required for polling, while awaiting the outcome of the court case.

Another hurdle was possible ward delimitation disputes. This could tarnish the credibility of the elections.

Manie said delaying the elections until next April would not make much difference, but would represent a psychological blow to the country.

The only other options were to stagger elections from November 1, to hold party-based proportional representation elections, or simply squeeze more time out of the election process, he said.

ANC accuses IFP of bid to create 'white islands'

Farouk Chothia (264)

DURBAN — The ANC hit back at the IFP yesterday over proposals for the inner boundaries of the Durban transitional metropolitan council, accusing it of being bent on creating "islands of white privilege".

The IFP last week rejected preliminary proposals by the demarcation board, claiming Indians were being discriminated against.

ANC local government spokesman Mike Sutcliffe said the IFP proposals in fact devalued the vote of Indians and blacks. He said the IFP was "racist".

The IFP had objected to the board's proposal that Chesterville be the only black township in a substructure including the Indian townships of Chatsworth, Shallcross and Reservoir Hills.

The IFP said the decision to place the bulk of the Indian population in a single substructure would reduce their power in the council.

This was because the Local Government Transi-

tion Act stipulated that black areas would receive 50% ward representation in substructures, while the remaining 50% would go to Indian, white and coloured areas.

Sutcliffe said the IFP's proposal would give Chatsworth and Shallcross only four wards while the board's proposal would give the two Indian areas seven wards.

The IFP's proposal would leave Reservoir Hills with one ward, while the board's would give it four wards.

Sutcliffe said while the Indian vote would be devalued 15-20% under such a system, the clout of whites would be bolstered.

Sutcliffe said the IFP was misleading the public by claiming to have the interests of Indians at heart.

Meanwhile, an ANC application to force the demarcation board to hold consultative meetings in 14 tribal areas whose inclusion is under dispute, was yesterday adjourned by the Durban Supreme Court until tomorrow.

'Fight child prostitution'

DD 28/6/95
GAUTENG safety and security MEC Jessie Duarte yesterday called for legislation to allow police to prosecute owners of buildings used for drug dealing and child prostitution.

"If a landlord allows child prostitution and drug selling from his premises he should also be prosecuted," she said. (265)

Current laws did not give police enough power to investigate claims of child prostitution, she said.

Police needed to be empowered to enter buildings to remove children who were being abused.

"Why don't you let the little girls go home, man," she called up to men leaning over the balconies of a block of flats known to house child prostitutes.

A special urban police reaction unit was to be formed in Hillbrow to combat drug dealers.

Duarte said she favoured mass action and a "take back the night" campaign to make Hillbrow safe for its residents, with security committees established on each city block. — Sipa.

Council secrets kept 'deep green'

OCT 29/6/95
(263)

MUNICIPAL REPORTER

ANSWERS to Mr Arthur Wienburg's questions about the Cape Town City Councillors who owe the council money for house rentals and other municipal service charges are going to be kept secret

According to the agenda for today's monthly council meeting, these answers will be "separately minuted".

By doing this, the council ensures that the answers will not ever be available to the public or the press

This is known as putting the matter on "deep green" paper

When an item is literally put on green paper, it means that this part of the agenda is not available to

the public

Usually at least the final decision on a confidential matter can be disclosed to the public, but not in the case of something on "deep green" paper

Mr Wienburg had asked what arrangements had been made to pay off the debts, when they would be repaid, and who had initiated the arrangements — the councillors themselves or some one else

He also asked whether the published list of debtor councillors had been comprehensive, or whether there were any others who had escaped the limelight

In addition, he asked what monthly allowances the councillors get, although this is not secret

Modest rises for ratepayers in Bellville

(263)

ARL 29/6/95

□ Budget of R338-million approved

Staff Reporter

BELLVILLE ratepayers will pay modest increases in rates and service charges in the next financial year, with only sewerage costs substantially up on the inflation rate of about 11 percent

This week the transitional council approved a budget of R338,8 million

The budget shows that residents will pay 10 percent more in property rates.

Electricity will go up 10 percent in two stages — four percent from July to December and a further six percent from January to June next year

Water is also up 10 percent and refuse charges increase by 12 percent

Sewerage charges have jumped by 18 percent

A substantial portion —

more than R16 million — of the approved capital budget of R47,7 million will be spent on road projects in the municipal area

Gerald Smith, chairman of the finance and personnel matters committee, said the big amount of money set aside for roads was to maintain the infrastructure of all areas in Bellville

"One has to look at the damage to roads and the machinery to be used to upgrade the roads," he said

"We are looking at the northern, southern, eastern and western zones of Bellville to lengthen and improve the existing roads"

Mr Smith said the process of finalising the boundaries of sub-structures had delayed restructuring in the metropole

"The budget has had to be drawn up on the existing Bellville boundaries

"When the new sub-structure comes into being, it will have to combine the budgets of the amalgamating transitional councils

"It is anticipated — and rightly so — that the new sub-structure's joint executive committee might readdress certain priorities," Mr Smith said

The emphasis of this year's budget is on housing rather than on parks and recreation

Last year Bellville spent about R6 million on recreation, but just R1,2 million has been approved in this year's budget

Services for housing get R4,9 million and several housing projects are to be started in Bellville South

R1-billion metro budget passed (rates excluded)

ARLT 29/6/95 (263)

ESANN de KOCK
Staff Reporter

THE Cape Metropolitan Council's first budget — a total operating expenditure of R1,08 billion and capital expenditure of R294 million — was approved today.

Regional services levies have been left unchanged

Rates did not form part of the budget

Of the total operating expenditure, R632 million represented agency functions and department activities financed from rates from local authorities, inter-authority transfers and income from services rendered.

The budgeted operating expenditure of the council's own activities amounts to R450 million

The estimated operating expenditure with regard to en-

trusted functions such as regional stormwater projects, public resorts and services in rural areas amounts to R75 million — 14 percent less than for the 1994/95 financial year

The total estimated expenditure provided as assistance to local bodies amounts to R124 million

R50 million has been provided for the implementation of the strategic management plans in Ikapa, Lingeletu West, Crossroads, Mfuleni and Lwandle, while R13,4 million is for existing programmes to maintain assets in these areas

An amount of R 746 300 has been set aside for grants-in-aid to local authorities managing nature reserves which, in the opinion of the council, are of regional interest

The budgeted administrative expenditure amounts to

R37 million — 8,3 percent of total budgeted expenditure

The estimated total expenditure for passenger transport for the 1995/96 financial year amounts to R19,4 million

Provision is also made for the R110 million financing of capital infrastructure in the region, the whole amount being made available to local authority bodies as grants

A sum of R1,5 million has been set aside to provide for a new cost centre for a dedicated reconstruction and development programme (RDP) office and it was recommended a further R30 million be earmarked for allocation to RDP projects to be identified during the year

The council is in the process of formalising an affirmative action policy for which R2,5 million has been provided

The budget was generally

well accepted but DP councillor Neil Ross said although the party supported the draft estimates, the budget had major deficiencies

He said it was an "official" budget which contained no community input. Future budget planning had to be more inclusive

Mr Ross said the most disconcerting aspect of the budget was the R118 million operating shortfall, to be financed from council's accumulative surplus account

"That surplus is meant to be used for RDP-type projects and is not intended to be gobbled up by administrative costs"

The budget also made no provision for the central issue of establishing a metropolitan government

BACKDATED EXCESS TO BE REFUNDED

W Cape legislators took pay cut 3 months before Gauteng

WHEN THE GAUTENG legislature decided under political pressure this week to accept pay cuts backdated to February 1 they were following the lead given by the Western Cape three months ago. **CHRIS BATEMAN** reports.

WESTERN CAPE legislators took a 10% salary cut three months ahead of their Gauteng counterparts — who took the cut under political pressure earlier this week.

Mr Frikkie Odendaal, spokesman for Western Cape Premier Mr

Hernus Kriel, said yesterday that all members of the the Western Cape legislature — from the premier down — had taken the salary cut in March, backdated to February 1 this year.

The Gauteng cabinet decided on Wednesday that Premier Mr

Tokyo Sexwale would take a 10% cut and cabinet ministers a reduction of 7,5%.

The issue was raised in the legislature by Gauteng DP MPC Mr Peter Leon when Mr Sexwale announced that ministers' salaries would be increased by five percent next month.

Mr Leon asked when pay cuts called for last year by President Nelson Mandela would be implemented.

~~250~~ (263)

Instead of refunding the Gauteng legislature, members of the provincial cabinet will now sacrifice the salary increase until they have repaid the amount overpaid

Instalments

Mr Odendaal said all money over-paid to Western Cape politicians since February would be deducted in equal instalments over 12 months

FRIDAY
★ JUNE 30, 1995

Blue Downs hostage row

(263) (69)
STAFF REPORTER

CT 30/6/95
ANGRY residents at Melton Rose, near Blue Downs, took 10 councillors from the local council hostage last night, demanding that arrears of R48 million be written off

According to a residents' spokesman, about 100 people went to the municipal offices to demand that rent, rates and services arrears be scrapped

When councillors said the matter could only be addressed by provincial Housing Minister Mr Gerald Morkel, the residents occupied the municipal offices and took the councillors hostage

Late last night Blue Downs mayor Mrs Magneta McDonald said residents were waiting for local Economic Affairs Minister Mr Chris Nissen to arrive. Mr Morkel had refused to go to Blue Downs, but had arranged to meet a delegation at his offices today

Residents were determined to stay in the offices until they had met Mr Morkel, she said.

NP's Cape challenge

(263) ST 2/7/95

IN Cape Town the sprawling township of Khayelitsha has been turned into a political football between the National Party and the African National Congress in the run-up to the November local government elections.

Ironically, their gamesmanship has ended up in court cases in the Supreme Court and the Constitutional Court that could see the elections being delayed.

If the cases are carried through they will help define the blurred lines between provincial and national government under the new constitution.

The dispute surfaced earlier this year when a non-aligned demarcation board issued a report that divided the mother city into six new municipal areas that cut across the previous 59 racially defined municipalities and other local bodies.

The demarcation board acted in terms of Local Government Transition Act directives that required it to come up with new local government bodies that would be economically viable and which would break down apartheid barriers.

According to the chairman of the demarcation board, Professor Fame Cloete, the only way to do this was to combine rich white areas with poor black areas so that one could help pay for the upliftment of the other, without compromising the provision of services.

Thus affluent Clifton was lumped in the same service area as Crossroads, and white, conservative Bellville was tied to black, sprawling Khayelitsha.

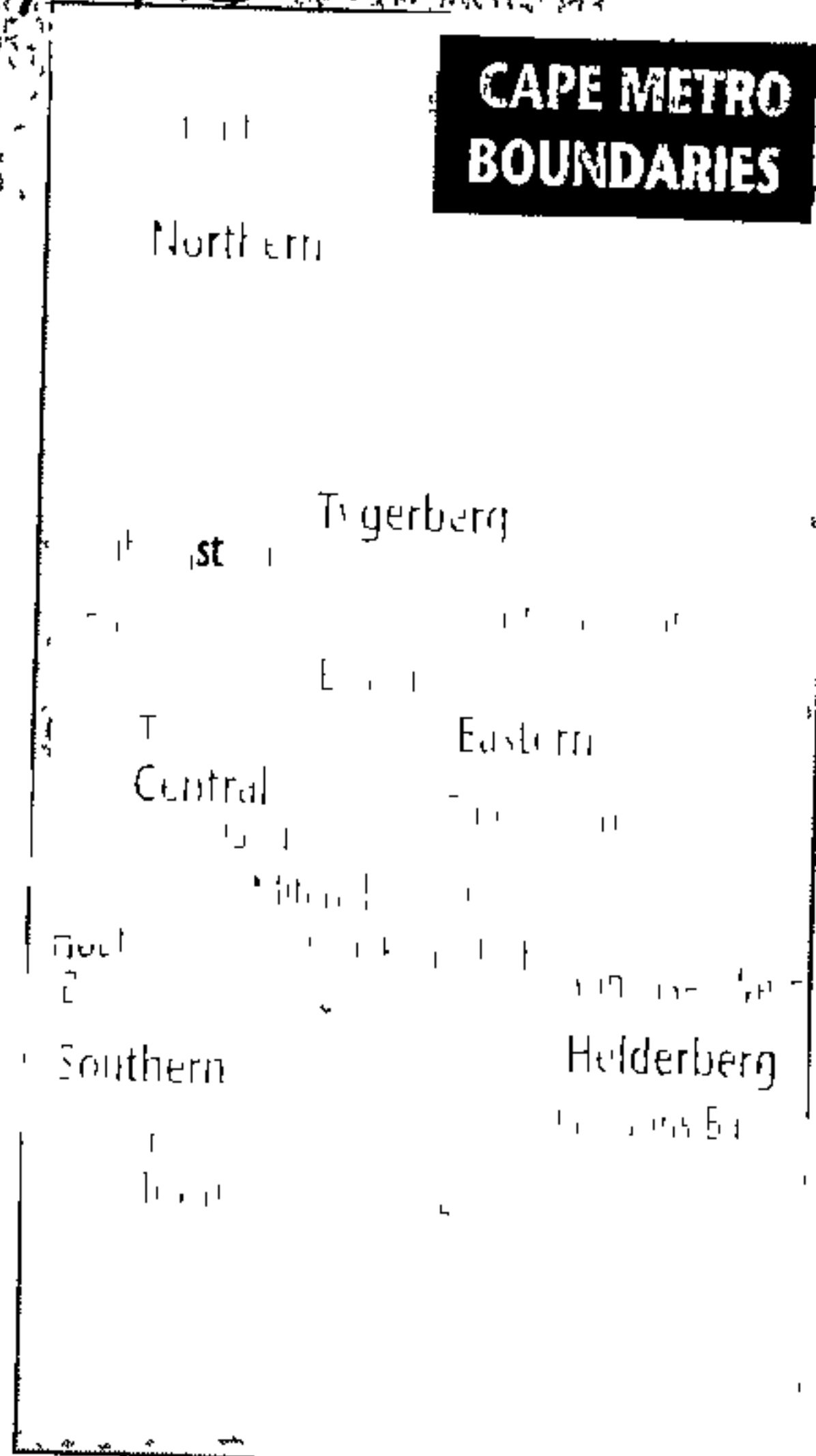
"I foresaw that our recommendations would be controversial," said Professor Cloete this week, "but our job was to carry out the provisions of the Act."

But with control of the Cape finely balanced between the National Party and the ANC, it was perceived in NP quarters that combining more than 300 000 ANC supporters in Khayelitsha with NP supporters in Tygerberg might be the catalyst that could wrest local government out of NP hands and deliver it to the ANC.

Cape local government minister, Peter Marais, refused to accept the recommendations of the demarcation board, saying that the inclusion of Khayelitsha in the NP stronghold would delay the upgrading of the township and overburden Tygerberg ratepayers.

He proposed that Khayelitsha be lumped with central Cape Town and the affluent peninsula area — leaving the NP power base undiluted.

CAPE METRO BOUNDARIES



Graphic: FIONA KRISCH

The ANC rejected this proposal, but Mr Marais filled two vacancies on the pivotal provincial committee for local government with members who agreed with his proposal.

The ANC appealed to President Nelson Mandela, who supported his Cape men and threatened to amend legislation to overturn Mr Marais' appointments and his decisions concerning the municipal boundaries. Mr Mandela dispatched Constitutional Affairs Minister Roelf Meyer and his ANC deputy, Mohammed Valli Moosa, to try to broker a compromise.

When that initiative collapsed, the legislation was amended bringing Cape Premier Hennis Kriel into the picture. Mr Kriel accused the national government of interfering in provincial affairs, and filed objections with the Cape Supreme Court and the Constitutional Court to overturn the amendments to the Local Government Transition Act.

Until these objections are resolved local government boundaries cannot be decided, and until they are decided local government elections are impossible.

MAYOR IN PAY STORM

BY CHARL DE VILLIERS

CAPE TOWN mayor William Bantom is in the middle of a row over unauthorised allowances — which are in conflict with a recent provincial law.

Red-faced local government bosses are scrambling to block the regulation which forces local government politicians, including the mayor, to pay back thousands of rands in unauthorised allowances.

At the centre of the storm is *Provincial Gazette* 4 949 of May 12, which stipulates that unauthorised payments — such as the R20 000 to Mr Bantom — must be paid back.

The provincial government is adamant that unauthorised benefits must be repaid, but officials including Cape Metropolitan Council (Metro) administration chief, Dr C J van Tonder claim the measure is on hold.

Slamming councillors' allowances as "an extra carriage on the gravy train", Democratic Party Western Cape leader Henrie Bester said those who owed unauthorised payments could be barred from standing in the November local government elections.

The Metro says Mr Bantom — and others in a similar position — do not have to pay back the money. The city council, in turn, believes he must.

In terms of the regulations, he is entitled to a Grade 15 municipality mayoral allowance for his Metro duties.

But city council and Metro spokesmen this week confirmed Mr Bantom was getting

R16 133 a month — R5 201 more than he has been entitled to since his election as mayor on February 20.

City council spokesman Ted Doman said Mr Bantom's mayoral allowance was R8 331 a month — R1 071 less than the maximum scheduled for a Grade 15 municipality.

But according to Dr van Tonder, Mr Bantom qualified for the full Metroxco allowance — R7 802 — and not the R2 601 councillor's maximum because Western Cape Local Government Minister Peter Marais had agreed to an informal moratorium on the payments.

This was disputed, however, by Cape Town City Council treasurer Eddie Landsberg who said on Friday he had approached his Metro counterpart, Phillip Schenk, to discuss, covering the excess payments.

ST (CM) 2/7/95 (263)

It's unfortunate this has happened, but we can probably put it down to ignorance (about the May 12 regulations). Things like this can easily happen in transitional times. We'll put it right."

However, Dr van Tonder said local authority representatives, including the Metro's executive chairman, had seen Mr Marais two weeks ago about waiving repayments of unauthorised allowances and a new proclamation would be issued as quickly as possible.

But provincial government spokesman Peter Sidego was adamant that the measure remained in force.

"Yes, it still applies," he said on Friday, also confirming that local authority delegations had been to see Mr Marais about having it annulled.

Mr Bantom, who is abroad at present, could not be contacted for comment this week.

Cape demarcation ruling could spawn more litigation

Mduduzi ka Harvey

THE Cape Town municipal demarcation row could be the subject of further litigation if the Western Cape government wins its case in the Constitutional and Supreme Courts, it was disclosed yesterday.

Various Cape Town municipalities had threatened to mount their own legal challenges to the "unlawful gerrymandering of the provincial committee and city boundaries", said Western Cape DP leader Henne Bester.

Bester said that because of the current applications, and the threat of renewed legal action, he did not think the November 1 local government elections would take place in the Western Cape.

By referring the matter to court, the regional government had drained it of its urgency. Western Cape premier Hernus Kriel and his cabinet were on a two-week recess, while the Constitutional Court was expected to sit in the middle of July.

The provincial government has asked the courts to annul proclamations by President Nelson Mandela which stripped Western Cape local government MEC Peter Marais of his powers to constitute the provincial committee, and retroactively rescinded his demarcation decision.

Bester also criticised deputy presidents Thabo Mbeki and FW De Klerk for failing to make "a concerted effort" to break the

Western Cape demarcation logjam

The Cabinet last month mandated Mbeki and De Klerk to find a settlement to the dispute. However, a government spokesman said this week that their troubleshooting attempt had "fizzled out".

Bester said his deputy presidents had done little more than bring together the ANC and NP for talks, in a context where negotiations between the parties had already failed.

Kriel's spokesman, Frikkie Odendaal, said the NP had been willing to compromise when talks had resumed after the initial deadlock, and had accepted a proposal by deputy constitutional affairs minister Valh Moosa to include Khayelitsha in central Cape Town.

But this proposed compromise, he said, had been rejected by the ANC on the grounds that it would not be accepted by grassroots supporters.

Kriel met De Klerk on June 20, when they decided negotiations between the ANC and NP should resume.

However, spokesmen for both deputy-presidents confirmed there had been no follow-up meetings.

De Klerk's spokesman, Frikkie Schoombe, said De Klerk would be away for most of July and would also soon be going on 10 days leave.

Ricky Naidoo, speaking for Mbeki, said he knew of no plans for further meetings.

BD 5/7/95

(263)

Kriel 'well placed' for top Nat post

CHRIS BATEMAN

WESTERN Cape Premier Mr Her-nus Kriel, currently riding a wave of coloured support for his Constitutional Court challenge to President Nelson Mandela, is well placed to challenge for party leadership in the Western Cape, NP sources claimed yesterday

National Environmental Affairs and Tourism Minister Dr Dawie de Vilhiers is the present leader

However, amid growing reports of a major party rift over the NP's role in the government,

they disagreed with those closest to him who say he wants to retire and is not interested in national or more provincial leadership slots

They said Mr Kriel had also never forgotten being "fed to the wolves" by his colleagues while police minister during the Kemp-ton Park talks when police raided the homes of PAC members.

They claimed he had not forgiven his party's constitutional affairs supremo, Mr Roelf Meyer, for this and pointed to Mr Meyer recently describing Mr Kriel's government as "reckless and stubborn" in the demarcation wrangle

Party sources cited Mr Kriel's majority party support during a head-on with Mr Meyer in an NP constitutional development study group over Khayelitsha's exclusion from the Tygerberg sub-structure as further evidence of party splits

Mr Kriel has turned down an invitation to the NP's annual federal youth congress in Stellenbosch this weekend, telling his staff to re-direct it to Dr De Vilhiers

Mr Kriel also said he was "on holiday" during his legislature's recess

Rumours of a split in the NP — denied by party spokesmen — sur-

facted after this week's defection to the ANC of Mr Lappe Laubscher, the Greater Pretoria Metropolitan chief whip

Mr Laubscher highlighted the NP's contradictory role in constitutional negotiations and its uneasy governing partnership with the ANC — something the party hard-liners are allegedly using to try to oust the "liberal" Mr Meyer

Deputy President F W de Klerk is expected to conduct a delicate balancing act when he addresses the issue at the youth congress in on Saturday

304A (263)

MARAIS 'REJECT' GETS SENIOR POST

Boraine now No 2 in constitutional affairs

MR ANDREW BORAINÉ, sacked by Mr Peter Marais from the provincial committee, is now technically in charge of election preparations. **CHRIS BATEMAN** reports.

FORMER Nusas president and FUDF stalwart Mr Andrew Boraine, yesterday became the country's second most senior constitutional affairs bureaucrat

Mr Boraine, whose recent dismissal from the Western Cape provincial committee led indirectly to the local demarcation impasse, is now technically in charge of the November 1 election preparations

As deputy director-general of constitutional affairs (responsible

for local government) he will work under Dr Niel Barnard.

The Western Cape's Constitutional Court challenge is over President Nelson Mandela's overturning the appointment of two NP-leaning non-statutory members to the local provincial committee — one of whom replaced Mr Boraine

The provincial committees vet all local ministerial demarcation proposals in advance of the November 1 elections. The local one would have passed Local Gov-

ernment Minister Mr Peter Marais' controversial demarcations

Mr Boraine said he had no illusions about the task ahead but felt there was some hope of settling the seemingly intractable Durban, Cape Town and Gauteng demarcation disputes

Real issue

Mr Marais fired Mr Boraine from the provincial committee for "failing to attend sufficient meetings", something Mr Boraine rejected yesterday as "spurious"

The "real issue" was whom Mr Marais had replaced him with

CT 7/7/95 (263) (1)

Cape Nats pin hopes on coloured supremo

Star 8/7/95

(263)

Cape Town — The next premier of the Western Cape must be coloured. That is the overwhelming feeling among top echelons of the National Party which dominates the province.

The next provincial supremo is likely to be one of provincial ministers Gerald Morkel, Patrick McKenzie or Peter Marais — or possibly Minister of Welfare Abe Williams.

There is no way the mainly coloured province can continue operating indefinitely under a white premier, informed Nat sources said this week. The NP in the Western Cape now regards itself increasingly as a coloured party.

The province is the only one in the country under NP control after the party received strong coloured support in last year's election. The NP believes its support

base in the province in future elections will be even more overwhelmingly coloured.

The current premier, Hennis Kriel, is said to be convinced that the Western Cape must have a coloured premier to reflect the population of the province and the NP's support base.

Informed sources said Kriel intended to serve out his current term in office as provincial premier, which ends in 1999, but will not make himself available after that leaving the NP free to contest the next elections under a coloured premiership candidate in the Western Cape.

There has also been growing speculation that Kriel might have national aspirations as a possible successor to the NP's national leader, deputy president F.W. de Klerk, whose popularity in the party has waned.

NP weighs its options for a coloured premier

■ With most Nat votes in the Western Cape coming from its coloured support base, the time has come for the province to have a coloured premier, the National Party believes.

DAVID BREIER
Political Staff

THE next premier of the Western Cape must be coloured — that is the overwhelming feeling among top echelons of the National Party which dominates the province.

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Mr Kriel might have national aspirations as a possible successor to the NP's national leader, deputy president FW De Klerk whose popularity in the party has waned

The NP's Western Cape leader Dawie de Villiers, the national minister of environment affairs, is also becoming increasingly unpopular at grassroots level, and he too could be challenged — either by Mr Kriel or by a coloured candidate

Leading candidates for the job as the Western Cape's next provincial premier are said to include

■ Mild-mannered provincial housing minister Mr Morckel, the favoured candidate of the Nat hierarchy

■ Mr McKenzie, the relatively youthful and sometimes controversial provincial police minister

■ Mr Marraus, the fiercely ambitious maverick local government minister who is the wildcard of the pack

■ Mr Williams whose political shares have

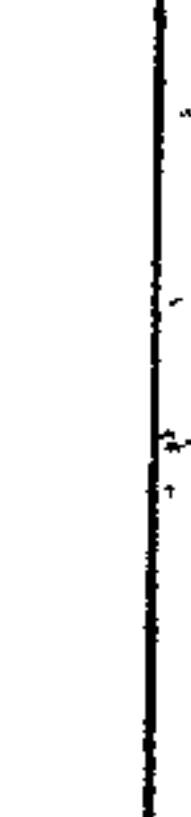
fallen as he has not covered himself in glory as welfare minister in the central government

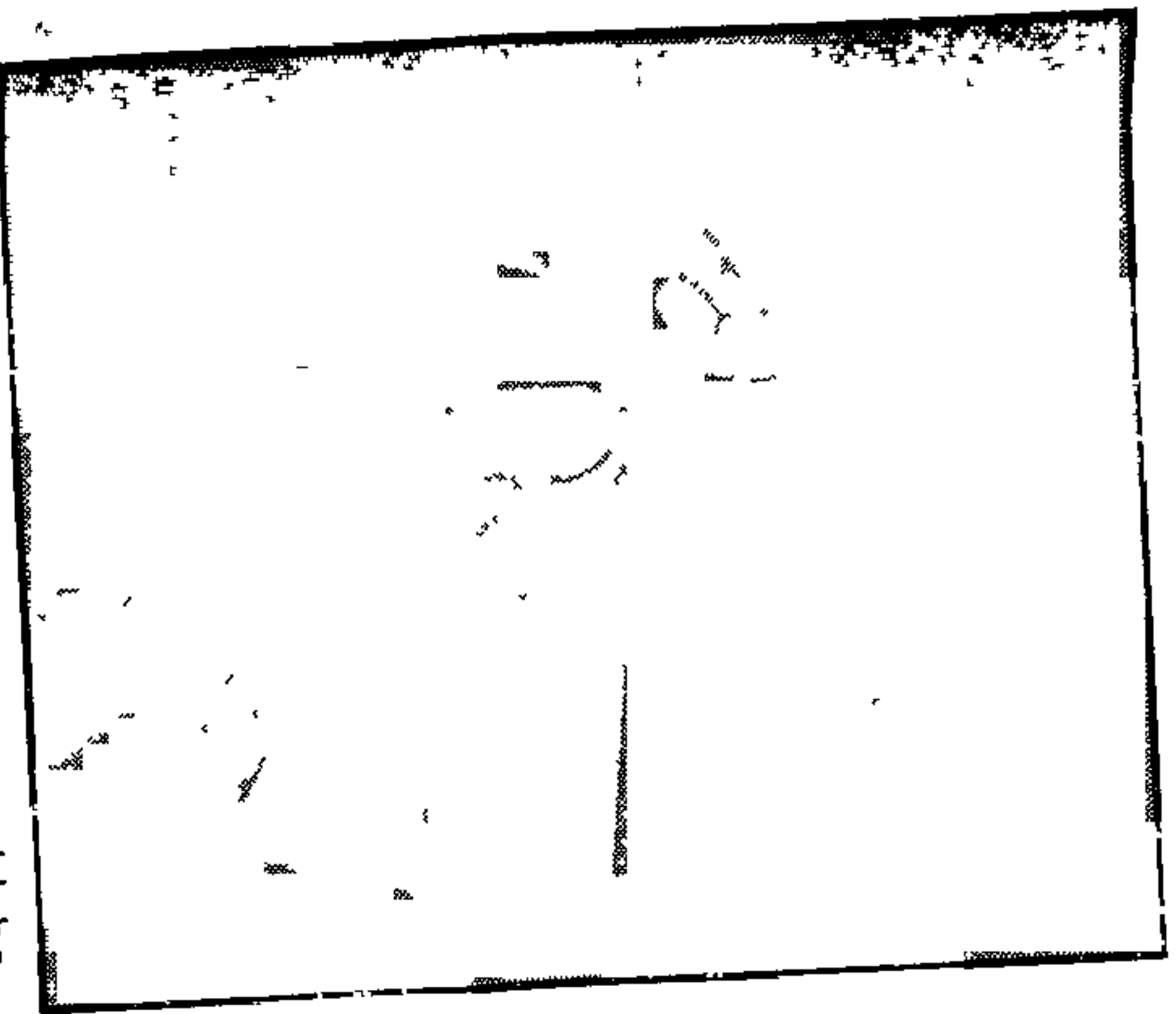
The party hierarchy regards the abrasive Mr Marraus as an "unguided missile" and the least suited for the premiership job which requires strong diplomatic skills which he lacks. But they see Mr Marraus as the danger-man as his populist appeal and grassroots support could win the day

The NP is poised to win even greater coloured support in the Western Cape as tensions have developed between black and coloured forces in the rival African National Congress in the province

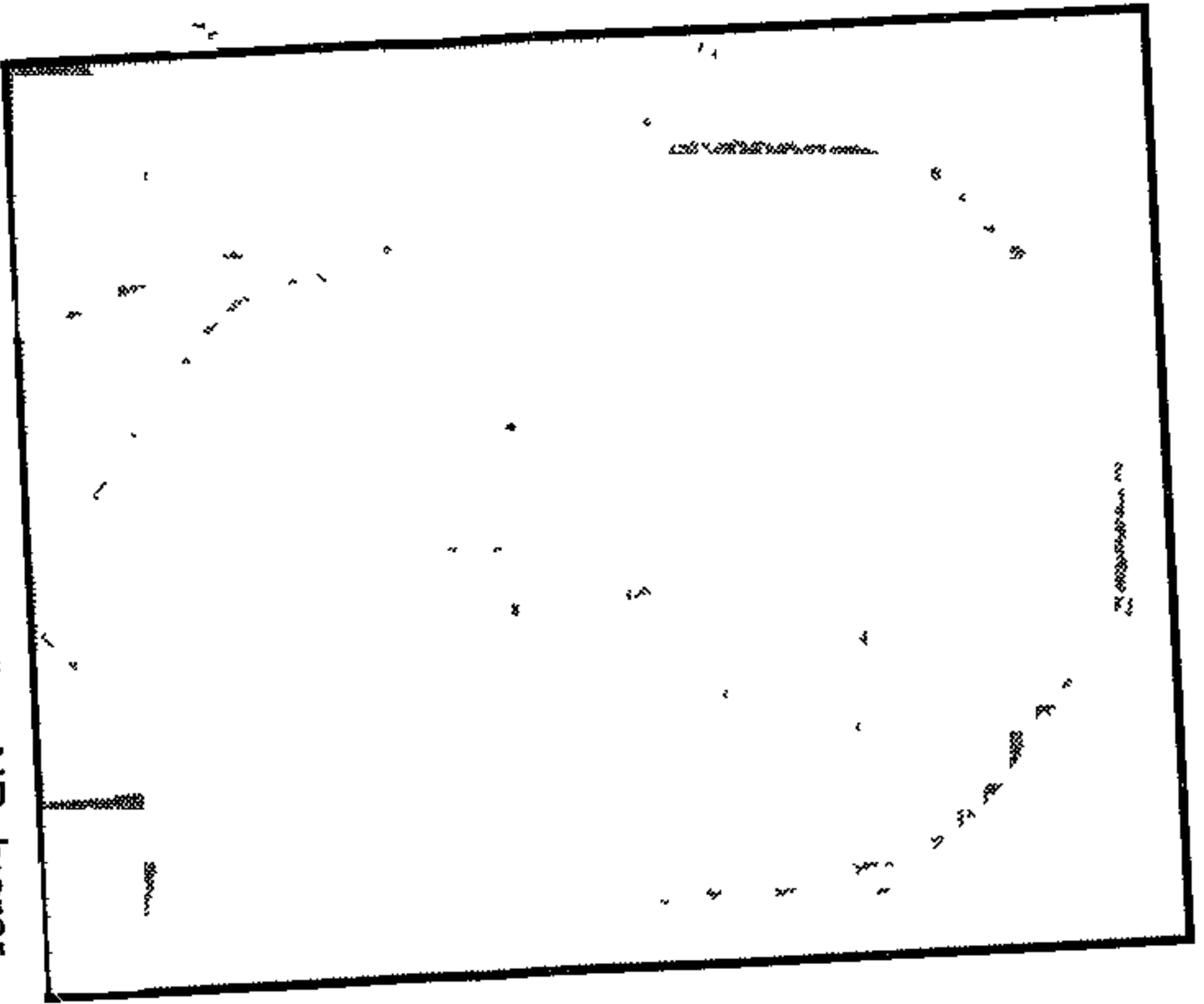
Coloured ANC Western Cape supporters have complained they are being sidelined in internal power struggles, leaving the NP in a strong position to pick up the pieces

The downfall of the ANC's former charismatic provincial leader Allan Boesak, still under police investigation for allegedly misappropriating foreign funding, has also left the ANC vulnerable to NP inroads into the ANC's coloured support





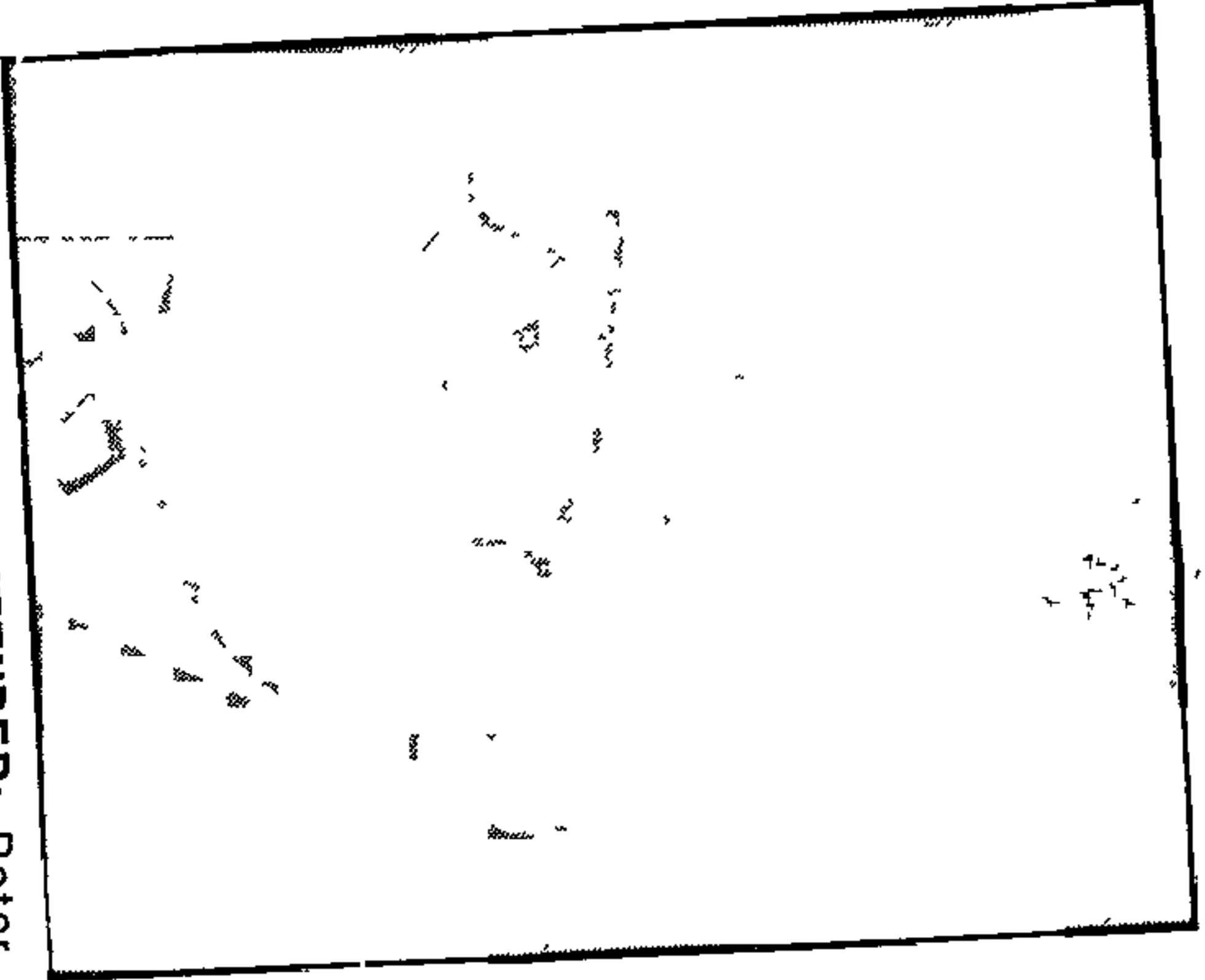
ABLE ABE: Abe Williams could be wearing another hat if he becomes Western Cape supreme



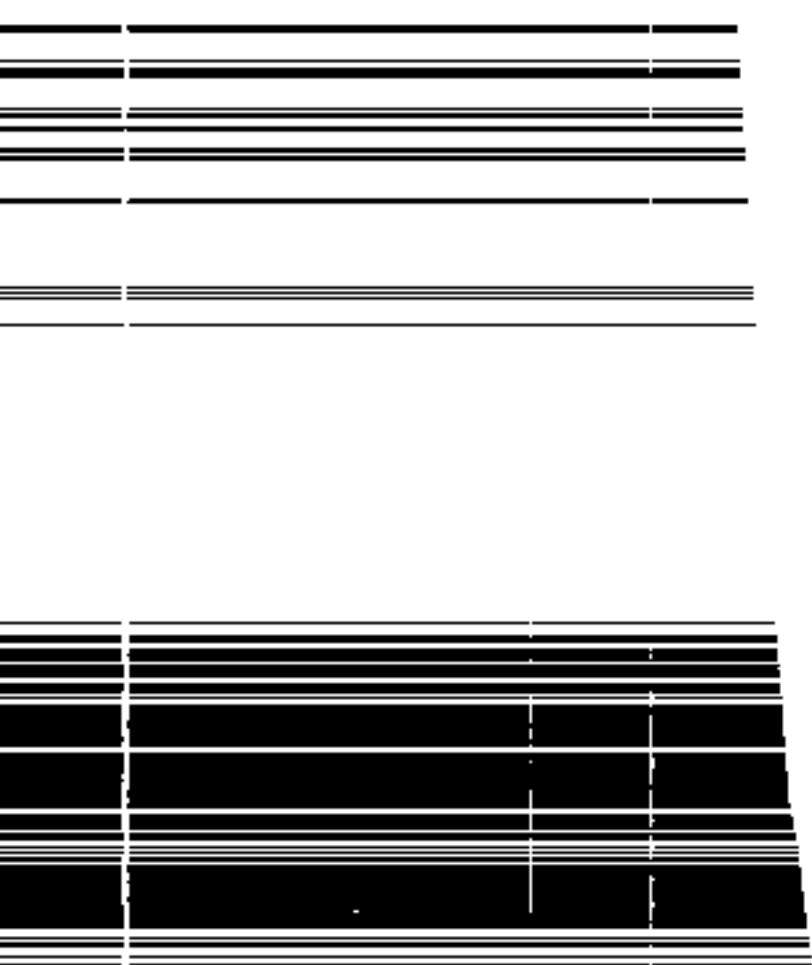
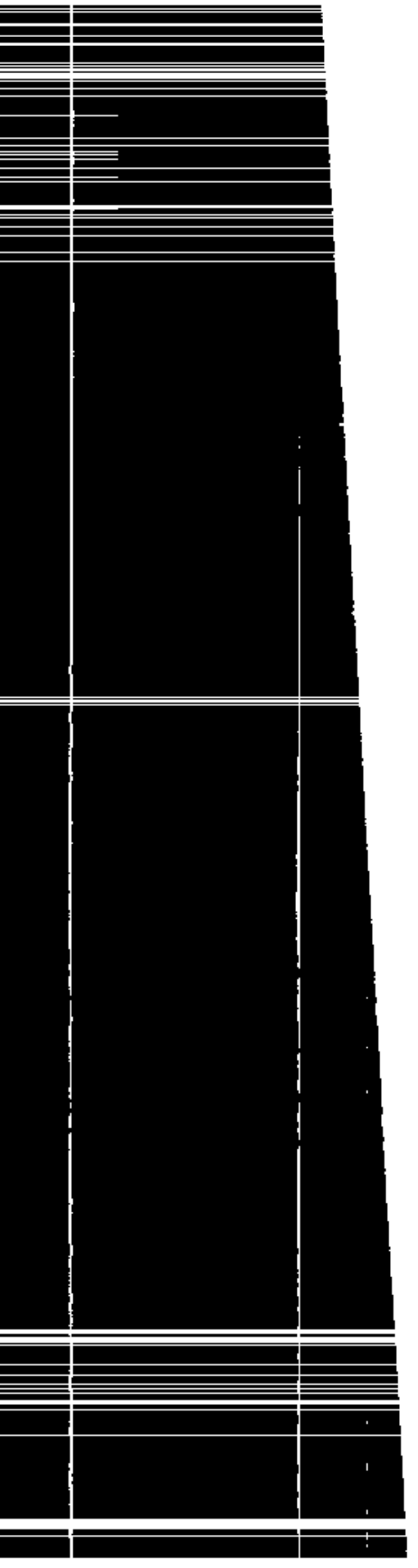
PARTY FAVOURITE: The NP hierarchy would like to see the dependable Gerald Morkel as premier.



OUTSIDE CHANCE: The betting is against Patrick McKenzie making it — but anything is possible



WILDCARD CONTENDER: Peter Marais, the tempestuous Cape politician with grassroots support



Cape Town's black community is 'most conservative' in country

DAVID BREIER

Political Staff

BLACK Capetomans are the most conservative in the country and increasingly embrace solid middle-class values which used to be sneered at during the struggle against apartheid

This has been disclosed in research conducted throughout South Africa by Market Research Africa (MRA) ending early last year and confirmed by more recent research

The "sociomonitor" reveals for the first time an "open sense of pride in South Africa" among blacks nationwide — with Cape Town blacks showing a stronger level of stable, community values than other urban centres

The sociomonitor identifies three groups in urban black society

■ Salt-of-the-earth "conservers" form 37 percent nationally and a hefty 47 percent of the black population in Cape Town. In 1991 there were only 14 percent of this group among Cape Town blacks

Conservers form the largest sector of Cape Town blacks — while they are the smallest section in Gauteng

Conservers are described as thoroughly urbanised, reliable citizens who reject change for the sake of change and tend towards conservatism and respect for the virtues of structure and stability.

They tend to be devoted to the church and religion and are strongly family-oriented. They tend to build careers rather than "to have a job", and they look for more meaning in life. They devote time and money to improving their lives and surroundings

Conservers have a strong sense of national identity and tend to be community-orientated. They plan for the future and reject pleasure-seeking hedonism and irresponsibility

They tend to be over 35 with above-average incomes — and more are female than male. They have worked consistently and hard. Although most may not be well-educated, their work ethic has elevated them above the pile

■ Malcontent "laggers" form 30 percent of the black population nationally and only 18 percent of Cape Town's black population

Cape Town now has the smallest proportion of laggers in the country. In 1991 Cape Town's black population had an alarming 44 percent of laggers

Laggers tend to lack confidence in their future. They have a sense of aimlessness and a desire for immediate pleasure and escapism. They are backward-looking and insecure, tending more to tradition

They tend towards violence and aggression, aggravated by stimulants such as alcohol. They are the poorest group and rigid in their attitudes. They too tend to be older — over 35 — and are poorly-educated

Progressives form 33 percent of the national average and 35 percent in Cape Town. In 1991 Cape Town's black population included 42 percent of progressives

They are described as "with-it", pleasure-seeking, assertive, self-centred and have little time for tradition. They are particularly concerned about their image and the way they look and tend to rely on stimulants such as alcohol and tobacco

They have liberal attitudes to sex, give little thought to the future and can have a tendency to violence and aggression

The progressives are interested in new ideas and enjoy novelty items. They tend to be younger, with more males than females, better-educated and their aspirations may outweigh their

actual spending
They come from higher income households, but over half earn no personal income
The MRA research shows that conservers values now dominate in the new South Africa "Self-centred hedonistic characteristics are less accepted and pro-stability, community ones are more accepted by urban black society"
But researchers warn that the younger, hedonistic sector of black society had an increased sense of aimlessness and were "living for today". Some of this could be ascribed to impatience that change had not been fast enough for this group. "They seem less concerned about the consequences of their actions. They need more excitement and tend towards more aggression. They are more politically-motivated and image and looks have become more important to them."
But the values of these "young hedonists" had lost out to the quiet, work ethic of the conservers whose values had paid off
According to Integrated Marketing Research information published last year, conservative, establishment values were strongest in Cape Town's formal townships while progressive values predominated in informal settlements

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country

Nissen to quit as ANC head in Western Cape

ST(CTM) 9/7/95

By NORMAN WEST and RAYMOND JOSEPH

ANC Western Cape leader the Reverend Chris Nissen is planning to step down as leader of the organisation in the region and Minister of Economic Affairs — but he says he is under pressure to stay on until after the local government elections.

Mr Nissen dropped his bombshell at a Provincial Executive Committee (PEC) meeting in Cape Town earlier this week, when he said he wanted to quit as both party leader and provincial Minister of Economic Affairs.

But the party, faced with the prospect of a potentially divisive leadership battle only months before the elections, has made it clear they would prefer him to stay on until after the poll.

Mr Nissen was appointed leader in September last year after Dr Allan Boesak resigned to take up a diplomatic post, although he was ultimately not appointed after the scandal erupted over his Foundation of Peace and Justice.

Yesterday Mr Nissen confirmed that he would not be available for re-election as regional leader at the party's next conference which, sources said, would probably not be held until after the election.

He also confirmed that he planned to step down as Minister of Economic Affairs as he had made his acceptance of the post of ANC leader conditional on him having the same status as Dr Boesak, who also held the economics portfolio.

"I still remain a loyal member of the party and I want to continue to serve the ANC effectively," Mr Nissen said.

The post of Economics Affairs Minister is closely linked



STEPPING DOWN . . The Rev Chris Nissen, who is planning to quit as leader of ANC Western Cape. Picture: JUSTIN SHOLK

to the implementation of the RDP and is regarded as the most influential post the ANC is likely to get in the NP-dominated provincial government.

Mr Nissen declined to give reasons for his decision to step down, but informed sources be-

lieve it is a direct result of the bitter in-fighting that plagued the ANC in the Western Cape in the run-up to the 1994 general elections.

These divisions were further exacerbated after the heavy defeat of the ANC by the NP in the election.

Wage talks continue after hostage drama

THABO MABASO (263) (192) 11/7/95
Staff Reporter and Sapa

NEGOTIATIONS between the executive committee of the Lingelethu West Town Council in Khayelitsha and the South African Municipal Workers' Union continue today.

But all hostages held by the striking municipal workers have been released.

The employees demanded an additional pay increase of up to 40 percent after the council disclosed that, because of a lack of funds, it could not pay recently-agreed increases for more than two months.

Council official Willie Olivier said the release of the hostages last night came after an agreement between the mayor of Lingelethu West and a union delegation that a solution would be sought today.

It was the third time this year that Lingelethu West

Probe promised into doctors' work conditions

Staff Reporter (192) 11/7/95

NATIONAL Health Minister Nkosazana Zuma has promised to investigate the working conditions of the country's doctors, and take steps to improve them.

This emerged at a meeting between Deputy President Thabo Mbeki, Dr Zuma, senior members of her department and a six-person delegation from the Medical Association of South Africa (Masa) yesterday.

The Masa delegation included representatives from the medical profession, including general practitioners.

They met to discuss doctors' working conditions, salaries, overtime pay and related issues, after recommendations by a committee that investigated

ed the national health insurance system.

Recommendations included a meeting between the department of health and health personnel representatives to look into how to improve working conditions and health delivery.

Masa spokesman Vincent Hlongwane said both Mr Mbeki and Dr Zuma committed themselves seriously to look at doctors' concerns.

"Dr Zuma said she would look into the matter and would give us feedback at a meeting scheduled for early August.

"We were not expecting yesterday's meeting to resolve all the issues, but we welcome their acknowledgement of the problem and the commitment they showed and the promises that solutions would be found," Mr Hlongwane said.

OTHER NISSAN PRODUCTS CALL THE NISSAN INFORMATION CENTRE

Lingeletu councillors in hostage drama

STAFF REPORTER

NINE Lingeletu West town council officials, including Khayelitsha mayor Mr Vuyani Ngcuka, barricaded themselves into their offices all day yesterday after striking workers allegedly threatened to burn them in their cars if they tried to go home.

Last night the town treasurer, Mr Willy Olivier, said a delegation

of 20 workers left the municipality's Bellville offices at 5pm after negotiations over the hostage drama. It was hoped they would try to disperse the crowd of about 200.

The workers were apparently demanding a wage increase which would put them on a par with their colleagues in the iKapa town council and other municipalities on the same grade as Lin-

gelethu.

This is the second time this year office workers at Lingeletu West have been held hostage. On April 19 employees were kept prisoner for 12 hours by workers striking over the same issue.

"I've had enough, the police must just get me out of here now," said one office worker.

Mr Ngcuka said last night the council had agreed with the work-

~~(157)~~ (263)

CT, 11/7/92

ers that the funds available would be sufficient to pay the salary increase only for May and June. Payment of increased salaries from July onwards, and back pay, would depend on obtaining additional funds from the provincial government. The provincial government's reply was that no additional funds would be granted to Lingeletu West Transitional Council. An agreement was reached last

Friday that a committee in which the workers would be represented would be formed to pursue the matter with the government.

Mr Ngcuka said it was "surprised" by the industrial action. "We condemn the huge keeping of staff and the councillors and the work stoppage which has occurred today, more particularly when the matter is being attended to."

Bad timing in W Cape

THE leadership rumbblings within the African National Congress in the Western Cape could not have come at a worse time for the ANC — just three months before the all-important municipal elections in November

The disclosure that popular ANC leader Mr Chris Nissen wants to step down, has surfaced amid claims that the party is ill-prepared and does not stand a chance to stop the National Party from entrenching its position in the Western Cape

Small wonder that the ANC's main political rivals are rubbing their hands in glee because the respected cleric wants to resign as ANC chairman and regional MEC for economic affairs

The alleged reason for his planned departure is the so-called "African chauvinism" within the ANC. This must be music to the NP's ears for it will mean that the ANC's non-racial glue cannot even keep its members together

Not that all is well within the NP cauldron, but its well-oiled electioneering machine and willingness to play up the racial fears of coloured people puts them a step ahead

On the record, Nissen merely does not want to make himself available for the leadership post at the next provincial ANC congress and will consequently also step down as economic affairs MEC. Sources claim he will return to the ministry.

Meanwhile, the shell-shocked ANC, still seeking a meeting with Nissen, is battling to limit the damage. It is likely to ask Nissen to stay on as leader until after the elections, which he has committed himself to

Even if the ANC manages to persuade the former vice-chairman of the Western Province Council of Churches to stay on, it may be at a disadvantage because it will effectively be facing the elections with a leader who has his eyes elsewhere

Positive aspects

Tactically, the move does have positive aspects because the ANC will avoid yet another bitter round of leadership bickering just before the elections

In fact, tragically, the leadership tussles in the region have been marked by back-stabbing and sometimes naked racism whenever it is time to decide who-should-occupy-which-chair. Come election time, political "niceties" such as non-racialism, democracy and unity go out of the window

Two years ago, ANC leader President Nelson Mandela thought up what seemed to be the most effective way of finding a winning formula for the region, when he suggested the leadership should reflect the region's population

Subsequently, former United Democratic

Chris Nissen's resignation as regional ANC chairman could have wide implications, reports Vuyo Bavuma

(263) some far 12/7/95



The Reverend Chris Nissen ... the ANC will be much the poorer without him.

Front stalwart Dr Allan Boesak, then considered to be a draw card for the highly-important coloured support, was elected to lead the ANC in Western Cape. But the gamble backfired horribly as the ANC lost to the NP, with most coloured people flocking to the "racist nest of their former oppressors"

And it was back to square one for the ANC to find a suitable leader

At last year's regional conference, the missing piece of the puzzle seemed to have been found when Nissen was elected to lead the organisation

He defeated two major candidates Tony Yengeni, who enjoys large support from the townships, and Sahe Mamie, a former unionist.

Nissen was elected even though the party had publicly acknowledged that the new comrades-MPs needed to be relieved of extra-parliamentary work. ANC work, it was decided, should be tackled by fresh blood within the wider membership

Adverse effects

Nissen, fully aware of the adverse effects of the NP's racist campaign in the general elections, vowed to fight against racism, which he said was tearing society apart. He also pledged to rebuild

the party's election machinery, especially in rural areas

Armed with a solid background of struggle and vast grassroots connections — he can speak fluent Xhosa — Nissen set about to rebuild bridges among the racial groups. His style of leadership, which proved to be popular, embodied the non-racialism the party stood for

However, hardly a month after he was at the helm of the ANC leadership, Nissen was involved in a bitter public row with his colleagues over who should take over Boesak's job as MEC for economic affairs

An angry Nissen made it clear that if he was not given the post, he would quit the movement. He argued that his role as a leader would be untenable if the party could not trust him with the same powers and status as Boesak

Within the ANC some favoured provincial chief whip Mr Tasneem Essop, while others favoured Ms Lynette Brown, the ANC's education spokeswoman. Essop went on to win the caucus vote

Threat to quit

But in the face of Nissen's threat to quit and his overwhelming support from the extra-parliamentary ANC alliance, the party's parliamentary caucus backed down — and the cleric was elected MEC for economic affairs. Finally the furore died down

In his typical down-to-earth manner, Nissen regularly visited workers at their factories to acquaint himself with their problems

He also discussed their fears, which included affirmative action and attempts to drive a wedge between African and coloured workers

He also went about his job as MEC in an almost casual style that pleased everyone, including businesses

Not unexpectedly, he took an interest in the problems of the community and tried to mediate in the potentially explosive situation involving Grabouw coloureds who were squatting on land earmarked for Africans

His no-nonsense approach in the regional legislature also won him the hearts of many. In one session he told the NP to stop complaining about under-funding and get on with the reconstruction and development programme

Nissen also warned there was a danger the RDP could not be implemented in the region if the NP had an "attitude that everything that redresses imbalances or is deemed to be reconstruction will be left to the RDP office or projects"

But now Nissen's touch of being able to reach out to all communities will go away. And, without it, the ANC will be much the poorer

W. Cape leads drive for voter registration

(263) ARG 12/7/95

JOHANNESBURG. — The Western Cape, with 85,99 percent, had the highest registration figure by June 5 for the November local elections.

More than two-thirds of South Africa's more than 23 million potential voters had returned their registration forms by that date, statistics from the local government elections task group showed today.

Of the 23,227,171 potential voters, registration forms had been received from 74,47 percent since registration began on January 27. Of these, 70,14 percent had been processed.

Gauteng had the lowest registration figure — 62,6 percent.

In Johannesburg, 72,62 percent had registered and 75,51 percent in Pretoria. National secretariat co-ordinator V Milne said the figures were not final and could be misleading — Sapa

DEADLINE 'IMPOSSIBLE'

City can't meet election date

(263)

CT 12/7/95

CAPE TOWN'S boundary furor will set back the city's election date, **PETER DENNEHY** reports.

It will be impossible to hold local elections in the Cape Town metropole on November 1 because of delays caused by the boundary dispute, city administrator Mr Gys Hofmeyr said yesterday.

Mr Hofmeyr said the city would have to wait while the rest of the nation went to the polls because the delimitation row had held up the entire election process.

"Even if it were possible to change the regulations, by the time we have done that we will have run out of time anyway", he told the City Council's transitional affairs committee.

The National Party is at loggerheads with the ANC and various community organisations over the inclusion of all black townships in the Cape Town municipality. Western Cape Premier Mr Hermus Kriel has said he will take the matter to the

Constitutional Court

Similar problems exist in Gauteng and Durban

Mr Hofmeyr said it was unfortunate that those in authority "continue to give the impression that the boundary issue can still be resolved in time to make nationwide local government elections on November 1 possible.

"It is also unfortunate that many people think the voters roll process is proceeding according to plan, whereas in truth the formal advertisement and inspection of voters rolls cannot yet take place," he said.

A spokesman from Provincial Affairs and Constitutional Development Minister Mr Roelf Meyer's office denied leaders of the process were shying away from problems.

"After last week's meeting between the minister and the nine provincial ministers a statement was issued that acknowledged the problems and said they might hamper the holding of elections."

He said this would be discussed at the next cabinet meeting on July 26

NAMES TAKEN FROM GRAVESTONES

Massive poll fraud

THE CLAIM that 85,99% of voters in the Western Cape had been registered before June 5 is now in doubt.
CAROL CAMPBELL reports

WIDESPREAD voter registration fraud has been uncovered in Cape Town's run-up to the municipal elections.

Officials said yesterday that some registration officers — who are paid for each voter they register — had duplicated registration forms up to 60 times and in some cases had even taken names off gravestones

This puts the number of voters registered in doubt. Before the discovery the Western Cape was believed to be leading the drive for registration with a figure of 85,99% recorded on June 5

The full extent of the fraud is not yet known.

Earlier this week city administrator Mr Gys Hofmeyr said the election will have to be postponed in the city owing to the continuing wrangle over the demarcation of municipal boundaries



ELECTIONS FIASCO: Executive chairman of the Cape Metropolitan Council, Mr David Dlali, warns of inflated registration figures caused by the large number of false registration forms. **PICTURE: ALAN TAYLOR**

Executive chairman of the Cape Metropolitan Council, Mr David Dlali, said yesterday the fraud could reduce voter registration figures

In one instance he had seen 60 forms with the same name, identity number and signature

The source of the problem appeared to be the payment made

to volunteer election workers of 60 cents for every person they registered. This encouraged some of them to fill in forms in duplicate and to copy names off tombstones, Mr Dlali said

The problem was worst in areas administered by the old black local authorities such as iKapa and Lindelethu

Joint Management Board for voter registration chairman Mr Ashiek Manie said the board was aware of problems in certain areas and had stepped in to help local authorities that did not have the facilities or staff to cope

"Our computers will be able to kick out any duplicates on the voters roll once the municipal boundary issue is resolved," he said

This could not be done yet because some property owners were entitled to vote more than once if they paid for municipal services in different areas. If the computer program was run now their names would also be eliminated as duplicates

"Once we have cleaned the voters roll we will have a far more accurate picture of how many people have registered — which will probably be about 10% lower than the figure of the unclean roll," he said

Concern that the lack of financial accountability that dogged the 1994 election would also mar November's local government elections was raised last month by state expenditure director-general Mr Hannes Smith

● See Page 5

politics
(263) AR 4/15/95

Racism mars Cape

■ Prejudice that marred last year's elections in the Western Cape is re-emerging in the province in the run-up to the municipal elections.

DAVID BREIER
Political Staff

AN upsurge in raw racism is infecting Western Cape politics as racial tensions between coloureds and blacks worsen in the province's two major parties.

Racial polarisation is matching tensions present in the province before last year's general elections when racial feelings were exploited for electoral gain.

Both the National Party and the African National Congress fear racial tensions could escalate in the run-up to the municipal elections which were to be held in November. The poll could be postponed in Cape Town to next year due to the dispute over municipal bound-

aries and voter registration fraud.

The NP which won last year's elections in the Western Cape, the only province it controls, is being accused of reviving anti-black *swart-gevaar* tactics to frighten mainly coloured voters into the NP *laager*.

And, the ANC is reported to be split by internal divisions between coloured and black members, leading to the decision by ANC provincial leader Chris Nissen not make himself available as leader again.

Leading black ANC members have blamed coloured voters for the ANC's poor performance in last year's election, while coloured members have accused black members of pushing them out of key positions.

Mr Nissen is reported to be a victim of this tension as his leadership position becomes increasingly untenable.

Pressure is growing on him to give way to a black ANC leader such as Tony Yengeni, who made a bid for the provincial leadership position last year when Allan Boesak resigned after the foreign funding scandal.

At the same time, racism in the NP was exposed this month when leading Western Cape NP youth member Nils Flaatten resigned from the party in disgust at the growth of crude racism in the NP.

Mr Flaatten expressed concern that many coloured mem-

bers of the NP youth were racist and "driven by fear of being left behind in the allocation of scarce political resources".

He said it was common practice in the NP Youth Action for these members to refer to blacks as "kaffirs", and he said the political divide in the region was widening as the NP failed to make significant inroads into the black community in the province.

ANC spokesman Brent Simons acknowledged that the ANC's problems had been inherited from past — "way back in the 1960s — but we are eradicating problems of that nature," he said.

He said the ANC would not

run a racist election campaign. But, Mr Simons accused the NP of returning to its classic pre-election *swart-gevaar* anti-black racism — "but *swart-gevaar* is not going to work for the NP this time".

"The NP is going to have to explain to coloured people whose hearts they filled with fear last year, why their houses were not taken away and why they have not lost their jobs as the NP predicted, when no such thing happened."

Mr Simons predicted the NP would embark on a "dirty tricks" campaign to stir up feelings as happened last year when black people occupied empty houses in Delft, ear-

marked for coloured families, and when the NP published a racist comic book which had to be withdrawn.

"We are sure the NP will play on the racial fears of certain groupings, but we suspect people will see through the NP's racism," he said.

Mr Simons said the row over municipal boundaries which was threatening to delay the elections, was a case in point, as the NP "don't want African people in areas where white and coloured people live".

He was referring to the refusal by the NP's local government minister Peter Marais to include Khayelitsha in the proposed Tygerberg municipality.

"Part of the internal conflict in the NP is being driven by so-called coloured leaders in the Western Cape," said Mr Si-

mons, citing Mr Marais as well as his two fellow provincial ministers Patrick McKenzie and Gerald Morkel — with the support of Premier Hennis Kriel.

The NP believes that its next provincial premier should be coloured to reflect the majority in the province and the party's increasingly coloured support base.

But, Mr Simons said: "We don't believe any province is for a single race group."

"We are in the new South Africa and there is no more discrimination."

Meanwhile the Democratic Party plans to make the most of racial tensions in the NP and ANC and has begun to recruit among disaffected elements of the two parties in the Western Cape.

Tygerberg strike on eve of pay talks

ARG 19/7/95

(263)

**PIETER MALAN and
NORMAN JOSEPH
Staff Reporters**

WORKERS from at least four municipalities in the Tygerberg have gone on strike on the eve of talks between the South African Municipal Workers' Union and the central bargaining agency, the Cape Local Employers Association (CLEA).

The meeting is scheduled for tomorrow.

About 200 Samwu members from Parow and Goodwood municipalities marched to the Parow municipal offices yesterday — overturning rubbish

bins on the way and strewing refuse in the streets

The toyi-toying crowd gathered outside the offices, emptied rubbish bins in front of the main entrance and pulled a black rubbish bag over the head of the statue of Parow's founder, Johann Parow

The action, which started on Monday, comes on the eve of Samwu's meeting with CLEA over minimum wage demands of R1 500 a month

It is believed about 400 workers from Kraaifontein, Goodwood, Parow and Brack-

enfell are involved in the strike action

Parow town clerk Harry Carstens said more than 100 Parow workers had joined the strikers

Goodwood spokesman Peter Deacon said "We don't know what the workers' real demands are, but they are putting pressure on Thursday's meeting between Samwu and the CLEA

Martin Rabie, Samwu's Tygerberg area chairman, accused municipalities of "dragging their feet" on labour issues

Councillor fraud probe

JACKIE CAMERON
CRIME REPORTER

A CAPE TOWN City Council executive committee member is at the centre of a police investigation involving thousands of rands worth of fraud and an identity document scam.

This emerged when Mr Balarajan Pather, 34, co-chairman of the city's urbanisation and planning committee, appeared in the Cape Town Magistrate's Court yesterday in connection with contraventions of the Identification Act.

Mr Pather, who also uses the first name Roger, had illegally applied for four different identity documents under different variations of his name, date of birth and race, according to the charge sheet.

Mr Pather was not asked to plead and no charges were put.

Prosecutor Mr Aziz Hamied told the court he had learned this week that commercial crime unit detectives were investigating charges of fraud and other statutory offences against Mr Pather.

Mr Hamied said the "nine

OTHER SAYS

**PROMISE YOU NOTHING
MORE THAN MY**

**HONESTY
INTEGRITY
DEDICATION**



RAJAN PATHER

**I BELIEVE IN PEACEFUL AND NON-VIOLENT
CHANGE FOR THE ATTAINMENT OF A JUST AND
FREE SOUTH AFRICA.**

SALES PITCH: Mr Pather distributed this brochure asking Rylands East constituents to vote for him in elections in 1989.

CT 19/7/95 (263)
charges of fraud involve houses he allegedly purchased"

He said the fraud investigation had a direct bearing on the current case and both cases should be referred to a higher court.

Mr Terence Matzdorff, lawyer for Mr Pather, told magistrate Mr G Olwage his client was ready to plea or note his plea, but Mr Olwage said it was "fair" for the state and Mr Pather that the matter be postponed for further investigation.

A spokesman for the City Council said Mr Pather would keep

his position on the committee until the trial had been concluded.

● It is reliably understood that police are also investigating an exco member's involvement in serious offences related to his election and the possibility that the councillor has unlawfully drawn salaries for non-existent wives.

The council revealed earlier this year it was investigating allegations that a councillor had used a double identity to buy a council house he would not have been entitled to buy under council rules.

GLOVES OFF IN BOUNDARY BATTLE

Racial jibes as ANC, NP spar

CT 19/7/95 (263)

THE LONG-SIMMERING row over boundary demarcations erupted in the provincial government yesterday, as the ANC and NP traded racial insults. **CHRIS BATEMAN** reports.

RACIAL jibes were traded in a row between ANC Western Cape chief Mr Chris Nissen and Local Government Minister Mr Peter Marais yesterday, with each accusing the other of being "servants" of their respective black or white "masters".

The long-simmering feud, integral to the struggle for the support of the coloured population in the local elections, came to the surface after the ANC won a decision to hold a snap debate

Acting Speaker Ms Mampie Ramotsoai (ANC) ruled that a debate on whether public funds should be used for the NP's Constitutional Court action against President Nelson Mandela, should proceed.

Speaker Mr Willem Doman (NP), who is overseas, last month twice rejected an identical request from local ANC legislators.

Mr Marais said he would be "delighted" to thrash out the issue in public debate

He fired a return salvo at Mr Nissen, who earlier labelled him a "loyal servant of his white NP mas-

ly bury Chris Nissen as ANC leader in the Western Cape"

"I'm glad he says I'm loyal because he's a very disloyal servant to his black masters," he shot back

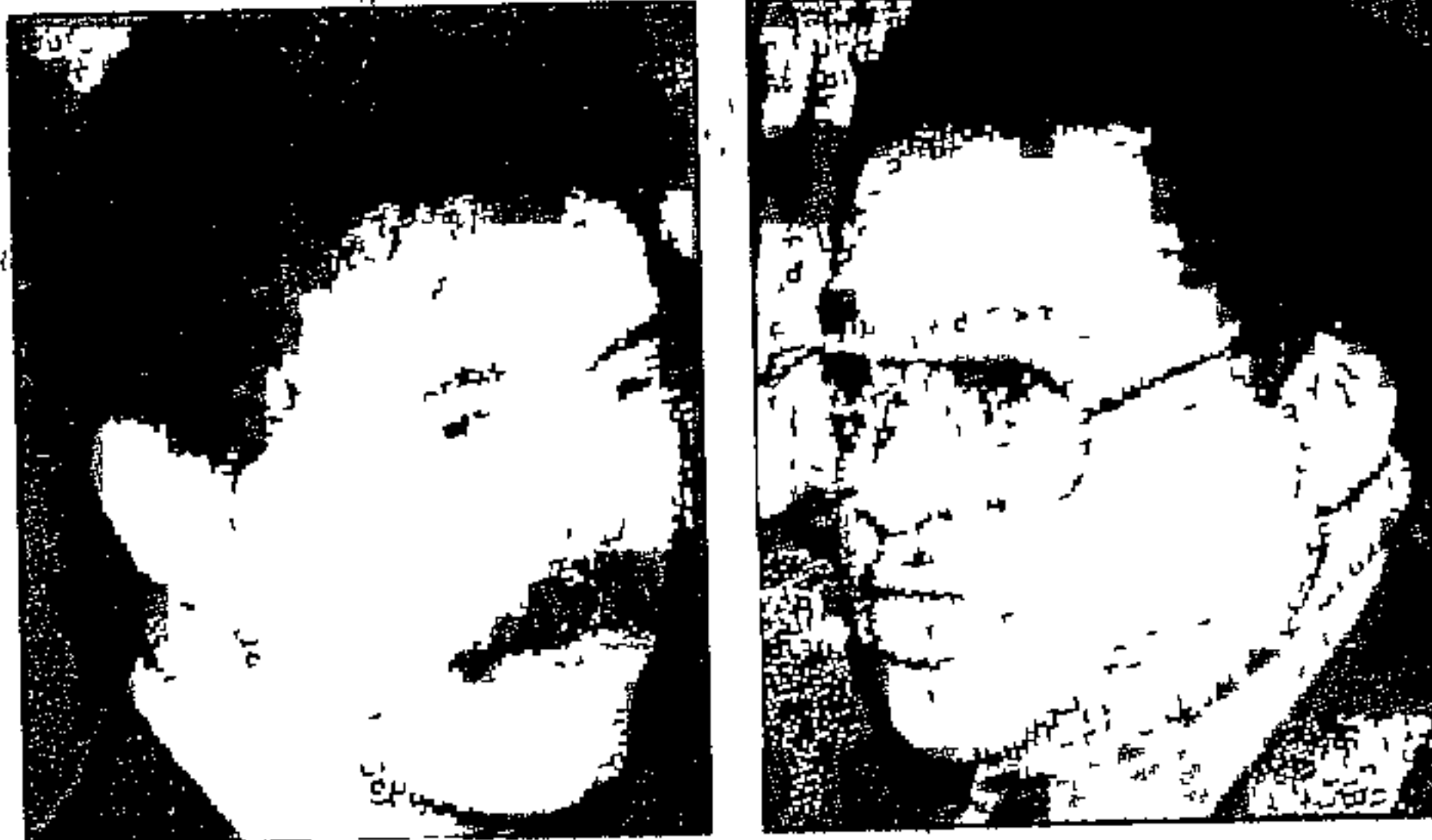
Both men were referring to the emotive demarcation issue of Khayelitsha's exclusion from Tygerberg and inclusion with the massive Southern (Cape Town) sub-structure

Last month Mr Mandela signed into law two amendments overruling Mr Marais' Khayelitsha boundary move

Western Cape Premier Mr Hermus Kriel openly admits taxpayers' money will fund the region's challenge to Mr Mandela's overturning of the election boundaries.

The snap debate is expected to take place next Tuesday

● It was reliably learnt yesterday that no date has yet been allocated to the Constitutional Court challenge, but a provisional date of August 10 has been set for launching the challenge in the Cape Supreme Court.



JIBES: Western Cape ANC leader Mr Chris Nissen (left) and Local Government Minister Mr Peter Marais.

ters in Tygerberg"

Mr Nissen also accused Mr Marais of wanting "at all costs" to preserve a white enclave of privilege in the northern suburbs through "gerrymandering" demarcations.

Mr Marais said the snap debate would give him a chance to "final-

Premier moves on funds claim (263)

Political Correspondent

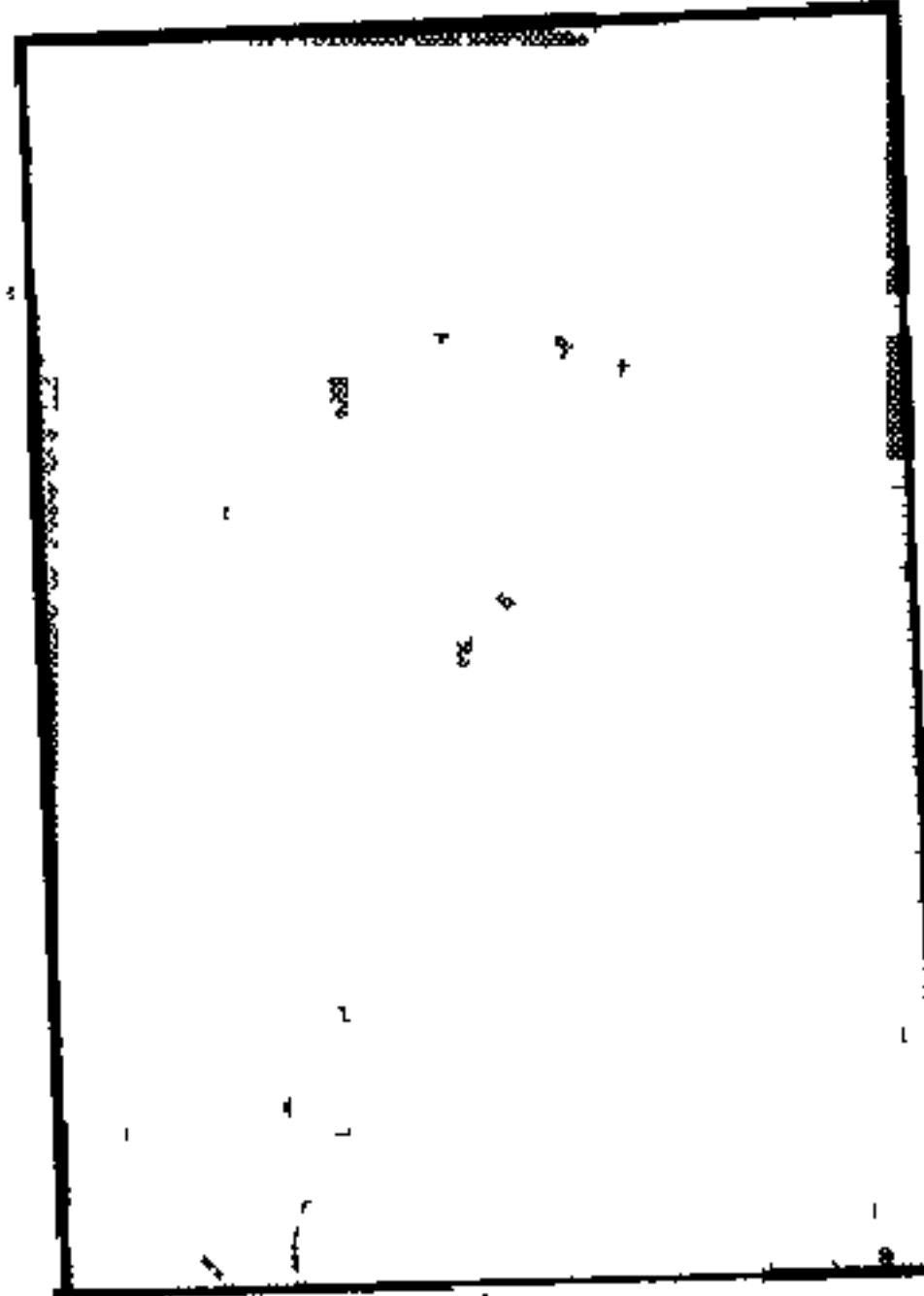
PRETORIA — North West Premier Popo Molefe is studying reports from his MECs about embezzlement of government funds and will make them public next week — but none of the MECs has been fired yet.

The North West government commented yesterday on reports that Mr Molefe would sack three MECs this week in connection with embezzlement.

Spokesman Willie Modise said Mr Molefe needed more time to study the reports being submitted by the departments before he could properly respond. ARG 20/7/95

Mr Molefe has assured the people of the province and the country that swift action will be taken if any individual has contravened government regulations.

He confirmed that a report concerning Media, Arts and Culture MEC Riana de Wet



Popo Molefe

was indeed a serious matter and she was expected to respond to it.

"It must be stressed that the report is of a preliminary nature and a final one still has to be submitted after she has had an opportunity to respond," Mr Modise said.

Bophuthatswana Broadcasting Corporation staff were shocked at the possibility that Ms De Wet could be implicated in embezzlement.

Mr Modise said Mr Molefe had given instructions for the internal audits to be carried out earlier this year and this was aimed at ensuring good governance in the province.



WASTE KICKING: Samwu workers kick at rubbish strewn at the intersection of Durban Road and Voortrekker Road. Pictures PIETER MALAN, The Argus.

Municipal workers in fresh Bellville wages protest march

PIETER MALAN, Staff Reporter
HUNDREDS of South African Municipal Workers' Union (Samwu) members marched down Voortrekker Road today in support of their wage negotiations.

They marched from the Bellville municipal offices towards the Maitland library, where they were to be addressed by their leaders.

Workers are demanding a minimum wage of R1 500 a month.

Although the marchers were much more disciplined than during yesterday's protest in Bellville, some workers overturned dustbins along the way

Yesterday police arrested three men, two policemen were hurt and police dogs bit two protesters when about 500 striking municipal workers brought Bellville to a standstill.

Workers marched to the Bellville Civic Centre yesterday to back demands tabled at today's final round of wage talks between Samwu and the Cape Local Authorities Employers' Association (CLAEO).

The protesters, from Goodwood and Parow municipalities, marched from Goodwood to Bellville along Voortrekker Road, overturning rubbish bins and strewing refuse into the

streets. Shop workers and owners hurriedly closed their doors as traffic on the corner of Durban and Voortrekker roads came to a standstill.

A large contingent of police stopped the chanting crowd.

A scuffle began between police and protesters, but Martin Rābie, Samwu's Tygerberg area chairman, grabbed a police loud-hailer and pleaded for calm.

On the corner of Modderdam Road and Belray Road the march turned ugly. Protesters threw stones when police used dogs to chase them away from the intersection.

ARL 20/9/95 (250) (263) (152)

Council lashed for 'not taking RDP seriously'

Municipal Reporter

COUNCILLORS, and particularly the executive committee of the Cape Town City Council, have been given a tongue-lashing by one of their colleagues for failing to take the RDP seriously.

Senior council officials were also taken to task for being apathetic about the RDP

The criticism comes on the eve of a summit to which 700 people have been invited to discuss an RDP policy document for the province

Leslie Langenhoven, a member of the city council's RDP

ARG 20/7/95
standing committee, said at a meeting to discuss the policy document that the committee was fighting an uphill battle to get other councillors to show an interest in the RDP

"We are battling to get this thing going. We don't get any help from exco or the other standing committees," he complained

"The RDP needs to be driven by the whole council, not by one single committee"

He said the committee was being shabbily treated and not getting the support of senior officials.

The RDP policy document, which has been produced and already adopted by the province, also came under attack for failing to provide any concrete direction for RDP projects

The document was described by council official Hugh Paton as being full of "motherhood and apple pie" without indicating how the province would help municipalities to implement the RDP.

Councillor Ruth Ortlepp said the document was a poor reflection on the provincial gov-

ernment which had been in power for more than a year.

All it did was lay down the goals of the RDP which were already known

Councillors at the summit have been asked to call for an "implementation document" to spell out the role of local government, budget provisions, application procedures for RDP funding and how projects will be selected.

The Cape Town City Council has set aside R15,5 million for RDP projects, but no projects have been pinpointed yet

Council workers picket

(263) (452)
ABOUT 100 members of the SA Municipal Workers Union yesterday picketed in front of the Cape Metropolitan Council in Wale Street demanding wage increases

The union demands a minimum wage of R1 400, and the council is offering a minimum wage of R1 010.

Shop steward Mr Kelly Johnson confirmed that talks had reached "an undeclared deadlock", but said negotiations would resume today. Council staff were not available for comment.

CT 20/7/95

Strand: Restraint on Kriel

(263) CT 20/7/95
STAFF REPORTER

A TEMPORARY Supreme Court interdict restraining Western Cape Premier Mr. Hennis Kriel and Local Government Minister Mr. Peter Marais from disbanding the Strand municipality has been extended to September 9.

The municipality was granted an interim interdict on May 24 pending review proceedings as to whether the Helderberg basin should be incorporated in the Cape Metropolitan Area. Strand forms part of the basin. Under the interdict, Mr. Kriel and Mr. Marais are not to infringe on the Strand municipality's rights by using legislation to disband it.

Meyer spells out needs of

local govt

(263)
PRETORIA: Much work is needed on local government structures in the new constitution, Mr Roelf Meyer said yesterday

The Constitutional Development and Provincial Affairs Minister told the International Roundtable on Democratic Constitutional Development here that the interim constitution was a "political settlement", but the one expected to be finalised next year was a different challenge

"The main objective of the 1996 constitution should be the product of a desire to produce the best constitution possible to reflect the needs of the country," he said

Structures

CT 21/7/95
He said it was possible that a conference would be held to discuss issues such as local government systems and fundamental rights

"A lot of work still has to be done in regard to local government structures" He added that the absence of the IFP from inter-governmental structures was also "a worrying factor"

Constitutional adviser Mr Fanie van der Merwe said the constitution should be reviewed every five years "Our constitution should not become a constitution forever. Anything that does not grow, dies." he said — Reuter

to — and the national interest. By choosing the GNU, De Klerk may be distinguished from Minister of Home Affairs Mangosuthu Buthelezi, whose primary allegiances perennially echo those of KwaZulu-Natal, with disruptive consequences.

De Klerk is apparently above all that — but it exposes his weakness as a party leader in the one province where it really counts. For this reason, any real challenge to his leadership is likely to come from the Western Cape and further split a party that has seen its right wing win permission to constitutionally canvass the possibility of an Afrikaner homeland. The NP at this stage is best regarded as a transitional party.

The ANC has made strenuous efforts to woo the coloured vote — and its choice of Allan Boesak to lead that campaign failed lamentably. Boesak's replacement with Chris Nissen — provincial Minister of Economic Affairs — has also come unstuck. Nissen has announced that he will not stand for re-election to the ANC's regional leadership after the community elections later this year. He has said he wishes to devote himself to "grass-roots" work, and some insiders believe he is fed up with the ANC.

The most common emotional plea made by the ANC to potential coloured voters is that those who suffered together under apartheid belong in the same party. Nelson Mandela attempted to symbolise this by renaming a Cape Town presidential residence "Genadendal" — after a famous Overberg missionary settlement steeped in a tradition of coloured self-sufficiency — but that did not persuade many.

Nor did the injustice of forced removals, most notoriously that of District Six, forge common ground between coloured and black in the Western Cape, where blacks were most forcefully excluded by influx control laws.

Language is an important factor. Afrikaans is the majority language of the coloured people and even Afrikaans literature now fully reflects this reality. There is also the fact that coloured people are growing wealthier, and that in the eternal struggle for public resources like housing and education, they naturally prefer those leaders who can, indeed, understand the community's problems at grass-roots level.

There has been notably less dissatisfaction among coloured people than among blacks at the slowness of government to deliver on electoral promises. They are, after all, in a province dominated by the party for which they voted and in the event of another split in that party would be in a position to determine its electoral fate. There are hints of dissatisfaction about De Klerk's role in the GNU, and Meyer is generally regarded as part-author of the plan that brought the ANC to power.

The division within the NP — and the ANC's seeming inability to capitalise upon

it — is masked to some extent by the fact that few politicians speak openly of a coloured-black divide. That would be politically incorrect; but, more importantly, it would be inopportune to precipitate anything like a regional autonomy struggle in the Western Cape in advance of the community elections.

It is probable, however, that the pattern of voting in those elections will bring matters to a head. If, for example, the ANC continues to make little headway — and it is hard to see any change — the case of those who want a higher prominence for coloured aspirations will be immensely strengthened. And as long as De Klerk — as a loyal member of the Mandela government — continues to repudiate local leaders, as he has been doing, the more his authority in the Western Cape will wane.

For outsiders, some of these considerations seem arcane and even tribal, but if the Western Cape coloured voter again delivers that province to the NP, the time will have arrived for it to define its presence ever more strongly within the NP. There will be pressures for the old white faces of the NP to be replaced by fresher ones, more reflective of the ethnic realities that underpin the party's survival.

Among conservative coloured voters, and particularly Christian ones, De Klerk continues to carry considerable moral weight. He is often seen as a figure who, seeing the error of his people's ways, chose the better alternative. It is this moral force that has held the NP together in the 15 months since its drubbing at the polls, but it is not an incontestable one.

The future of the NP as it stands — still reflecting largely a white perspective on events — depends on De Klerk, as leader, retaining his prestige. This may not last. Given the findings of the Goldstone Report that De Klerk at the very least nominally presided over the efforts of the dirty tricks brigade to smear and otherwise damage the ANC after its unbanning, De Klerk's disclaimers of personal responsibility may return to haunt him in the procedures and debates of the forthcoming Truth Commission.

If the commission can be established in such a way that it enjoys wide public support and credibility, accusations levelled at De Klerk will be correspondingly more difficult to refute. If the commission is seen as an institutional witchhunt, there will be rising clamour within the NP for the party to dissociate itself from government. That would be when the possibility of a real challenge to De Klerk's leadership would succeed — within the Western Cape.

It seems decreasingly likely that De Klerk and the NP will survive the next year unscathed by the complex tug of regional vs centrist loyalties — and the NP's shabby past is a matter that will not just go away. ■

WESTERN CAPE (263)

Political ferment

FM 21/7/95
The battleground for the long-term survival of the National Party is certain to be the Western Cape. In addition, this survival appears largely dependent on the one-time party of apartheid becoming increasingly closely identified with the political ambitions — and, some suggest, nationalist aspirations — of the coloured people.

It was this "constituency" that delivered the Western Cape to the NP in the April 1994 election. And, alone among the provinces, the Western Cape is where the NP actually wields power and influence separate from that held by its leaders — in particular Deputy President FW de Klerk — because of their participation in the Government of National Unity.

This is why the fissure that has opened up within the NP on the demarcation of Cape Town's metropolitan wards has pitted the provincial leaders, in particular Hennis Kriel, against De Klerk and, more pertinently, Provincial Affairs & Constitutional Development Minister Roelf Meyer (*Current Affairs* July 14).

By supporting Meyer against his Western Cape critics, De Klerk can be seen to have made a choice between party-political games-playing at regional level — which is what the demarcation disputes come down

Soweto Nats do the two-step

By WALLY MBHELE

THE DISPUTE over boundaries for the Metropolitan Sub-structures took a strange turn this week when four black National Party councillors serving in the Western (Soweto) MSS were nearly fired for opposing their party's regional position.

The four councillors — including Soweto's deputy mayor, Vionda Banda — took everyone by surprise when they voted along with the ANC councillors for the four-member MSS. The NP demands a three-member MSS.

The NP councillor's vote for the ANC angered their regional negotiators who summoned them to a meeting on Thursday

where they were "reprimanded" and forced to reverse their "embarrassing" decision.

The continuing demarcation dispute in Gauteng, the Western Cape and Kwa-Zulu/Natal may force local government elections to be postponed in these provinces if they are not resolved in time for the November 1 election.

■ The Kwa-Zulu/Natal ANC staged a walkout this week from a Greater Durban Metropolitan council meeting because of the continuing impasse while the Western Cape premier, Hennis Kriel, said he was considering taking the dispute in his province to the Constitutional Court.

The Gauteng cabinet has re-

ferred the logjam to the Special Electoral Court which will make a final decision on August 3.

■ President Mandela has hinted at the possibility of postponing the election in the three affected provinces if demarcation disputes are not resolved.

The NP's vote in Soweto this week has been seen as giving the ANC powerful ammunition against the NP negotiators in submissions to the Special Electoral Court in Bloemfontein.

NP councillors who supported the ANC during the council vote told City Press they had supported the four-member MSS model because if Soweto was part of the central business district, the sprawling township would become economically viable.

"We thought the four-model system will spread the budget equally according to the needs and aspirations of the people of Soweto," said the councillors.

At Thursday's meeting, City Press was told, the councillors were instructed to issue a statement reversing their decision as it had embarrassed the party.

Subsequent to the meeting, councillor Thandi Msimanga issued a statement saying "The Soweto NP confirms their support for the National Party position of a three-member MSS."

The ANC said the vote by the Soweto NP councillors and their sudden "hauling into a meeting by their regional bosses shows the NP is not speaking on behalf of its Soweto constituency."

polls

By NORMAN WEST
Political Reporter

FEVERISH behind-the-scenes talks were held by political parties this week in a final bid to rescue community elections in the Western Cape from total collapse.

It was also learnt that the government of national unity has not yet filed papers in reply to court actions pending in the Cape Supreme Court and the Constitutional Court which were brought against President Nelson Mandela by Western Cape premier HERNUS KRIEL.

Mr Fred Els, of the State Attorney's office, said "The papers are in the process of preparation" No final dates for hearings were therefore available.

The court actions stem from amendments to the Constitution promulgated by the president which effectively stripped Mr Kriel (and his Minister of Local Government, Peter Marais) of constitutionally devolved powers to demarcate municipal boundaries.

This week's secret talks between the ANC and NP over the boundary dispute come on the eve of a crucial week in which vital decisions must be taken on how to schedule the elections nation-wide despite boundary disputes in three provinces — Western Cape, Gauteng and kwaZulu-Natal.

ANC and NP sources confirmed that "sensitive" talks were taking place — and could continue this weekend — aimed at saving the November 1 elections from being postponed and possibly avoiding the court actions.

A special snap debate will take place in the Western Cape legislature on Thursday over whether the taxpayers should pay for NP-initiated court actions.

It is understood ANC Western Cape leader, the Rev Chris Nissen, will lead the onslaught against the NP and that Mr Kriel will himself lead the NP team in what could be a no-holds-barred verbal brawl.

The Constitutional Court was scheduled to hear the Kriel matter after August 14, but it was reliably learnt that court officials were hoping a political settlement could obviate court action.

It is understood Mr Kriel would welcome a political settlement, but sources said he was not prepared to give "one inch" to ANC demands that the black residential area of Khayelitsha be included in the northern Tygerberg municipal structure instead of Central Cape Town, as proposed by Mr Marais.

The other case, provisionally put down for hearing in the Supreme Court on September 10, challenges central government's contention that two of Mr Marais's appointments to the Western Cape Provincial Committee were invalid.

National government talks this week resulted in a media release that elections will go ahead in six provinces, while a different approach may be necessary in kwaZulu-Natal, Gauteng and the Western Cape.

ST (CM) 23/9/95 (E63)

Dramatic bid to save

Stellenbosch council in debt crunch

ALL 27/7/95

COLIN DOUGLAS
Staff Reporter

THE spectre of bankruptcy hung over the Stellenbosch Transitional Council this week after African National Congress-linked councillors overturned a proposal that would have seen legal action taken against residents who owe money for rates and services.

The total arrears had almost doubled in the past two months, from R3,1 million to R6 million, said corporate services committee chairman Koos van Schoor at the council's monthly meeting. His committee had urged "drastic measures" to halt the spiralling debt.

"If we don't take a decision

now, we'll be signing our own bankruptcy," he warned, proposing that residents in arrears be given until August 30 to settle their debts, failing which their cases would be handed over to the council's lawyers.

Mr Van Schoor's proposal was defeated by 14 votes to eight after acrimonious debate, and the council instead referred the arrears question to a committee.

"I can't believe there can be so much debt for so little service," said ANC councillor Reggie Moses, who accused Mr Van Schoor of creating a fictitious perception that white residents were subsidising their black and coloured counterparts

Executive committee chairman and ANC councillor Faghrie Patel said it was because of the pain caused by apartheid that people had not paid their accounts and it was a mistake to levy charges on informal settlements like Smartie Town.

"We have to encourage people to pay for their services," said ANC councillor Doreen Hanu, "but we should not hand them over to the attorneys — we should get individual agreements."

However, while legal action was given the thumbs-down, the council unanimously accepted a related proposal that debt which had arisen after January 1994 would not be written off.

It approved a resolution — also from Mr Van Schoor — that a committee be established to review "compassionate cases" (deernisgevalle) where residents were unable to pay their arrears.

Mr Van Schoor hit back at his critics, saying apartheid-related arguments were unfounded because the only debt to be recovered was that which had been incurred after January last year.

Although the government had allocated R1,1 million to cover the debt owned to the Stellenbosch council by the former Khaya Mandi council, this had been R1 million short of the amount needed

(263)

Council has 'too many coloureds'

MUNICIPAL REPORTER

COLOURED employees were over-represented on the Cape Town City Council, director of affirmative action Mr Gavin Pieterse disclosed yesterday.

He was delivering an address on affirmative action to a gathering of about 800 town clerks, most of whom are white and male.

Several speakers from the floor said during question time it was "pathetic" that there was "not one face other than white on the executive of this body".

There was a call from the floor for chief executives to take early retirement to make room for others "more representative of the total complexion of our society".

A black delegate won a strong round of applause when he said the criticism was unnecessary, as "attention is already being given to the matter".

Mr Pieterse said affirmative action was still uncharted territory for municipalities and urged the town clerks to "use what works".

His office had found that 73% of Cape Town City Council employees were coloured, 23% white, and 3% African, he said.

The whites tended to be at the top, the coloured people below them, and the Africans at the bottom, "like Irish coffee".

Each department had to negotiate affirmative action targets with its branches, he said, because "you can't put a generic process in place". It was harder for highly technical sections to reach such targets.

Changing

The new president of the Institute of Town Clerks, Mr Keith Nicol of Cape Town, told delegates that the composition of the institute's executive committee was being discussed.

A proposed change in the constitution "makes provision for co-option" on to the executive. Although the institute "does not reflect the population of the country", its complexion was changing.

CT 27/7/95 (178) (2b3)

War of words in Caledon

WILLEM STEENKAMP

ET 27/7/95

(263)

A WAR of words is brewing in the transitional council of Caledon, where councillors are accusing each other of misappropriation of funds and racism

Last week Caledon Community Association (Calca) councillor Mr Errol Tobias — who shot to fame 15 years ago when he became the first black rugby Springbok — introduced a motion of no confidence in mayor and transitional council chairman Dr Theuns Oberholzer.

In the motion, which was defeated, Mr Tobias accused Dr Oberholzer of "arrogance and racism"

Dr Oberholzer denied an allegation yesterday that he had sued Mr Tobias for defamation, but refused to comment further on the matter as it was in the hands of his attorney

However, both Dr Oberholzer, an independent councillor, and ANC councillor Mr Claude de Bruyn claimed yesterday that Calca had last year collected funds for a "development project", but then used the money to fund a holiday for Calca members to the Wild Coast Sun

Mr De Bruyn said he had reported the matter to the police, but that no action had been taken until now

But Mr Tobias said yesterday the allegations surrounding the trip were "twisted", as there had been no question of a development project and the Calca members had collected the money specifically for the trip. He claimed Mrs De Bruyn had gone on the trip

Demarcation rows continue unabated

28/7/95

(263)

Edward West and
Mduduzi ka Harvey

CAPE TOWN — The Cape metropolitan substructure demarcation row between the NP and ANC showed little sign of abating after a snap debate in the Western Cape legislature yesterday.

This comes after Cabinet decided on Wednesday to proceed with the local government elections in November, but to allow those local authorities not yet ready to go to the polls at a later date.

Yesterday's debate, called for by the ANC, was about the use of public funds to pay for a court action by the province against central government regarding the constitutionality of amending the Local Government Transition Act to overturn local government MEC Peter Marais' controversial boundary decisions.

Western Cape ANC leader and provincial economics MEC Chris Nissen said the taxpayers' funds were being used to pay for an action against democracy.

DP leader Henne Bester said the ANC had been too happy to enter into closed door negotiations with the NP to redraw boundaries and shift around blocs of people as if they were "nothing more than toilets in the veld".

Marais said the demarcation row was no longer a fight between the NP and ANC, but a fight to restore and protect the integrity and autonomy of the Western Cape.

He said the money to be spent on the legal action could be prevented if the ANC simply accepted the NP boundary proposals or asked President Nelson Mandela to reverse the Act's proclamation.

Meanwhile, Johannesburg business and ratepayer associations have shown their discontent at the political wrangle over the city's boundaries, saying the ANC and NP were disregarding the democratic and representative process which recommended the establishment of seven substructures.

Farouk Chothia reports from Durban that the ANC and IFP differed in opinion on how the Cabinet decision to allow local government elections to be staggered would affect their campaigns.

ANC KwaZulu-Natal local government head Mike Sutcliffe said the ANC's campaign would be costlier because it would be more difficult to co-ordinate.

IFP election campaign deputy manager Anthony Grinker said staggered elections would assist the IFP's campaign, which would be grassroots-oriented and cheaper to organise, while a negative aspect was that it would be difficult to keep a volunteer contingent going for six months.

ARG 28/7/95
**Metropole
negotiating
forum to (263)
be formed**

Municipal Reporter

CAPE Town City Council has endorsed an agreement to establish a metropolitan chamber of the industrial council, which will embrace all municipal employers and employees in one bargaining forum in future

The agreement, which has been negotiated with the unions and local authorities, was officially agreed to at the council's monthly meeting.

The formal establishment of the chamber will take about three months

On the employer side, the Cape Town City Council will have seven delegates while the Cape Local Authorities Employers' Organisation will have six.

Neil Ross of the Democratic Party said the document was a "landmark agreement".

It would also ensure the same rates of pay throughout the metropolitan area, ironing out discrepancies such as, for example, that a dustman in Fish Hoek earns half that of a Cape Town City Council employee

This in turn would help resolve labour disputes during the transitional period, particularly with regard to transfers from one municipality to another.

NP to stand firm in municipal boundaries battle with ANC

(2/13)

APR 28/9/95

□ Big row in legislature

MICHAEL MORRIS, Political Correspondent

THE National Party has made it clear it is not going to capitulate in the feud with the African National Congress over municipal boundaries in the Peninsula

Negotiations over boundaries are expected to continue after a fiercely-contested debate in the provincial legislature

The NP, facing a barrage of criticism in the legislature yesterday from its chief opponent, the ANC, as well as the Democratic Party and Freedom Front — and even, for a while, from the public gallery — dismissed charges that it had gerrymandered municipal boundaries and claims that going to court over the controversy would waste taxpayers' money

Premier Hennis Kriel said the NP was willing to settle, but not to "capitulate"

The NP had not done anything "unlawful" in the demarcation process and challenging the central government's "interference" in this provincial matter was legitimate

Legislators launched deafening salvos across the floor during the 75-minute debate, and Deputy-Speaker Cecilia Ramotsama intervened several times to restore order, and even to silence members of the public packed into the gallery

Provincial ANC leader and Minister of Economic Affairs Chris Nissen led the ANC's attack, saying the hundreds of thousands of rands that the court case would probably cost would be better spent on reconstruction and development in the province

Legal action would also delay democracy at local government level, the level that meant most to the people of the province

He said it was a travesty that while essential provincial services had had their budgets cut, a huge sum was to be spent on the NP's "self-centered political indulgence"

But the ANC was "willing to reopen" debate on the controversy

Embattled Local Government Minister Peter Marais hit back, saying "No money spent by the state to make our courts the final arbiter in dispute should be considered a waste"

He added that the dispute was no longer merely a fight between the NP and the ANC over boundaries, but "a fight to restore and protect the functional integrity of the Western Cape as an autonomous region"

Mr Marais also charged that the row over the boundaries was being spurred by a "faceless power clique" in the ANC in the province, and that the absence of agreement on demarcation was a reflection of the ANC's "fear of the coloured vote"

He challenged Mr Nissen to a public debate on the controversy anywhere on the Cape Flats

Democratic Party leader Hennie Bester said the "real waste of taxpayers' money we should be talking about is not the court actions, but the cost of financing the Demarcation Board, and appointing Deloitte and Touche to comment on the board's proposals, and then throwing the entire process of consultation out of the window and drawing your own (Mr Marais's) boundaries"

The DP believed the NP's course of action was "unlawful" and that Mr Marais "is gerrymandering boundaries purely to suit the electoral interests of the National Party"

Mr Bester also criticised the ANC, saying "It does not emerge with too much honour from this affair, having been too happy to enter into closed-door negotiations with the NP"

Freedom Front legislator Eleanor Lombard said the NP had sold out voters in the Kempton Park talks by failing to entrench provincial autonomy, and it was no use trying to secure it now

She also accused the ANC of failing to live up to its promises of consultation, transparency and seeking to create national reconciliation

PAC protesters take hostage (263)

Municipal Reporter *ARL* 28/7/95

CROSSROADS Town Clerk Andries Wessels was taken hostage today after members of the Pan-Africanist Congress protested against not having any seats on the transitional council.

PAC MP Patricia de Lille was called to mediate at the Crossroads PAC office, where Mr. Wessels was being held.

One of the workers said Mr. Wessels was taken from his office in Crossroads to the PAC office about 8 am today. He was unhurt.

Mrs. De Lille said the PAC members had unsuccessfully been seeking a meeting with the Crossroads town council for a week.

When they were told today they would be able to see the council only next week, they "got fed up" and took the town clerk hostage.

She said police were standing by.

'Protest bus' to fight Cape demarcation

ARG 28/7/95 (263)

□ *Mayors to gather 'anti' signatures*

Southern Reporter

MAYORS and local councillors from the entire southern Peninsula will pilot a "protest bus" tomorrow through their constituencies to collect signatures in protest against the "Marais proposal".

The Western Cape Minister for Local Government Pieter Marais recently overturned local government boundaries recommended by the Demarcation Board.

His revision lumps the South Peninsula (population about 340 000) into a much greater area, taking in central Cape Town and most of the Cape Flats and Atlantic seaboard suburbs, with a population of over two million.

The bus will distribute a map and pamphlet explaining objections to the new proposals.

The councillors — from Hout Bay, Scarborough, Simon's Town, Fish Hoek, Noordhoek, Kommetje, Ocean View, Constantia, Wynberg, Ottery East, Grassy Park and parts of Cape Town city — include members of all political shades.

"A local authority of this size can never be accountable or responsible to its people" said Mr Andrew Ross-Munro, a member of the informal joint executive committee for the southern suburbs, and Constantia's mayor.

"We feel that effective demo-

cratic government is under serious threat. In a population of 2 million, individual voices will just not be heard. This is a fight we have to win, and we are calling on the people to help us."

The bus will leave Jubilee Square in Simon's Town at 8 30 am, then travel to Fish Hoek (9 am), Kalk Bay, Muizenberg, Lakeside and Tokai's Blue Route shopping centre (10 10 am). From there it goes to Constantia Village, Plumstead, up Wynberg Main Road (11 45 am), and then to Ottery Hypermarket (12 30 pm), Grassy Park and Retreat before returning to Simon's Town about 1 45 pm.

Court action debate draws

noisy voters

ET 28/7/95 (263)

CHRIS BATEMAN

HUNDREDS of noisy voters packed the Western Cape government's galleries yesterday as a dramatic debate on the public funding of the province's Constitutional Court challenge against Pretoria unfolded.

Acting Speaker Ms Mampie Ramotšamai was forced to appeal to the public gallery not to clap in support of ANC chief Mr Chris Nissen's call for re-opening demarcation negotiations to enable November 1 elections in the province.

Later, when Local Government Minister Mr Peter Marais objected for the second time to public interjections, she asked police to identify the offenders and warn them that they would be ejected if they repeated the offence.

The debate was about the NP's decision to legally challenge President Mandela's declaring invalid Mr Marais' alteration of his powerful provincial committee (which vets vital demarcation decisions).

Premier Mr. Hernus Kriel admits taxpayers' money is being used to pay the legal costs.

The ANC accuses Mr Marais of loading his provincial committee with NP supporters.

BRIEFS

Council houses sell briskly

CT 28/7/95

COUNCIL-OWNED houses are being sold to their occupants at a rate of 600 a month in the Cape Town municipality, according to a report before the council yesterday. In a scheme introduced in the city a year ago, the houses may be bought by their occupants at a R7 500 discount.

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Cape govt in 11th-hour bid to save local elections ⁽²⁶³⁾

ST(EM)30/7/95

THE Western Cape government late yesterday made an eleventh hour offer to withdraw its court challenges holding up local elections in the Cape Metropole if central government accepted a new five sub-structure proposal

This offer, the latest proposal in the long-running demarcation battle between the National Party and the African National Congress, would see the original Southern sub-structure hived off from the enlarged Central sub-structure proposed under the four sub-structure system

The proposal was contained in an urgent fax sent to the State Attorney's Office by the legal advisers of Premier Herinus Kriel and Minister of Local Government Peter Marais "in the spirit of reconciliation and so that the elections can take place as soon as possible"

The offer of settlement was subject to

- The proposal being accepted by central government by midnight tomorrow night,

- The Provincial Committee appointed by Minister of Constitutional Development Roelf Meyer, in terms of amendments to the Constitution being signed into law by President Mandela, approving the new Kriel/Marais five-structures proposal within 48 hours after acceptance of the new proposal

In return the Western Cape government has undertaken to withdraw both the Supreme Court and Constitutional Court actions

In the new compromise proposal, the Cape Metropolitan inner boundaries would, if accepted, consist of a Northern sub-structure, Helderberg, Central (including the whole of Khayelitsha, comprising

By NORMAN WEST
Political Reporter

Lingeletu West and the rest of the area), and a Tygerberg sub-structure, incorporating the proposed Eastern structure (including Blue Downs, Epping 2, Bonteheuwel as well as Guguletu, Nyanga and Crossroads)

The fifth sub-structure would be the Southern sub-structure as prescribed by the Western Cape Demarcation Board and comprising Cape Point, Simon's Town, Scarborough, Fish Hoek, Wards 12 and 16 and part of Wards 15 and 17 of the Cape Town City Council, Constantia and Hout Bay

The new proposal is, however, substantially the same as that proposed by the Deputy Minister of Provincial Affairs, Valli Moosa, which was rejected at grass-roots level by the ANC

The return of an independent Southern sub-structure would favour the Democratic Party, which regards it as its stronghold. It would also cool temperatures in ratepayers' associations, civic bodies and municipalities in the area who have threatened revolt if they were forcibly lumped with Cape Central.

Repeated attempts yesterday to contact the ANC for comment were unsuccessful

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Mine safety 'needs attention'

Renee Grawitzky (R/G)

BD 31/7/95

THE mining industry, with its unacceptably high fatality rate, should enact the Leon commission recommendations immediately without waiting for new health and safety legislation, Mineral and Energy Affairs Minister Pik Botha said.

In his keynote address to the Southern African Miners' Federation (SAMF) in Broederstroom yesterday Botha said. "If one life is saved, it is worth it.

"Of 19 countries listed in an International Labour Organisation (ILO) table summarising fatal mining accidents per year, 13 have better safety records than SA, with Zimbabwe coming close to SA's rates

"Each ton of gold produced in SA costs an average of more or less one human life and 12 seriously injured miners"

The mining industry was a major contributor to national economies in the region and mineral exports in SA contributed 65% of forex earnings

He said because of mining's importance, "it is in both management and labour's interests that you strive for a management/worker partnership rather than being

antagonists"
NUM president and president of the federation James Motlatsi said. "We are concerned about rebuilding our economies, but that is not our job. Our job is to protect the diverse interests of mineworkers. For me this means primarily raising the standards of health and safety, and abolishing the migrant labour system as it operates in southern Africa"

Motlatsi said the adoption of the Safety and Health Convention by the ILO in June was "a major victory for mineworkers across the globe. The challenge is for each affiliate to persuade its government to ratify this important convention."

Miners' International Federation (MIF) general secretary Peter Mitchalzik said the increased international unity among mineworkers had made it possible "to impose our will on governments and employers to get the convention adopted"

Mitchalzik said despite changes in the international arena, the labour movement had to be changed and adapted to the same extent. He called for greater unity between unions operating in the mining, energy and chemical industries

D-day for (263) Cape Town

Edward West (E/W)
BD 31/8/95

CAPE TOWN - Western Cape premier Hernus Kriel has warned that today is the last day for a political solution to be found to the Cape Town demarcation row in order for local government elections to go ahead in November

The warning came as the province submitted an 11th-hour proposal at the weekend in which it offered to withdraw its Constitutional Court and Supreme Court actions against central government if a new five-substructure Cape metropolitan plan was approved by negotiators.

"The ANC must note that July 31 is the final cut-off date because there are still a lot of statutory regulations that must be complied with before the elections can take place," Kriel said. He called on the ANC to complete its consultative process over the weekend

In a letter from the province's legal team, the provincial government said the proposal was subject to the provincial committee, appointed by Constitutional Affairs Minister Roelf Meyer, accepting the new five-substructure proposal within 48 hours after negotiators had accepted it

When it comes to service excellence, are you better than your competitors?

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Service excellence has become a marketing cliché but few companies really know how to deliver or how to monitor service. This programme enables managers to achieve a genuine customer orientation and to deliver above-average results in market leadership and profitability.

The programme covers managing service on a holistic basis including measuring service, restructuring to support service and essential planning activities. Participants will be exposed to the

latest local and international ideas and practices and their relevance in the South African context. This programme is particularly suited to managers in service industries such as leisure, health, education, transport, and financial services.

The programme will run from August 21 to 23, 1995.

More information and application forms may be obtained from Jacquie Heinecke on (011) 488-5600 or fax 643-2336.

Court dare: Cape offer

OT 31/7/93

(263)

POLITICAL STAFF

THE Western Cape's last-minute offer to withdraw its court challenges to the central government regarding the demarcation dispute could pave the way to a settlement in the dispute.

Late on Saturday, the province's legal advisers faxed an offer to withdraw its court challenge provided its proposal for five sub-structures in the metropolitan area was accepted by the central government by midnight tonight.

But local ANC sources believe

agreement on the latest NP proposals is "unlikely". They stressed last night no decision could be taken until its structures in the areas — Khayelitsha and Langa and those in Guguletu, Nyanga and Crossroads — had been consulted.

● Mayors and councillors from over ten Southern Peninsula towns piloted a "protest bus" through their constituencies on Saturday to oppose a proposal by Local Government Minister Mr Peter Marais that central Cape Town and most of the Cape Flats be included in the South Peninsula.

Boundaries: ANC studies NP offer (263)

POLITICAL STAFF

THE ANC's top Western Cape officials meet early today to discuss a formal response to the NP's legal offer to withdraw their Constitutional Court challenge in return for the NP-favoured five Cape Metropole sub-structures.

This follows an extension by the NP of yesterday's midnight deadline to 6pm today.

The ongoing battle centres in how the boundaries are drawn up for the upcoming local municipal elections, with the NP widely accused of "gerrymandering" them in their political favour.

Yesterday the ANC took exception to the "short time" given for a response to Saturday's new offer — saying it gave them insufficient time for proper con-

sultation of party structures.

Last night, regional Economic Affairs Minister and ANC leader Mr Chris Nissen said a basic approach to the impasse was that "we don't want to reach a political settlement at the expense of a viable, sustainable service delivery".

The NP "offer" — first suggested by Deputy Constitutional Affairs Minister Mr Valli Moosa during marathon negotiations early last month — could not be sold by the ANC's negotiators to their black township constituencies.

It involves Khayelitsha, Langa, Brown's Farm, Philippi East and Pinelands being included in the central (Cape Town) sub-structure and Tygerberg taking on, among others, Guguletu, Nyanga and Crossroads.

ET 1/8/95

W Cape parties in fresh row over demarcation

(263) ARG 1/8/95

ANDREA WEISS
Municipal Reporter

A NEW row has broken out over the Western Cape's municipal boundary demarcation crisis after claims that the National Party was told by lawyers it would lose its constitutional court challenge on the issue.

Claiming the NP court bid was a "gamble", an African National Congress provincial MP said the NP had been told its constitutional challenge did not have much chance, "so it's under increasing pressure to seek a desperate settlement".

But this was denied by Western Cape Premier Hernus Kriel, who said "We wouldn't have started a court action if we didn't believe we had a chance".

The latest claims came as efforts to resolve the boundary dispute faltered once again with the ANC rejecting an offer by the NP to drop its legal

action in exchange for boundaries proposed by the NP.

The NP wants to combine Khayelitsha with Cape Town while grouping Guguletu, Nyanga and Crossroads with Bellville, and leaving the south Peninsula on its own.

The deadline for the plan was midnight last night, but indications were that this would shift as negotiations proceeded.

Earlier yesterday, the Unify the City Campaign rejected the NP option and insisted that due process should be followed in terms of the Local Government Transition Act.

This would include putting the Demarcation Board report to the reconstituted provincial committee and going to the electoral court to settle the matter if necessary.

At a Press conference to announce this, ANC provincial MP Cameron Dugmore said the NP had been "gambling".

Mr Kriel said the NP had

initiated efforts to settle the dispute because "there is no leadership in the ANC".

Also at the Unify the City Press conference, Ikapa town councillor Arthur Jacobs said he could not sell the NP plan to his constituents.

African Christian Democratic Party member David Statham said there was no point in holding an election if the populace was not behind it.

Mr Statham said it appeared that provincial Local Government Minister Peter Marais had bowed to pressure from the mostly white residents of the south Peninsula to give them their own municipality while ignoring the wishes of predominantly black people in Khayelitsha.

He said it was imperative that the new municipal dispensation was broadly acceptable to the people and not forced on them as was done "for the last 48 years".

Residents 'no' to Marais's boundary plan

□ 1 000 people sign 'bus-ride' petition
ARC 1/8/95 (263)

Southern Reporter

SOUTHERN suburbs residents have given an emphatic "no" to the proposals of Pieter Marais, Western Cape Minister of Local Government, regarding the boundaries for Western Cape local authorities

When interim mayors and councillors took a bus ride around the Peninsula at the weekend to inform the public of the current situation, more than 1 000 people signed a petition stating that the southern suburbs' sub-structures were in agreement that the Demarcation Board's proposals should be retained

The petition has been delivered to Mr Marais

Simon's Town's town clerk, Kobus Marais said "The overwhelming majority of people canvassed were in agreement with the petition, presenting a unified front across the political spectrum"

The mayor of Fish Hoek, Beverley Janssen said "It was an exciting project and one through which we hope to have made people more aware of the situation

"In Fish Hoek people were both well informed and supportive"

Among the councillors on the trip were those from Hout Bay, Scarborough, Simon's Town, Fish Hoek, Noordhoek, Kommetjie, Ocean View, Constantia, Wynberg, Ottery East, Grassy Park and some areas of the city of Cape Town

The proposal to involve all councillors in the project was taken at an informal joint executive committee meeting

Should Mr Marais succeed, the whole of the southern suburbs will become part of a huge new Cape Town sub-structure of more than two million people

In the opinion of the council-

lors involved in the project, it would be impossible for a local authority of this size to be accountable and responsive to its people

If the area is retained as recommended by the Demarcation Board, the population will be 340 000

"If Mr Marais gets his way it will be impossible for the public to have their voices heard or to get action on things which matter to them," said one of the councillors

Opinion was canvassed from Simon's Town, along the Main Road to Tokai, Constantia, Hout Bay, Plumstead, Wynberg, Ottery East, Grassy Park and Retreat

The action of these town councillors will link with a wider campaign, spearheaded from the city to unite all authorities and the public in the metropole behind the Demarcation Board proposals

Border row is about winning votes

BARRY STREEK
POLITICAL STAFF

THE lengthy and often tedious debate about the demarcation of the Cape Metropolitan municipal boundaries is, in the end, about the hard realities of practical politics and winning votes at elections.

And veterans of the old National Party in the Cape were schooled in a tough political machine, whose foundations were laid by its one-time provincial secretary, Mr PW Botha, who later became the party's leader in the province.

Whatever else may be said about the former president, there can be no dispute that in the days of all-white politics he built an election team that could only be admired for its effectiveness - and for knowing every trick in the book.

Coloured voters

It was within these structures that people such as Mr Hernus Kriel, Mr Lampie Fick, Mr Kobus Meiring, Dr Dawie de Villiers and others learnt about the techniques and strategies of winning elections, and then controlling legislative and executive bodies afterwards.

Of course, much has changed since those days, particularly for the National Party which in the Western Cape, the only province it controls outright, is now very dependent on the continued support of coloured voters, even if significant elements of the NP's old guard still fail to come to terms with this fact. It galls people in the ANC camp that people such as Mr Abe

Williams, the Minister of Welfare, have been able to read the political mood of coloured voters better than they have, but the new Nationalists were able to build on the efficient NP machinery to give the party victory on April 27 last year in the Western Cape.

So, what did the Demarcation Board's original proposals mean to the hard-nosed election-orientated NP politicians? It meant a real danger of losing the greatest prize of all in the local government elections structure - the Cape metropolitan area. They concluded that the allocation of Khayelitsha to the Tygerberg sub-structure could give the ANC or a non-Nationalist alliance overall control of the metropolitan area.

NP organisers are confident they will win every local government election in the Western Cape, but they could only achieve overall control in the Cape metropole if the ever-growing Khayelitsha was allocated to the central sub-structure.

So, despite all the damaging political consequences of disrupting the agreed process, the NP resorted to time-honoured tactics, such as loading the Provincial Committee, over-riding the Demarcation Board, and ignoring the Kempton Park agreements.

It stands accused of gerrymandering, bad faith and manipulation, but seems to have decided that this is too bad, and that if Tygerberg gets Khayelitsha the party has a

It galls those in the ANC camp that people such as Abe Williams have been able to read the political mood of coloured voters better than they have.

serious problem.

The NP attempted a "foefie" at first by proposing that nearly all the predominately African areas, and the proposed Southern sub-structure, be placed into one structure with more than two million voters. Why, that way they could have virtually all the ANC, DP and PAC in one structure while they controlled the

other three. Like any shrewd political organisation, they had a fall-back position, essentially the "compromise" proposed late on Saturday - but with Khayelitsha still firmly in the Central sub-structure. This might have left the NP with three sub-structures and its opposition with two, with the Southern sub-structure reinstated.

It is, perhaps, understandable that there are fears among Nationalists that the ever-growing and heavily under-resourced Khayelitsha will be a political disaster for whichever sub-structure it goes to, particularly as it appears to be overwhelmingly ANC.

Indeed, some of the problems have been underlined by Wolfgang Thomas, Wesgro's economic development co-ordinator, in a recent article in *Indicator SA*. He points out that the African population in the Western Cape doubled from 285 000 in 1980 to 585 000 in 1985 and thereafter once more to an estimated 1.2 million in 1995. Thomas says the rapid migration of rural Africans to the greater Cape Town area has "created

major backlogs in the supply of even the most basic housing and other social development amenities. If these backlogs are not addressed, the region's social fabric could be endangered, with serious consequences, spilling over into the economic sphere."

New migrants

Jerry Eckert of the Department of Agricultural Economics at the University of Stellenbosch, also writing in *Indicator SA*, adds that "theory tells us that new migrants will exceed new jobs (in greater Cape Town) by perhaps two to one."

These realities will not, however, change with the allocation of Khayelitsha to one or other sub-structure. The issue is, rather, one of short-term political targets in the local government elections about the overall con-

trol of the Cape Metropolitan structures.

In ANC circles this week, it was suggested the migration of rural people from the Eastern Cape had dropped off markedly recently, particularly because people did not want to live under an NP government again and because order and some economic growth was beginning to take place in the former homelands in the Ciskei and Transkei.

It is also stated emphatically that the people of Khayelitsha insist that they are part of the broad Tygerberg area, where they spend their money, and not part of Cape Town.

In the end, though, Nationalist short-term strategies have dominated the whole process, and if, as seems likely, a more divided Cape Town results, this will be both tragic and unnecessary.

Medal nominations invited

THE Cape Times invites entries for its prestige Centenary Medal Award this year. The programme, unique in the Cape, was inaugurated in 1976 to mark the centenary of the Cape Times and is intended to promote and recognise outstanding achievements in the field of conservation - of buildings, historic precincts and the natural environment.

In the past 19 years, 90 medals have been awarded. The four categories are: non-professional individual or group; corporate (public authorities, private companies and institutions); and youth (individuals or groups under 19 years of age).

The three provinces eligible for the award are the Western Cape, Northern Cape and Eastern Cape.

Nominations with a written motivation and supporting documentation and photographs must reach the Executive Officer, Cape Institute of Architects, Box 3952, Cape Town 8000, not later than Friday, September 1.

Boundaries row 'crippling local govt'

CHRIS BATEMAN

LOCAL government in the Western Cape is collapsing in the void created by the province's demarcation impasse, as incompetent interim councillors jostle for positions, says Local Government Minister Mr Peter Marais

Singling out Rawsonville, Hermanus and Bitterfontein, Mr Marais claims ANC division on the NP's final demarcation offer for the Cape Metropole is responsible for local government "slowly deteriorating and collapsing"

"Councillors are incompetent, have no knowledge of municipal

ET 3/8/95
affairs and see themselves as either statutory or non-statutory — ingredients for tension," he said

The prospect of this scenario continuing was the reason the NP had compromised by separating the southern sub-structure and proposing Nyanga, Guguletu and Crossroads for Tygerberg in ex-

(263)
change for Cape Town taking Khayelitsha

The ANC rejected this and insisted the NP withdraw its Constitutional Court challenge to the central government

Mr Marais said his party's court action was in defence of provincial autonomy

NP boundary deal rejected

CHRIS BATEMAN

THE ANC yesterday rejected the National Party's deadline for them to accept a deal giving Khayelitsha to Cape Town in return for Tygerberg taking on most other local black suburbs — and came up with an arbitration counter-proposal

The NP had offered to withdraw their Constitutional Court challenge against Pretoria if this deal was accepted

ANC provincial chief Mr Chris

Nissen said "We've looked at the NP proposal and find it unacceptable — instead we've looked for a process that can reduce the heated debate and solve the problem"

The ANC wanted the court challenge withdrawn and the provincial committee, as reconstituted by the President, recognised by the NP and for it to immediately begin considering the Demarcation Board's proposals

If no consensus was reached between the committee and Mr

CT 2/8/98 (263)
Marais, then an urgent sitting of the constitutionally-created Electoral Court should be arranged for Friday and its arbitration findings be made binding, he said.

Mr Marais said last night that he was still prepared to "immediately" recognise the provincial committee — if the ANC accepted his party's proposal.

"It boils down to me recognising the central government's right to strip us of our powers — the elections can't go ahead anywhere

if I don't recognise the committee as reconstituted," he said

The provincial committee must agree with Mr Marais on all demarcated election boundaries before they are finalised

Mr Marais accused the ANC of "stalling because they are not ready for an election, organisationally or financially"

Election organisers yesterday said the chances of the Western Cape meeting the November 1 elections date "had evaporated"

4 2/8/95

ANC offers plan to end Peninsula poll dispute

Staff Reporter

THE ANC has rejected the National Party's offer of settlement to enable local government elections for the Cape metropolitan area to go ahead on November 1, and is pushing for new procedures

The NP had proposed Cape Town would take Khayelitsha in return for Tygerberg taking on most other black suburbs in the metropolitan area.

But in a counter-proposal, ANC provincial leader Chris Nissen suggested the Western Cape regional government withdraw its court case against President Mandela's government immediately, reconstitute the provincial committee with three statutory and three non-statutory members — including Kam Chetty and Cecil Herandien — and that the committee meet immediately to consider the Demarcation Board's proposal of six sub-structures for the Cape Town metropolitan area.

The ANC said every attempt had to be made to settle the boundary dispute by the provincial committee and regional Local Government Minister Peter Marais

If no consensus could be reached between the provincial committee and Mr Marais, arrangements had to be made for an urgent sitting of the Electoral Court on Friday. The court's decision would be binding

Wards could be demarcated and elections could proceed on November 1, Mr Nissen said.

The situation was desperate and, if the NP accepted the ANC's proposals, everything would be done to make the November 1 election date possible, but if Mr Marais rejected them, the court case would continue and there would be no election in the metropolitan area on November 1.

Marais still defiant ⁽²⁶³⁾ over Cape boundaries

ARG 2/8/95

TYRONE SEALE, Political Staff

A DEFIANT Peter Marais, local government minister in the Western Cape, has dismissed the authority of Roelf Meyer, national minister of provincial affairs and constitutional development.

"Who said Roelf is my leader? The Western Cape doesn't listen to Gauteng at all," Mr Marais said at a media conference today, where he discussed the National Party's latest position on the Western Cape local government demarcation impasse.

Mr Marais volunteered a response to a recent statement by Mr Meyer that he, Mr Meyer, believed Mr Marais had no grounds for reconstituting the provincial committee.

Mr Marais challenged Mr Meyer to produce the evidence on which his comment was based.

He issued the challenge shortly after lambasting the African National Congress in the Western Cape for being in disarray on the boundaries issue.

Asked what his response to Mr Meyer meant for the NP leadership, he said Mr Meyer was not his leader.

"I listen to F W (De Klerk) — he's party leader — I listen to the National Party extended caucus.

"Nothing I do doesn't have the full backing of the extended caucus. The same criteria don't apply to me as to the ANC," he said.

The NP has offered to withdraw its Constitutional Court challenge — dealing with an amendment to the Local Government Transition Act to stop Mr Marais redrawing substructure boundaries — against the government of national unity, provided certain conditions are met.

Its principal proviso is that Khayelitsha is included in the Cape Town substructure, in return for Tygerberg being given areas like Guguletu, Nyanga and Crossroads.

Yesterday the ANC rejected this deal.

Asked today what the least was he would settle for, Mr Marais said an election in the Western Cape hinged on the future of Khayelitsha.

Tygerberg did not have the administrative or financial capacity to carry Khayelitsha.

"Don't even talk to me about it," he said.

FREE PRIMARY CARE SERVICES PLANNED

Different options for health care workers

CT 3/8/95

(263)

HEALTH CARE workers may, according to new recommendations, remain in the employ of local authorities rather than transfer to the province. **PETER DENNEHY** reports.

P RIMARY health care workers in the Cape Metropole who are now employed by local authorities may no longer have to be transferred to the Provincial Administration, where the pay is generally worse.

A new report released recently for comment by a commission of inquiry established in January by Health Minister Dr Nkosazana Zuma, recommends three options the provinces can choose from.

Primary health care workers may be under local authorities, or directly under provincial governments, or simply under district health authorities which can be new parastatal bodies separate from both local and provincial government.

The Cape Metro Council's

Medical Officer of Health, Dr Stewart Fisher, said different options may be chosen within a single province.

This may resolve a huge dispute which raged a few months ago between officials, like Cape Town's MoH, Dr Michael Popkiss, who want primary health workers to stay with local authorities and various provincial health planners who argue that the best way toward equity in primary health services and employee remuneration is to put all primary health workers under provinces.

Dr Fisher noted that the CMC had expressed a preference for primary health staff to remain under local authorities. In practice, this may mean that day hospitals in the Peninsula, which are now run

by the province, may be transferred to the control of local authorities or the CMC.

Some of the lower-level hospitals, like False Bay Hospital, may go the same way.

Dr Fisher said the aim of the district health authority scheme is to provide universal access to basic primary health services.

Free services

These services will be provided free of charge, although there will be fees for the medicines. Drugs used to treat 95% of primary health problems will be provided free to the district health authority which may levy a small charge.

Individuals who want to use private health services will be able to do so. The costs of the proposed scheme are estimated to be R1,36 billion countrywide by 1997 and R3,39 billion by the year 2000.

Council bids to cut legal costs

MUNICIPAL REPORTER

THE Cape Town City Council is to consider cutting its legal costs by using its own staff to deal with rent arrears and unauthorised occupations of houses, instead of contracting them out.

Figures which would have been placed before the housing committee yesterday, had its meeting not been postponed due to the lack of a quorum, show that the council was charged an average of R508 per arrears case successfully resolved by one firm, and R540 per case by another firm.

One firm dealt with 582 cases in just over three years, involving a total of R1,1m in arrears rentals. Of these, 201 cases were properly resolved and over R400 000 collected, while the fees charged of the council were R102 000.

The council's legal costs are in theory recoverable in full, but it is often not practical to collect these.

The city administrator's office believes using in-house paralegal staff could cut the cost for successful litigation to R135 a case.

ANC boundary plan for Cape spurned

Edward West

(263)
BD 3/8/95
CAPE TOWN — The Western Cape government had rejected a new ANC proposal to end the metropolitan demarcation row threatening to delay the November provincial election, local government MEC Peter Marais said yesterday.

The ANC had proposed that the province withdraw its Constitutional and Supreme Court actions, reconstitute the provincial committee and refer any further boundary disputes to the electoral court.

"The electoral court consists of ad hoc political appointees by the ANC. I put my faith in the Constitutional and Supreme Courts," Marais said.

He accused the ANC of attempting to delay the election until next year so that voter registration could be re-opened. "There is no computer linking voter registrations of the provinces. People will cross province borders and vote in two provinces."

He said it was imperative the local election be held this year because interim local government structures were crumbling in the province.

Mayors and town clerks were being fired, councils were being held hostage by wage demands and councillors were voting themselves higher salaries.

He said there was still time left for the election to be held in the province on November 1, but the time needed to prepare for the election would have to be drastically shortened "We are dealing with crisis management here".

Asked about premier Hennis Kriel's statement concerning yesterday's deadline for a political solution to be reached, Marais said: "We do not want to be seen to be closing the door on the election when provinces such as the Eastern Cape and Gauteng, which also have boundary disputes, say that it is still possible for the election to be held on November 1."

There was not enough time, he said, for independent mediation of the dispute.

MARAIS PUTS PRESSURE ON ANC

Breakdown in local govt

PETER MARAIS, claiming the demarcation dispute was causing local government to collapse, has urged the ANC to accept his compromise offer. **CHRIS BATEMAN** reports.

LOCAL Government Minister Mr Peter Marais yesterday gave details of the "chaos" existing in Western Cape municipalities to back up his claim that a continued impasse in the demarcation saga would lead to the collapse of local government

Incompetent interim councillors jostling for positions are largely to blame, he says, alleging that they would prefer the elections to be postponed so that they could continue their gravy-train ride

Mr Marais also accuses the local ANC of wanting to delay elections in order to re-open voter registration so that, with no centralised computer monitoring, up-country

supporters could stream into the province and vote twice

His examples of "chaotic transitional government" included Hermanus and Oudtshoorn who had refused to pass their budgets

In Van Rhynsdorp, the statutory component fired their deputy mayor and the non-statutory side retaliated by firing the mayor

Theft allegations

In Clanwilliam the council fired both the town clerk and the mayor Bonnievale passed a no-confidence vote in their mayor while in Rawsonville either the "stats" or the "non-stats" deliber-

ately stayed away to prevent quorums

In Bitterfontein the deputy mayor was "illegally" fired amid a welter of theft allegations

Mr Marais said he had intervened successfully in most cases and would travel to Rawsonville today

The prospect of this scenario continuing was the reason the NP had compromised by separating the southern sub-structure and proposing Nyanga, Guguletu and Crossroads for Tygerberg in exchange for Cape Town taking Khayelitsha

ANC spokesman Mr Brent Simons replied "We've always been prepared for elections on November 1, it's because of Mr Marais' rejigging of the committee that we're sitting with this crisis"

The ANC insists that the NP

CT 4/8/95 (263)
withdraw its Constitutional Court challenge

It wanted the central-government-reconstituted provincial committee to consider the Demarcation Board's six-structure Metropolitan proposal and the NP to accept Electoral Court arbitration if the committee deadlocks

Supreme Court

Mr Marais said his party's court action was in defence of provincial autonomy. He described the Electoral Court as an "ad hoc committee appointed by the ANC"

He would rather put his faith in the Supreme Court

If the ANC accepted his proposal, he would "pull out all stops" to enable a November 1 poll by reducing voters roll inspection time and campaigning time

Worcester wage negotiation degenerates into racial row

Black and white municipal workers in 'ugly' confrontation over pay demands
ARC 4/8/95 (263)

ROGER FRIEDMAN
Staff Reporter

WAGE negotiations between the Worcester Transitional Local Council and two unions representing the municipality's workers have degenerated into a bunfight with severe racial and political overtones.

The dispute appears to centre on rivalry between the mainly-white South African Association of Municipal Employees (Saame) and the mainly-black South African Municipal Workers Union (Samwu).

The council, divided along statutory and non-statutory lines, has failed to resolve the dispute.

The mainly-white ratepayers' organisation emerged as an anti-Samwu force during sometimes violent protest action this week.

The police have been accused of Samwu-bashing, too — a charge denied by police spokesman Raymond Dowd.

Matters began to sour on July 21 when Samwu's Worcester branch abandoned wage negotiations at industrial-chamber level and began negotiating directly with the council.

They were offered increases of between 10 percent (for higher category workers) and 15 percent for the lowest.

Saame already had settled for a 7.5 percent increase, but then started negotiations with the council which offered to top up their increase to match the offer to Samwu.

Samwu felt the council had no right to make the offer as Saame represented higher wage-earners — who were already earning relatively large salaries — and demanded the council rethink its decision.

Samwu members marched through the town, strewing trash in the streets, allegedly damaging property and intimidating Saame workers.

Statutory members of the council were held hostage.

Saame local chairman Knox Cloete described the scene in the town as "a terrible, ugly thing".

Samwu regional chairman Bosch Willemsse agreed — although for different reasons — saying the administrative offices had resembled the World Trade Centre under siege from the Afrikaner Weerstandsbeweging as supporters of the town's residents' organisation congregated outside on Monday and guns were waved about.

He claimed police ignored the gun-slingers and intimidated the relatively peaceful Samwu workers.

The council will decide today whom to appoint to mediate the mess.

Regarding allegations against police, Western Cape liaison chief Raymond Dowd said it was their policy to stay out of labour disputes, but if the law was broken or complaints were laid, they were compelled to act.

■ **CONSTANTIA**

ARL 4/8/95

Another protest on 'Marais boundaries'

Southern Reporter

(263)

CONSTANTIA'S local council has formally objected to being asked to even consider a proposal for a Civil Protection agreement which assumes metropolitan boundaries of the controversial "Marais Proposal"

The proposal put to Constantia assumes, in planning strategies for civil protection, boundaries which place Mitchell's Plain and Khayelitsha with the entire Peninsula and Cape Town central, in an area called the "Central Sub-structure"

The drawing of these boundaries, put forward by Minister of Local Government Pieter Marais, overturned proposals which were the result of months of wide public consultation and negotiation across the political spectrum by the Cape Metropolitan Negotiating Forum

At the recent meeting of the Local Metropolitan Sub-structure of Constantia, Mayor Andrew Ross-Munro expressed surprise that the map had even been tabled.

"It presents boundaries that do not exist" Mr Ross-Munro said. One of the strategies proposed was accepted in order not to hold back a necessary decision relating to civil protection, but a motion expressing the fact that the substructure takes "strong exception" to the assumption of any such boundaries was carried unanimously, at the same time

Hermannus going bankrupt?

■ A lingering legacy of non-payment for government services has been blamed for the financial crises facing many Western Cape transitional local councils.

GLYNNIS UNDERHILL
Staff Reporter

TOP tourist destination Hermannus faces bankruptcy if the majority of former township residents continue to refuse to pay for services.

The Masakhane campaign aimed at encouraging people to "pay your services, co-operate and build the nation" appears to have had little impact on the coastal resort.

It was rumoured that white residents were thinking of refusing to pay for services in revolt at the non-payment of other communities, he added.

"What will happen to us? We'll go bankrupt. This has to be resolved as we cannot provide services not paid for."

"We will lose tourism, which is a major source of income to the area. The spin-off of losing tourism is that, in the process, we lose the majority of our jobs and job opportunities," said Mr Van Rooyen.

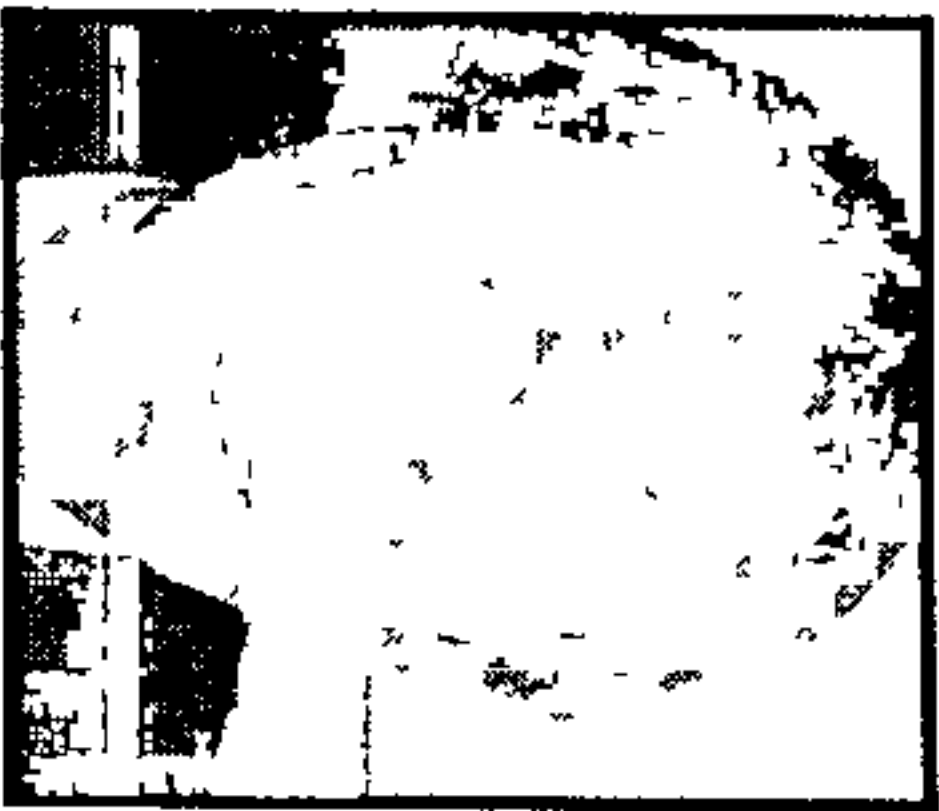
The problems in Hermannus, which is one of the major tourist locations in the country and a popular whale-spotting venue, started with the merging of a number of authorities into the Greater Hermannus Transitional Local Council, implemented on December 1 last year.

"We inherited the neighbouring authorities in a poor financial state," said Mr Van Rooyen.

One of the neighbouring black townships, Zwellahle, came with a R1 million deficit.

"That problem has been compounded tremendously by the high non-payment for services. Some communities are not paying for anything — they won't pay for rent, they won't pay for sewerage," he said.

Hermannus is not the only popular tourist spot facing financial problems.



□ **TOWN CLERK:**
Thys van Rooyen

steps were being taken to address the problem. He declined to give details.

"The cash-flow situation is a bit of a problem in most municipalities at this stage. We do have a cash-flow problem, but right now it is manageable. We

have appointed sub-committees to take up the matter with province," he said.

Mr Retief said the council believed some of the inherited deficits were not its responsibility.

The small, close-knit municipality of Rawsonville, near Worcester, also is facing the same problem after the community in Denova came under its jurisdiction.

"We had 80% payment prior to the elections — now it has dropped to about 50%," said town clerk William Mandy, adding that people were not paying because they believed service debts would be written off.

The town clerk of Beaufort-West, Dawie Uys, said his bank overdraft was more than R1 million.

"At present, only 18% of ser-

vice accounts of the former Kwa-Mandlenkosi are paid. Pensioners seen to be regular payers, whereas people of better financial standing refuse.

"The municipality is expected to execute capital projects, although the non-payment culture has not changed. This attitude causes cash-flow problems. The increase in outstanding debts from June 1994 to June 1995 in respect of services amounts to about R900 000. The transitional local council is furthermore not capable of paying the outstanding loans of the former Kwa-Mandlenkosi council," said Mr Uys.

While the Masakhane campaign to encourage payment for services is slow in coming to some areas, Robertson, one of the bigger Boland towns, is not experiencing payment problems.

Robertson inherited Nkqubela township in its transition-

al local council. "I think the main reason we've had no problems is because Nkqubela had a good structure and the people were used to paying for what they received," said town-clerk Willem Vos.

Meanwhile, a circular has been sent to all local governments from the Department of Housing, Local Government and Planning in the Western Cape provincial administration.

The circular calls for feedback on their financial positions if they write off arrears service charges.

"Your attention is drawn to the fact that government has at no time given an undertaking that if the relevant arrears debts be written off, central or provincial governments would make good such debts. The undertaking has been given, though, that transitional councils' financial positions would be evaluated and where necessary, financial assistance could be negotiated," said the circular.

While the circular called on all Western Cape transitional local councils to submit their feedback by the end of July, only a few had responded by this week, said a spokesman.

A concerned Mr Van Rooyen would like to see the government introduce legislation to enable local councils like Hermannus to collect money due to them. "The existing legislation is discredited because it is regarded as apartheid legislation," he said.

The Hermannus Transitional Council has set up special task forces to try and get communities to pay for services.

"We have made some progress, but we are a long way away from getting a general agreement to pay," said Mr Van Rooyen.

Tensions rose when the amalgamated councillors could not agree on the budget for the financial year and only essential services were provided during this period.

The Hermannus R32-million budget eventually was submitted to Local Government Minister Peter Marais for approval, which was granted.

ANC councillors accepted increases

(263)

STAFF REPORTER

ET 7/8/95

THE ANC's Western Cape branch has lashed out at ANC councillors on the George Transitional Local Council (TLC) who accepted an allowance increase after being instructed not to.

ANC George spokesman Mr Myron Rabinowitz said that in June the TLC tabled a motion granting councillors higher allowances.

The mayor of George, ANC member Mr Kidron Kaboni, had refused the increase.

Other ANC, Civics and SA Communist Party councillors had been instructed not to accept the increases, but some of the eight ANC councillors had accepted.

Zulus 'were freer under apartheid'

CT 8/8/95

(263)

DURBAN: Zulu King Goodwill Zwelithini said at the weekend that the people of kwaZulu/Natal were more oppressed under their new rulers than under apartheid.

"Today political leaders are oppressing their own people instead of giving them development," he told royal family members and dignitaries at his 47th birthday celebrations.

He urged his followers and the Zulu nation to "go back to the basics of humanity" and to stop the killing among Zulus.

King Goodwill again denied he was an ANC member or that he had ever been a member of the Inkatha Freedom Party.

Similar concerns were voiced yesterday by ANC official Mr Dumisani

Makhaye, who said the province was becoming a wasteland under Inkatha and called on "patriots" to oust the IFP-led provincial legislature.

Repeating an ANC call for fresh provincial elections he said: "It is incumbent upon the people of kwaZulu/Natal to ensure that the IFP-led government is replaced as a matter of urgency" — Sapa-Reuter

Council seeks right jobs policy

STAFF REPORTER

ET 8/8/95

THE Cape Town City Council, in appointing a member of staff, would take into consideration which group was least represented among its employees

This was said yesterday by Ms Shanaaz Majet-Chalklen, a council affirmative action officer, who addressed a press conference to promote the Gender Week Programme that lasts until Friday.

She said women occupied only 15% of council posts, while 51%

was the desirable figure. Of the 98 councillors' seats, 24 were occupied by women. Of the council's eight influential committees, three were co-chaired by women

'Mistakes'

Deputy Mayor Mrs Theresa Solomon said there was no blueprint for affirmative action

"You are going to have mistakes. It is only through action that we will discover whether this is the right way we are going," she said

Today is an "open day", with a programme on how the council's services reach women, from noon to 2pm in the lecture theatre off the second-floor concourse.

● A row about affirmative action has erupted at the local offices of Caltex Oil SA

The Black Employees' Forum, formed last month, said yesterday that although Caltex had adopted an affirmative action policy four years ago, fewer than 30% of its employees today were coloured or African

CT 8/8/98
**Council agrees
to mediation**

over wage row

PETER DENNEHY

(263)
(47)

A MEDIATION process was agreed to at a special Cape Metropolitan Council (CMC) meeting yesterday, in the hope of avoiding the re-imposition of a municipal workers' strike

The strike, which was suspended a week ago, crippled service delivery in the CMC and most of the northern suburbs for much of last month

Council chairman Mr Willie van Schoor said the Cape-Local Authority Employers' Organisation had agreed to negotiate further on the CMC's behalf

He believed there was no reason for the industrial action to continue.

Sources close to the union movement seemed happy with what they interpreted as a broad hint that the council was willing to move upwards its present offer of a minimum wage of R1 204 a month, not counting benefits

Chiefs set for clash with govt

CT 8/8/95 (263)

ULUNDI: Chiefs in kwa-Zulu/Natal's House of Traditional Leaders yesterday accepted in principle a bill that would prevent them from accepting payment from the central government.

Inkatha Freedom Party leader Chief Mangosuthu Buthelezi told the chiefs that the provincial government also intended challenging the Traditional Leaders' Act in the Constitutional Court. The act provides for payment of traditional leaders by central government.

Other parties have interpreted the bill as a desperate attempt by the IFP to keep control of the king, the province's more than 250 chiefs and the four million people who live under traditional rule.

Chief Buthelezi said the central government was "hell-bent" on breaking ties between traditional leaders and their communities.

Reward

He has assured chiefs they will not be disadvantaged by the legislation which would prevent them from receiving money or gifts from the central government.

The ANC has claimed that the IFP will use the bill to reward those chiefs who are loyal to it and punish those who are not. — Sapa, Own Correspondent.

W Cape (263)

and union
ARL 8/8/95
go to court
over 85 jobs

Staff Reporter

THE National Education Health and Allied Workers Union (Nehawu) and the Western Cape government are seeking court orders to restrain each other after 85 jobs in the province's social services department were terminated

The union wants the workers reinstated, while the government wants workers to stop disrupting business at its Bellville office.

Meanwhile, as workers milled about outside the Bellville office today, workers in Oudtshoorn took over the office "completely", said Nehawu spokesman Wilfred Alcock

The 85 workers were initially among more than 200 employed last January on three-month contracts by the now-defunct house of representatives. Their contracts were renewed several times.

Last month the department decided to shed 85 posts but offered 132 workers further six-month contracts.

In response, several social services offices in the Western Cape were targeted for mass action

According to the province, the contracts expired on August 1. The workers were initially employed to perform a specific function. This job had taken longer than expected, hence the renewal of contracts

It had been decided not to renew 85 contracts following a report by the province's management advisory services.

W Cape ANC unfazed

(263) soweran 8/8/95

Vuyo Bavuma
Political Reporter

UNFAZED by the conflict over municipal boundaries, an upbeat African National Congress in the Western Cape yesterday announced plans to contest 99 percent of the local council in the region

At a Press conference in Cape Town, the ANC said it was confident it would do well in the elections

Announcing its strategy to launch its list process for selecting candidates for local elections, the ANC said 50 percent of the nominees

would be women in line with the party's "positive affirmative action"

The ANC alliance comprises, the SA National Civics Organisation, the SA Communist Party, the Congress of South African Trade Unions and the Western Cape United Squatters Association

Meanwhile, the National Party is expected to proceed with its twin-pronged court action

On Thursday, the National Party is to ask the Cape Town Supreme Court to rule on whether the national government could overrule a decision taken by the provincial government

Another NP court action is expected to be heard by the Constitutional Court on August 16

At the heart of the matter is a proposal by the NP-controlled provincial government to separate Khayelitsha township from Tygerberg in the demarcation of Metropolitan Sub-Structures (MSS)

Khayelitsha has a majority of impoverished black residents while Tygerberg comprises fewer but affluent Afrikaners

The issue has become a political hot potato that threatens to delay the elections in Cape Town

PAC, NP in 'positive' talks on boundary row

CT9/8/95 (263)

BARRY STREEK
POLITICAL STAFF

THE PAC and the National Party "found each other" in discussions about the Western Cape and the demarcation crisis, a member of the PAC delegation, Mr Moegsien Hassan, said yesterday.

"We had good and open talk," he said after a four-person delegation led by PAC civics and local government co-ordinator Mr Anda Ntsodo, met with an NP delegation led by Local Government Minister Mr Peter Marais.

Acting Western Cape Premier Mr Gerald Morkel also participated in the discussions.

Mr Hassan, the PAC's provincial co-ordinator, said it was agreed that a delegation from the Lingeletu West Town Council would meet Mr Marais next week to discuss the problems facing Khayelitsha.

Although the PAC supported the Demarcation Board's boundary proposals, he said Mr Marais had made some "sensible points" which would be conveyed to PAC branches.

The PAC would "definitely" contest the local government elections throughout the Western Cape, and this would confirm that it was a serious stakeholder in the region. Surveys had shown that the PAC was the only party that



NEGOTIATORS: PAC civics and local government co-ordinator Mr Anda Ntsodo (left) shakes the hand of Local Government Minister Mr Peter Marais. The Western Cape regions of the PAC and the NP met yesterday for talks on the demarcation row.

PICTURE: NIC BOTHMA

had grown since last year's election, Mr Hassan added.

PAC president Mr Clarence Makwetu told a news conference that the organisation, which got less than two percent of the vote in last year's general election, was confident of boosting its tally in the November 1 poll.

Mr Makwetu said he would stand on the platform of "land restoration, self-determination, the redressing of economic and social imbalances and the establishment of a democratic society".

The PAC also accused the government of failing to implement genuine affirmative action.

First shots fired in Cape court battle over boundaries

(263)
PATRICK FARRELL
Supreme Court Reporter

THE government was challenged for the first time in the Supreme Court today by provincial authorities — over municipal demarcation boundaries.

The executive council of the Western Cape legislature, Premier Hennis Kriel, and provincial Minister of Local Government Peter Marais are seeking a review order against President Nelson Mandela, Minister of Constitutional Affairs Roelf Meyer and Justice Minister Dullah Omar.

The application concerns two proclamations made by President Mandela in June this year amending the Local Government Transition Act.

The amendments overturned Mr Marais's appointments to the provincial committee for local government.

The amendment also retrospectively overturned any decision taken by the committee and this effectively reversed the committee's controversial decision incorporating Khayelitsha into the Cape Town municipality.

The applicants have also lodged papers with the Constitutional Court to challenge

ARG 10/8/95
the constitutionality of the proclamations. This application will be heard on Wednesday in Gauteng.

In papers the applicants claim President Mandela made the proclamations with an "ulterior motive", that he "failed to apply his mind" and that he failed to act in consultation with the cabinet.

"The amendments effected by the proclamations are tantamount to a transparent attempt to impose the ANC's will on the voters of the Western Cape after the ANC's failure to obtain a majority in the province during the elections.

"The proclamations were not issued for any of the objectives contemplated in the Act but simply to enable central government to impose its will as regards the demarcation of the boundaries of municipalities of the Western Cape," Mr Marais said in court papers.

In replying papers Mr Mandela and the two ministers denied the allegations in the review application.

They further claimed that the allegations were vague, "contrived and without substance".



EXPOSED: Mr Anthony Hartogh (second from left), a PAC councillor who was jailed for defrauding the Receiver of Revenue, with provincial Minister of Local Government Mr Peter Marais (centre) and Mr Anda Ntsodo (right), PAC provincial director of civics and local government, at a meeting this week in connection with the boundary dispute.

PICTURE: NIC BOTHMA

Councillor was jailed for fraud

JACKIE CAMERON
STAFF REPORTER

A FORMER revenue office clerk, who was jailed for a R100 000 fraud, has emerged as a PAC councillor and executive committee member of a transitional council under the jurisdiction of the Cape Metropolitan Council (CMC)

Mr Anthony Hartogh, who was convicted of defrauding the Receiver of Revenue in 1992, was nominated by the PAC to the Melton Rose/Blue Downs CMC transitional council in February.

The PAC's provincial director of civics and local government Mr Anda Ntsodo said he had not known about Mr Hartogh's conviction.

The Cape Times recognised Mr Hartogh this week in a delegation having talks with provincial Minister of Local Government Mr Peter Marais, and made inquiries

Mr Hartogh pleaded guilty to 169 counts of fraud committed between November 1989 and

December 1990. He had allowed buyers of motor vehicles to pay less GST and had received a share of the tax they saved

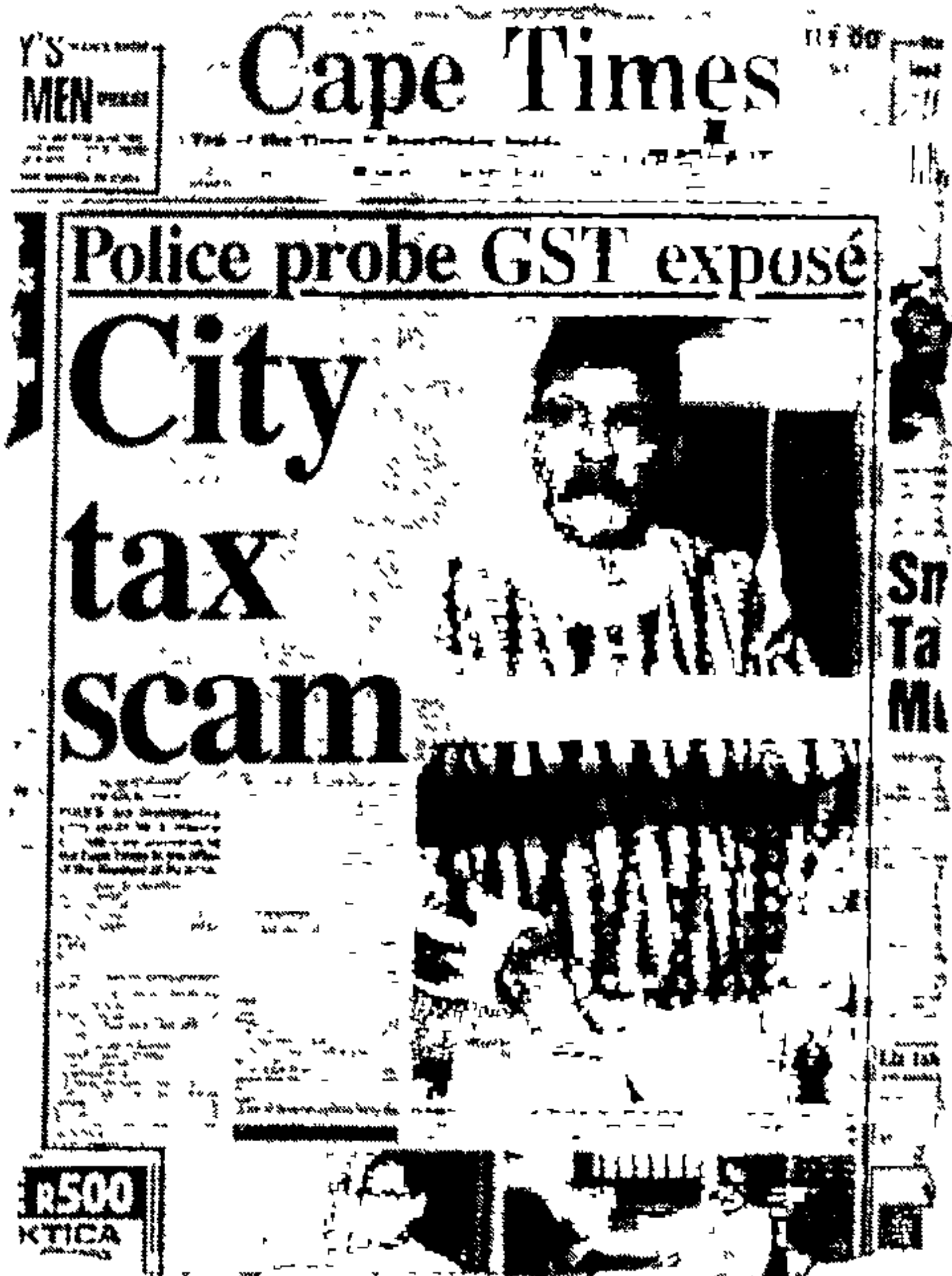
Yesterday he said the PAC knew of his criminal record and had tried to help him get out of jail before he was released on amnesty late in 1993 after serving only a third of his sentence

"I went to jail for helping the community," he claimed

New career

Mr Hartogh said he believed his criminal record "would not be a problem" in his new career "because the whole of Blue Downs loves me".

"I thank the PAC for nominating me as a member for Blue Downs. I have a lot of ambition. I want to get an ambassador's post. Foreign Affairs is more in my line, but no one wants to put our people there because the PAC does not have enough members in parliament."



FLASHBACK: Mr Anthony Hartogh, now a PAC councillor, made the headlines in 1992 when it was found that he had been defrauding the Receiver of Revenue. He pleaded guilty to 169 counts.

Vital works bogged down

(263) ARL 11/8/95

Municipal Reports

THE strategic management plan currently being carried out in the badly degraded areas of Ikapa and Crossroads is being dogged by labour disputes and political suspicion.

Engineer Mike Marsden, who is chairing the implementation team, said in a written report on the SMP's progress that strike action had impeded the plan's progress.

The work is being carried out by the Cape Town City Council on an agency basis for the Cape Metropolitan Council.

The community clean-up campaign in Guguletu was suspended after hostages were taken from a community workforce by striking workers, and gains made by the community clean-up had been jeopardised by the Ikapa cleansing service not working.

A burst watermain in Guguletu

could not be repaired during the strike because workers' safety could not be guaranteed.

Meetings scheduled for SMP co-ordination purposes also had to be cancelled.

Mr. Marsden described the Ikapa and Crossroads workforce as "frustrated, demotivated and isolated from management".

Management, in turn, was severely constrained by the "precarious financial position of both Ikapa and Crossroads town councils".

Within the community, temporarily employed workers were keen to convert to permanent employment.

Unemployment also meant that payment for services would be particularly difficult as "even with the best will in the world" it was not economically possible for people to come up with the money.

Govt faces court challenge

Edward West

(263) MD 11/8/95

CAPE TOWN — Central government faced its first Supreme Court challenge by a provincial government yesterday — regarding the Cape metropolitan boundary dispute threatening to delay the local government elections in the Western Cape.

The Cape Supreme Court hearing was part of the Western Cape government's action against central government's amendment to the Local Government Transition Act. The amendment overturned the provincial committee appointments of local government MEC Peter Marais and his boundary decisions for the Cape Town metropolitan area. Constitutional Court action on the issue was sched-

uled for August 16.

The applicants yesterday — Western Cape premier Hennis Kriel, the provincial executive council and Marais — sought a judicial review order against President Nelson Mandela, Constitutional Affairs Minister Roelf Meyer and Justice Minister Dullah Omar. They alleged Mandela had made the proclamations to amend the Act with an ulterior motive, or that he acted ultra vires and that he failed to act in consultation with the Cabinet.

Milton Seligson, legal counsel for the applicants, argued that the amendment was not allowed in terms of article 16(A) of the Transition Act, when the provisions

Continued on Page 2

Challenge (263) MD 11/8/95

Continued from Page 1

and powers conferred to the provinces contained in the Constitution were taken into account. The President's powers to amend the Act were "clearly for a much more limited purpose rather than restructuring provincial government. It could never have been intended that in giving the power of amendment it would be used to ignore the power of the Constitution."

Legal counsel for central government,

Jeremy Gauntlett SC, argued that Cabinet documents showed there was "no gunpowder trail" of ulterior motives, such as the ANC losing the last election in the province. The documents in fact revealed concern that the "checks and balances were not being favoured in the province".

He said the President had been conferred powers as wide as those of Parliament, subject only to certain limitations relating to tabling before Parliament.

We'll fight in the streets for rights, says 'duped' NP

(263) ST 13/8/95
By CHARL DE VILLIERS

THE National Party's Peter Marais has vowed to take his party's fight for Western Cape independence into the streets if the courts cannot defend what he believes is a constitutional right to provincial autonomy.

His battle cry yesterday follows a Supreme Court judgment on Friday which dismissed an NP-led Western Cape bid to overturn presidential directives reversing NP moves to push through controversial boundary plans in the province.

"This is the first skirmish in a long-drawn-out battle by the Western Cape against central government dominance," he said.

The NP, headed by its Western Cape leader and provincial premier, Her-nus Kriel, will approach the Constitutional Court for redress on Wednesday.

Mr Marais said the NP had been duped when its MPs had approved an amendment to the Local Government Transition Act giving Mr Mandela the power to issue proclamations.

"We were fooled, tricked and duped by section 16 (a) of that Act," he said.

The NP, he said, had been under the impression that the amendment — passed on the eve of a parliamentary recess — only gave the president powers to make minor adjustments to the Local Government Transition Act, and that these first had to be cleared by an inter-provincial ministerial committee headed by Mr Marais.

But two Supreme Court judges in Cape Town this week found that section 16 (a) of the Local Government Transition Act had effectively transferred Parliament's highest legislative powers to Mr Mandela.

Delivering judgment on Friday, Mr Justice Conradie, with Mr Justice Kuhn concurring, said section 16 (a) had amended the Act to "cancel Parliament's legislative competence by allowing the president to make laws in its place".

The ANC in the Western Cape welcomed the outcome of the court case and accused the NP of wasting taxpayers' money.

Western Cape set for ward delimitation

14/8/95

(263)

Edward West

CAPE TOWN — The ANC and NP in the Western Cape had agreed to reconstitute the provincial committee with only four of its six original members so that ward delimitation could take place in the province's rural areas, ANC spokesmen said on Friday.

The committee is the subject of a dispute between the provincial and central government in the Constitutional Court this week following President Nelson Mandela's amendment of the Local Government Transition Act.

This will allow staggered elections in the province with people in rural areas voting on November 1 and those in the Cape metropolitan area voting at a later date.

The four members of the interim provincial committee to meet this week are Leon Markowitz (NP), Hilda Ndude (ANC), Wynand Malan (NP) and John Neels (Sanco).

At the Cape Supreme Court on Friday the application by the Western Cape against central government for a judicial review of the amendment of the Local

Government Transition Act was dismissed with costs.

Judge Johan Conradie said section 16A of the Act gave Mandela plenary legislative powers as wide as Parliament's and as such the Supreme Court could not consider the validity of such powers.

"This is a test for the Constitutional Court," Conradie said.

This factor alone had caused the province's application to fail, but because of public interest in the case, the court had considered other allegations made by the applicants.

He said the court could find no evidence to support the province's allegations that Mandela had amended the Act with an ulterior motive.

There had been sufficient consultation with the Cabinet on the issue and section 16a of the Act gave sufficient latitude for retrospective amendment, he said.

The ANC on Friday called for the "NP to drop its plans to take the President to the Constitutional Court", saying the Supreme Court action was a waste of taxpayers' money.

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M14/8/95 (263)

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Rival parties clash outside SABC

■ OWN CORRESPONDENT

Cape Town — There was chaos when rival political parties clashed last night outside the SABC building in Sea Point where a live *Agenda* debate on the controversial Western Cape demarcation issue was being held, sparking fears of violence in the studio (263)

Police stood by after being told that an ANC supporter had taken a firearm into the studio. *Star 14/8/95*

A small squad of policemen was also ready to escort speakers David Dhlal (ANC), Cecil Horadien (NP), Bathembu Lugulwana (PAC) and Chris April (DP) from the building if violence broke out

In the studio, a spokesman confirmed

More than 200 supporters of the various political parties, including the IFP and the African Christian Democratic Party, streamed through the security checkpoint at the SABC

They shoved a walk-through metal detector to one side

But ANC spokesman Brent Simons, who was at the studio, said the report of the firearm was a rumour

Police and officials dismissed rumours of robbery and an allegation that an NP marshal had been stabbed

After the programme ended at 9pm, the speakers left unnoticed through the back of the SABC building

DIFFERENTIAL RATES MOOTED

Marais puts case for more local taxes

ET 15/8/95

(263)

LOCAL AUTHORITIES should be able to levy a tax on packaging to pay for cleaning up urban litter, a Constitutional theme committee was told. **PETER DENNEHY** reports.

COMPANIES should be charged "packaging tax" by their local authorities, which had to clean up the litter left by consumers, Western Cape local government Minister Mr Peter Marais suggested yesterday.

He was delivering submissions at a public hearing of one of the Constitutional Assembly's theme committees.

Mr Marais said that provincial and local government should stop depending on central government funding. To end this reliance, he said, the constitution must allow the provincial authorities to levy taxes such as entertainment taxes on sports stadiums, which are built by local authorities.

Some people were able to find the money to go and watch rugby,

even when they struggled to pay their local authority services bills, he said.

Local authorities must also be granted greater powers of taxation, he said. They were charged with the task of cleaning up everyone's mess, so they should perhaps be able to charge companies a "packaging tax" if their products were sold in disposable wrappings.

For the poor, who may be worst hit by his proposed new taxes, he had a good news suggestion as well. "We might have to have differential rates within one local authority," he said. "If we are going to have one rate, we are going to punish the poor for living in an area they can't afford."

Mr Ian Davidson, of the Johannesburg Metropolitan Council,

said property rates were an inadequate financial base to meet the burgeoning demands on local government. For example, he said, Johannesburg had 160 000 ratepayers, but had to provide services to three million people.

He suggested that local government should also get a percentage of the VAT raised in its own area.

Income tax

Mr Eddie Landsberg, president of the Institute of Municipal Treasurers, suggested instead that the most important additional source of income for local government should be income tax. A portion of the income tax collected in a region should have to go to the local governments in that region.

Inadequate transfers (shifts of money between one level of government and the other) had led to the collapse of a number of local authorities in the past, he said.

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Elections (263)

date set

CT 16/8/95

BARRY STREEK

LOCAL government elections in the 96 Western Cape local authorities outside the Greater Cape Town area would take place on November 1, the four-member provincial committee decided yesterday.

Nominations for the local authority wards and proportional lists would close on September 12, chairwoman Mrs Hilda Ndude said.

The reduced committee, with two ANC and two National Party representatives, was "unanimous".

However, the elections in the Cape Town metropolitan area were still "up in the air".

Mrs Ndude said the Demarcation Board's proposals for ward boundaries were expected after submission to the Minister of Local Government, Mr Peter Marais, within two weeks.

This would leave under two weeks for nomination of ward candidates, but "we are confident the elections will take place".

● See Page 5

Dramatic turn in Cape boundary

dispute case

(263) ARG 16/8/95

ANDREA WEISS, Municipal Reporter

JOHANNESBURG — The Constitutional Court today postponed the case between the Western Cape and central government because of new argument which has far reaching implications for local elections

In a dramatic twist, a brand new argument was presented by the Western Cape government to president of the court Arthur Chaskalson, SC, late yesterday. The argument challenges the right of President Mandela to make proclamations amending laws which affect the provinces without going through parliament. It has far-reaching implications.

This is because several proclamations have been made amending the Local Government Transition Act in the run-up to local elections.

Initially the case was to focus on only two proclamations which had the effect of nullifying appointments made to the provincial committee for local government in the Western Cape, and the decisions that they took.

Should the new argument succeed, it could strike another blow to the already taxed timetable for the local government elections due on November 1.

Jeremy Gauntlett SC, appearing for the government, indicated to the court that at a later stage he would ask the Western Cape government to pay the costs of convening the 11-member bench today.

A source has suggested costs may run to about R200 000 for today alone.

Mr Gauntlett asked the court that the issue of costs be argued at later date, describing it as an "unedifying spectacle for the taxpayer".

Mr Gauntlett said it would be very unsatisfactory to press ahead because the new argument "could have serious repercussions" countrywide.

The court is to reconvene on August 30 so that the case can be argued.

● During today's proceedings Mr Justice Ben Ngope was sworn in as a Constitutional Court judge. He replaces Mr Justice Richard Goldstone, who is with the international tribunal into war crimes in Yugoslavia.



BOUNDARY ROW PROTEST: About 2 000 people marched from the Parade to the Provincial Administration buildings yesterday to hand over to provincial Local Government Minister Mr Peter Marais a memorandum demanding the inclusion of Khayelitsha into the Tygerberg substructure

PICTURE: NIC BOTHMA

(263)

CT 17/8/95

Demarcation case postponed

JOHANNESBURG The hearing to decide whether President Nelson Mandela acted unconstitutionally by excluding the Western Cape government's demarcation of the Cape Metropolitan area was postponed in the Constitutional Court yesterday.

The hearing will resume on August 30.

The postponement was granted at the request of Mr Mandela's counsel, Mr Jeremy Gauntlett, after proceedings took an unexpected twist early in the morning.

The twist involved the submission on Tuesday night of a new argument by the province which contended Section 16a of the Local

Government Transition Act was unconstitutional as it involved the unconstitutional delegation of power by Parliament to Mr Mandela to make legislation affecting the exercise of powers and functions of the province without following the procedure laid down.

● ABOUT 2 000 people marched on the Wale Street offices of Western Cape Local Government Minister Mr Peter Marais yesterday to hand over a memorandum demanding the incorporation

of Khayelitsha into the Tygerberg substructure.

The marchers, mostly Khayelitsha residents, were led by city deputy mayor Mrs Theresa Solomon and chairman of the Unify the City Campaign committee, Mr David Dlahi — Special Correspondent, Staff Reporter

Kriel-goyt fight postponed

Susan Russell

(263)
BD 17/8/95
THE first constitutional dispute between provincial and central government was postponed in the Constitutional Court yesterday after lawyers informed the court they wished to present additional argument which could have far-reaching consequences for the future of local government.

Western Cape premier Hennis Kriel's demarcation dispute with central government was postponed for two weeks, until August 30, by Constitutional Court president Judge Arthur Chaskalson, to give counsel for both sides a chance to file additional papers and consider argument in response to a new point raised on Kriel's behalf. Kriel and the Western Cape's executive council are asking the court to overturn as unconstitutional two proclamations signed by President Nelson Mandela in June amending the Local Government Transition Act.

The amendments nullified two appointments to the provincial committee made by local government NP MEC Peter Marais, and overturned boundary decisions made by him.

Marais's decision earlier this year to include the township area of Khayelitsha in Cape Town's central metropolitan sub-structure rather than in Tygerberg, as pro-

posed by the Demarcation Board, caused a storm of protest from the ANC.

The amendments effectively stripped Marais and Kriel of the power to appoint members of the provincial committee, and transferred the authority to Provincial Affairs, Local Government and Constitutional Development Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with the President.

The dispute, which has threatened to delay the local government elections in the province, was referred to the court on an urgent basis after the Cape Town Supreme Court dismissed the Western Cape government's bid to have Mandela's amendment to section 16 (a) of the Local Government Transition Act overturned.

Yesterday's hearing was postponed after Kriel's counsel presented the court and lawyers acting for government with additional argument late on Tuesday. This challenged the constitutionality of section 16 (a) itself.

In a supplementary affidavit it was submitted that it unconstitutionally allowed Parliament to delegate power to the President to make legislation affecting the exercising of powers and functions of the provinces without following special procedure laid down and required under sections 61 and 62 of the constitution.

W Cape election unlikely after twist in dispute

Star 17/8/95 (263)
■ BY LEE-ANN ALFREDS

The Constitutional Court has postponed until August 30 a decision on the disagreement between the Government and the Western Cape provincial authority over local boundaries in the Cape Metropolitan area.

The postponement has made it unlikely that local elections will be held there on November 1

The Cabinet yesterday decided to amend the constitution to allow local government elections to be staggered and to be held in different parts of the country at different times.

The postponement was granted at the request of President Mandela's counsel, Jeremy Gauntlett. Hurried consultation with Mandela and Provincial Affairs and Constitutional Development Minister Roelf Meyer followed after an unexpected twist entered the dispute.

The Western Cape gov-

ernment made new submissions on Tuesday night, contending that Section 16a of the Local Government Transition Act was unconstitutional because it involved the "unconstitutional delegation of power by Parliament to Mandela to make legislation affecting the exercise of powers and functions of the province without following the special procedure laid down by sections 61 and 62"

Circumvent

The Western Cape legislature further submitted that the constitution recognised the separation of powers (between the Government and province) and that Parliament "cannot delegate the power to the president to do by proclamation something that Parliament itself can only do by following a special procedure. Gauntlett said proceeding with the case would only compound an already serious matter.

Yesterday's hearing before the Constitutional

Court follows the dismissal of the Western Cape's application in the Cape Town Supreme Court on August 11. The row started several months ago when the Cape demarcation board's recommendations were thrown out by Local Government MEC Peter Marais.

Marais proposed four substructures compared with the board's six, and positioned all Cape Town's major black areas in the central city substructure.

In order to ensure that his plan was approved by the required two-thirds majority of the provincial committee, Marais appointed two new committee members who swung the balance.

The Government responded by adopting two amendments to the Local Government Act which effectively nullified the appointments of the two crucial new members. Meyer in consultation with Justice Minister Dullah Omar can now override provincial committee appointments.

Poor to benefit from cableway row

PETER DENNEHY

CAPE TOWN's poor communities might be handed the R13 million set aside by the council to "buy back" its rights to the Table Mountain Cableway.

Mr Saleem Mowzer, chairman of the Budget Review Committee, told the council's executive committee yesterday that a

total of R26 million on the current year's budget, including the cableway money, could be redirected

Doubts have arisen over whether the R13m will be paid out for the cableway expropriation before the end of this financial year (mid-1996), because the council lost a Supreme Court application in May to evict the cableway's existing managers

ET 18/8/95 (263)

The committee also examined vehicle purchases, for which R32m has been set aside.

Among the suggestions for beneficiaries of the redirected money were collapsed health and other services in the iKapa area. The Vuyani, Guguletu and Langa clinics were said to be in need of upgrading this year or next

Poll poser: Cape Town may face rule by decree

□ Administrator could run city and arrange elections

ARL 18/8/95 (263)

CLIVE SAWYER
Political Correspondent

CENTRAL government may fire Cape Town's interim councillors and replace them with an administrator unless elections are held by the end of March next year

The administrator would run the city and arrange for elections

A proposal to give central government the power to take these drastic steps is contained in a further amendment to the Local Government Transition Act

The Minister of Provincial Affairs will be able to fire councillors and replace them in any area which does not hold elections on November 1 and does not seem likely to do so

by March 31

It became certain yesterday that local government elections would not be held on November 1 in metropolitan Cape Town or the rural districts of the Western Cape

This means elections on that day in the Western Cape will be held only in towns with transitional local councils

About 500 000 people in country areas without municipal government, and the population of metropolitan Cape Town, will not go to the polls on November 1

The African National Congress and National Party caucuses yesterday both backed the staggering of local government elections, a move previously approved by the cabinet

Also affected will be Kwa-

Zulu-Natal

The Inkatha Freedom Party is infuriated by proposals to withdraw provincial power over local government, as would happen if the latest amendment to the act is passed

Giving the right to the minister to rule by decree, and removing provinces' constitutional right to legislate on local government until the new constitution was approved, were reprehensible, an IFP spokesman said

At a joint meeting yesterday of the parliamentary committees on provincial and constitutional affairs, chairman Pravin Gordhan said the Local Government Transition Act made provision for steps only until the day of elections

While the Act provided for elected councils to have terms of office of three years, the precise meaning of this was not clear.

It was not known whether this meant the structures themselves had a lifespan of three years, and whether or not membership could change

In a briefing to the committee, Provincial Affairs and Constitutional Development Minister Roelf Meyer said voter registration could be reopened next month

Minmec, the liaison body of national and provincial ministers of local government, had proposed reopening registration for two weeks from September 11

They had proposed declaring November 1 a public holiday

Court action delays Cape election

(263) Wm 18-24/8/93

Justin Pearce

A LAST-MINUTE submission by the Western Cape provincial government has delayed an application by the province to the Constitutional Court which will have far-reaching consequences for local elections in the province. The two-week delay has ruled out the chance of a November 1 election in Cape Town.

The Western Cape government has brought the court application against central government. At issue is the appointment by Marais of two members to the provincial committee, which is ultimately responsible for the demarcation of local boundaries — and their subsequent removal from the committee in terms of two amend-

ments to the Local Government Act proclaimed by President Nelson Mandela in June.

The amendments give central and not provincial government the final say over who is on the provincial committee, and are retroactive, hence annulling Marais' appointments.

The applicants submit that the amendments were made with the specific intention of outmanoeuvring the Western Cape government.

The applicants brought the case to the Constitutional Court after the Cape Supreme Court dismissed an application which challenged Mandela's competency to amend the Act.

Fresh arguments submitted the day before the hearing caused the case to be postponed for two weeks.

JUSTICE DEPARTMENT OF THE WESTERN CAPE PROVINCE

Budget shake-up 'robs' posh Cape Town suburbs

263

ARG 19/8/95

■ The city and its suburbs could be well on the way to neglect and dilapidation.

JEAN LE MAY
Staff Reporter

RESIDENTS of Cape Town can look forward to crumbling pavements, potholes in the streets, leaking reservoirs, municipal vehicles falling to pieces and fewer trees and flowers in the streets.

This is only part of what will be entailed in redirecting money accumulated by the council from generations of ratepayers towards improving living conditions for the new citizens.

In the process, the city and its affluent suburbs could be well on the way towards neglect and dilapidation.

A review committee of the city council has spent weeks nit-picking through the city's capital budget looking for places where money can be re-allocated towards "formerly disadvantaged communities"

According to documents examined by Saturday Argus, the committee had managed, by mid-August, to trim R2,7 million from capital budgets allocated to the departments of the city planner, the city engineer and the medical officer of health.

Another R10,2 million in capital expenditure was referred back for further clarification, with the possible addition of R13 million allocated for cableway expropriation.

Further cuts will be made.

The committee is scheduled to finish its examination of capital budgets of the remaining departments by the end of the month. It will then get busy on operating budgets of the various departments.

Councillor Joyce Gibbs said work on the committee had been "a learning experience" for councillors and officials. "Many councillors are having their first experience of municipal budgeting," she said.

"There's still a great deal of misunderstanding — some councillors did not realise that Ikapa and other municipalities had their own budgets and there were problems distinguishing capital from operating expenditure.

"Officials are learning that that every item must be justified properly — they can't thumb-suck. This is all to the good — every cent counts."

Mrs Gibbs added that she did not agree with all the recommendations — the documents show that she asked several times for her objections to be minuted.

"I objected strongly to the cut in money for taxi facilities and the 50 percent cut in tree-planting. There will be repercussions," she predicted.

"All essential and committed work budgeted for in 1995/1996 in the city engineer's depart-

■ To page 2

P.T.O.

Nat in fix over court battles

By **NORMAN WEST**
Political Reporter

A WESTERN Cape National Party member says his party's court battles with the central government in the boundaries dispute have put him in "an embarrassing fix".

Cecil Herandien says he has been cited by the NP as a "respondent" because he was appointed, without being consulted, to the Western Cape Provincial Committee (WCPC) by the Minister of Constitutional Development, Roelf Meyer, a member of the NP.

Court papers cite Mr Meyer as second respondent and Presi-

dent Nelson Mandela as first respondent.

Parliamentary sources believe it is the first time in the country's history that a provincial government, the NP-dominated Western Cape legislature, has taken the central government to court.

This means that, with the NP and ANC both serving in the government of national unity, the NP has taken certain of its own public representatives to court.

"Had the NP's Cape Supreme Court case against central government succeeded, I would have been part of the government team that lost against my own party," said Mr Herandien.

The Cape Supreme Court dis-

missed Western Cape Premier Hernus Kriel's application to overturn President Mandela's proclamations. It found that the Local Government Transition Act had conferred full plenary legislative powers on the president, effectively giving him the same powers as parliament.

"If costs are awarded to the NP in the Constitutional Court case, I may be called upon to pay part of the costs," Mr Herandien said.

After President Mandela's controversial amendments to the Local Government Transition Act, two members of the WCPC were replaced, on Mr Meyer's instructions, by Mr Herandien and Mr Kamalassen Chetty (ANC).

(263) ST(CM) 20/8/95

NEWS
POETICAL BRIEFS

**Convicted man
stays on for PAC**

(263) CT 21/8/95

A FORMER revenue office clerk who was jailed for a R100 000 fraud, Mr Anthony Hartogh, would continue serving as a PAC transitional councillor while the PAC's regional executive reviewed his "problem" and made recommendations to their head office, the party said yesterday.

PAC regional spokesman Mr Anda Ntsodo said Mr Hartogh's PAC branch and community were all "standing up for him"

ONE-ON-ONE MEETING TO RESOLVE W. CAPE ELECTIONS

Mandela's Pool Offer to Kriel

A SPONTANEOUS gesture by President Mandela at a banquet last night may resolve the bitter demarcation dispute. ANTHONY JOHNSON and BARRY STREEK report.

ET 23/8/95

(263)

WESTERN Cape Premier Mr Herinus Kriel last night accepted an invitation from President Nelson Mandela to meet in one-on-one talks to resolve the Cape Town's local government demarcation dispute.

"I accept the invitation", Mr Kriel responded when the President publicly asked one of his arch political rivals to sit down and discuss the row that is threatening to derail the November 1 poll.

Mr Mandela told a glittering waterfront banquet attended by much of the cabinet that it was a pity the boundary fight had arisen while he was overseas.

In a spontaneous gesture that caught South African and international politicians and business leaders by surprise, Mr Mandela departed from his text to tell guests that he had in the past always found the former Minister of Law and Order to be reasonable.

Speaking after Mr Kriel at the black the affair, he conceded that his NP adversary "fights very well at long range, but in the in-fighting he becomes quite co-opera-

tive," adding "I have exploited this weakness before".

He noted that Mr Kriel had warmly welcomed him to the banquet and "had been very polite here, but has not been too polite when discussing boundaries".

However, he disclosed that Mr Kriel — who had taken the government to the Supreme and Constitutional Courts over the dispute — had sorted out "serious problems" when recently invited for private discussions at Tuynhuys.

"When you sit down and talk to him, he is willing to make serious compromises," he said.

He said the Western Cape Premier had forgotten his own record of compromise, then he unexpectedly offered the olive branch "Let's sit down and sort this out before the judges decide".

Turning to Mr Kriel he asked "What are we fighting for?"

To this Mr Kriel shouted from the floor "I accept the invitation."

No date has yet been set for the meeting, which could result in the greater Cape Town area voting on November 1. Mr Kriel said afterwards: "We are always in favour of negotiation."

The risks are so high that we need a settlement now."

If the Constitutional Court did not support the challenge to the government's veto of decisions by the Western Cape provincial committee, Mr Kriel said, he would have no option but to take the dispute to the electoral court.

Mr Mandela was speaking at the launch of a new book entitled Portfolio of South Africa, which is designed to attract international investment.

Western Cape Local Government Minister Mr Peter Marais said last night that he was delighted at Mr Mandela's offer.

Settlement

"I like the idea of talks at this level. I have the highest regard for Mr Mandela and if one can get a settlement through direct discussions instead of court action, it will do wonders for relations in the Western Cape."

● Western Cape ANC leader, Mr Chris Nissen, unaware of Mr Mandela's offer, told a demarcation meeting at the Bellville South Civic Centre last night that if the NP persisted with their demands, the regional ANC would not be "cry-babies and run to the central government".

● See Page 4

Transitional costs 'from reserve funds'

Municipal Reporter

TRANSITIONAL costs for Cape Town City Council's "unbundling" into several new municipalities are likely to be taken out of reserve funds

This emerged from a briefing of city councillors by town clerk Keith Nicol, who said the city was likely to be involved in the setting up of four new local authorities

Central to the restructuring would

be decisions on what powers and functions would be carried out by the Cape Metropolitan Council and what would fall to substructures

ARG 23/8/98

(263)

Mr Nicol could not say how much money would be required but said it was an "extraordinary" expense which could not be funded from the budget. The amount could be substantial

Boundaries Row: Critical 72 hours

(263)
President and the premier meet today in last-ditch bid for solution
APR 23/8/95

CLIVE SAWYER, Political Correspondent
and NORMAN JOSEPH, Staff Reporter

IF voters in the Cape metropolitan area are to go to the polls on November 1, President Mandela and premier Hennis Kriel have only 72 hours to settle the region's demarcation row.

This was the warning today from Provincial and Constitutional Development Minister Roelf Meyer after Mr Mandela's surprise public offer to Mr Kriel last night to solve the dispute in one-on-one talks.

Mr Mandela's invitation is being taken up today by Mr Kriel, who is due to sit down with the president this afternoon to discuss the issue which led to Constitutional Court action.

Mr Meyer said if the Cape metropole was to vote at the same time as the rest of the country, a cut-and-dried agreement would have to be reached this week.

While welcoming a spontaneous decision by the president and the premier to hold talks, Mr Meyer said there would have to be significant compromises for the dispute to be solved.

They would have to find a new set of proposals to put on the negotiating table, to prevent a repeat of the earlier deadlock.

"If Mr Mandela can get ANC local structures to change their positions it will certainly contribute to a solution," he said.

But last night there appeared to be no change in the view of the ANC that Khayelitsha should be incorporated into Tygerberg — the issue at the centre of the row.

Provincial economic affairs Minister and regional ANC leader Chris Nissen told about 300 people in the Bellville South Civic Centre that "the whole of Khayelitsha will not come rushing to the Tygerberg areas as most people believe".

Mr Nissen said Khayelitsha would only become part of a large Tygerberg substructure.

"I am aware that fearful residents in northern areas think that blacks will infiltrate their communities.

"The same thing was said before the ANC came into power. White and coloured people thought they would lose their homes to blacks. But this did not happen," Mr Nissen said.

The Bellville ANC branch had invited Mr Nissen to address members from all branches in surrounding areas and to answer questions on why Khayelitsha should be included in Tygerberg and not in the Cape Town metropolitan area.

Mr Mandela's invitation to Mr Kriel to hold talks to resolve the row came in off-the-cuff remarks at a banquet last night.

Paying tribute to Mr Kriel's ability to reach compromises, he said to Mr Kriel "Let's sit down and sort this out before the judges decide.

"What are we fighting for?" he asked.

The premier replied "I accept the invitation."

Provincial Minister of Local Government Peter Marais has welcomed the talks, saying it would be preferable to settle the matter by direct discussions instead of by court action.

At the ANC meeting last night Mr Nissen insisted that Khayelitsha residents would not pose a "swart gevaar" threat to

Bellville South and Tygerberg areas if it were to become part of a Tygerberg substructure.

A court case is pending between the Western Cape and the central government in the Constitutional Court. The matter is due to be heard again on August 30.

Talks renew hopes for November poll

CHRIS BATEMAN
POLITICAL STAFF

LAST ditch attempts to reach a settlement in the Cape Metropole demarcation wrangle yesterday, led by President Nelson Mandela and Premier Mr Hennis Kriel, have renewed hopes for November 1 elections in the province.

Speaking alongside Mr Kriel on the steps of his Genadendal residence after spending 40 minutes together, Mr Mandela said he was relying on a "fund of goodwill" built up over the years between them to reach a compromise. While neither man would release details of their discussions, which top government officials continued last night, they agreed that unless a solution was reached

by tomorrow, the November 1 deadline would not be met.

A Western Cape NP victory in the Constitutional Court next Wednesday could effectively torpedo the entire country's November 1 elections by rendering all transitional proclamations by President Mandela invalid.

According to an Election Readiness report released by Dr Fredrick van Zyl Slabbert's Election Task Group yesterday, 72,24% of the country's voters are likely to be able to vote on November 1.

Only in the Western Cape rural areas and in Kwazulu/Natal, were November 1 elections "virtually impossible", it said.

Mr Mandela said of yesterday's last ditch Western Cape talks "We regard this matter as extremely

urgent and will be working on it 24 hours a day however, we must speak to our constituencies first."

Mr Kriel was sorry the matter had been "left so late", and emphasised that even if agreement was reached, making the November deadline would be "difficult, but we'll go out of our way to help."

Special effort

Local Government Minister Mr Peter Marais confirmed his provincial committee's decision to enable Transitional Local Council elections in November in all but five of the 96 Western Cape towns.

"A special effort was mounted by us and the Department of Constitutional Affairs to devise and follow a working method to enable

those elections to go ahead without compromising or recognising the validity of the (challenged) proclamations made earlier by the President," Mr Marais said.

Towns unable to meet various preparatory deadlines for November could ask Mr Kriel's permission to stagger their elections.

Yesterday saw frantic attempts by Deputy Constitutional Affairs Minister Mr Valli Moosa to contact Mr Mandela and brief him thoroughly on the tortuous Metropoltan negotiations to prevent possible strategic blunders.

At the heart of the court challenge is Mr Mandela's intervention in the make-up of the provincial committee and the NP's rejection of Khayelitsha as part of the Tygerberg sub-structure.



ALL SMILES: President Nelson Mandela and Western Cape Premier Mr Hennis Kriel before their meeting yesterday to try and avoid a postponement of the November 1 municipal elections. After the meeting there was hope the two leaders might reach a compromise over the demarcation of boundaries. **PICTURE: ALAN TAYLOR**

MARCHERS START FIRES, DAMAGE METERS

Council services halted

CT 24/8/95 (152) (255) (263)

MUNICIPAL workers marched through the city yesterday to back their demand for wage increases and have threatened "mass action".

COUNCIL services came to a virtual standstill in many areas around the Peninsula yesterday as more than 5 000 municipal workers — many wielding knobkerries, sticks and sjamboks — marched through the city to demand higher wages.

The workers started two fires in Wale Street and damaged a car and parking meters as they toy-toyed for about two hours after handing a memorandum to regional Local Government Minister Mr Peter Marais. They warned they would carry out "rolling mass action" if their demands were not met within a week.

The protesters carried placards demanding higher wages and coffins bearing the names of Mr Marais, Cape Metropolitan Council chief executive officer Mr Dan van den Berg and Cape Local Authorities Employers' Organisation negotiator Mr André Swart.

Their demands include higher wages for the majority of municipal workers, a return to the negoti-



PROTEST AFTERMATH: Firemen douse the smouldering remains of mock-coffins in Wale Street yesterday, which SA Municipal Workers Union members had set alight during a protest march for higher wages.

PICTURE: ALAN TAYLOR

ating table and a halt to apartheid-style restructuring.

At least 150 policemen, some armed and others in riot gear, lined Adderley and Wale streets. A stick was hurled at Mr Marais as he accepted a memorandum outside the Western Cape parliament. It missed him.

Mr Marais said it was ironic that protesters came to him for

relief when only local authorities had the power to negotiate with them. "They must know that I don't have the authority to increase their wages yet they want me — my stakes must be going up."

Services were disrupted in the northern suburbs, Fish Hoek, Simon's Town, Melkbos and Atlantis, protesters said.

Council spokesman Mr Etienne Vermaak said the march might have been a union response to the employers' suggestion that the dispute should go to arbitration.

The employers' most recent offer had been for a R1 204 minimum monthly wage while the union said it had lowered its demand from a R1 500 to R1 350 a month. — Staff Reporters

Boundary war: Mandela goes to battle again today

ET 25/8/95

(263)

CHRIS BATEMAN

PRESIDENT Nelson Mandela today meets the Cape Metropole boundary protagonists in a high-stakes bid to break the impasse and avert having to call off the country's November 1 elections.

Election Task Group co-chairman Mr Kehla Shubane yesterday said that if next Wednesday's Constitutional Court challenge to Mr Mandela by the Western Cape government succeeded, national November 1 elections would be "impossible"

"A (NP-led) Western Cape win has very, very serious knock-on implications and will effect everything done so far," he said

While he believed seven of the nine provinces would support a new central Par-

liament bill that "gets the process going again", he believed it would take "at least three weeks to pass such a law".

This would mean missing lead-in deadlines to the crucial September 22 candidate confirmation day and shorten campaigning time for candidates, "making a farce of the whole process".

Premier Mr Hennis Kriel's NP-led government is challenging an amendment to the Local Government Transition Act which allowed Mr Mandela to intervene in the make up of the Western Cape's provincial committee (or any other)

Mr Kriel yesterday said he would not accept a settlement "at the cost of our principles and what we believe is a correct demarcation"

Business plea to end Cape boundary row

(263)

ARG 25/8/95
ANDREA WEISS, Municipal Reporter

CAPE business today urged President Mandela and Western Cape Premier Her-nus Kriel to settle the boundary issue immediately because the uncertainty was costing the region millions in lost development

In a combined statement of all the major business organisations, representing more than 10 000 members, Business Cape said it welcomed the intercession of President Mandela.

"Resolution of this issue is critical to all who live and work in the region and Business Cape urges the premier of the Western Cape and all political leaders to transcend party politics and settle the boundaries now so that municipal elections may be proceeded with at the earliest date."

The statement came just hours before President Mandela was due to meet the Western Cape African National Congress executive committee before a follow-up meeting with Mr Kriel

Business Cape consists of an alliance of the Cape Chamber of Commerce and Industry, the Kaapstad Sakekamer, Afrikaanse Handelsinstituut, National African Federated Chamber of Commerce and the Foundation for African Business and Consumer Services.

The spokesmen said they had put their views to the politicians before but this was the first time in 10 years of co-operation among the organisations that they were making a joint press statement.

Mike Newton, chairman of Business Cape, said the issue of provincial autonomy was a separate matter from the boundary dispute and should be dealt with separately.

Mike Stekhoven of the Cape Chamber of Commerce and Industry said the delay was "costing the region dearly"

In a related appeal the Kaapstad Sakekamer noted that a staggered election would effectively mean two public holidays in the Cape because November 1 was already earmarked for a public holiday.

You're king in the Cape, NP tells coloured people

TYRONE SEALE, Political Staff

WESTERN Cape Local Government Minister Peter Marais, still embroiled in an explosive dispute over metropolitan boundaries, has hit the campaign trail to tell coloured people they are "king in the Western Cape".

Mr Marais delivered the curtain-raiser speech at a National Party-hosted public meeting in Belhar last night where National Welfare and Population Development Minister Abe Williams was the main speaker on the theme *Coloureds At The Crossroads*.

Interviewed briefly after the meeting, Mr Williams denied that the tenor of his speech could incite racial tension and said he would have no problem delivering a similar speech in Khayelitsha, for example, just to let people there know about coloured people's fears.

Mr Marais and Mr Williams frequently referred to themselves and the coloured community as "brown people".

Several hecklers were manhandled out of a community centre that had more than enough space for the 250 or so present.

At one stage Mr Williams, arguing that coloured people were neither intrinsically opposed to "blacks nor whites", because of their mixed origin, said: "But we are talking about family matters tonight."

Mr Marais told the crowd, most of whom were NP faithfuls: "Be proud of who you are. This Western Cape economy

depends on coloured skill. Let no one say 'I am black and proud' (because) it's not black hands that make suits in the factories — it's our women

"Brown hands built these buildings, and it's brown hands that built parliament."

Urging support for the NP, he said "You have won the Western Cape. You are king, don't warm your hands at another fire. F W's (De Klerk) fire is still burning high"

He asked those who wanted Mr De Klerk to go on the road to meet his supporters to be patient as, Mr Marais said, the Deputy President was working hard overseas to secure investment so that there would be work for all.

Mr Williams said it was time coloured people discussed where they were and where they were headed.

"We were also in the struggle. The ANC weren't the only ones in the struggle. We were in a struggle for survival, and that's more important."

Many coloured people feared for their own future and that of their children and there was uncertainty about the local government elections.

"My message to you is to ask yourself the question 'Why do we, the brown community, need to feel less important than our fellow Afrikaners? Why do we, the brown community, take second place when it comes to affirmative action, and why do we, the brown community, have to hide behind masks?'"

Money mess in Lingeletu West

Pay rises promised - but there's no cash in the coffers

JEAN LE MAY
Staff Reporter

IN a damning report, Auditor-General Henri Kluever has described the situation in the Lingeletu West transitional council as "extremely disturbing"

"The risk of fraud, theft and other malpractices is high," he said.

Lingeletu West council runs the area between Mitchell's Plain and Somerset West, including Khayelitsha. This area is a focus of dispute in the row about metropolitan boundaries which President Mandela and Western Cape premier Hennis Kriel have been trying to resolve.

The African National Congress wants Khayelitsha to go to Tygerberg, and the National Party wants it included in the Cape Town sub-structure.

However, "Lingeletu West's financial affairs are in such a mess that it is surprising that anyone at all is prepared to take it on, let alone fight over it", commented a provincial official.

It owes the Cape Town City Council R23 million and the erstwhile Regional Services Council and the new Metro Council R8 million, largely for water and other services.

It has no money in the bank, according to information given this week to Saturday Argus and has stopped paying creditors.

"They're using bridging funding to pay workers," an official in the provincial department of local government said.

He stressed that local authorities were autonomous and that the province had no supervisory function.

In spite of the fact that its coffers were empty, the Lingeletu West council agreed in April - against the advice of officials - to pay workers more than R8 million in increases and back pay dating to 1991.

It buckled to demands by members of the SA Municipal Workers' Union (Samwu) that money earmarked for development projects should be paid to them instead.

Attempts by Saturday Argus to get reaction to the auditor-general's report were unsuccessful. On one occasion the telephone was answered by a security guard, who said "Everybody's gone to town to toyi-toyi."

Yesterday the security guard said no-

■ Auditor-General Henri Kluever says "the risk of fraud, theft and other malpractices is high" in the Lingeletu West transitional council.

body was at work because it was pay day. "They check in and then they go to collect their pay and they don't come back," he said.

A secretary at the Lingeletu West treasury office in Bellville said the town clerk, a Mr Coetzer, was at home.

"He's taken a day's leave because the staff don't go to work on pay day," she said.

The A-G's report said the transitional council took over on February 1. On February 2 a forged council cheque for R14 890,10 was presented at the bank for payment, according to the A-G.

The bank spotted the forgery, so no money was lost.

In addition, it appeared that there was fraud in the issuing of driving licences. Police were investigating, said Mr Kluever's report.

Lingeletu West police said their computers were down and they could not report progress on the case.

The A-G attributed many problems in the council to the fact that half the senior posts and about 40 percent of all posts were vacant.

This meant that the backlog of work could not be brought up to date and duties could not be properly assigned.

He said staff records, asset inventories, stock-taking records and registers of assets were not kept, logbooks for council vehicles were not properly filled in and unauthorised use of vehicles not followed up. Financial statements for 1993/1994 were not submitted.

"A complete audit was not possible. The activities of this office were hampered and disrupted to such an extent that effective performance of my statutory duty was not, in all respects, possible."

Since April, the transitional council has been targeted by the Samwu, with frequent strikes and hostage-taking.

Minutes of an executive council meet-

ing held on April 19 display a degree of confusion.

The meeting started with a prayer and chairman G Magqaza asked what would be discussed, since no agenda had been prepared.

Town clerk Mr Coetzer said there were a few items concerning the appointment of staff, but "the drivers' issue is the most important as they are toyi-toying and blocking the gates".

At the time, according to Press reports, about 500 workers were toyi-toying outside and 50 vehicles, including bulldozers and refuse vehicles, barricaded the gates.

After calling in regional chairman of the Samwu, Xolile Nxu, to negotiate with workers, the council agreed to pay the same as Ikapa council was paying - that is, a minimum of R1 200.

The council refused to delay the decision for consultations with provincial authorities because "we don't want to sleep here tonight".

During July, the council realised it did not have the money to pay the promised increases, and backed off. Once again, the white staff was taken hostage.

Earlier this month, workers went on strike again. Senior superintendent of water and sanitation Colin Gosling employed a private contractor to clear a badly-blocked sewage line. The contractor's crew was assaulted by strikers and two of them landed in hospital. Mr Gosling was removed by force from his office and dumped on the boundary of Khayelitsha, never to return.

The Cape Town Supreme Court granted the council an order prohibiting strikers from obstructing the Lingeletu West municipality in its daily work.

The order was ignored and the toyi-toying continued. By mid-August, the council changed its mind once again and agreed to give workers the increases and back pay they demanded.

The council has since met the Cape Province Local Authority Employers' Organisation for advice on getting extra funding to defuse the crisis.

A spokesman for the organisation said yesterday the matter was confidential.

Mr Nxu said yesterday that negotiations between Samwu and the council were continuing and that Samwu was demanding a minimum wage of R1 350.

ARG 26/8/95

(263)

Morkel drives into Guguletu — but stays in car because of the rain

COLIN DOUGLAS (213)

Staff Reporter

ARG 26/8/95

WESTERN Cape Housing Minister and top National Party official Gerald Morkel visited Guguletu yesterday — but did not get out of his car because it was raining.

Mr Morkel's visit to the the Guguletu Day Hospital was to have formed part of an "RDP inspection tour" of the Cape Flats, but his inspection of hospital extensions under construction amounted to no more than a glance out of his car window.

Hospital staff and construction workers said they had not been informed that Mr Morkel would be visiting the site, but when his huge blue Mercedes pulled into the entrance, there was a buzz of interest from workers and patients alike.

"Is it Ebrahim Rasool?" asked a nursing sister, referring to the provincial Health Minister.

But if Guguletu residents had hoped their Housing Minister would go on walkabout, they were in for a disappointment.

The ministerial Mercedes and two other cars in the entourage simply drove into the hospital complex and out again.

One of Mr Morkel's aides opened his electric window on the way out and, asked why the party had not stepped out of the cars, replied "It's a bit moist — we can't control the weather."

A public relations officer hopped out of her car to hand out a Press statement issued by Mr Morkel.

The motorcade had sped away before there was time to follow it to the next venues in Mr Morkel's tour.

The minister's flying visit left bystanders bewildered.

"We wanted to show him the building work and the improvements we're making," a hospital staffer said "But he's gone already."

In his Press statement Mr Morkel said R146 million would ultimately be pumped into Peninsula townships via the serviced land project, a presidential project of the RDP.

Almost 8 000 housing units had already been delivered, he said, and another 32 000 were expected to be built by the time of the project's completion.

"Communities have participated in all aspects of the planning for the development of the area and benefited from labour based construction initiatives and the facilitation of capacity building, training and entrepreneurial development," he said.

Peninsula elections off after talks deadlock

MICHAEL MORRIS
Political Correspondent

(263)
AR 26/8/95

THE November 1 local elections in the Peninsula are off and the outcome of next week's Constitutional Court challenge by the Western Cape government could delay polling throughout the country

President Mandela and Western Cape Premier Hennis Kriel "fought to a draw" in their 11th hour discussion last evening, breaking off talks after meeting for only half-an-hour

Neither side was prepared to compromise to break the deadlock over the demarcation of Peninsula local government boundaries

This means the Constitutional Court hearing is critical

If the Western Cape government succeeds in having amendments to the Local Government Transition Act overturned, the November 1 elections could be scuppered

A ruling that Mr Mandela's intervention in the demarcation dispute was unconstitutional would imply that all other proclamations, including those on rural local government, were

unlawful

This would be a significant setback for preparations for the elections, which would probably have to be postponed

Last evening's meeting at Mr Mandela's Genadendal residence ended shortly before 5 30pm when the president, with Mr Kriel at his side, emerged to announce that while the talks had been cordial, "unfortunately, I have no happy news"

"We fought to a draw," he said

He believed that given more time a solution could have been found

"If we started this initiative earlier than now I'm sure we could have reached agreement. We left it too late," Mr Mandela said

Nevertheless, his relations with Mr Kriel "remain warm and cordial" and "we feel sure that as long as we continue this exchange, we will be able to address and resolve many of the problems that are likely to arise in the course of our relations"

Mr Kriel said he was disappointed the issue had not been resolved

"We cannot make that compromise,

■ To page 2



Picture BRENTON GEACH, Staff Photographer
Mandela thanks three-year-old Leandra van der Merwe in a locally-designed shirt. The African National Congress leader, John Mattyson, is on her left. Mr Mandela was in the town on the historic town's 250th anniversary and more pictures on page 6.

Elections off after talks fail

(263)

■ From page 1

but that should not affect our relationship in the future, and we will still both work towards improving the quality of life of all the people of the province and the country."

Mr Mandela said that while the failure of the talks meant the November 1 elections in the Peninsula were off, he was confident they would go ahead elsewhere in the country

Asked what would happen if the Western Cape government won next week's Constitutional Court case, the president said "It depends how they win. If the win concerns only the Western Cape, there are many areas outside where there are no problems and no reason why the election

cannot take place."

He was not prepared to spell out details of the obstacles in his talks with Mr Kriel.

There was "no useful purpose" in doing so, and in fact the two delegations had not had time to go into the detail.

The engagement was a simple one: "I believe I am right, he believes he is right. We fought to a draw."

The row centres on a National Party demand that Khayelitsha be included in the central Cape Town sub-structure. The African National Congress wants it to be part of the Tygerberg sub-structure, heart of the NP's coloured support base, as suggested by the Demarcation Board.

AR 26/8/95

Mandela, Kriel fail to agree

show 26/8/95 (263)

President Nelson Mandela and Western Cape Premier Hennis Kriel failed to resolve the province's demarcation dispute during a meeting last night.

"We were not able to agree," Mandela said afterwards.

The matter will be heard in the Constitutional Court on Wednesday and local government elections will not go ahead in the Cape Town metro-pole on November 1 - Sapa

Business calls for end to Cape boundary dispute

Edward West

(263)
BD 28/8/95
CAPE TOWN — An alliance of Cape business organisations had called for a resolution to the metropolitan boundary row because it was costing millions of rands of lost development, Business Cape chairman Mike Newton said on Friday.

The Business Cape alliance consists of the Cape Chamber of Commerce and Industry, Kaapse Sakekamer, National African Federated Chamber of Commerce, Foundation for African Business and Consumer Services and the Afrikaanse Handelsinstituut.

Newton said each organisation had made repeated appeals to provincial government urging a settlement of the demarcation row and the holding of local elections at the earliest possible date.

The appeal by Cape Business came hours before a meeting between President Mandela and Western Cape Premier Hérnus Kriel, who deadlocked in their attempt to negotiate a solution to the row.

The row, which has effectively blocked elections in the Peninsula on November 1, related to the NP's demand that Khayelitsha be included in the central Cape sub-

structure. However the ANC wanted the township to be part of the Tygerberg sub-structure as had been suggested by the demarcation board.

The Western Cape challenges central government in the Constitutional Court on Wednesday on the constitutionality of amendments to the Local Government Transition Act which overturned the province's boundary decision, and the constitutionality of plenary powers given to Mandela to amend the Act.

Provincial Affairs and Constitutional Development Minister Roelf Meyer said yesterday media reports that created an impression November 1 elections could not proceed if the Western Cape was successful in the court action, were incorrect.

The case concerned two proclamations amending the Local Government Transition Act, and although a negative judgement for central government might affect other such proclamations, the transition Act itself was not involved, he said.

"Procedures are in any event available to prevent or correct any disturbing effect on the legal framework for the holding of the elections," said Meyer.

Boundary row reaches court

CT 29/8/95

(263)

CHRIS BATEMAN

THE marathon battle to decide whether Khayelitsha is "adopted" by Tygerberg or Cape Town for the upcoming Cape Metropolitan elections continues in the Constitutional Court in Gauteng tomorrow

At stake are the municipal coffers of two privileged sub-structures which fear that a burgeoning Khayelitsha will drain them of future resources

Even President Nelson Mandela's attempt at mediation last week failed to resolve the row

Whatever the outcome of the Constitutional Court battle, March 1996 Cape Metropolitan elections are a virtual certainty because of the pressure of preparatory deadlines

The National Party has amended legal argument in an apparent attempt to enable elections to go ahead on November 1 in the rest of the country, while still fighting for provincial autonomy

A top legal source said the NP was asking for a "restrictive" interpretation to declare the amendment which allowed the govern-

ment a decisive say in appointments to the provincial committee unconstitutional

Mr Mandela's legal rebuttal is that he intervened by proclamation because Local Government Minister Mr Peter Marais "loaded" the committee with NP-supporting members to ensure an NP-favouring demarcation.

If the NP wins, Mr Mandela will ask the 11 Constitutional Court judges to instruct Parliament to revise the amendment to the Transitional Local Government Act speedily to avoid election delays.

ANC slates Nats over provincial 'failures'

(263)
Political Correspondent
AKG 29/8/95

A ROW is brewing in the Western Cape legislature over officials failing to attend committee meetings and delays in appointing sufficient committee staff.

African National Congress Chief Whip Rose Sonto said in a statement that the blame "lies squarely at the door of the National Party-led provincial government"

The matter is to be thrashed out with Premier Hennis Kriel.

Mr Sonto said "The continued failure to finalise the appointment of staff for the provincial legislature has affected its work."

"Sixteen months after the installation of the provincial government, the legislature has no committee clerks and other key officials to perform vital responsibilities"

"It is now expected that one official service all seven standing committees"

Mr Sonto said the situation was compounded by "the continued failure of departmental officials to attend standing committee meetings"

A case in point was a meeting last week on changes to the municipal ordinance to which the department of local government failed to send an official

"On enquiry it was established that the official was sick. But the fact that the department did not apologise to the committee, and failed to send an alternate is disgrace"

Mr Sonto said the ANC caucus believed disciplinary action should be taken when committees are treated in this manner

The civil service in the province should be "restructured" and officials needed to display loyalty, discipline and a commitment to the government of provincial unity

'CAPE COULD BECOME SECOND KWAZULU'

Racial tensions rising in city, warns church

CT 30/8/95 (263)

THE ANGLICAN CHURCH has warned that black parishioners feel excluded from decision-making and racial antagonism is increasing. **LISA TEMPLETON** reports.

RISING antagonism between coloured and black members of the Diocese of Cape Town "could lead to a second kwaZulu" unless something drastic is done, according to a senior Anglican priest.

At a recent meeting of the Diocesan Council there were repeated reports of difficult relations between parishioners of different races, according to a report in the monthly Diocese newspaper.

At the meeting the Rev Mlamli Mfenyana of Mitchells Plain archdeaconry said blacks felt excluded from decision-making as white leadership in the diocese gave way to coloured leadership.

"We will soon find friction between coloured and black Africans," he warned.

The Rev Trevor Steyn, of the Anglican Social Development Institute, said antagonism between

coloured and black people was evident all over the Western Cape.

"Unless we do something drastic soon we will end up with a second kwaZulu."

Mr Steyn cited conflict on trains between coloured labourers from Mitchells Plain and black commuters boarding at Langa and Nyanga as a symptom of this growing animosity.

The church, with its infrastructure to reach people, should be a catalyst in this situation, he said.

The diocese comprises 65 coloured parishes, 43 white parishes, 12 mixed parishes and seven black parishes.

According to the report, Canon Chris Kokoali noted that as coloured parishes constituted the vast majority in the diocese it was logical they would dominate.

At the meeting Archbishop Desmond Tutu said the identity of

coloureds should be considered.

He described coloured people as saying "Who are we? At one time we were not white enough — now we are not black enough. The church should surely be able to provide our people with security and a sense of belonging."

According to Mr Kokoali the problem had its roots in white church services, which were Westernised in approach and had alienated blacks.

Efforts

Yesterday diocesan youth administrator Ms Ruth Paulse said that despite exhaustive efforts to get white and black youths involved in youth events, the attendance remained predominantly coloured.

Archbishop Tutu said the issue was "very painful for all of us [but] it is an issue the church ought to be engaging".

Mr Mfenyana was not available for comment yesterday.

Shebeen in councillor's home

STAFF REPORTERS

A CAPE TOWN city councillor, whose home is being used for a shebeen, sold a beer to Cape Times staff members who called at her Hanover Park address

Ms Carol Jackson, a member of the Transitional Affairs Committee, acknowledged yesterday that she was contravening the Liquor Act and city council by-laws, but said: "I see nothing wrong with it. Everybody is doing it."

She said her sister, Ms Joanne Jackson, who shared her Groenal Walk home, ran the shebeen. The only money her sister gave her was for board and lodging. She did not know how much her sister made from liquor sales

A Cape Times team bought a 750ml bottle of beer for R2,80 when it called

Ms Jackson said that as long as the city council "did not complain", she would allow the shebeen to operate

City planner Mr David Daniels said no one had complained in writing.

"A shebeen in Hanover Park would probably be a contravention of the zon-



FROSTY: Councillor Ms. Carol Jackson relaxes at home. She acknowledges she is allowing her sister to run a shebeen in her home.

PICTURE: ANNE LAING

CT 30/8/95
ing regulations," he said. Selling liquor from a home is not allowed unless a rezoning for business use is granted.

The council is easing up in its attitude to neighbourhood taverns. Mr

Daniels said the council did not want one set of rules for Langa, for example, and another for Hanover Park if both were in the same municipality as it would be accused of being unfair.

Court delays boundary row ruling

(263)

CHRIS BATEMAN

ET 31/8/95

GAUTENG: The Western Cape's attack on President Nelson Mandela's intervention in the demarcation row could cost provincial Local Government Minister Mr Peter Marais his job and cause transitional "mayhem".

This emerged yesterday in the Constitutional Court in what will be a watershed ruling on the assignation of powers by the government to the nine provinces.

The court deferred judgment over Western Cape Premier Hennis Kriel's challenge of Mr Mandela's legal ability to make proclamations independently of Parliament.

"We will have to reserve our judgment. We are aware of the urgency of this matter but some very important issues have been raised," court president Mr Justice Arthur Chaskalson said.

The row arose after Mr Mandela used his presidential powers to step into the demarcation dispute by overturning the appointment of two National Party-aligned officials to a key committee debating the demarcations.

Mr Kriel and Mr Marais asked the Constitutional Court to order that the Local Government Transition Act section which gave Mr Mandela the power to amend an order by proclamation was unconstitutional.

'Far-reaching'

Mr Milton Seligson, legal representative for the province, said a Western Cape victory would "knock out" elections country-wide. He said not only had Mr Mandela failed to follow the correct procedures in applying the Local Government Transition Act, but the act itself was unconstitutional.

He said bills affecting provincial matters should be passed separately in the National Assembly and the Senate and the majority of senators in the affected province, in this case the Western Cape, should also be in agreement.

Section 16A of the Transition Act was unconstitutional because it gave Mr Mandela powers to nullify provincial authorities' powers as laid out in the interim constitution.

Mr Jeremy Gauntlett, counsel for Mr Mandela and his co-respondents, agreed to supply the court with further submissions on Monday morning about the constitutionality of the disputed section of the act.

He said declaring the section unconstitutional would affect elections in the rural areas countrywide.

"It could mean mayhem," he said. "It could even affect the positions of the applicants themselves, as the powers they exercise could also be as a result of these proclamations."

This means that if Mr Mandela lost, the victory could cost Mr Marais his job, as one of the contested proclamations amended a specific definition of "administrator" to be Mr Marais — and not his Western Cape cabinet.

Judge Chaskalson said any decision made by the court would have "far-reaching implications".

Mayor uses his vote to reject boundary motion (263)

Staff Reporter

THE mayor of Bellville used his casting vote to get the Bellville City Council to defeat a motion calling for the inclusion of Khayelitsha in the proposed Tygerberg substructure.

The motion, proposed by South African National Civics' Organisation representative Ralph Stuurman at the council's monthly meeting this week, also called for the council to "express its strongest displeasure in the manner in which the MEC for Local Government (Peter Marais) handled the demarcation issue".

After the council split equally on the motion, mayor Carl Cronjé used his casting vote to reject it.

In February the council adopted a resolution calling on Mr Cronjé and councillor Willie van Schoor to compile a report on the council's viewpoint on the demarcation issue.

The Demarcation Board has recommended Khayelitsha be included in Tygerberg but Mr Marais's opposition to this view has prompted a test case in the Constitutional Court.

Mr Stuurman's motion called for the resolution to be overturned.

It read: "The (demarcation) issue is causing political strife and endangering the racial harmony of the new substructure of Tygerberg which could be disastrous for race relations in our area."

It said Mr Marais was contributing to the deterioration in race relations and causing irreparable harm by his actions.

Another motion by Mr Stuurman, calling for a "detailed report" on a range of affirmative action issues, also ran into difficulties when officials told him they had submitted

such a report to the council three months ago

The motion called for a report on employment statistics and a "full report" on steps being taken to apply the principles of affirmative action at senior management level.

Town clerk G J N Coetzee objected strongly to the wording of part of the motion.

Some of it read: "The outward appearance of management of this council is skewed and creates a deliberate image of white male dominance and a suppressed coloured and black workforce."

"There is on the face of it no clear attempt to correct this contradiction which is a relic of a bygone area."

The motion said a lack of transparency on the part of management was undermining a healthy relationship between it and the council.

Mr Coetzee retorted: "This is the most transparent management in the Western Cape."

He said there was an increasing tendency to discredit management as the local elections loomed. If councillors had a problem with the city administration they should come and talk to him.

Danie Uys said: "I cannot believe that councillor Stuurman, who is an attorney, can spread such falsehoods without checking the facts. It is not the first time that this has happened."

Mr Stuurman: "All I am saying is that management does not reflect the people of the country and a coherent affirmative action programme is not in place"

"We must be assertive and catch up with the pace of change in the country."

Bellville exco ⁽²⁶³⁾ seeks allowances ^{ARC 31/8/95}

PIETER MALAN
 Staff Reporter

THE Bellville city council has reached a settlement in the wage dispute with its own workforce, but reaching a settlement in the pay dispute with its executive committee is proving more difficult.

In an effort to settle the ongoing wage dispute between the council and the SA Municipal Workers' Union, the council raised its minimum wage offer by R62 to R1 266 this week.

Insiders believe this will pave the way for a settlement when the the Industrial Council sits again tomorrow.

Closer to home, on the issue of how much council members of the council's executive committee should be paid, the council ran into trouble at its monthly meeting this week.

An effort by exco to reopen the debate on how much of the recommended allowance members of the committee should be paid was scuttled at the meeting when the council referred the matter back to exco.

At the moment exco members are paid only 60 percent of the maximum recommended scale for a city of Bellville's size. This decision was taken because the transitional exco was 40 percent bigger than previous ones, and exco felt it should try to save the ratepayers money.

Hearing that most other cities of comparable size do take the full allowance, Bellville's exco members now want to overturn their earlier decision, allowing themselves the full gratuity.

This is R5 695 a month for exco members and R7 593 for the chairman. Ordinary council members earn R1 898 a month.

During Tuesday's debate deputy mayor Ruben Machelm said councillors should accept decisions taken by the council in a spirit of good faith.

"We had a deadlock on this issue

when we first discussed it and the 60 percent opinion was accepted as a compromise. This decision was reached in good faith and we should abide by it."

He said the timing of the debate was unfortunate as the council had just decided to raise its offer to its lowest paid workers to R1 266.

"Now we want to vote ourselves a salary of four times that amount."

His sentiments were shared by councillor Ralph Stuurman who said the council had told the workers it hadn't enough money to pay a decent wage.

"It is morally incorrect now for us to increase our own allowance."

Councillor Willie van Schoor said "I did not want to talk on this issue, because it is getting embarrassing, but ordinary councillors claim 100 percent of the allowance for only attending one meeting a month, but when it comes to exco they say committee members can only claim 60 percent."

"If you want to take the moral stand, then we must all accept 60 percent across the board."

Rosina Parwater said non-exco members were finding "all sorts of little excuses" why exco members should not be paid the full allowance.

"Many are just jealous because they are not exco members," she said.

Barnie le Roux questioned a report tabled before an earlier council meeting which said all other councils were paying their exco members the full allowance.

"Goodwood, Kraaifontein and Cape Town are not paying their exco members the full allowance."

He said the provincial proclamation only stipulated the maximum allowance and it was not an absolute must that exco members be paid the full amount.

The issue was then referred back to exco by a majority of 13 of the 18 council members.

R25-m for Cape poll (263)

THE Western Cape is due to collect R25 million from central government coffers for the running of local government elections

Answering a question in the national assembly, Minister for Provincial Affairs and Constitutional Development Roelf Meyer said a total of R396,7 million would be available as a transfer payment for the local government elections to the provincial revenue accounts ARG 31/8/95

The department of constitutional development itself is due to collect the largest single allocation of R66,4 million

Row over RDP centre spending

ARC 31/8/95

(263)

Staff Reporter

THE Cape Metropolitan Council has agreed to spend R1,4 million on setting up a dedicated Reconstruction and Development Programme headquarters.

About R70 000 will be spent on buying computer equipment for the centre, an amount councillor Arthur Wienburg described as excessive

"We are supposed to be looking after the taxpayers' money, not spending it on expensive equipment if the equipment can be bought at much cheaper prices

"The money should be put to better use like implementing RDP projects"

Joye Gibbs said it seemed certain councillors were against the RDP being implemented

"One of the problems with the RDP is that certain councillors are still against it because the programme allows

for community participation and decision-making, unlike in the past when all these decisions were made top-down

"Some of the councillors just cannot get used to not making top-down decisions and are resisting the implementation of the programme"

● A proposal on the development of Century City, near Milnerton, was referred back to the Cape Metropolitan Council's executive committee for further scrutiny because councillors felt that not enough was being done for the region's homeless

The project aims to develop a 192-hectare area at a cost of R1,5 billion and build hotels, conference facilities, a shopping complex and a water theme park

Pan Africanist Congress councillor Philip Bam said the CMC should reject projects which were intended to build playgrounds for the rich at the expense of the homeless

"The CMC should lay claim to some of the land and provide low-cost housing on the site."

Louwtjie Rothman, co-chairman of the planning committee, said if the council could not decide on the motion, his committee would send the proposal to Western Cape Premier Hennis Kriel for a decision.

● A motion calling for an investigation into irregularities at the former Regional Services Council's fire department was tabled by PAC councillor Philip Bam

Mr Bam said that in spite of two previous investigations launched by the RSC, the problems at the fire stations, which started way back in the 1980s, had still not been resolved

"I have documentary proof that the investigators were not serious enough in trying to get to the root of the problems because they involved senior members of the service."

The council agreed to let the staff matters standing committee look into the allegations

Private partnership role emphasised

Staff Reporter

THE success of the Reconstruction and Development Programme depends "very much" on the private sector because government doesn't have the capacity to deliver, says Institute of Personnel Management board member Zorah Ebrahim

"The private sector needs to forge stronger links with local government, which to a large extent will be the vehicle for delivery of the state's promises," said Ms Ebrahim, a director of Premier Fishing in Cape Town, in an article to be published in the institute's magazine next month

"It should be remembered that the previous government

failed in its own half-hearted efforts at poverty alleviation because the state simply lacked the required delivery capacity

"It still lacks it," Ms Ebrahim said

She found it "unfortunate" that corporate social responsibility programmes had to date "been largely a euphemism for chequebook philanthropy"

Eighty percent of corporate responsibility expenditure had been directed toward education, and education was also the government's largest single budgetary expense

"How effective has that expenditure been?" asked Ms Ebrahim

"Well, three in five South Africans are functionally illiterate

"Even in third and fourth generation urban populations such as Soweto, 35 to 40 percent of the people are illiterate and South Africa is destined to dominate the lower extremes of comparative human resource development studies"

Ms Ebrahim said a different approach to corporate responsibility was required money should be spent on promoting economic development and job creation.

This, in itself, was problematic as corporate South Africa offered an ever-diminishing number of jobs

Continued from Page 1

Demarcation hearing told of 'mayhem'

(263)

Susan Russell

LOCAL elections would be disrupted and mayhem ensue if the Constitutional Court nullified provisions of the Local Government Transition Act central to the demarcation dispute between the Western Cape legislature and central government, the court heard yesterday

This submission was made by President Nelson

Mandela's counsel Jeremy Gauntlett SC, in the Constitutional Court yesterday.

Western Cape premier Hernus Kriel and the province's local government MEC Peter Marais have challenged the constitutionality of two proclamations by Mandela in June, amending section 16 (a) of the Local Government Transition Act.

The amendments effectively stripped the provin-

cial government of its power to appoint members of the provincial committee, and transferred the authority to Provincial Affairs Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with the President.

Mandela's proclamations nullified two provincial committee appointments by Marais, and his decision to include Khayelitsha in Cape Town's central met-

ropolitan substructure. Counsel for Kriel has argued that the amendments are invalid because they violate the constitution. Government counsel has argued the President acted within his powers.

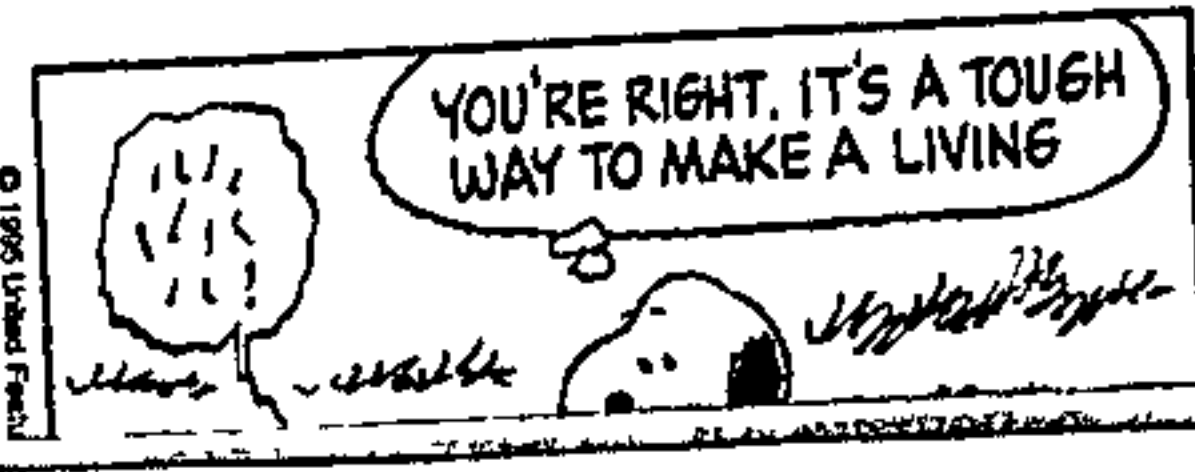
Gauntlett said an order invalidating 16 (a) would cause "a fair degree of mayhem" with implications for local elections countrywide.

Constitutional Court president Judge Arthur Chaskalson reserved judgment. He said the court was aware the matter was urgent and might have to give judgment, furnishing full written reasons later.

PEANUTS

By Charles Schulz

7-12
MOLES HAVE VERY WEAK EYES
THEY DIG TUNNELS JUST UNDER THE
GROUND, AND HUNT WORMS AND INSECTS



MEC in '1

...merging groups were merged...
...group which...
...voters in the county...
...potential voters in the county...

W Cape boundaries row reaches a head

■ BY SUSAN MILLER

The Constitutional Court yesterday reserved judgment in the dispute between the Government and the Western Cape provincial authorities over local government election boundaries in the Cape Town metropolitan area.

The executive council of the Western Cape and Premier Her-nus Kriel, among others, brought the case to the Constitutional Court in an attempt to overturn President Nelson Mandela's an-

nulment of a provincial committee decision on demarcation.

The court challenge has effectively meant the Western Cape will not be taking part in November's local government elections.

Jeremy Gauntlett, SC, counsel for Mandela and his co-respondents, agreed to file further written submissions to the court on Monday about the constitutionality of section 16(a) of the Local Government Transition Act.

Gauntlett told the court he un-

derstood that time was running out for the planning of the local elections and that any decision which took more than two weeks could cause "tremendous problems" countrywide.

This followed a remark by Constitutional Court president Mr Justice Arthur Chaskalson that it was unfortunate the court was "once again" being asked to consider new issues by Milton Seligson, SC, counsel for the Western Cape government, at the close of the day.

(263)

STAN 31/8/95

PUBLIC SECTOR - LOCAL AUTHORITIES - WESTERN CAPE

1995

SEPTEMBER - OCTOBER

Election delay: Council appeal to government

ARG 1/9/95

ANDREA WEISS
Municipal Reporter

(263)

CITY councillors are to petition the central government to amend legislation to ensure that elections in the Cape metropole are held before March 31 next year.

This was decided at the council's monthly meeting yesterday

Several councillors expressed concern about the election delay, but were cut short by mayor William Bantom when they started to express party political views on who had caused the delay.

Neil Ross of the Democratic Party took the first swipe at bilateral talks between Western Cape Premier Her-nus Kriel and President Nelson Man-dela during a debate on recommen-dations from the city administrator on electoral arrangements

He said the DP took exception to the "to-ing and fro-ing" of the National Party and the African National Congress "as if it is their prerogative to decide where and when we should hold elections"

He said it was arrogant of political parties to make private arrangements and then tell their "lackeys" on the provincial committee for local gov-ernment what to do.

"We've got puppy dogs on the pro-vincial committee," he said, adding that the NP was being obstructionist and self-centred over the boundary is-sue

Hanief Tisseker of the ANC rose but was cut short by Mr Bantom when he started to say it was not the

ANC's fault that the election was be-ing delayed

"I'm responding to the previous speaker," Mr Tisseker countered.

"He was out of order," Mr Bantom replied

Mr Tisseker then said "I think it is unfair when you allow one political party to badger the ANC"

He went on to say that all parties were concerned about the delay, which was caused by the provincial minister for local government's refus-al to implement the demarcation board recommendations

Leon Markovitz of the NP said he would reply to remarks made by Mr Ross before he was ruled out of order

He said he believed it was impor-tant for parties to have bilateral dis-cussions to resolve political matters. This went back to the days of the Kempton Park negotiations

The DP could meet any party it wished to, he said, adding "all one needs is a very small room"

At this point Mr Bantom interject-ed: "You're treading on very thin ice"

Faldela de Vries of the SA Nation-al Civics Organisation said she was perturbed at the tone of the debate when serious issues were at stake

She said it was imperative the council did everything in its power to ensure the elections weren't delayed any further

The council agreed to adopt an amendment to the original resolution, proposed by Saleem Mowzer of the ANC, which urged that the govern-ment should do all that was necessary to ensure the elections went ahead on March 31

Lawyers at the ready

ANDREA WEISS

Municipal Reporter

CONTINGENCY plans are being made for parliament to change the controversial Local Government Transition Act if the government loses its court battle over Cape municipal boundaries

This would make hollow a possible victory by the National Party dominated Western Cape government, which has petitioned the Constitutional Court over certain amendments

The Western Cape is arguing that President Nelson Mandela went beyond his powers when he made amendments affecting the province's right to make appointments to the provincial commit-

Legal advisers to the central government are working on a damage-control plan in the event of the Western Cape winning its case before the Constitutional Court.

tee for local government

Appointments to this committee, made by local government MEC Peter Marais, catapulted the Cape metro government into political turmoil because they allowed the NP plan of combining Khayelitsha with Cape Town central to go through

When central government intervened and undid the appointments, by amending the local government transition act, by presidential proclamation, the province decided to take the matter to the constitutional court.

Its case rests on whether the president could make amendments by proclamation, given that sections 61 and 62 of the interim constitution prescribe that laws affecting the provinces should go before parliament.

Should the NP succeed, indications are that parliament will be asked to pass the same amendments which are required, in preparation for local government elections.

The court is expected to make its judgment next week after Jeremy Gauntlett SC, acting for Mr

(263) RLV 2/9/95

Mandela and others, hands in additional arguments on Monday

Isak Retief, spokesman for the Ministry of Constitutional Development and Provincial Affairs, has confirmed that the state's legal advisers are in the process of making contingency plans in the event of a defeat

Mr Retief said it was a "fair assumption that the legal advisers will cover all avenues"

Constitutional Court president Arthur Chaskalson also asked both legal teams what they thought the court should do if it found in fa-

our of the NP-led province.

Mr Gauntlett suggested that it was within the court's powers to rule that the legislation should stand while parliament be given a period in which to correct the problem

He quoted section 98 (6) of the interim constitution which made provision for this eventuality

As section says that the constitutional court may, "in the interests of justice and good government", ask parliament within a specified period to correct a defect in a law which has been found to be inconsistent with the interim constitution

The law would then remain in force pending the correction being made or the expiry of the period laid down by the court

CP withdraws from rural poll

(263)

CT 4/9/95

THE Conservative Party has withdrawn from the election for rural councils, party leader Dr Ferdi Hartzenberg said yesterday.

The decision was announced at the CP's Cape congress held in Hartenbos.

"Because the distinction between statutory and non-statutory groups has been scrapped, the CP has decided not to participate in the election for rural councils."

The scrapping of the distinction caused opposition to the election among farming communities.

Dr Hartzenberg said it therefore made no sense to test farmers' support at the polls for the CP stand for full political autonomy and an own local authority.

The CP would, however, continue to stand in municipal elections where a distinction between

statutory and non-statutory groups existed.

The CP congress rejected the notion of co-operating in the municipal elections with the National Party and Freedom Front.

It said the only way to unite a nation was through full political independence, and the CP was the only party contesting the elections that stuck to this principle.

"I am not prepared to stand with other parties and fight for peanuts. For that I won't lift a finger. For the freedom of our nation I am, however, prepared to offer up everything," Dr Hartzenberg said.

He blamed division among Afrikaners on Freedom Front leader Gen Constand Viljoen. The Front had taken part in the general election, contrary to a decision by the Afrikaner Volksfront. — Sapa

Metro Council debate rekindled

CT 4/9/95 (263)

LOCAL government politics has undergone a marked change in the past year, with those who formerly pushed for a strong Metropolitan Council now wanting a weak one, and vice versa

Mr Bathembu Lugulwana remarked at a recent briefing of Cape Town City Council's transitional affairs committee that the question of a strong or weak Metro Council had already been resolved

"There is an agreement already there," he said "I am for a very strong Metro. But we were defeated in the agreement."

He was referring to the Cape Metropolitan Negotiating Forum (CMNF) agreement, which does indeed provide for a relatively weak metro council with strong municipalities

Private consultant Mr Nico McLaughlin, who was giving the briefing, responded that it is "impossible to blindly stick to the agreement, without defining roles that we see for the Metro"

He suggested that a new Metropolitan Restructuring Forum be set up to "co-ordinate" all the change and engage in "inclusive problem-solving

processes"

Such a body may act as counterbalance to the power of the Metropolitan Commission, which has been legislated into existence by the NP-dominated provincial authorities to oversee the transition process



CIVIC DIARY

BY PETER DENNEHY

The commission is making the Cape Town City Council distinctly nervous. It knows it probably will be fighting with local government minister Mr Peter Marais for some time to come, probably throughout the restructuring which will take years

Mr Mzukisi Gaba of the SACP, who used to favour a strong metro but later went along with the CMNF report, told Mr Lugulwana that the "weak or strong metro" issue has not yet been laid to rest. Councils other than Cape Town are "busy shifting everything to metro now", he added

Why do the conservatives now want a strong Metro Council? My guess is that it is because they know they will be able to win control over it in the forthcoming elections

Idasa researcher Mr Robert Mattes said in a recent article that more Western Cape coloured people who have a household income of over R3 500 a month voted ANC than NP in last year's elections

But most earn less than that, and the overall majority voted NP

It seems then that the NP is following a wise strategy in aiming to win control of the metro, and it is probably also correct in resigning itself (unofficially) to likely ANC hegemony over the future Central Substructure, where we may guess that incomes are higher in general.

A few years down the line, we may even see an NP-dominated metro imposing levies on an ANC-run Cape Town municipality and redistributing the proceeds to Tygerberg — which, despite the NP's current efforts, could by then have taken over from Cape Town the title of most-heavily-taxed urban centre in the country

Argument starts in Strand boundary case

ARG 5/9/95 (263)

Supreme Court Reporter

LEGAL argument has started in the Supreme Court in a review application brought by the Strand municipality to stop their inclusion in the Cape Metropolitan Area.

The application is directed at

Western Cape Premier Henus Kriel, Local Government Minister Peter Marais, and various local authorities.

The Strand was granted an interdict in May restraining the authorities from disbanding the municipality or "infringing its rights

in any unlawful way", until the case was heard in court.

The Strand is asking the court to review Mr Marais' decision in September last year incorporating the Helderberg Basin, which includes the Strand, into the Cape Metropolitan Area.

From cabaret to Cabinet

⁽²⁶³⁾ **He's the fiery showman of provincial politics who goes for the jugular**

5/9/95

SHORT and stocky, and often of jovial countenance, the Western Cape's minister of local government and *déje nour* of the African National Congress possesses an entertainingly comic streak.

The performer in him has not been entirely subsumed in his earnest political functions and aspirations, and it often makes him seem a clown, especially in opponents' eyes.

Yet his political performance is less a show than a bout. His bluster, pugilistic style makes him seem little more than a rabble-rouser, but it conceals a dogged, wily and irrepressibly confident politician.

There is nothing half-hearted about him. His opponents often wish there was so do his own party colleagues from time to time.

The son of a charwoman, Petrus Jacobus Marais was born and brought up in Kensington on the Cape Flats.

It was, as he has described it, a "poor, but proud" home.

He matriculated from Kensington High in 1961 and, equipped with song-writing and music-making skills learned from his playwright father, he pursued a career as a singer, working with other Cape musicians such as Zayne Adams and Taliep Petersen.

His interest in politics was always strong and, after completing two years towards a B Com law degree at the University of the Western Cape in the mid-1970s, he formed his own People's Congress Party.

It was never a roaring success, but it did earn him a seat on the now-defunct and generally ridiculed President's Council.

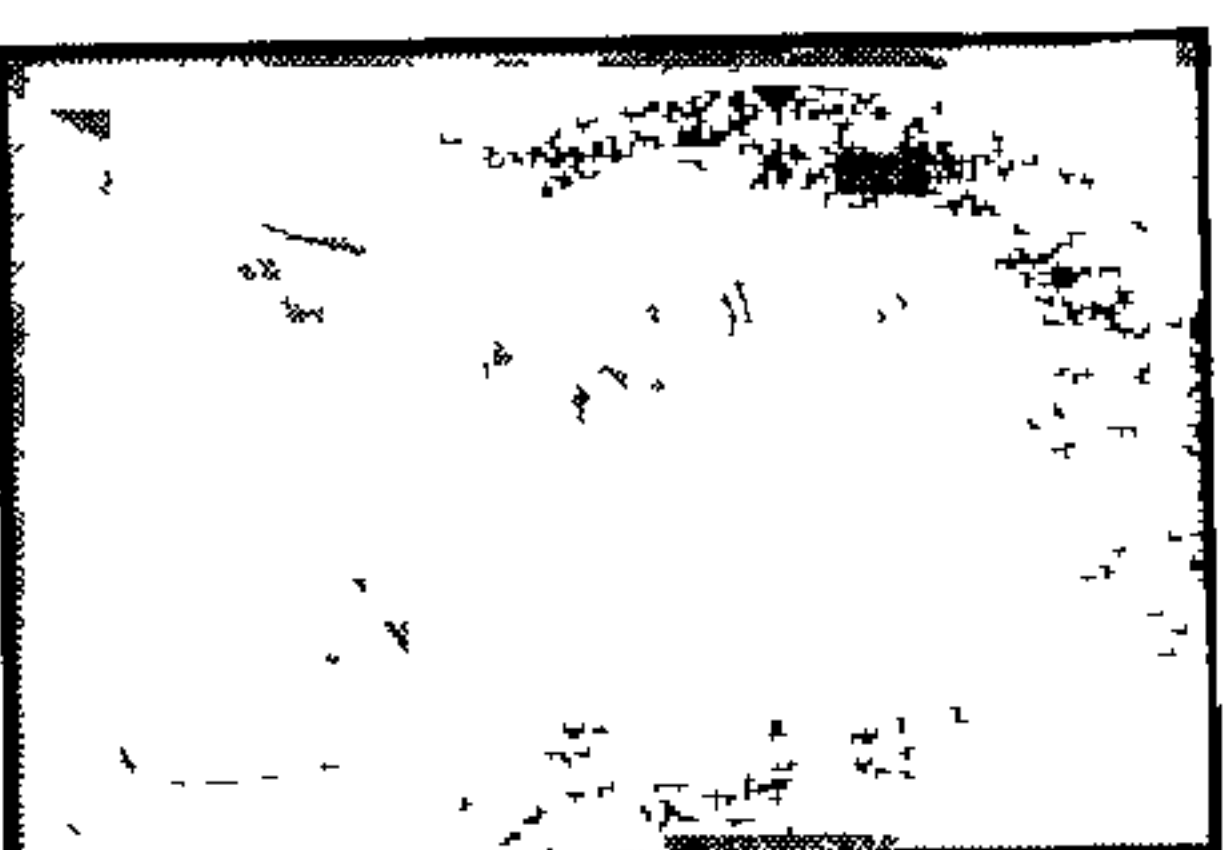
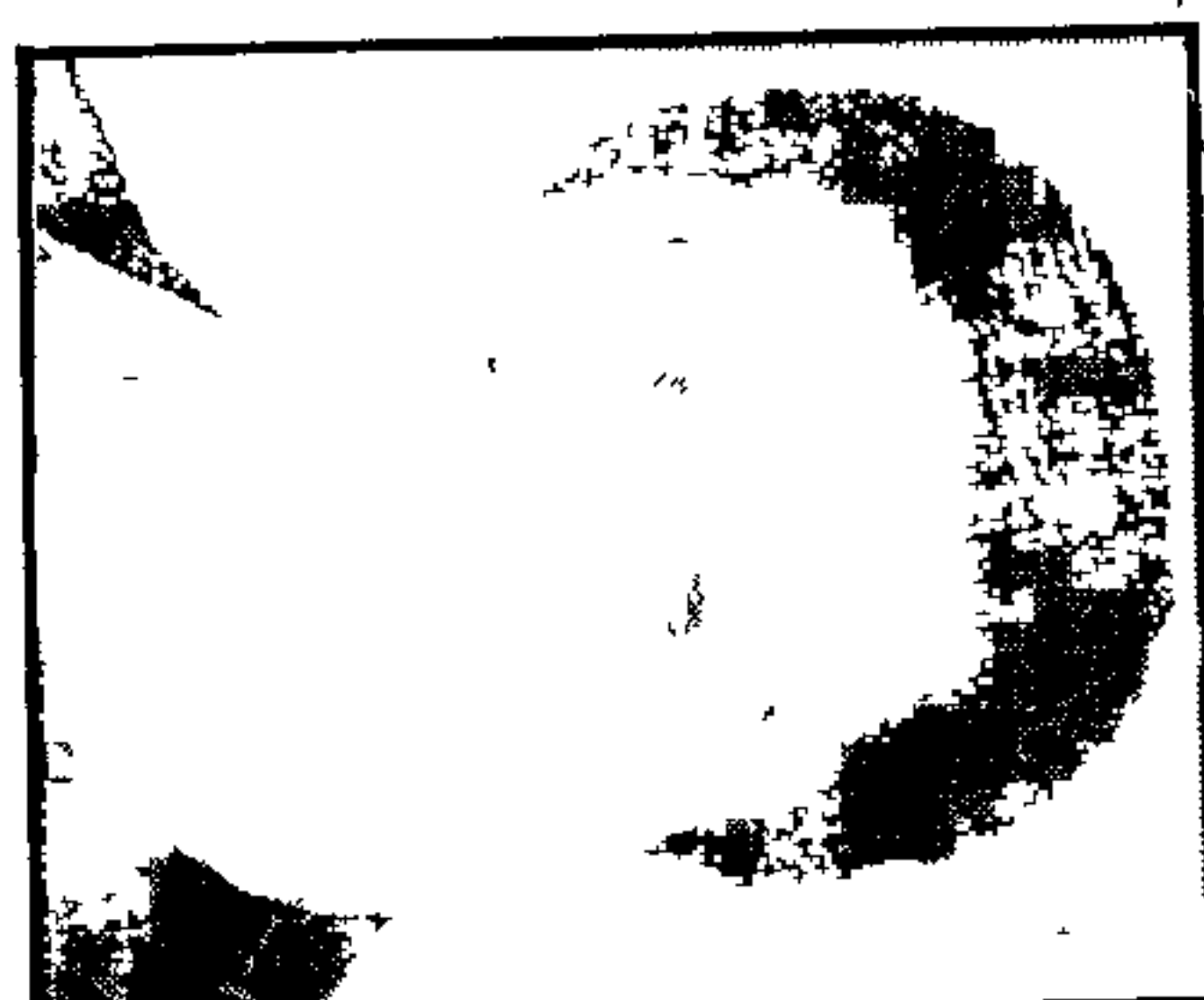
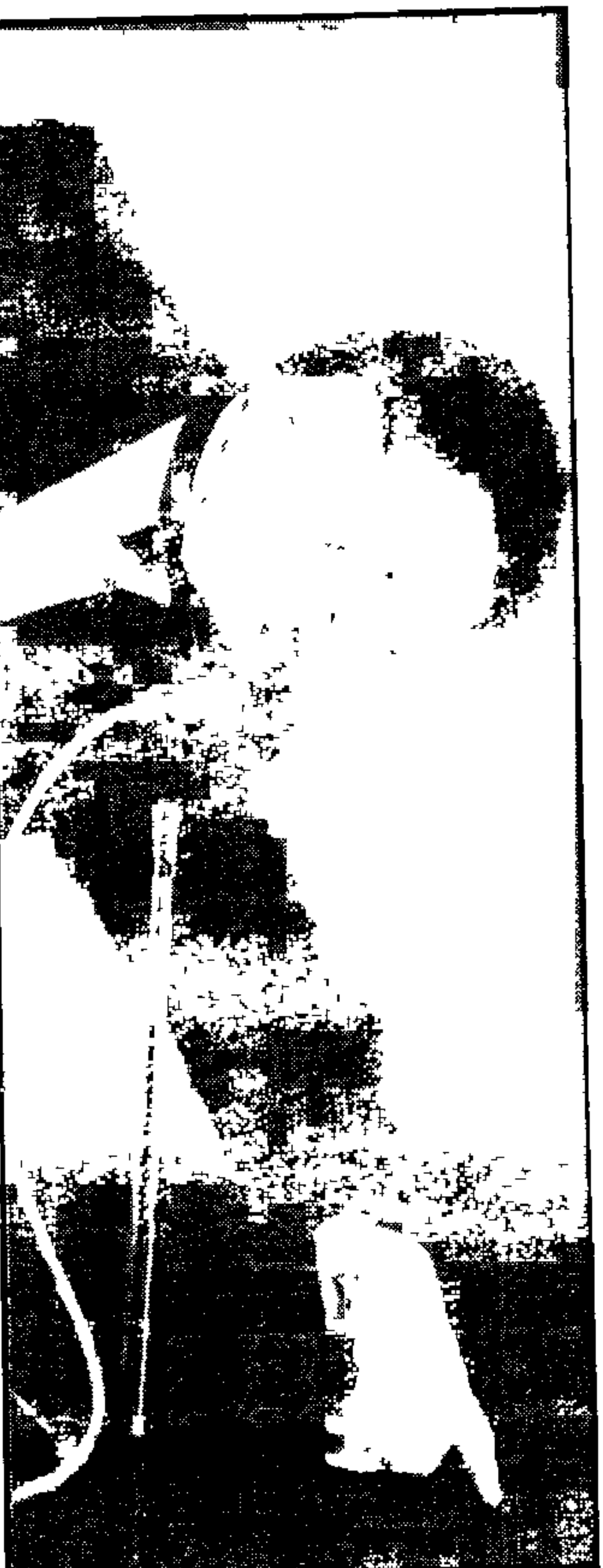
If the party did not make a significant impact, Mr Marais used the exposure it gave him to good effect, raising his voice as often and as controversially as possible, risking a measure of notoriety for the attention he must have realised would one day bring him rewards.

In the late 1980s, he used his musical talents — recording the ballad, *Turn Back The Tide* — to demonstrate to then Deputy Minister of Information Louis Nel that you could get a peace song in the can for a great deal less than R1 566 847.

In 1987, he blithely volunteered

Not content with tiptoeing in the wings of provincial affairs, Peter Marais has thrust himself on to the stage of national politics with what many regard as rash élan. This former cabaret artist is certainly not shy of the spotlight, even when the glare exposes his faults. Political Correspondent MICHAEL MORRIS reports.

(263) ARS/9/95



HOLDING THE POLITICAL STAGE: The many faces of Peter Marais.

to sing in a Malay choir competition in spite of the influential Muslim Judicial Council's spurning the event as culturally "degrading".

"If politics mean I must stand aloof from my community," he shot back, "I'll get out of politics".

This was classic Marais rhetoric. Not for a minute would he have believed the former, or ever have intended acting on the latter.

In fact, his political activities intensified. In October 1987, he merged his People's Congress Party with the Democratic Party in the House of Representatives and the Progressive Reform Party in the House of Delegates to form the United Democratic Party.

Less than year later, though, he defied his new party's policy and

resigned, joining Allan Hendricks's Labour Party.

Three years after that, when the Labour Party opted to endorse English as the only official language of South Africa, Mr Marais was stridently implacable and he made his final political move, to the National Party.

By the time the President's Council was disbanded in the "PW" era of the early 1990s, Peter Marais was well-placed for greater things.

He was one of 12 NP delegates chosen by then President De Klerk to represent the party at the Co-deesa talks and, not long after, in April 1992 he was appointed Member of the Executive Committee of

the Cape, in charge of works and traffic control.

However, his new responsibilities did not in any way temper his taste for controversy. Two weeks after his promotion to the provincial executive committee he was stirring passions with suggestions that it would be unfair for squatters to enjoy the same voting rights as ratepayers.

That seems mild in comparison to the series of local government rows that have raged since his appointment last year as provincial minister in charge of municipal government.

The Constitutional Court case that could yet disrupt local government elections throughout the country, and his storming out of a

parliamentary select committee last week are the latest examples of the kind of upset he is often at the centre of.

Political partners and opponents agree on some elements of the Marais make-up that he is hard-working, that he is prone to become excitable when provoked, that he is a fierce debater.

Nats, naturally, regard him as supremely loyal.

In the eyes of his opponents, this is regarded as partisanship, a slavish devotion to his own party, and a determination to serve its interests above others.

Equally, friends and foes also know him as a very ambitious politician. As a boy, he recalled once,

he dreamed of becoming Prime Minister. It is now widely felt the ambition is slightly modified that he wants to be Premier of the Western Cape.

Supporters say his greatest assets — after loyalty — are his honesty, straightforwardness and dedication, that he inspires confidence in his party's leaders because he is prepared to shoulder responsibility and work hard.

Some within Nationalist ranks admit that he is inclined to anger if provoked and that "he sometimes tends to get a bit emotional". But they count on him as a feisty debater, a quick thinker on his feet.

There is admiration even from parties who abhor his politics.

While casting him as "an archetypal populist", one acknowledged that he "understands the sentiments of his community and is able to speak in their language".

"He also has a certain generosity of spirit which comes through every now and then, and I believe he is serious about achieving something for his people."

One MP who has tackled Peter Marais across the floor noted, "He has no grasp of detail... he is better at selling a case than making a case, and I think that's part of his character. In decision-making, he will always opt for a political position than a principled one. He is a committed Nat from that point of view."

It was also noted that Peter Marais "has a deep racial consciousness of who he is".

Sometimes this was not necessarily a good thing, "but in some senses at least, it's a very good thing. It's a keen sense of identity. He has a coloured voice, an aggressive one, and it's what people look for."

There is also a sneaking admiration for his flamboyance. "One has to give him that... although I sometimes think he has an urge for grandeur without having the foundation for it."

For all his political rumbustiousness, there is little doubt that Peter Marais is shrewd and cannot be ignored.

As one opponent observed "He is not to be underestimated. He is very good at identifying his opponents' weaknesses... and he goes for the jugular."

'Transition allowed Mandela to step in'

ET 5/9/95 (263)
CHRIS BATEMAN

THE urgent demands of transition allowed President Nelson Mandela to regulate the application of laws in provinces — as in the restructuring of the Western Cape's provincial committee

This was said in supplementary papers filed before the Constitutional Court's 11 judges by Mr Mandela's senior counsel, Mr Jeremy Gauntlett, yesterday.

Mr Mandela is defending an application by Premier Mr Hennis Kriel's government to declare unconstitutional the President's intervention after two National Party-aligned officials were appointed to the provincial committee on the demarcation of municipal boundaries

Mr Gauntlett, who was given six days to respond to an altered legal attack aimed at an amendment to the Transitional Local Government Act, said yesterday Mr Kriel's lawyers should not be allowed to change tack without explanation

He asked that the challenge be halted.

Mr Milton Selgson, SC, for Mr Kriel, argued that any bill affecting provincial matters should be passed separately in the national assembly and the senate with the majority of senators in the affected province in agreement. This had not been done by Mr Mandela

The court reserved judgment. It may hand this down later this week because of the urgency of election preparations.

EUNICE RIDER reports that the Strand Municipality has brought a review application against Mr Kriel, the Cape Metropolitan Council (CMC) and seven other respondents in the Cape Supreme Court in an attempt to reverse a decision by Mr Kriel to include Strand in the CMC

Counsel for the Strand Municipality said in papers yesterday that the respondents had acted ultra vires and that there had been "mistakes" in the Demarcation Board's report which proposed the Strand's inclusion.

'Irrelevant'

The Strand Municipality claimed that the respondents had taken into consideration "irrelevant facts and circumstances" in deciding that Strand should be part of the CMC.

The other respondents are the Western Cape Minister of Local Government and Development Planning, the Western Cape Committee for Local Government, the Demarcation Board, the Wine-lands Regional Services Council and the metropolitan transitional substructures of Lwandle, Gordon's Bay and Somerset West.

The hearing continues

Substructures will be temporary — Marais

006/9/95 (263)

Edward West

CAPE TOWN — The controversial Cape metropolitan substructures, once proclaimed, would be retained for an interim period only in terms of legislation envisaged by the Western Cape provincial government.

At a function hosted by Cape business organisations, local government Minister Pieter Marais said the current system of local government for the Metropolitan area was unsatisfactory. He had instructed his advisers to draft a framework for legislation to bring about a more focused approach.

He envisaged the legislation — currently before the Constitutional Court — retaining the finally proclaimed substructures for an interim period.

The legislation would determine the functions of the Cape metropolitan council, as functions negotiated in 1993 were "clearly inappropriate" in relation to the real metropolitan situation, he said.

"For instance, there is no provision for metropolitan involvement in public housing."

Once the final constitution came into effect, Marais said, he wanted a review to determine whether there still needed to be a metropolitan council or whether the same object could be

achieved with a limited number of special bodies to deal with, say, housing, water, planning and electricity.

Premier Hennis Kriel said the Western Cape government wanted a provision written into the new constitution guaranteeing provinces' right to receive funds from government on the basis of an equitable formula.

He said there was a perception in central government that Western Cape was wealthy, but income from vehicle licences, horseracing betting tax and hospital fees was negligible, and the province was dependent on transfers from central government.

Health and education services had been underfunded by central government and the two provincial departments would overspend this year.

Responding to complaints from business representatives about the delay in the local elections, Kriel said the province intended to have elections putting legitimate local government structures in place before March 31.

Provincial agriculture, tourism and planning minister Lampie Fick said a provincial development council, drawn from regional councils, would be in place by April to ensure development in the province struck a balance between ecological and economic development needs.

Metro has cash for RDP projects

□ Councils asked to apply for R30-m

AR 96/9/95

ANDREA WEISS
Municipal Reporter

THE Cape Metropolitan Council is to allocate Reconstruction and Development Programme funding in packages of R2 million each to local authorities who come up with properly researched ideas by the end of next month

An invitation has been sent to local councils informing them that R30 million is available for RDP projects this year.

To qualify, the applications must include minutes of meetings showing that community consultation has taken place.

In its guidelines, the CMC says "public participation in all project applications" is a pre-

requisite to qualify for money

Local authorities will also be entitled to employ community-based organisations, non-governmental organisations and private sector agents to implement specific projects

But all applications will have to be made by local authorities and they will be responsible for accounting, expenditure and delivery

Finance will also only be for capital expenditure and not for operational and maintenance costs

Each authority has been invited to submit an application for a project of not more than R2 million before the end of October

Also, for the next financial year, they are being asked to put forward, by December 22,

not more than three applications for projects which do not exceed a total of R5 million

Projects which may qualify for RDP funding include transport, electricity, water, storm-water, sewerage, and waste removal

Categories under protection and safety are traffic control, fire, law enforcement, ambulance, building, land-use control and public health

Social welfare projects could include housing, community development, sport and recreation facilities, geriatric care, youth facilities and programmes and civic facilities

Cultural activities which could qualify for funding are libraries, museums, parks and education facilities or programmes.

Judgment reserved in Strand boundary bid

Supreme Court Reporter

JUDGMENT has been reserved in a review application brought in the Supreme Court by the Strand Municipality to stop their inclusion into the Cape Metropolitan Area

The application is directed at the Western Cape Premier Hennis Kriel, Local Government Minister Peter Marais, and various authorities

The Strand claims Mr Marais acted *ultra vires* (be-

yond his powers) and that he "failed to apply his mind".

In reply, the respondents reject this and say Mr Marais not only considered a report by the Demarcation Board recommending the incorporation of the Helderberg Basin, which includes the Strand, but that he also invited the opinions of the affected parties. (263)

Mr Justice Conradie and Mr Justice Kuhn reserved their judgment

ARC 6/9/95

Keegan lashes out at colleagues

ANDREA WEISS
Municipal Reporter

ARG 7/19/95 (263)

CLIVE Keegan has tongue-lashed fellow councillors for not taking their role seriously after a spate of lost quorums bedevilled the Cape Town City Council's business.

Last week the council's monthly meeting had to be rescheduled after it lost its quorum during the afternoon when an item was being debated on a confidential green paper.

Before the adjournment, most of the meeting was taken up with items which had been held over from the month before because of the same problem.

When the council reconvened yesterday, it did so after another of its standing committees — the transitional affairs committee — failed to achieve a quorum.

The fact that the transitional affairs committee did not have a quorum meant it could not make a recommendation to

the council about the proposed appointment of administrators in the place of councils by March 31 next year.

In debating an urgent motion on the issue of administrators, Mr Keegan said the council was "hypnotised by inertia" because of its imminent demise.

He said the city deserved more than the "caretaker management" it was now getting.

"It is time for us to start saying openly what we say in the corridors, in the rest-room and behind our hands," he said.

He said there was too much "non-participative baggage" on the council and accused councillors of occupying chairs without entering debate or disobeying laws which they expected others to obey.

He said that officials were also affected because there was a "creeping tendency" on their part not to bring matters of detail to the attention of the council.

Council launches petition to avoid its 'replacement'

ARG 7/9/95 (263)

ANDREA WEISS
Municipal Reporter

THE 98-member Cape Town City Council has decided to launch an eleventh-hour petition to stop it from being replaced by an administrator at the end of March if no elections are held by then

The council decided yesterday to seek an urgent audience with the constitutional affairs select committee which is to decide today whether to recommend the amendment to the Local Government Transition Act

In terms of 16A of the Act, President Mandela can pass the amendment by proclamation if the committee has agreed to it

The power conferred to the president in terms of 16A is currently the subject of the

Constitutional Court dispute between the Western Cape and central government

Clive Keegan of the African National Congress said the amendment was as "authoritarian and dictatorial" as legislation which came out of the "Botha and Vorster" eras

The council agreed to approach the committee directly after after Neil Ross of the Democratic Party proposed a motion of exigency (urgent need) at the council's monthly meeting yesterday

Mr Ross said the proposed amendment affected the autonomy of local government and would effectively mean central government assuming control after March 31 next year — an "arbitrary date"

He said there would be all kinds of "mindblowing" conse-

quences if this were to happen

In his motion he said that the council was opposed to any delays in the holding of government elections but it was equally concerned that the provisions being contemplated would "usurp all powers" handed down in the Local Government Transition Act

Mr Keegan said that what was contemplated in the amendment was both "dangerous and draconian"

He said the amendment would not give the minister the right of discretion

The council decided to send a delegation consisting of Mr Ross, Mr Keegan, acting exco chair Llewellyn van Wyk, Clive Justus of the National Party and deputy mayor Theresa Solomon to put its case to the standing committee

Give greater powers to small local authorities - councillor

COLIN DOUGLAS
Staff Reporter

(263)

ARG 7/9/75

CONSTANTIA councillor Joan Heming has called for maximum devolution of power to small, community-oriented local councils.

Mrs Heming was speaking in Bellville at an Idasa seminar on urban management, sharing the platform with Valli Moosa, Deputy-Minister of Provincial Affairs, and David Dlah, executive committee chairman of the Cape Metropolitan Council (CMC).

Mrs Heming — also a CMC member — called for a local government system that would promote a "sense of community", with local councils small enough to be accessible and responsive to ordinary people.

"What all citizens wants is to optimise their quality of life where they live," she said.

"This is a reality often forgotten by sophisticated politicians, and by bureaucrats who think their job is to manage and not to listen."

Mrs Heming said that although she supported the Demarcation Board's proposal for six Cape Peninsula councils, she hoped this demarcation would prove to be only a "steadying process" on the way to a greater number of smaller councils.

The CMC should restrict itself to dealing with matters in which local councils had a common interest, such

as urban development planning and the management of the Peninsula's natural resources

Unless residents were able to take part effectively in decision-making through small councils, local government would continue to be seen as an extension of the state's "political and economic hegemony".

The efficient provision of services to poor people depended on the devolution of power from central and provincial government to local authorities, Mrs Heming said.

"The meeting of basic needs doesn't need to be costly. It needs political will, and officials to give us more for our money."

Mr Moosa's main message was that the economic welfare of the whole country depended on urban centres providing a climate conducive to investment, and this could only be ensured if local authorities were to have an effective finance system.

But Mr Moosa maintained that central government would continue to have an important role in the affairs of local government: "Metropolitan integration is a national issue."

Mr Dlah said metropolitan councils should be afforded direct representation on the state's Finance and Fiscal Commission so that councillors would not have to depend on the provinces as intermediaries when local authorities sought funding.

Extra Parliament sitting over city boundaries row?

CT 8/9/95

(263)

CHRIS BATEMAN
POLITICAL STAFF

PARLIAMENT may have to reconvene to pass redrafted transitional legislation if Western Cape Premier Mr Hermus Kriel wins his constitutional challenge against alleged government "interference".

This emerged yesterday after a surprise Constitutional Court summoning of lawyers for President Nelson Mandela and Mr Kriel to argue whether the constitution allows Mr Mandela to regulate the application of laws in provinces.

Mr Kriel's counsel claim Mr Mandela flouted the constitution

by issuing proclamations altering the Western Cape's provincial committee

Mr Mandela's lawyers say the interim constitution allows the president to legally fine-tune laws applied by provinces.

Mr Mandela's intervention was prompted by Local Government Minister Mr Peter Marais allegedly "loading" the provincial committee with NP supporters to ensure a vote excluding Khayelitsha from the Tygerberg substructure.

The court's 11 judges will hear further argument on September 14 — the day before Parliament adjourns.

Threat to Cape peace

THE fragile state of inter-group relations in the Western Cape deserves urgent attention if this region is to remain stable, attracting tourism and investment

The rising tensions are of concern in under-privileged coloured and black communities but the malaise is more widespread and could erupt further afield unless it is addressed.

Returning to the Cape after six weeks in Britain and Ireland, I have the impression that there has been a deterioration in coloured-black relations, with potential flash points in cities and on the platteland in this region.

There have been warning signals enough. Consider, for example, the recent bloody dispute between members of a predominantly black and a predominantly coloured union in the food canning industry, a major employer of labour in this region. A worker was killed, as the Cape Times reported on Wednesday.

It does little good just to preach non-racialism and to look the other way. There are real fears and deep-seated resentments in the coloured community - a fear of being "swamped" by the newly urbanised black communities, losing ground to them in the job market and in access to education and other services.

Such fears need to be addressed. In a recent speech at the Idasa conference in Cape Town, noted by Willmot James on this page a few days ago, President Mandela spoke of what he called "corrective action", with an emphasis on equality of opportunity, and seemingly disowning the negative racial connotation which the term "affirmative action" has acquired.

The president's speech gives an important lead. But more than this will be necessary to reassure the coloured community. This is a very

POLITICAL SURVEY



sensitive issue in the Western Cape and it will be exploited to the hilt by the ANC's political opponents.

Part of the problem, probably the greater part, is the traditional political culture of the National Party, which stayed in power for half a century by means of ethnic mobilisation which, in plain language, means appealing to the common history, loyalties, hopes and fears of particular ethnic groups. The key factor is numbers: if the group in question comprises a majority in the electorate the party which can get them into a single kraal is assured of victory.

For the National Party, this was the royal road to power at the time when Afrikaners constituted the majority of the electorate. If enough Afrikaners could be winkled away from General Smuts's United Party, the Nationalists would gain power, as indeed happened in 1948.

The thrust shifted in later years to embrace all whites, with the NP stirring up white fears of black "swamping" and returning to power with increased majorities year after year.

CT 8/9/95 (263)

In the post-apartheid era, the NP in the Western Cape has single-mindedly set its sights on the group which now is in the majority in this region - the so-called coloured community - and is skilfully entrenching itself in power in the regional government, using its traditional techniques of group mobilisation, setting itself up as the champion and spokesman of the coloured community.

This strategy will probably ensure NP control in this region for some time to come, even if it means the loss of some white support to right-wing groups elsewhere in the country.

It also means, inevitably, a sharp increase in tension between coloured people and blacks, stirring up mutual resentment in exploiting black-coloured fear and mistrust.

If the tactics of the Cape NP in the 1994 election are anything to go by, inter-group tensions will be stirred up to fever pitch when next the region goes to the polls.

Who has forgotten the notorious comic book propaganda used by the Cape NP, in the April election, which used crude picture-story techniques to incite fear and suspicion of blacks generally, and of the ANC in particular, suggesting for example that the Communist "comrades" would grab old ladies' Bibles out of their hands and close down the churches if the ANC came to power.

Another round of this sort of electioneering and the Western Cape will rival kwaZulu-Natal as a centre of ethnic violence and for much the same reasons.

All the signs suggest that the NP will win the next election in this region. They do not have to stir the pot to boiling point and risk unleashing a new round of inter-racial violence which would plunge the Cape into chaos.

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Violence fears over Cape racism

Save the Cape campaign is being instituted to defuse increasing racial tension in the Western Cape, reports **Rehana Rossouw**

RACIAL tension could explode in the Cape if nothing is done to reduce antagonism between coloureds and Africans, religious leaders and politicians warned this week.

Rallying behind a call to "Save the Cape", the Anglican Church is spearheading an anti-racist campaign, to be launched in the region soon, to minimise racial tension.

Some concerns underlying the campaign appear to be rooted in speculation and rumour rather than existing conflict. Observers point to unconfirmed reports of train violence, attacks on jobseekers and friction between taxi operators as evidence of mounting conflict, but Metro Rail Corporation and the police say no such attacks have been reported to them.

Political parties attribute the tension to the use of nationalist propa-

ganda and misinformation being spread in the run-up to the local government elections, and the launch of new parties representing exclusive coloured aspirations.

Reverend Trevor Steyn of the Anglican Social Development Institute warned this week that the Cape could explode into a "second KwaZulu-Natal" if racial tension were not addressed soon.

"I have had so many people coming to talk to me about racial tension and violence in the past months. I checked in Mitchell's Plain and Nyanga and found that there were incidents of violence, particularly on trains running between the two townships," Steyn said. "People are not inventing these stories — it is an outflow of what is currently happening in the country and the uncertainties coloured people are facing."

Steyn said coloureds believed that because President Nelson Mandela was running the country, coloureds would not get anything from the government. People he had spoken to, including professionals, told him their employers said Mandela was "putting pressure" on them to employ blacks instead of coloureds.

"If they think their jobs are on the line because of black people, they are going to find a way of expressing their objections. We come from a very violent past and many people have no other way of expressing their frustrations except through violence. It does not take much to spark it off."

Steyn said the situation was "very sensitive" and should be dealt with by non-partisan organisations instead of political parties.

"I am wary of the way political parties are positioned in the Cape. Some of them are exploiting the situation for their own gain and the minute we start addressing the issue, we will be stepping on their toes."

Non-government organisations will be invited to assist, and political par-

ties will be invited to join the "Save the Cape" campaign, with the proviso that they steer clear of sloganeering and rhetoric which could inflame the situation.

African National Congress Western Cape spokesman Brent Simons said the ANC would support the Anglican Church's campaign, as the organisation was "extremely concerned" about the increase in "race awareness" in the Cape.

Some political parties are deliberately inciting the situation, and the National Party foundation for racism in the last election campaign," Simons charged.

"Their leaders are telling one race that they are the kangs of the Western Cape, that their hands built the city, not black hands — and that kind of talk could incite racism."

Simons said unless parties refrained from such talk, the Western Cape could face violence on the scale all parties would not like to witness. National Party Cape organiser

Freddy Adams said he shared the Anglican Church's concern about the potential for violence in the Cape.

"You can feel the racism, especially on the trains between Mitchell's Plain and the African townships," Adams said.

"I have seen and heard of racial incidents. African workers on construction sites were chased away by coloured labourers who said they were stealing their jobs. In Eindhoven, coloured taxi drivers threatened to stop all black taxi drivers who were carrying coloured passengers."

"There are rumours going around like wildfire that blacks are going to be given free housing and that all their debts are going to be written off."

Adams said he "totally rejected" the accusation that the National Party was spreading racism. He blamed it instead on new coloured parties which had sprung up in recent months and restricted their membership to coloureds only.

"The National Party has nine branches in Khayelitsha alone. I spend a lot of time in African areas at house meetings and visits. If the people there thought I was a racist, I would not have survived this long."

WMA 8-14/9/95 (263)

court

(263)

By NORMAN WEST
Political Reporter

ST 18(M) 10/9/95

THE Constitutional Court has put Western Cape Local Government Minister Peter Marais on the carpet for implying that any decision it might make on proclamations by President Nelson Mandela could be "politically influenced".

Mr. Marais was reported to have said at a public meeting in Kuilsriver on Thursday night that if the Western Cape government lost its case against Mr Mandela, for signing two proclamations into law limiting provincial powers regarding local government, this could amount to a "political decision".

Moosa, Marais condemn ward law

By NORMAN WEST
Political Reporter

CONTROVERSIAL legislation that provides for the division of wards in transitional authorities between statutory and non-statutory bodies has been condemned by ANC Deputy Minister of Provincial Affairs Valli Moosa.

The measure has also been rejected by the NP's Western Cape provincial Minister of Local Government, Peter Marais, but for different reasons.

Mr Marais said that instead of de-racialising local government, the 50/50 division of wards, proposed by the Western Cape Demarcation Board, amounted to "social engineering" and favoured black areas.

Mr Moosa told an Idasa seminar on urban management that the agreement on dividing wards was "discriminatory, ridiculous and difficult to justify" and should be discarded.

Mr Marais said "If this measure were to be implemented, the black vote in the Western Cape would be worth six times that of a coloured or white vote."

"This is because in some areas, in terms of the proposed 50/50 division, 3 000 black voters in non-statutory areas would have the same number of councillors as the 20 000 coloured and white voters in statutory areas."

On Friday the court asked Mr Marais to give it an urgent explanation of his comments.

Later that day Mr Marais withdrew the remark "unconditionally".

He said he "emphatically denied that it was my intention to hold the Constitutional Court in contempt or to insinuate that party political considerations would have an influence on the decision of the court".

Apart from any court decision, local government elections in the country face a new hurdle following the ANC and NP's failure to pass the Constitution Second Amendment Bill.

The main provision of the Bill was to stagger local government elections.

Unless the provisions on local government are approved before the end of the parliamentary session this week, it would be illegal to hold elections on different days in different provinces, warned Mr Marais.

If the amendment is bulldozed through parliament, it would give central government the power to fire interim councillors and replace them with an administrator unless elections are held by the end of March next year.

Mr Marais confirmed on Friday that no elections would be held on November 1 in Metropolitan Cape Town or rural districts of the Western Cape.

Marais put on carpet by

MEIRING WARNS OF SLASHED JOBS, SERVICES

W Cape budget to be cut

ET 11/9/98

~~263~~ (263)

ALREADY FACING a R1-billion deficit this year, the Western Cape is to see its share of government funding trimmed further over the next five years **POLITICAL STAFF** reports.

THE Western Cape is to take a massive cut in its budget allocations over the next five years as the government seeks to equalise spending in the nine provinces

Western Cape Finance Minister Mr Kobus Meiring warned at the weekend that the province will have to undertake large-scale retrenchments and limit or halt certain services if the budget cuts were implemented within the proposed five years

In real terms the region's budget is to be cut by an average 3,41% a year for five years as other provinces such as Gauteng, which have been short-changed, take a greater slice of the budget

In constant 1995 rand terms

and allowing for conservative economic growth, the Western Cape will see its share of the total budget for the provinces drop from 11,26% next year to 7,96% by the 2000/1 budget year in terms of recommendations by the Financial and Fiscal Commission

The commission, whose primary task was to find an equitable basis of sharing among the provinces, released its formula on Friday to the provinces and the parliamentary finance committee

Mr Meiring said in a statement that he accepted there was a need to distribute funds more equitably, but he objected to the restructuring taking place over five years

"The implications for a developing province like the Western



CONCERN: Mr Kobus Meiring

Cape are of great concern," he said, adding that "within a five-year phase-in (this) is not in any way" practicable

"It means in current rand terms

that the Western Cape budget must be cut by more than 3% a year "

In view of the R1-billion deficit the province faced this year, it would be more realistic to phase in the cut over 10 years

Mr Meiring also objected to the 25% weighting built into the formula for rural areas. This had serious implications for the Western Cape which, according to the commission's figures, had the highest human development index of all the provinces

Mr Meiring said care should be taken that a signal was not being sent out that economic development was to be halted in developed provinces

It is anticipated that next year's budget will see the Western Cape's slice cut by 3,19%, the following year by 3,29%, then by 3,41%, 3,53% and 3,63%

● See Business Report

MONDAY
SEPTMBER 11, 1995

Marais withdraws comment (263)

BARRY STREEK

25/11/95

REGIONAL Minister of Local Government Mr Peter Marais has withdrawn his statement that the Constitutional Court would be reaching "a political decision" if the Western Cape lost its case challenging proclamations signed by President Nelson Mandela.

Mr Marais was reported to have made the remark at a public meeting in Kuils River on Thursday.

On Friday, the Constitutional Court asked Mr Marais for an urgent explanation.

Mr Marais said "I emphatically deny it was my intention to hold the Constitutional Court in contempt or insinuate that party political considerations will have an influence. I withdraw this remark unconditionally in so far as it may be construed as such. A decision will have to be based on practical/political grounds. It is in this context that I referred to this possibility in my speech."

Cape 'ruled by coloured people now'

□ *Marais slams ANC promises*

ARG 12/9/95 (263)

TYRONE SEALE
Political Staff

NO ONE should use the colour of his skin to avoid paying for municipal services he can very well afford, says Peter Marais, provincial Minister of Local Government Affairs.

"Those who are rich mustn't hide behind skin colour. If you are coloured or black and you can afford to pay, you must pay," he told about 250 National Party supporters at a meeting in the Shawco Hall in Manenberg last night.

Mr Marais made this statement during question time when residents, one of whom referred to "the natives from Transkei", pressed him on the write-offs of arrears in black townships and the payment of flat rates for rents and services in certain areas.

Earlier, Mr Marais apologised cursorily to a handful of supporters from Guguletu before telling his audience that coloured people had been sidelined and regarded as a minority group for far too long.

"They must now realise we rule the Western Cape, we must take a stand so we can be sure your child, your son, has a future."

He said coloured people had to accept that they were neither white nor black but they could no longer "go into this world in hatred".

However, he said, "our people" were working in the Western Cape's clothing factories and vineyards and should be

proud of where they came from without discriminating against others.

He attacked the African National Congress for making cheap promises that it was slow in delivering.

While there were many people without jobs in places like Manenberg, ANC MPs were demanding better earnings and more airline tickets to fly their families around the country.

If the ANC were to win the municipal elections, Cape Town's chances of hosting the Olympics would be wrecked as the ANC would "steal the Olympic flag" even before the games began.

In the same way, he said, television sets "put there by Van Riebeeck" had disappeared from parliamentary offices.

Mr Marais said that under the ANC the country was on the decline as crime and joblessness rose.

Some people felt, they had been better off under apartheid, not because they liked apartheid, but because joblessness and crime had never been as high as they were now.

Mr Marais said he was currently fighting a court action because the ANC had wanted him to take certain decisions, failing which "they ran to Madiba".

He said his reaction to the subsequent presidential proclamations had been "You can sign, *boetie*, but I'll see you in court."

Marais 'still in contempt'

(263)
STAFF REPORTER

CT 13/9/95

PROVINCIAL Local Government Minister Mr Peter Marais has been in contempt of the Constitutional Court and has not denied having made the remarks on which this allegation was based, the court has been told.

The Constitutional Court asked Mr Marais on Friday for an urgent explanation of remarks made at a public meeting in Kuils River.

Mr Marais told the court: "I emphatically deny it was my intention to hold the Constitutional Court in contempt. I withdraw this remark unconditionally in so far as it may be construed as such."

In written argument this week, Mr Jeremy Gauntlett, SC, and Mr Jan Heunis, counsel for President Nelson Mandela, said Mr Marais' remarks were calculated to influence the court and were insulting to it.

His retraction had ameliorated the insult, but not the attempt to influence the court.

Demarcation dispute

(263)
Municipal Reporter *AKG 14/9/95*

JOHANNESBURG. — The Western Cape cabinet and central government battle it out again in the Constitutional Court today in what is expected to be a final day of legal argument.

The provincial government has taken President Mandela to court over proclamations he issued amending the Local Government Transition Act, in particular two which concern the Cape Metropole's demarcation dispute

The court today has narrowed its focus down to Section 235(8) of the constitution, which deals with the president's powers to make proclamations for the "administration" of the law

Council decides against increase

ARG 14/9/95

(263)

Municipal Reporter

CAPE Town city councillors have decided not to give themselves an increase, but only after a lengthy debate and two votes to decide the issue.

The proposal that councillors should be given the full Grade 15 allowances they are entitled to claim was brought by Inkatha Freedom Party member Ian Page, who asked that the executive committee look into the matter.

Mr Page also suggested that the vote should be a secret one.

National Party caucus leader Leon Markovitz said his party would vote against the proposal because they were "stop-gap" councillors who had not been put there by the electorate.

On the eve of an election it would be morally incorrect to tell the ratepayers that councillors were going to take an increase.

The Pan-Africanist Congress and the Democratic Party followed suit, saying their members would also vote against the proposal.

John Muir of the DP said a secret vote was unacceptable and undemocratic.

When the vote was taken by a show of hands, the proposal was carried by 29 to 24 votes, but councillors immediately stood up to demand that a division be called.

This meant that the vote was taken again, but this time each councillor was called by name and asked to state his or her position.

As the names were called, DP members heckled those NP members who switched their votes.

The motion was defeated with 45 votes against and 15 in favour.

Absent councillors hold up RDP millions

263 AAG 14/9/95

Municipal Reporter

CAPE Town City Council's efforts to get multimillion rand RDP projects off the ground are floundering because the committee in charge has been unable to get a quorum three times in a row.

A budget of R2 million has been set aside for RDP business, along with a further R15 million for projects.

The accusation was made at a meeting of the Cape Town City Council yesterday. This was also a reconvened meeting, because a quorum of the full city council had been lost twice before.

One attempt to hold a meeting of the RDP committee was scuttled because neither co-chair — Enoch Madywabe and Patricia Lategan — was present.

There will be another attempt tomorrow to hold the RDP meeting — which was supposed to have taken place before the monthly council meeting.

The council's commitment to the RDP came under fire during a debate on a proposal that money should be spent on advertising the role of RDP forums in the community.

During the debate, harsh criticism was directed at the RDP committee by member Leshe Langenhoven who said: "There is nothing going on in this committee."

Mr Langenhoven appealed for a dedicated office to be put in place to deal with the RDP, as was the case at the Cape Metropolitan Council.

Arthur Wienburg, of the Democratic Party, said he was shocked by the accusations.

He said he could imagine what was going on in the minds of the committee when they proposed that money should be spent on advertising.

"We have a R2 million budget; we've done nothing. We don't have any programmes, we don't have a quorum. What can we do?"

Their answer was "Let's spend money. Let's advertise when all else fails," he said.

Mr Wienburg said that after seven months the committee should "produce something" and come up with a plan with specific projects.

"We are pregnant with expectation. They must now deliver. Believe me, after seven months it cannot be regarded as premature. It is overdue," he said.

Faldia de Vries of the SA National Civics Organisation said the RDP needed to be taken seriously.

She endorsed the view that the RDP needed to devise a programme of action which showed how the R2 million budget should be spent.

Co-chair Mrs Lategan said that the problem was one of "inclusivity".

She said none of the RDP forums had come up with ideas for projects and criticised her fellow councillors for not having positive contributions.

Joye Gibbs, also a member of the RDP committee, said "Rome was not built in seven months."

It was difficult to inculcate RDP principles in communities which had been used to "top-down decision-making" for the last 40 years.

Many of the communities where forums were being established, needed capacity building.

"Let us not underestimate the Gohath project the RDP is," she said.

Enoch Madywabe of Cosatu warned that the RDP forums should not become agencies of employment.

Councillors ⁹⁵ (263) get cold feet

ET 14/9/95

IN an astonishing turnabout, a majority of Cape Town City Councillors first voted in favour of an investigation into increasing their allowances, and then overwhelmingly against it.

When the show-of-hands vote went 29-24 in favour of the investigation, Mr Arthur Wienburg and others immediately called for a division. This calls for each councillor to say which way he or she is voting. Their vote is then noted in the minutes.

The result of the division vote was a crushing 45-15 defeat for the proposed investigation into increasing allowances. — Municipal Reporter

NEWS

'WOEFULLY OUT OF THEIR DEPTH'

City Council is falling apart — Keegan

A **FORMER MAYOR** said yesterday the city council's leadership role in the transition process had "almost entirely collapsed", and a serious examination of structures was required. **PETER DENNEHY** reports.

THE Cape Town City Council is falling apart and its political leadership has almost collapsed, councillor Mr Clive Keegan said yesterday.

Mr Keegan, former mayor and exco chairman, said the council was falling further and further behind in its ability to influence events in the local government transition.

"Our political leadership role has almost entirely collapsed. Our role in the conversation about the powers between metropolitan and provincial levels has not even started in this council."

He said the council should seriously examine the way its committees are structured, so as to address the issues of transi-

tion and at the same time "keep the ship of state floating"

He was speaking after many councillors had complained about other councillors not arriving for meetings, and of nothing much being achieved in those meetings when they did arrive.

In many respects it was quite clear to him, Mr Keegan said, that both the council's RDP committee and its transitional affairs committee were "woefully out of their depth"

He said thus far the council had been a "pretty feeble participant" in debate about which body should have which powers, duties and functions.

It is also clear that there was going to be

(263)
CT 14/9/95
an intensification of the traditional rivalry between the City Council and the Cape Metropolitan Council (CMC), which resembles the old Western Cape Regional Services Council

Nobody yet knows how the local elections will affect this, but rivalry about functions between these two bodies would be exacerbated if they fell into different political hands — the CMC to the NP, for example, and the City Council to an ANC-dominant alliance, Mr Keegan added

● Between 10 000 and 12 000 of the council's 17 500 employees may work for the Cape Metropolitan Council in future, Mr Neil Ross said yesterday

He was stressing the importance of attending meetings about the restructuring of local government. Failure to attend seminars, like one held on Friday in Parow, with a mandate from the council could be a grave disservice to employees, he said

Weighted votes cause race row

(263)

CHRIS BATEMAN

CT 14/9/95

A ROW over a transitional clause that gives a black vote several times the value of any other group in the Western Cape is threatening to disrupt November 1 transitional local council (TLC) elections in George

The predominantly coloured George Community Association has prevented the town's TLC from agreeing on the number of seats for the area

Provincial Local Government Minister Mr Peter Marais will have to appoint an administrator to oversee voting for the 20 seats the demarcation board and provincial committee have agreed on for George

Mr Marais lashed out at legislation which he said was causing an outcry among coloureds "countrywide"

In George there are 29 954 coloured and white registered voters and 9 533 black voters — yet the blacks got six wards and all the other groups together got six

Mr Marais said the "people of Pacaltsdorp" were threatening to prevent or disrupt elections

DP regional leader, Mr Hennie Bester, said Mr Marais was attacking laws his own party (NP) had voted for.

"They sold out their own people in the Western Cape and the chickens are coming home to roost," he said

● See Page 4

Decision against Govt could delay polls

304 (263) Staw 15/9/95

■ BY ADAM COOKE

Local government elections could be delayed countrywide if the case of the Western Cape provincial authority against the Government is upheld, the Constitutional Court heard yesterday

The argument came in the dis-

pute over the demarcation of boundaries in the Cape Metropolitan area

The executive council of the Western Cape and Premier Her-nus Kriel brought the case in an attempt to overturn President Mandela's two proclamations that annulled a prior provincial

committee decision

The Western Cape government had made submissions contending that Section 16(a) of the Local Government Transition Act was unconstitutional because it involved the "unconstitutional delegation of power by Parliament to Mandela"

Marais apologises to Constitutional Court for remark

(263) ARG 15/9/95
ANDREA WEISS, Municipal Reporter

JOHANNESBURG — Western Cape Minister of Local Government Peter Marais, has apologised to the Constitutional Court for a comment about judgment in a case between his cabinet and central government.

This was conveyed yesterday by his counsel Theonel Potgieter after the court's president Arthur Chaskalson asked him to explain a remark reported in Die Burger.

Although Mr Marais apologised for the remark, he did not retract it.

According to the Burger article of September 8, Mr Marais said at a meeting in Kuils River that the Western Cape had "an excellent chance of winning the case in the Constitutional Court — if the judgment was not a political one".

In a Press statement on the same day, Mr Marais denied he had intended to insinuate the Constitutional Court had party political considerations in mind. He had not intended contempt of court.

In papers, Jeremy Gauntlett SC, appearing for President Mandela and others, said "even if the subsequent statement were to be considered to mitigate in some measure the effect of the latter, it does not undo the former".

Before closing a lengthy and technical debate on Section 235 of the constitution, Mr Gauntlett appealed to the court to express "extreme censure" of Mr Marais's remark.

He said he could do no more than draw attention to the remark, but it was up to the court to distinguish "between a bee-sting and the bite of an insignificant gnat".

When Mr Potgieter rose to pursue his argument, Mr Chaskalson asked him "What is your attitude in regard to the matter raised by Mr Gauntlett with regard to your client's statement reported in the Press?"

Mr Potgieter said he had taken instructions from Mr Marais who repeated that he had not wished to show contempt or imply that the court was driven by party politics.

Mr Chaskalson said "If that is all you have to say, you had better proceed with your argument".

Mr Potgieter replied "I also wish to convey an apology".

To this, Mr Justice Ismail Mohamed said "That is what I was waiting for".

The day was characterised by technical arguments over where presidential powers started and stopped with regard to the provinces.

Mr Chaskalson summed up Mr Gauntlett's argument by saying the existing legislation could not be precise because of the size of the task at hand.

Judgment is expected early next week.

Key figures defect to the ANC

Political Correspondent

TWO key Western Cape figures in the Azanian People's Organisation (Azapo) and the Inkatha Freedom Party (IFP) have defected to the African National Congress.

Danile Landingwe, who has served on both national and regional structures of Azapo, and Judy Sibisi, a senior IFP member in the Western Cape and a former central committee member, announced their defections yesterday.

Both Mr Landingwe and Ms Sibisi are serving in the Cape Metropolitan Council.

The defections strengthen the ANC's position in the run-up to local government elections in a fiercely contested region. (263) ARG 15/9/95

The ANC said it expected more defections to follow.

Strand loses Cape demarcation battle

(263) ARG 15/9/95
Supreme Court Reporter

THE Strand Municipality has lost a Supreme Court battle to stop its inclusion into the Cape Metropolitan area.

Today the court dismissed a Strand application with costs.

The Strand directed the application against Western Cape Premier Hennis Kriel, Local Government Minister Peter Marais and various local authorities.

The Strand asked the court to review Mr Marais's decision in September last year incorporating the Helderberg Basin, which includes the Strand, into the Cape Metropolitan Area.

METROPOLE UNLIKELY TO BE AFFECTED

Councils weighted in favour of blacks

CF 15/9/95

(26)

A COMPROMISE, agreed on at Kempton Park will leave some towns with councils weighted in favour of blacks. This will not be true in the metropole. **PETER DENNEHY** reports.

RACIAL provisions in the law are likely to skew the local elections "terribly" in some areas of the Western Cape — usually in favour of black people, as opposed to coloureds and whites.

But other areas, like greater Milnerton and the proposed southern substructure that extends from Wynberg down to Simon's Town, would not be affected, council officials said yesterday.

In Cape Town/iKapa and in Bellville/Khayelitsha there will be some skewing but it will not be dramatic.

In the Helderberg municipality, however, it seems that the 6 000 black residents of Lwandle and a smaller number in Nomzamo village will have half the total number of wards in their townships, while the other half of the wards will be in the white and coloured areas which have an estimated population of 100 000.

Assistant city administrator of Cape Town Mr Roy Gentle and council legal adviser Mr Les Barchard explained yesterday that half the wards in any municipality

which includes a former properly-constituted black local authority, must be drawn up in the black areas.

The reason for this legislation, which was voted for in Kempton Park by the NP, the ANC and the DP, was to placate white ratepayers in conservative white rural Transvaal towns which saw their local authority power bases disappearing under a sea of black votes. Most of these towns had big black townships nearby them. At the time, the compromise appeared to be the only way to prevent a racially-based war.

Mitigated

In the Western Cape, racial population ratios differ so the skewing usually works the other way around, giving more weight to the individual black vote than to the white or coloured one.

Mr Gentle said the effects of the skewing will be mitigated by the fact that voting in the local government elections will not be entirely ward-based. Only 60% of

seats on councils will be ward seats, the other 40% will be filled by proportional representation candidates.

This means only 30% of seats on any municipal council will be affected by the racial legislation.

● Mr Barchard noted that in Cape Town's case, should Khayelitsha be included in the future Cape Town municipality along with iKapa as Local Government Minister Mr Peter Marais originally proposed, the racial distortion in voting power would work against the black population (which would be more numerous than the rest, yet still only get half the ward seats).

But assuming the Demarcation Board proposals for the Cape metro area eventually prevail, the skewing would be minor.

iKapa has an estimated 400 000 people, while the rest of the future Cape Town municipality has about a million, meaning 40% of people get 30% of the seats. But if actual voters are taken into account, it is closer to 30% of voters getting 30% of seats, as registration tends to be lower in the black townships. The proportion of the total population below voting age also varies.

George election row not resolved

(263)
CHRIS BATEMAN
POLITICAL STAFF

CT 15/9/95
ATTEMPTS by the George Residents' Association and scores of coloured supporters yesterday to overturn the 50/50 formula which favours black voters in the region's coming local elections, proved fruitless yesterday.

Some 40 residents gathered in a municipal hall while their representatives met the town's mayor, Mr Kidron Kabane.

An angry Mr Cornelius Esau, secretary of the residents' association, said the national transitional law which gave blacks an equal number of seats to all other race groups combined was racist.

No quorum

"When we struggled against apartheid we were all blacks — now apartheid's gone, suddenly our skin colour's too light"

Town clerk Mr Tom Lotter said a meeting had been scheduled to discuss the issue but 23 of the 40 councillors apologised, making a quorum impossible.

Local Government Minister Mr Peter Marais will be forced to appoint an administrator to ensure the November 1 elections take place in George as the Transitional Local Council could not agree on the number of wards in time for Tuesday's candidate nominations.

KWB man quits for Boland role

(263)
CT 15/9/95
MUNICIPAL REPORTER

NATIONAL co-ordinator of the Kleurling Weerstandsbeweging (KWB), the Rev Victor Green, has resigned over the organisation's decision not to take part in local elections and will stand as a candidate of a local "crisis committee" in Wellington

Mr Green said a number of "crisis committees" would be formed in various regions and there was a possibility of an alliance between the crisis committees and the IFP in the Peninsula

In general he still supports the KWB's policies, but says as a Christian he feels he must lead by taking up a "God-given" opportunity

Boycott politics are not compatible with Christianity, says Mr Green, a moderator in the SA Pinkster Church

"Participation is the only way to ensure the Western Cape does not fall into their (ANC) hands, and the only way to prevent being swamped by people coming into this area," he said

People in arrears can't be candidates

(263)

STAFF REPORTER

ET 15/9/95

GUIDELINES are being drawn up on who is qualified as a candidate for the local government elections, according to a report from Dr Frederick van Zyl Slabbert's Elections Task Group.

One disqualifying clause in section 21 of the statute that prospective councillors may not be indebted to the transitional authority for municipal charges for a period of longer than three months.

It has emerged that five Cape Town city councillors were in arrears with municipal service payment.

All have since been paying off their arrears by arrangement.

It is not clear whether those who have made arrangements and are striking to their account as people who are not indebted to the council for longer than three months, but the Elections Task Group's guidelines are expected to make that clear.

Constitutional Court asked to censure MEC

Susan Russell

(263) 60.15/1/95

THE Constitutional Court was asked yesterday to censure Western Cape local government MEC Peter Marais for contempt for remarks he made to the Press suggesting that a court ruling against him in the demarcation row with central government would be a party political decision.

Counsel for President Nelson Mandela and the central government J Gauntlett SC said the NP MEC's remarks, published in Die Burger last week, implied that a Constitutional Court judgment in favour of central government would be the result of bias and judicial dishonesty on the part of the court. Gauntlett submitted that Marais's remarks were a serious contempt of court.

He said that Marais, in response to a written request to confirm or deny the remarks, had attempted to explain what he intended, but had neither repudiated the Press report nor offered a retraction or apology.

Western Cape government counsel TD Potgieter said he was instructed to inform the court that Marais had not intended to show contempt of court with his remarks or to suggest that the court would be influenced by party political considerations. He said Marais had tendered an apology, but he could not take the matter further because that was the extent of his instructions from Marais.

The Constitutional Court sat yesterday to hear further argument from both parties in the demarcation dispute between the Western Cape re-

gional government and central government, the outcome of which could have far-reaching implications for local elections in the Western Cape region and in other parts of the country.

Premier Hennis Kriel and Marais are seeking an order overturning two proclamations signed by Mandela in June amending section 16 (a) of the Local Government Transition Act.

The amendments nullified two appointments to the provincial committee made by Marais as well as boundary decisions made by him.

The amendments were made after protests from the ANC when Marais decided to include the township of Khayelitsha in the Cape Town central metropolitan substructure rather than in Tygerberg, as proposed by the Demarcation Board.

Mandela's amendments effectively stripped Marais and Kriel of the power to appoint members of the provincial committee and transferred the authority to Provincial Affairs, Local Government and Constitutional Development Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with the President.

In addition to contending that the two proclamations are invalid, Kriel and Marais contend that the whole of section 16 (a) itself is unconstitutional.

If the court upholds this contention, this would render unconstitutional as well a number of other proclamations, unrelated to the Western Cape, made under 16 (a).

Court president Judge Arthur Chaskalson said the court hoped to deliver a ruling as soon as possible.

Chaskalson warns court ruling could seriously jeopardise local elections

(263) Star 16/9/95

By ANDREA WEISS

Preparations for local elections throughout South Africa are in danger of collapsing like a pack of cards if the Constitutional Court rules in favour of the Western Cape next week – setting the transition of local government back to square one.

"The genie got out of the bottle and it's difficult to put it back again," said court president Arthur Chaskalson at the close of the Western Cape's legal argument against the central Government this week.

Jeremy Gauntlett, SC, who is appearing for President Nelson Mandela, added "It's like the dog that chased the bus and then didn't know what to do with it when he caught it."

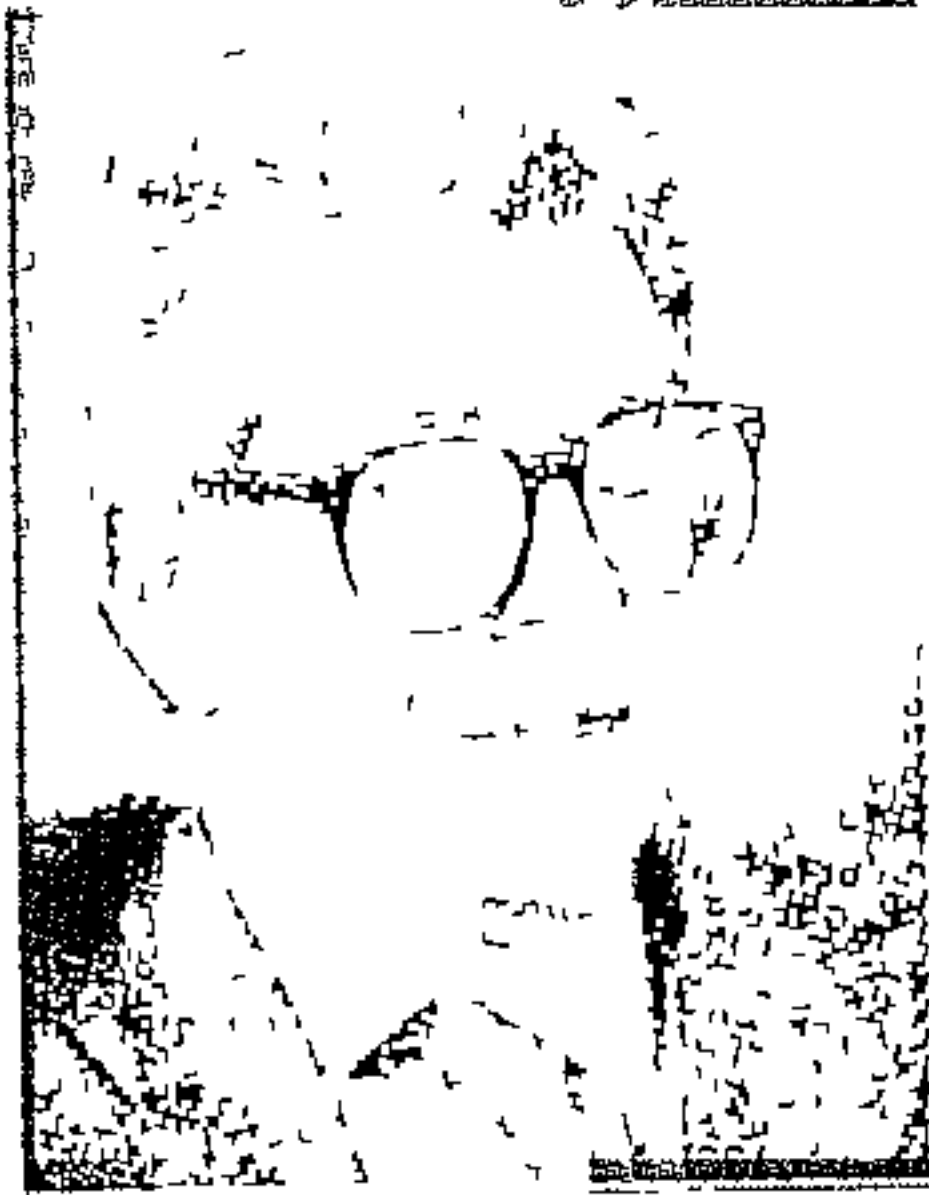
This emerged during the final day of argument in the Constitutional Court case which the Western Cape has brought against Mandela and others.

Judgment in the matter, which has its origins in the boundary dispute in the Cape Town metropolitan area, is expected during the course of next week.

Provincial Affairs and Constitutional Development Minister Roelf Meyer this week declined to comment on the potential implications for the rest of the country should the National Party-led court action succeed, saying "Let's wait for the court."

The case has been described by one of the advocates involved as technically the most complicated of his career.

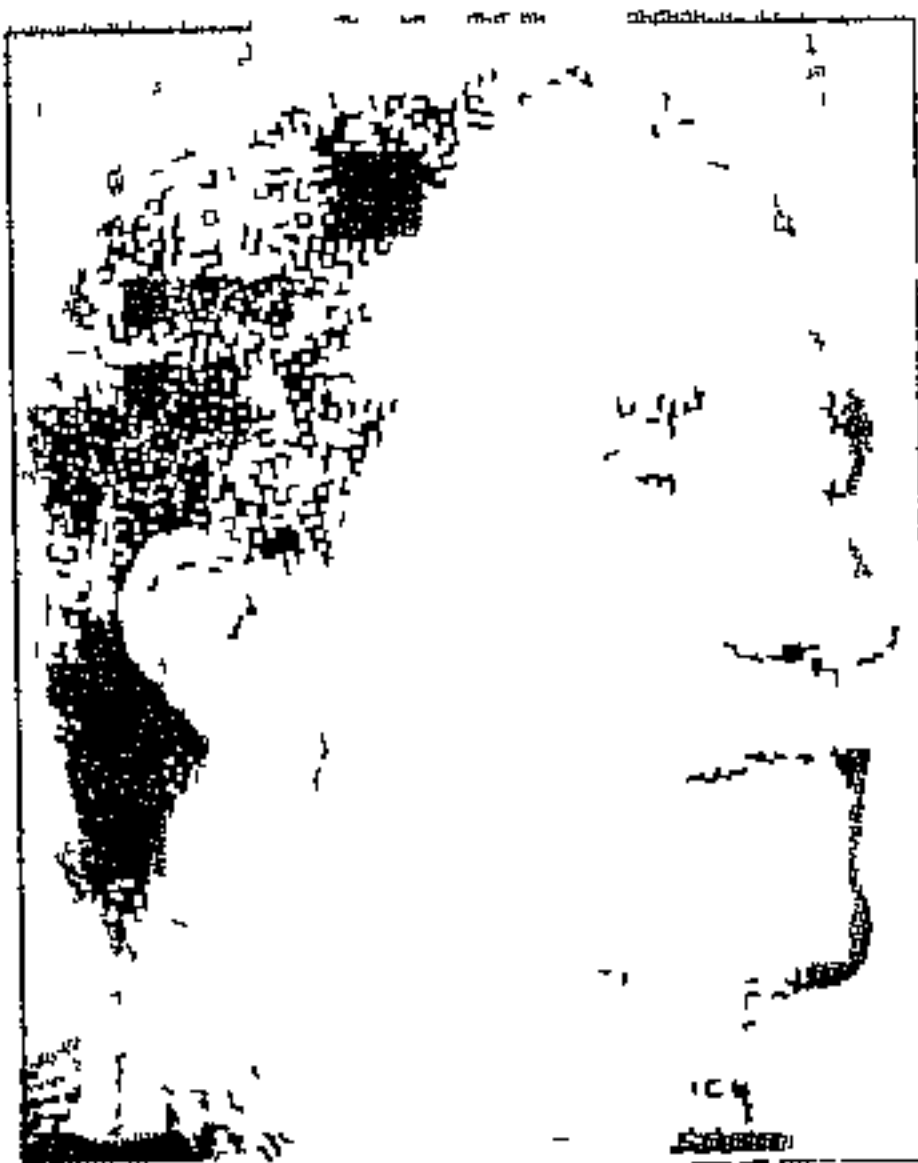
If the Western Cape succeeds in persuading the court that Mandela exceeded his powers when he made amendments to the Local Government Transi-



ARTHUR CHASKALSON:
'The genie's out of the bottle'

tion Act, they will indirectly also be challenging the way in which he handed down powers to the provinces to restructure local government.

This could have the ironic effect of making unconstitutional the appointment of Western Cape Local Government MEC Peter Marais, along with all his counterparts in the other eight provinces.



ALBIE SACHS: Argument undermined counsel's position

Such a ruling would also make unconstitutional a number of proclamations which pave the way for local elections, including one which lays the groundwork for elections in rural areas.

The case currently hinges on the court's interpretation of section 235 (8) of the interim constitution which allows President Mandela to amend the law if he considers it necessary for the 'efficient carrying out of the assignment'.

It was in terms of this section of the interim constitution that the president assigned the administration of the Local Government Transition Act to the provinces.

However, the Western Cape has argued that the act is exempted from this section of the constitution because it is dealt with elsewhere under section 245 (1).

Mr Justice Albie Sachs suggested to Theoniel Potgieter, junior counsel for the Western Cape, that this argument undermined the position of Marais, one of the applicants in the case, and therefore his right to bring the action to the court.

Potgieter responded that his clients were only asking for the two proclamations concerning the composition of the provincial committee in the Western Cape to be struck down.

He said there was no dispute between the contending parties over any proclamations other than those two. However, when Mr Justice John Didcott pressed him on whether his clients would wish to see all the proclamations struck down to achieve the aim of having those two proclamations removed, Potgieter said "yes".

Strand loses fight against inclusion (263)

Staff Reporter ARG 16/9/95

THE Strand Municipality has lost a lengthy legal battle to stop its inclusion into the Cape metropolitan area.

Mr Justice Conradie and Mr Justice Kuhn yesterday dismissed an application by The Strand, directed at Western Cape Premier Henus Kriel, Minister for Local Government Peter Marais and various local authorities.

The Strand wanted the court to review a decision by Mr Marais in September last year to include the Helderberg basin, of which it forms a part, into the Cape metropolitan area (CMA).

The Strand claimed Mr Marais had acted *ultra vires* (beyond his powers) and "failed to apply his mind".

The judges said the majority of the demarcation board, a group of experts, had recommended Mr Marais's decision.

The report by the board, which they described as "convincing", had been discussed with mayors from "fringe towns" and The Strand had had time to compile its objections and debate them with Mr Marais. They added Mr Marais had not acted unreasonably or in bad faith when he made the proclamation including The Strand in the CMA.

The Strand was ordered to pay costs in the matter.

Boet Smit SC and Ashton Schippers appeared for the premier and Marius Scholtz SC and Josie Jordaan for The Strand

Polls: W Cape case may have domino effect

ANDREA WEISS
Municipal Reporter

PREPARATIONS for local elections throughout South Africa are in danger of collapsing like a pack of cards if the Constitutional Court rules in favour of the Western Cape next week — setting local government transition back to square one.

"The genie got out of the lamp and it's difficult to put it back again," said court president Arthur Chaskalson at the close of the Western Cape's legal argument against the central government this week.

Jeremy Gauntlett SC, appearing for President Nelson Mandela, added "It's like the dog that chased the bus and didn't know what to do with it when he caught it."

This emerged during the final day of argument in the Constitutional Court case the Western Cape has brought against Mr Mandela and others.

Judgement in the matter, originating from the boundary dispute in the Cape metropolitan area, is expected during the course of next week.

Provincial Affairs and Constitutional Development Minister Roelf Meyer has declined to comment on the potential implications for the rest of the country if the National Party-led court action succeeds.

"Let's wait for the court," he said.

ARG 16/9/95 (263)
■ The legal framework of the November 1 elections is at stake as the Constitutional Court deliberates on the matter between the Western Cape and central government. Judgment is imminent.

The case has been described by one of the advocates involved as technically the most complicated of his career.

If the Western Cape succeeds in persuading the court that Mr Mandela exceeded his powers when he made amendments to the Local Government Transition Act, they indirectly will be challenging the way in which he handed down powers to the provinces to restructure local government.

This could have the ironic effect of making the appointment of Western Cape Local Government Minister Peter Marais — along with all his counterparts in the other eight provinces — unconstitutional.

Such a ruling also would make unconstitutional a number of proclamations which pave the way for local elections — including one which lays the groundwork for elections in rural areas.

The case hinges on the court's interpretation of Section 235 (8) of the interim constitution which allows Mr Mandela to amend the law if he considers it necessary for the "efficient carrying out of the assignment".

It was in the terms of this section of the interim constitu-

tion that Mr Mandela assigned the administration of the Local Government Transition Act to the provinces.

However, the Western Cape has argued that the Act is exempted from this section of the interim constitution because it is dealt with elsewhere under Section 245 (1).

Justice Albie Sachs suggested to Theoniel Potgieter, junior counsel for the Western Cape, that this argument undermined the position of Mr Marais, one of the applicants in the case, and therefore his right to bring the action to the court.

Mr Potgieter responded that his clients were only asking for the two proclamations concerning the composition of the provincial committee in the Western Cape to be struck down by the court.

He said there was no dispute between the contending parties over any proclamations other than those two.

However, when Mr Justice John Didcott pressed him on whether his clients would wish to see all the proclamations struck down to achieve the aim of having those two proclamations removed, Mr Potgieter replied "Yes".

New 'gnat' on the carpet in election case

By CARMEL RICKARD

WESTERN Cape local government minister Peter Marais, regarded as the National Party's queen bee of dissent in the province, was brought down to size this week when the Constitutional Court heard he might be merely a political gnat.

Mr Marais had brought an application to the court challenging President Nelson Mandela's power to make two proclamations affecting arrangements for local elections.

After the first round of court argument, Mr Marais issued a press statement saying his side stood an outstanding chance of winning the case — unless the court's decision was a party political one.

Counsel for Mr Mandela, Jeremy Gauntlett SC, took strong exception to the remark, and asked the court to censure Mr Marais. Mr Gauntlett said the court should be careful not to "chill" debate on the subject, but that there was a

6 The court can obviously distinguish between a bee sting and the bite of an insignificant insect (263)

ST 17/9/95
difference between robust debate and the "gratuitous remarks" of Mr Marais which implied that a judgment by the court in favour of central government would amount to bias and judicial dishonesty.

Mr Gauntlett added "The court can obviously distinguish between a bee sting and the bite of an insignificant gnat, but it is not a light matter and we would like the court to indicate its extreme censure."

Counsel for Mr Marais, Theoniel Potgieter, said his client did not intend to show contempt for the court or say that the court

would be influenced by party political motivation.

This week's hearing involved the court in an unprecedented reopening of a matter after lawyers for Mr Marais indicated they wished to argue on additional grounds for the proclamations to be declared invalid. Every case so far, except the first one on the death penalty, has been completed in a day.

During debate, the judges asked Mr Potgieter whether declaring the presidential powers invalid would not prevent elections from going ahead around the country. Mr Potgieter said his clients did not necessarily want all the powers declared invalid, they only wanted the two which affected them set aside.

When the judges asked whether it would be possible to sever the two proclamations and leave the rest intact, Mr Potgieter said "We do not want everything to go and for the elections to be stopped. But we want Proclamations 58 and 59 set aside, even if this is the result."

NORMAN JOSEPH, Staff Reporter

CONFRONTATION is looming between the Strand municipality and the town's non-statutory group after the municipality lost a lengthy court battle to stop its inclusion in greater Cape Town

On Friday the Cape Town Supreme Court dismissed an application by the municipality directed at Western Cape Premier Hennis Kriel, Minister for Local Government Peter Marais and several local authorities

The municipality wanted the court to review a decision by Mr Marais last September to include the Helderberg basin, which includes Strand, into the Cape metropolitan area

The non-statutory group, made up mostly of the town's ANC-Alliance, is to decide on a plan of action this week

Recently two attempts by the group to hold a meeting in the town's municipal offices were thwarted by the municipality

One of the options open to the municipality is to appeal against the court finding.

Strand claimed Mr Marais had acted beyond his powers and "failed to apply his mind".

But Mr Justice Conradie and Mr Justice Kühn found the majority of members of the Demarcation Board, which was a group of experts, had recommended the decision taken by Mr Marais.

They said the report by the board, which they described as "convincing", was discussed with mayors from "fringe towns", and the Strand had had time to compile its objections and debate them with Mr Marais

Strand was ordered to pay costs in the matter

Reacting to the judgment, mayor Chris Hattings said: "We are still looking at the judgment and will release a Press statement soon

"I will let you know how much the court case cost us and who will pay for it."

Asked about the outcome of the case, Bennett September, spokesman for the non-statutory group, said "We expected this. The fact that they lost the case showed they were foolish

"We have a feeling the council will appeal. The people in the Helderberg are upset because of the more than R1 million which was spent on the case.

"If the taxpayer pays for the case where is it all going to end?"

"We could have spent the money on the underprivileged wisely. We will take this matter a step further after our meeting this week"

PAC MP Patricia de Lille said: "It's a pity the taxpayer has to foot the bill. Some people still want to keep Strand separate from other towns"

Helderberg people upset over R1 million spent by municipality on case
(263) ArLg 19/9/95

Confrontation looms over Strand boundary dispute

Western Cape MEC warns of poll chaos

(263)

David Greybe

BD 20/9/95

CAPE TOWN — Less than a quarter — 485 000 — of the 2-million voters registered in the Western Cape would be able to vote in the November 1 local government election, the province's local government MEC, Peter Marais, said yesterday.

Marais also warned that unless the Constitutional Court ruled soon on the Cape Town metropolitan demarcation row, it would be difficult to meet central government's end-March deadline for holding staggered elections. "I cannot move administratively until the court has decided," he said.

Local elections are planned only for the province's 95 transitional local councils, leaving elections in the Cape Town metropolis and rural areas to take place at a later date. An estimated 152 000 voters have registered in the rural areas, while the metropolis accounts for 70%, or 1,4-million, of registered voters.

Cabinet has specified that local authorities which do not go to the polls on November 1 have until end-March to hold elections, or face dissolution

and the appointment of an administrator to organise elections. Marais warned of administrative "chaos" if that happened.

Marais also gave notice that the NP-controlled government intended to defy a Cabinet decision that local authorities not ready to stage an election on November 1 had to apply for exemptions through their provincial premier.

Marais lashed out, saying "There again, the central government opened their mouth before they put their brain into gear."

Marais said it was impossible for local authorities to decide if they wanted an exemption "if I have not yet demarcated the boundaries." He said the premier's office had not yet received any applications for an exemption.

He said it should be the province's prerogative, with the provincial committee — "the handbrake on my decisions" — to decide which local authorities should apply for exemption.

Marais said that he would, in consultation with local authorities, "notify" premier Hennis Kriel which areas would be unable to hold elections on November 1.

R2.6m for local voter education

CT 20/7/95 (263)

AN ambitious £2.6 million voter education programme aimed at motivating Western Europeans about to vote on 10 October - 11 June - is expected to be introduced in the next few months for blind and dual voters.

With training from radio, television and other media the project is tailored to local culture and to assist motivating people to vote again according to marketing principles.

Local and local government Minister Mr Peter Moran, said that the biggest problem is to get people to vote. The local elections could have a more direct impact on the daily lives of the people than the national election.

Mr Moran said that the biggest problem is to get people to vote. The local elections could have a more direct impact on the daily lives of the people than the national election.

Marais defends cost of court row

Political Correspondent

CONTROVERSIAL provincial minister Peter Marais has defended spending more than R408 000 on his court row with central government, saying it is better "spending taxpayers' money than taxpayers' lives" settling political disputes.

He said the estimated cost of the Supreme Court and Constitutional Court cases on the demarcation row was R336 356, while the De Loitte and Touche report on the Demarcation Board's findings — both of which he rejected — cost R71 914.

Pressed to justify these sums by ANC legislator Tasneem Essop, Mr Marais said: "The ANC would rather fight it out with Inkatha than go to court. Thousands of people have been killed, but you worry about what it costs in terms of money."

(263) ARG 2/19/95

R295 000 fraud alleged at Ikapa

Municipal Reporter

(253)
APG 21/9/95
TROUBLED Ikapa town council has been hit by another scandal — alleged cheque fraud involving R295 000

Ikapa mayor K C Mama said that on September 14, an Ikapa official responsible for the revenue section reported that a chequebook was missing following an inquiry from a bank.

It was established that a fraudulent Ikapa cheque for R295 000 was deposited at a Lenasia bank on September 4. Police were investigating.

W Cape

(263) ARG 22/9/95

Court rules on

But victory is a hollow one for Nationalists

ANDREA WEISS and MICHAEL MORRIS
Staff Reporters

THE Constitutional Court has ordered parliament to reconvene by October 25 to correct defects in the Local Government Transition Act to allow local elections to proceed.

The order was made today as the court ruled in favour of the Western Cape's challenge against proclamations made by President Mandela when he amended the Act.

The court found that an amendment to the Act, 16A, which gave Mr Mandela power to make further amendments by proclamation, was unconstitutional.

This means that instead of amendments being passed by a joint standing committee and Mr Mandela, they will have to be considered by the senate and national assembly.

As Nationalists in the provincial legislature voiced their delight, the man at the centre of it all, Local Government Minister Peter Marais, was almost overcome with emotion.

As he emerged from the premier's office shortly after the result was made known, tears welled in his eyes and he paused before saying, "I believe there's a higher hand watching over all of us. I'm happy."

But although the National Party-led cabinet has technically won its case, it has failed to achieve the objective of having two controversial proclamations struck down.

This is because the court has ruled that all proclamations made in terms of amendment 16A of the Act will stand until parliament has dealt with them in the proper way — by October 25.

The two proclamations in dispute dealt with the reconstitution of the provincial committee for local government in the Western Cape around which the boundary dispute has raged.

But several other proclamations have been affected, including one which sets up arrangements for all rural elections throughout the country.

Should parliament not be able to pass the legislation by October 25, the local elections will not go ahead and the government will have to apply to the court for an extension.

Court president Arthur Chaskalson said: "In practical terms this means that every step taken in preparation of the local government elections pursuant to those proclamations will be invalidated.

"Unless this can be rectified, the local government elections cannot proceed as planned on November 1.

"The members of this court are unanimous in their conclusion that by virtue of their inconsistency with the constitution, the provisions of section 16 (A) of the Local Government Transition Act are invalid."

He also said "The matter is clearly one of great urgency and parliament must decide without delay whether or not it wants an opportunity to correct the defect ...

"Unfortunately, parliament is not presently in session, but it can be called together for this purpose.

"The implications of this finding are far-reaching. It brings into question the validity of every step taken since July 1994 in the implementation of local government."

Council air travel bill nears R1 million

MUNICIPAL REPORTER

THE Cape Town City Council's bill for air travel this year is expected to exceed R1 million

This emerged in an executive committee meeting yesterday in which deputy city treasurer Mr Peter Lever briefed the committee on how the city council could get the perks associated with frequent flying

In the past, "bonus miles" were sometimes logged up in the names of individual councillors or officials, as SAA gives these to individuals rather than to the council which paid for the tickets — unless special arrangements are made

Individuals sometimes used "their" free flights for themselves when they were off duty, or for their wives or friends. Councillor Mr Arthur Wienburg felt this was unacceptable

Mr Lever said the council could join the Voyager programme, and get free miles transferred to the city, or make another commercial agreement with South African Airways which would essentially be a

deferred discount system

Where the annual volume of business is over a million rand, a discount as high as 10% can be negotiated, Mr Lever said. He expected the council would be in this bracket

The committee agreed to take the option of seeking a commercial agreement. It also agreed that where someone away on council business has the choice of flying back home or staying in a hotel overnight at council expense, they should be allowed to fly back business class.

Economy class

Normally, it is council policy that economy class flights have to be taken

Mr Leon Markovitz felt the "economy class always" policy is out of place in the case of the executive committee chairperson, or heads of departments, for whom business class would be more appropriate

Persuaded by his colleagues to drop the suggestion, Mr Markovitz said he would raise it once the new council was elected

ET 22/9/95 (263)

CT 22/9/95
No free (263)

lunch for councillors

MUNICIPAL REPORTER

THERE is no such thing as a free lunch, councillors were told yesterday at a Cape Town City Council executive committee meeting.

Acting city administrator Mr Barney Botha reported that some councillors had been ordering lunch from the council kitchen if they happened to be in the Civic Centre over lunchtime.

This is against council policy. Lunch is only provided once a month at the full council meeting, or by prior arrangement where an official committee meeting will continue through lunchtime.

"Rather break your committee meeting, and go and have lunch in the canteen," suggested executive committee chairperson Ms Nomandla Mfeketo.

Canteen meals have to be paid for.

Councillor Mr Leon Markovitz said that a recent meeting of a few councillors with informal traders had been arranged for 12.30, and lunch had been provided for 20 to 30 people. The meeting could have been held at another time, he said.

Ms Mfeketo said kitchen staff were put in a difficult situation when councillors ordered lunch, as they did not know whether to charge for the service, or refuse.

Mr Botha said private orders from the kitchen shouldn't be made, even by those willing to pay. If the rules would be sent to all councillors by circular, he said.

Speaker complains of racism

(263) CT 22/9/95

COMMENTS like Yebo Gogo (Yes Granny) when an ANC member rose to speak in Xhosa in the Western Cape government were racist, and showed a total lack of respect from NP benches for one of the region's official languages, Deputy Speaker Ms Mampe Ramotsamai, said yesterday.

The quip is often used by NP members during debates. Earlier Ms Ramotsamai had led members in prayer in Xhosa for the first time in the legislature — Political Staff

Beaten Mandela

heads for a

big showdown

ARG 23/9/95 (263)

ANDREA WEISS
Municipal Reporter

ALTHOUGH President Nelson Mandela lost the case, he has hailed the Western Cape's victory in the Constitutional Court as "something we should be proud of"

He said immediate action would be taken to reconvene parliament before October 25.

Deputy President and National Party leader F W de Klerk said the ruling meant the government had to weigh-up its options, including calling a parliamentary sitting to pass legislative amendments or postponing local government elections scheduled for November 1.

It now seems there will be a heated battle in the senate where provincial senators may have the power to decide on the future of the epic Cape metropole boundary dispute

Mr Mandela told a Press briefing that the government would abide by the court's ruling that parliament should fix defects in amendments to the Local Government Transition Act by October 25, "as the government is fully committed to the rule of law"

The court found that parliament had acted unconstitutionally when it delegated legislative power to President Mandela in amendment 16A of the Act

The effect of the ruling has been to make unconstitutional a series of proclamations made by Mr Mandela in preparation for local elections, including two which had a direct bearing on the Western Cape boundary dispute

In a Press conference shortly after judgment was delivered,

■ President Nelson Mandela has ordered parliament to reconvene to regularise unconstitutional amendments to the Local Government Transition Act, but a showdown still looms in the senate, where the future of the Western Cape's boundary dispute lies.

Western Cape Premier Henus Kriel indicated that his party was relying on a constitutional provision which requires the majority of senators from a province to pass bills which had a bearing on that province alone

The NP has six out of 10 Western Cape senators

Flanked by NP provincial ministers Peter Marais and Gerald Morkel, Mr Kriel said the central and provincial government could still reach an agreement allowing elections to proceed

Explaining the NP's initial support for 16A of the Local Government Transition Act, Mr Marais said "We never intended that he (the president) should strip the province of its functions and powers. We gave him a pinkie and he took the whole hand"

ANC MP Willie Hofmeyr, however, dismissed Mr Kriel's suggestion that the Western Cape senators had the right to veto the re-enactment of the two disputed amendments

Mr Hofmeyr said Mr Kriel's interpretation of this constitutional provision was "very stretched" because it applied only where legislation was designed specifically for a particular province

The amendments in question had a bearing on all the provinces

ANC Western Cape leader Chris Nissen described the judgment as a "good and fair result"

but said it was only a technical victory for the NP

"When parliament is reconvened before October 25 these specific proclamations will be passed by the national assembly and the senate, making them valid," he said

Sapa reports that the Democratic Party in the Western Cape has also welcomed the court ruling, saying it was a victory for those who fought for the inclusion of federal principles in the interim constitution

Leader Hennie Bester said "With this judgment the Constitutional Court has indisputably established its independence separate from the executive and legislative arms of government. A key constitutional safeguard for minorities and provinces, for which the Democratic Party fought very hard at Kempton Park, has now been solidified"

The Western Cape demarcation dispute was unfortunately far from resolved, he added.

ANC secretary-general Cyril Ramaphosa said "The prime concern of the ANC at the moment is that local government elections go ahead on November 1 in those areas of the country that are ready for them. We therefore urge parliament to reconvene as soon as possible before October 25 to rectify these inconsistencies"

Demarcation row: FW moves to avert NP split

Political Staff

(263) AUG 25/95
NATIONAL Party leader Deputy President De Klerk will put a compromise plan to senior NP leaders tomorrow aimed at preventing an open split in the party and the possible delay of local government elections.

But he may be forced to crack the whip yet again to bring into line Western Cape rebels, who have threatened to resign.

Faced by the resignation threats, Mr De Klerk is said to be proposing talks between warring factions within the NP and negotiations between the NP and the African National Congress to avert what senior NP leaders see as a looming crisis for both their party and the government of national unity.

The threatened rift in the NP has been precipitated by the Constitutional Court judgment last week which upheld the Western Cape NP's contention that local government proclamations signed by President Mandela were unconstitutional.

The court gave parliament until Oc-

tober 25 to rectify the constitution so as to empower Mr Mandela to issue the proclamations.

But Western Cape NP leaders, including Local Government Minister Peter Marais who has been at the centre of the demarcation row, have threatened to resign if the NP joins the ANC in voting for the constitutional amendments.

By opposing the amendments during the special parliamentary session, the NP could prevent the ANC from obtaining the two-thirds majority needed for amendments to the constitution.

But in doing so it would isolate national Minister of Constitutional Development Roelf Meyer, who would be obliged under the interim constitution to pilot the amendments through the special session of parliament.

Mr Meyer has been accused by Western Cape NP members of capitulating to the ANC in constitutional negotiations and of siding with the ANC in the Western Cape demarcation row.

PARLIAMENT TO SETTLE DISPUTE

Kriel, Meyer: Crisis meeting

ET 25/9/95

(263)

A SPECIAL sitting of Parliament is to settle the boundary question. **ANTHONY JOHNSON** reports.

THE National Party's leaders will meet tomorrow in a bid to avert an all-out war between supporters of Western Cape Premier Mr Hernus Kriel and Provincial Affairs Minister Mr Roelf Meyer.

The crisis has been sparked by the need to reconvene Parliament next week to rectify local government proclamations the Constitutional Court ruled on Friday were unconstitutional.

The ANC said Parliament would be asked to accept or reject a composite package of legislative amendments — including ones effectively nullifying the Western Cape NP's attempt to "stack" the powerful provincial committee and the controversial demarcation of the Cape Town metropole.

This would force NP parliamentarians to choose between backing Mr Kriel in his crusade against central government in the name of federalism or Mr Meyer, who argued that "the interests of the NP in the Western Cape are not necessarily the interests of the NP in the other eight provinces".

Western Cape Local Government Minister Mr Peter Marais said any attempt by Nationalists in central government to support legislation nullifying the composition of the provincial committee and its demarcation decision would be tantamount to "a vote of no confidence in Premier Kriel and me".

Tomorrow's meeting of the NP's policy committee will look for strategic compromises.

Party leader Mr F W de Klerk, Mr Meyer, Mr Kriel, Mr Marais and other party heavyweights will all



VICTORY: Premier Mr Hernus Kriel (centre) with the provincial ministers for Local Government and Housing, Mr Peter Marais (left) and Mr Gerald Morkel, after the Constitutional Court ruling in favour of the Western Cape government's demarcation plans. **PICTURE: ANNE LAING**

attend.

NP executive secretary Mr Fanus Schoeman said an effort would be made to defuse the situation by "separating" the need to pass legislation for holding local government elections in most of the country on November 1 and the need to resolve demarcation disputes in areas like the Western Cape and kwaZulu/Natal.

'Interesting fight'

However, ANC legal expert and MP Mr Willie Hofmeyr said it would not be possible to sort out demarcation issues separately at a later stage as this would prevent the holding of elections by March in areas facing delays.

He believed the legislation comprising all the proclamations rendered invalid by the Constitutional Court decision would be passed by Parliament next week.

"NP parliamentarians will have to decide whether they will back Mr Meyer or Mr Kriel — it should be an interesting fight," he said.

Meanwhile, opposition parties were quick to make political capital of the NP crisis.

The Democratic Party said the court decision, although a victory for Mr Kriel, was a "major embarrassment" for the NP.

"It gives Mr Kriel a victory over Mr Meyer. The stresses and strains within the National Party can only intensify," DP justice spokesperson Mr Douglas Gibson said.

Inkatha said the ANC should pay for its blunders by meeting the costs of calling a special parliamentary session.

Freedom Front spokesperson Mr Pieter Groenewald said the court's decision appeared to vindicate the party's stance that there should be no interference with provincial powers.

ANC, Nats heading for new showdown

ANTHONY JOHNSON
POLITICAL CORRESPONDENT

THE ANC and the National Party are headed for a fresh showdown in the cabinet today and in Parliament next week over the Cape Town metropole demarcation dispute.

The NP yesterday threatened to launch another Constitutional Court challenge if the ANC pushed through legislation to effectively nullify the Western Cape NP's proposed boundaries for local elections

But the ANC vowed that it would push composite legislation through both houses of Parliament next week to correct the "blatant gerrymandering" by Minister Marais of the powerful provincial committee and its controversial proposed boundaries for the greater Cape Town area.

The row is expected to spill over into today's cabinet meeting, which is scheduled to discuss the content of the legislation to be dealt with by a special sitting of Parliament called in the wake

of last week's Constitutional Court ruling.

The NP yesterday averted a looming party split by agreeing at a crisis meeting in Pretoria to support only legislation that made possible the local government elections being held on November 1.

NP leader Mr F W de Klerk said his party would oppose any legislation coming before Parliament if it also covered "unnecessary" issues such as the presidential proclamations on demarcation in the Western Cape

(263) CT 27/9/95

He said this was unanimously agreed by NP leaders at the heart of the local government dispute, including Western Cape Premier Mr Hennis Kriel and Provincial Affairs Minister Mr Roelf Meyer.

"Agreement was reached on a strategy to promote this stand," Mr De Klerk said.

"If there is no success in making the legislation acceptable to the NP, there is a possibility that it could be tested in the court again."

However, the ANC leader in the Western Cape, Mr Chris Nis-

sen, and ANC legal expert Mr Willie Hofmeyr were adamant that the national assembly and the senate would be asked to validate the disputed proclamations by legislation.

Should the reconstituted Western Cape provincial committee deadlock on the election boundaries, the matter would be referred to the electoral court, Mr Nissen said.

Speaker Dr Frene Ginwala said yesterday that preparations had been made for the earliest possible recall of Parliament.

Metro chief tops ANC list

CT 27/9/95

(263)

CHRIS BATEMAN

CAPE Metropolitan Council exco chairperson Mr David Dlahi heads the ANC's provisional list of candidates for the Cape Metropole

In the No 2 slot on the list, released last night, is Cape Town City Council exco chairperson Ms Nomaandia Mfeketo

An ANC election conference at UCT decided at the weekend that the Metro and provincial list committees must be allowed to alter names to ensure a correct gender balance, spread of candidates and a team "best able to implement the RDP"

ANC spokesman Mr Cameron Dugmore said no sub-structure or ward conferences could be held because of the demarcation dispute. It was hoped that the national assembly and senate would meet

within a fortnight and "pass the proclamations issued in terms of section 16a of the Local Government Transition Act"

This is the section declared invalid by the Constitutional Court

Mr Dugmore said revising the legislation would ensure that the 50/50 political balance in the Western Cape's provincial committee was restored and would probably result in the Electoral Court being the final arbiter on Cape metropolitan boundaries. Elections were needed in the metro and rural districts as soon as possible and the ANC was determined to be prepared for them

In the Western Cape, Transitional Local Council elections in 95 towns are due to be held on November 1, but metro and rural elections may be possible only in March

Mandela a 'charming decoy'

ARG 27/9/95

(263)

TYRONE SEALE, Political Staff

PRESIDENT Mandela is a "very charming" decoy for a party under whose rule the economy is collapsing and houses and jobs are hard to come by, says Western Cape Local Government Minister Peter Marais.

At a meeting in Steenberg last night, Mr Marais launched a scathing attack on Mr Mandela for wearing Springbok rugby jerseys and eating koeksisters and speaking in Afrikaans to Tienie Vorster, widow of former prime minister John Vorster, while nurses were on strike and their patients dying.

"We aren't supposed to see the danger," said Mr Marais.

"The president is a good president, but

what is he doing about the day he won't be there any longer? Who's president then? Possibly Winnie with her matches or is it Bantu Holomisa or Peter Mokaba?"

Mr Marais said Mr Mandela was unable to rein in "the wild ones" in the African National Congress and he doubted that Deputy President Thabo Mbeki or ANC secretary-general Cyril Ramaphosa would be able to do so once Mr Mandela retired.

He attacked the ANC for opposing the death penalty and supporting abortion on request in the face of a soaring murder rate and said that under these circumstances the Western Cape would have to "work out its own salvation".

Cabinet talks on boundary (263) dispute

ARG 27/9/95

CLIVE SAWYER

Political Correspondent

THE cabinet will today discuss the ramifications of the Constitutional Court ruling on the Western Cape metropolitan boundary dispute.

The National Party is firm that unless revised local government transition legislation is made acceptable to it, another Constitutional Court battle is in store.

This view was endorsed at a meeting yesterday between NP leader F W de Klerk and Western Cape Premier Hernus Kriel, provincial Minister of Local Government Peter Marais, national Minister of Provincial and Constitutional Affairs Roelf Meyer, Western Cape NP leader Dawie de Villiers and party executive director Fanus Schoeman.

Mr De Klerk said the meeting had agreed on a basic strategy to prevent the African National Congress trying to use legislation to circumvent the controversial proclamations by the Western Cape committee on local government.

The NP would support legislation which would ensure that local government elections go ahead.

But legislation affecting the provincial committee's proclamations was not a prerequisite for these elections.

If there was no success in making the revised legislation acceptable to the NP, consideration would be given to referring it to the court.

The constitution provides for legislation to be referred to the court if the Speaker is petitioned to do so by a third of members of the house.

Meanwhile, preparations are being made for the earliest possible recall of parliament to process revised legislation.

Speaker Frene Ginwala said a decision on the dates for meetings of the standing committee on constitutional affairs and the national assembly could be made only when she had been told of the availability and content of the proposed legislation.

Strand loses appeal bid (263)

STAFF REPORTER

ET 28/9/95

An application by the Strand
Municipality for leave to
appeal against a Supreme
Court decision that the
Municipality should be included in the
City Metropolitan Council
was today refused.

Mr Justice H. Connolly
with Mr Justice C. F. Finlay
ruled that the municipality
had no case to be presented
before another court.

The municipality had applied
for leave to appeal against the
decision of the Supreme Court
in the case of the Metropolitan
Council of the City of London
and the Strand Municipality
which was decided in favour
of the Metropolitan Council
in 1994.

Border row: Nats threaten to scupper poll

(263)

CT 28/9/95

ANTHONY JOHNSON
POLITICAL CORRESPONDENT

THE NP threatened last night to scupper the nationwide November 1 local government elections after the ANC insisted during a stormy cabinet meeting that Parliament nullify the NP's controversial demarcation plans for Cape Town.

Parliament will hold a special four-day session from October 9-12 to pass the draft Local Government Transition Second Amendment Bill into law.

Notwithstanding furious NP objections, the draft legislation will not only provide for the holding of elections on November 1, but also the disputed presidential proclamations that the Constitutional Court last week ruled invalid.

The proclamations were aimed at nullifying alleged NP attempts to load the powerful Western Cape provincial committee so that Khayelitsha would be lumped with central Cape Town instead of the Tygerberg sub-structure for the third-tier poll.

At yesterday's heated cabinet meeting at the Union Buildings in Pretoria, the ANC rejected NP proposals that Parliament deal with the issues of the election date and the controversial proclamations separately.

NP leader Mr F W de Klerk said after the marathon cabinet session that the ANC's rejection of the NP proposal to table two bills in parliament had "cast a dark cloud over the election".

NP secretary-general and chief

spokesman on Constitutional Affairs, Mr Fanus Schoeman, said last night the ANC's action "could threaten the November 1 elections".

He said if the ANC had been prepared to accept a separation of the two issues, there would have been "no danger of further litigation and the November 1 date for the election for the rest of the country would not have been endangered".

Mr Schoeman said it was unfortunate that the ANC had placed its party-political interests and its bias against the Western Cape ahead of the national interest.

'Nonsense'

Earlier, Western Cape Minister for Local Government Mr Peter Marais said the NP would again appeal to the Constitutional Court if the ANC tried to push through controversial measures in revised election legislation in Parliament.

However, ANC Western Cape leader Mr Chris Nissen said his party was "sick and tired" of Mr Marais' "nonsense" about the planned local government poll.

He said Mr Marais was threatening the peace and stability of the province by saying he would not allow the ANC its "democratic right to ensure an end to NP gerrymandering".

Top central government sources said late last night that a series of bilateral negotiations would take place between the ANC and the NP before Parliament reconvenes in a bid to break

Councillors to repay allowances

CT 28/9/95
MUNICIPAL REPORTER

(263)

SOME of the best-remunerated local councillors are going to have to repay part of their allowances — up to R6 600 each

This is far less than the “up to R20 000 each” that was estimated in May, when double allowances for executives serving on both the Cape Metropolitan Council and a municipal council were first cut

In a provincial proclamation gazetted on the first of this month, provincial local government minister Mr Peter Marais again changes the rules about the remuneration of councillors

He says that from July 1 this year any councillor who serves in an executive capacity on two councils is only entitled to the executive allowance that goes with one of the positions

The allowance that goes with the second position will be “equal to double that of an ordinary councillor of the second council”

In May Mr Marais ruled that a councillor could accept only one executive allowance — the second allowance must be that of one ordinary councillor

Some councillors who serve on two councils have been getting close to R16 000 a month.

Councillors' allowances pegged (263)

Municipal Reporter

COUNCILLORS who serve on the executive committees of the Cape Metropolitan Council and their own local authorities will no longer be able to claim two full allowances

Their pay has been pegged by a proclamation by Local Government Minister Peter Marais on August 24 in terms of the Local Government Transition Act

In the proclamation, Mr Marais has declared that councillors serving on a metropolitan council and another sub-structure in an executive capacity will be entitled to only one of the two allowances, whichever the councillors choose. *ARL 28/9/95*

But a councillor will also be allowed to draw an allowance from the other council equivalent to "double that of an ordinary councillor"

NP-ANC battle will shift to parliament

(263) ARG 28/9/95
CLIVE SAWYER
Political Correspondent

THE African National Congress and National Party battle over revised local government transition legislation will shift to parliament after the ANC used its majority in the cabinet to approve a version of the legislation which will scupper the Western Cape NP's Constitutional Court victory.

The Local Government Transition Act Second Amendment Bill, pushed through by the ANC majority in the cabinet yesterday, will validate presidential proclamations on the metropolitan boundary row as well as confirming November 1 as the election date.

This version of the legislation was approved over that proposed by the NP, which separated the two measures into different bills.

The bill approved by the cabinet will be put to the parliamentary committee on constitutional affairs on October 9 and 10, to the national assembly on October 11 and to the senate the following day.

The NP has vowed to oppose any legislation which would nullify its court victory.

Presidential spokesman Parks Mankahlana confirmed that the NP had reserved its position after cabinet approval of the unified legislation option.

NP leader F W de Klerk has said the party will consider challenging any such legislation in the Constitutional Court.

Significantly, the NP is also bound by a commitment to ensuring that local government elections take place as and where scheduled on November 1.

A difference of opinion continues on the method required

for approval of the legislation.

Western Cape Premier Her-nus Kriel has said approval in the senate will require, as set out in the constitution, the specific consent of a majority of senators from the affected province — in this case, the Western Cape.

If parliament approves the legislation by a simple majority in each house, this could bring the prospect of a Constitutional Court challenge nearer.

NP spokesman Fanus Schoeman said the cabinet decision had put the elections in jeopardy.

The NP would introduce amendments to the bill when it reached parliament, he said.

A correspondent reports from Johannesburg that Mr De Klerk said after yesterday's cabinet meeting that the ANC's rejection of an NP proposal to table two bills in parliament had "cast a dark cloud over the election".

Mr De Klerk conceded that NP Provincial Affairs and Constitutional Development Minister Roelf Meyer, the minister responsible for the ANC-approved bill, was in a "difficult position".

The cabinet rejected the NP's proposal that two separate bills be tabled, the first dealing with those measures that allowed local government elections in November and the second dealing with the disputed proclamations.

Those proclamations overruled the Western Cape government's dissolution of the provincial committee that determines local government boundary demarcations and the demarcations themselves.

De Klerk changes tune in W Cape demarcation row

(263) WM 29/9-5/10/95

Gaye Davis

DEPUTY President FW De Klerk's decision to back the Western Cape wing of his party in its stand on the demarcation dispute would have "deep consequences for relations between the African National Congress and National Party and the government and the NP," said Deputy Minister of Provincial Affairs and Constitutional Development, Mohamed Valli Moosa on Thursday.

The National Party had to decide whether it was a partner in government or a hostile opposition, "because if they want that, we will treat them as such", he said.

"De Klerk has in effect put his stamp of approval on what constitutes a fundamental reneging on agreements at the World Trade Centre and a departure from the spirit of the Local Government Transition Act."

The Western Cape NP's loading of the provincial committee so it would rubber-stamp local government MEC Peter Marais' decision to make Khayelitsha fall under central Cape Town instead of largely white, conservative Tygerberg was previously treated by the NP's national leadership as "an aberrant regional position", Moosa said. "Now De Klerk has taken that position."

The Constitutional Court last Friday found that President Nelson Mandela should not have had the power to proclaim amendments to the Local Government Transition Act, nullifying Marais' actions. The decision affects a number of other amendments to the Act necessary for local government elections going ahead on November 1, and the court suspended its ruling until October 25, saying Parliament should rectify the situation by legislating appropriately.

In the face of vehement opposition from the NP, Cabinet on Wednesday decided the necessary amendments would be dealt with in a single piece of legislation, the Local Government Transition Second Amendment Bill, at a special session of Parliament between October 9 and 12.

The NP had wanted proclamations

affecting the Western Cape dealt with in a separate Bill, which would have allowed them to oppose it. The NP has now threatened to return to the Constitutional Court on the matter, which could put November 1 elections in jeopardy.

Western Cape local government MEC Peter Marais was bullish on Thursday, saying he "couldn't care about elections — what I care about is the Constitution". He described De Klerk's support for the Western Cape position as a "moral victory".

Pravin Gordhan, chairperson of the Constitutional Affairs committee, which will consider the new Bill, offered an olive branch. "If the NP's concern is a constitutional one, there's a constructive road forward." This would involve first passing the Bill, then referring it to the Constitutional Court for a speedy decision.

Marais would then have to reconstitute the provincial committee as it was originally comprised to decide on demarcation. If the committee and Marais failed to agree, the matter would go to a special electoral court for a decision — "which is what should have happened in the first place", Gordhan said.

The NP can take the philibustering route of trying to muster one-third of members in a petition to refer the Bill to the Constitutional Court. That's the dilemma we are placed in: Kriel can say he doesn't care about November 1 elections. It's a case of a section of a political party on the basis of selfish, short-sighted interests holding the rest of the party and the country to ransom."

The Bill will be dealt with on the basis of requiring a simple majority in the assembly and senate.

The NP will be considering its strategic options at a meeting of its federal executive on Monday, and when its extended caucus, including all MPs, senators and members of provincial legislatures, meets on Tuesday. At issue will be whether the party can afford the political cost of derailing November 1 elections in order to serve the interests of the party in the Western Cape, as well as balancing those interests.

Boundary war far from over

(263) CT 2/10/95

THE boundaries dispute in greater Cape Town is far from resolved, even now that the Constitutional Court has ruled on it. The court was not asked to decide directly on the boundary dispute — which essentially is about in which new municipality Khayelitsha should be included.

Instead, the court had to decide on preliminary points. The question was whether steps taken by the provincial and central governments on the way to deciding the boundaries issue were allowed under the present constitution.

The court declared two presidential proclamations out of order. The proclamations that had overruled regional Local Government Minister Mr Peter Marais' actions in changing the membership of the Western Cape provincial committee.

The reshuffled committee supported the boundaries that Mr Marais wanted — with Khayelitsha included in the same municipality as Cape Town, instead of the Tygerberg municipalities.

For politicians at central and provincial level, the issue is: What powers should central government have, and what powers should provincial government have?

But at local level, the real issue is: What new municipality will include Khayelitsha within its boundaries? The question comes down to whether resi-

dents of Cape Town municipality are going to continue paying higher property rates than those living in Tygerberg suburbs, or whether this situation is going to be switched around.

A recent comparison of the rates due from just one Bellville property, chosen at random, with an equivalent property in Cape Town, done by me with help of



CIVIC DIARY

BY PETER DENNY

experts, showed that Cape Town rates were 70% higher.

I have no doubt that should Khayelitsha be included in Tygerberg, within a few years Bellville's rates would catch up with, and even overtake, those of Cape Town.

So that is what the battle is about.

No resolution has been reached yet.

The ANC believes Parliament will sort it out this month when it changes the Local Government Transition Act, to in effect reinstate the presidential proclama-

tions. However, the NP has said it would lodge another complaint with the Constitutional Court. It says where legislation is aimed at one province, a majority of the senators of that province would have to approve. Six out of the 10 Western Cape senators are NP members. They are unlikely to approve the legislation.

The ANC says the legislation will not be aimed only at one province. But the NP might take that dispute to the Constitutional Court as well. The quarrels may continue for months, delaying the local elections.

This will be bad for development in this province, and thus bad for our economic well-being. The winner of the disputes could be the party most willing to dig in its heels and ignore the terrible effects of the delay on the people of the Western Cape.

In my view, a compromise would be best for all of us. The Cape Metropolitan Council should be able to use its power to impose levies on municipalities below it in such a way that the property rates burden of supporting the working-class is evenly spread over all of them.

Whether Khayelitsha is included in Tygerberg or Cape Town municipality should then no longer matter.

Marais warns ANC of election 'demise'

(263) CT 4/10/95

CHRIS BATEMAN

UNLESS the ANC keeps two contested presidential proclamations out of redrafted legislation, it will virtually ensure the demise of the November 1 elections, Western Cape Local Government Minister Mr Peter Marais warned yesterday.

He was speaking from Johannesburg International Airport after attending an extended NP caucus.

One of the proclamations, No 58, by President Nelson Mandela, overturned Mr Marais' appointments to the powerful provincial committee which can veto Metropolitan demarcation decisions.

A second proclamation (59) made any appointments to the committee subject to approval by

two central government ministers.

The Constitutional Court has ordered Parliament to redraft Section 16A of the Local Government Transition Act (LGTA).

The ANC chairperson of the National Assembly's portfolio committee on constitutional affairs, Mr Pravin Gordhan, says that if the NP wishes to challenge the constitutionality of the legislation, provision has been made for it to go to court once it is passed.

A second NP legal attack on the act, as first amended, could lead to its being nullified. This would affect November 1 elections countrywide. If Parliament separates the proclamations, an NP court attack would affect only the Western Cape.

ARLT 4/10/95

Parties still locked

□ *No real ANC concessions on demarcation row* (263)

CLIVE SAWYER
Political Correspondent

THE African National Congress and the National Party remain deadlocked on revised local government transition legislation

While the ANC is willing to have talks with the NP on the Local Government Transition Act Second Amendment Bill, it will make no significant concessions

NP leader F W de Klerk said yesterday that his party would not support the bill as it stood and was still considering taking the legislation to the Constitutional Court.

"The National Party will stand by the Western Cape province," he said.

The bill, which rectifies irregularities ruled out of order by the Constitutional Court last month, will be discussed by the national assembly and senate committees on constitutional affairs from tomorrow

The bill will be put to the houses next week, in time to meet the October 25 deadline set by the Constitutional Court to resolve problems in earlier versions of the legislation

The NP faces a dilemma in that it is committed to ensuring that local elections go ahead on November 1, but in doing so will have to accept a bill which reverses its court victory in the Western Cape demarcation row

The ANC national executive committee, at a meeting at the weekend, reaffirmed its commitment to demanding a fully representative Western Cape provincial committee on local government, and that the demarcation issue be resolved by the special electoral court

With these non-negotiable demands, little would be gained if the ANC and NP engage in bilateral discussions

outside the formal parliamentary process

Pravin Gordhan, chairman of the ANC study group on constitutional affairs, said the group would meet tomorrow for a strategy discussion before the meetings of the national assembly and senate committees

"If the NP wants to talk we will be available to speak to them"

But the NP would have few options and was caught in a dilemma between its constitutional concerns and its own internal battle for survival

For the latter, there would be no sympathy from the ANC.

"We will not co-operate in their attempts at appeasing their public," he said

The Western Cape ANC said approval of the bill, which was likely, would mean restoration of the balance in the provincial committee.

This would mean the committee would have to consider the demarcation board's proposal afresh, and if no concurrence could be reached with provincial Minister of Local Government Peter Marais, the matter would have to go to the electoral court.

There would be little sympathy for the NP should it decide to go to court again to fight the demarcation issue.

"It will be interesting to see whether the NP federal council backs the Western Cape to go back to court to defend the indefensible."

The ANC said the NP had "bent the reality" of the implications of the Constitutional Court judgment

"Instead of using the result to wage power struggles in a divided NP, (Premier Hernus) Kriel and Mr Marais should confront the reality that the metro cannot afford a delay in elections much longer."

Council acts in (263)

R6 500 payout row

ARG 5/10/95

Municipal Reporter

A COUNCIL official has been suspended and a councillor reported to the town clerk over a R6 500 payout from the coffers of the Coniston Park recreation centre in Steenberg.

The centre, which is run as a partnership between the Cape Town City Council and the community, has been the subject of dispute since about November last year.

The Coniston Park Ratepayers' Association is demanding that it has the right to control the centre's finance, while the parks and forests department is arguing that other stakeholders should also be involved.

Allegations are that four members of the seven-member interim management team, who are supporters of the ratepayers' organisation, decided at a meeting on September 11 to employ a community officer.

When the council official refused to pay out the money, including back pay, councillor Avril Harding of the Western

Cape Community Organisation, who had attended the meeting, allegedly wrote a letter to the official to effect the payment.

Another councillor, Riedwaan Isaacs of the African Muslim Party, who was also at the meeting, did not sign the letter although a space was left for him to do so.

Mr Isaacs said he had viewed the meeting as a "discussion" and did not regard it as a properly constituted meeting of the interim management committee.

But Mr Harding said he wrote the letter simply confirming the decision of the interim management team to employ John van der Merwe as a community officer.

Mr Harding said independent auditors had recommended that the city council should no longer control the books of the centre.

City administrator Gys Hofmeyr confirmed that there were allegations that "there was possibly improper conduct by a councillor or councillors."

Poll dispute: ANC to take Marais to court

Municipal Reporter

(263) ARG 5/10/95
THE ANC is taking provincial local government minister Peter Marais to the Cape Town Supreme Court for allegedly refusing to allow its members to stand as candidates in local elections

Mr Marais is the fourth respondent in a case which will be heard on Monday

The attorney acting for the ANC has confirmed that papers have been filed in the Cape Town Supreme Court with regard to two ANC candidates who have been refused permission to stand in Knysna on the grounds of late registration

The ANC has asked the court for an interim interdict pending a review of the decision taken by the Knysna returning officer to allow its candidates to stand in wards 3 and 4

Respondents in the case, brought by ANC members Ve-

ile Waxa and Winile Joyi, are the returning officer of Knysna, Vicky Smith, the acting returning officer, Charles Erasmus, the election committee of the Knysna transitional local council and Mr Marais

In papers before the court Mr Waxa claims he was at the registration office before the noon deadline on September 12, while Mr Joyi claims he was there shortly afterwards

The court is being asked to award the interim order so that the ANC candidates can be included on the voters roll which would enable them to stand

The ANC has also instructed its attorneys to approach the court over the refusal of the George returning officer to register it as a party in the areas of Rheenendal, Fremmersheim and Herbertsdale because it allegedly did not make written application

Bid to keep boundary ruling

ARG 6/10/95 (263)

Political Correspondent

THE Western Cape government is poised for a last-ditch attempt to preserve its Constitutional Court victory in the metropolitan demarcation row

Representatives are to ask the national parliament to amend the Local Government Transition Act Second Amendment Bill.

The bill, approved by the cabinet last week over the protests of the National Party, seeks to rectify errors in the way proclamations are made in terms of the act

It will nullify disputed demarcation

decisions of the re-formed Western Cape committee on local government, and will provide for local elections to be held on November 1

The Western Cape government representatives will give evidence on Monday to a joint meeting of the national assembly and senate committees on constitutional affairs, which yesterday began deliberations on the bill.

The Constitutional Court has given parliament until October 25 to rectify the errors in the way proclamations were made

Fears and ploys

(263)

It could hardly be coincidental. On August 31, FW de Klerk, launching the National Party's local election campaign, warned that, though he was part of the Government of National Unity, there were significant policy differences between the NP and the ANC. These would, by inference, be exploited to the full in the run-up to November 1 — particularly in the Western Cape, which is NP-controlled.

Last week, in the Western Cape Legislature, regional finance minister Kobus Meiring unveiled figures which he said showed that the region would end this financial year with a deficit of more than R1bn. This could mean the retrenchment of 5 000 teachers, and nurses — sporadically on strike over pay and workplace issues — could also face the axe.

And who is to blame? Central government, according to Meiring. The funding formula of the Financial and Fiscal Commission, Meiring charged, would reduce the Western Cape's share of funding by 3,41% a year for the next five years. Meiring said the province would run out of money in January 1996 — two months before the financial year-end.

Other provinces were to be allocated more funds (except the Northern Cape). Funding would grow by 1,05% a year in the Eastern Cape and by 8,16% in Gauteng.

These figures, whether accurate or not, have been sufficient to make the teachers and nurses even more insecure than before. The underlying political message is that the ANC is intent on financially starving a province it does not control. In other words — vote NP.

Meiring's estimates show that, out of a total 1995-1996 budget of R8bn, R396,53m was estimated as "own revenue". However, only R331,83m would actually be collected, leaving a shortfall of more than R64m. Far graver was that expenditure — at R9,05bn — was in excess of the budgeted R7,895bn, the main problems lying in health and education.

This was "not due to bad financial management," Meiring said, "but rather to severe cuts in our budgetary allocations from central government." He had warned of the looming deficit well in advance.

While the deficit on health services (R423,52m) was being addressed to a certain extent, even if the projected funds — those which the province has "motivated" as necessary to government — came through, there would still be a remaining deficit of R191,99m. This "cannot be sized down without serious political and service implications."

Meiring also blamed government for not allowing tariff increases and for introducing free medical services to pregnant women and children under six.

The education deficit would be

R522,38m, mostly in salaries — which means that, without relief, retrenchments will have to begin. Meiring warned "The problem is that the retrenchment of teachers at this stage will have no effect in the current financial year. The reality is that in order to obtain a saving of about R500m it would require decreasing teaching staff to the tune of 5 000 for a full year."

So next year "apparently holds further shocks for us."

As part of a plea for special attention for the Western Cape, Meiring argued that, though the region "displays relatively better

indicators of development than other provinces, the dualism which exists is as real as in other parts of SA and requires urgent attention. Aspects such as literacy, medicare, unemployment rates and economic growth are poor in comparison with the successful countries in the world today.

"The Western Cape can also be expected to have a continuing influx of people from other provinces responding to the perceived better opportunities and quality of



Meiring ANC financially starving Western Cape

life. This will require the maintenance of existing, and the development of new, resources to respond to both physical infrastructural needs and human capacity-building."

In effect, Meiring is saying that the Western Cape needs the extra funding *because* it is better off than other provinces. This smacks of an electoral ploy. It can hardly be expected to be persuasive to a cash-strapped central government when other regions have areas in which governance has broken down altogether.

Nonetheless, Meiring has touched on what is certainly going to prove a continuing source of conflict and controversy — the claims of the regions against the centre. One unanswerable question is just who will actually be blamed when — as seems inevitable — retrenchments do begin, or teachers and health workers find they cannot be paid.

Cape Town, at least, can expect more marches and demonstrations in the months ahead. So far, the animus of the crowds does not appear to significantly distinguish between central and provincial authorities. Public-sector workers in the region are fearful for their livelihoods, and some may not be able to decide at the polls whom they most dislike — the ANC or the NP.

Demarcation dispute court proposed

Tim Cohen

CAPE TOWN — Legislative amendments which would compel provinces to take demarcation disputes to the special electoral court are likely following a briefing by government lawyers to parliamentarians yesterday.

During the first day of parliamentary hearings on amendments to the Local Government Transition Act, government lawyer Jeremy Gauntlett said the Constitutional Court had made the suggestion.

Gauntlett said the court's recent judgment in the dispute between the provincial affairs department and the Western Cape government had suggested that there were certain "ineffi-

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ciencies" in the legislation

Gauntlett said the court had proposed that rather than "ping-ponging" between national and regional government, demarcation disputes ought to be taken to the special electoral court.

Parliamentary constitutional committee chairman Pravin Gordhan said proposals for amendments to the Local Government Transition Act could be included before the legislation was put to parliament next week.

The legislation consists of proclamations made by President Nelson Mandela which the court ruled could not be passed by proclamation in terms of the constitution. The committee will hear submissions by the Western Cape government on Monday.

City councillors divided over affirmative action

~~263~~ (263) ARCT 6/10/95
Municipal Reporter

CITY councillors are divided over how affirmative action should be applied at the Cape Town City Council.

This emerged during a debate on a policy agreement between unions and the council on the implementation of affirmative action.

Key elements in the document are that the policy should be on the basis of competence as well as targets to create a representative population mix within the council.

But Arthur Wienburg of the Democratic Party objected to the document on the grounds that by setting targets the council was effectively creating a quota system which ran counter to the idea of employing people for their competence.

Ernest Sass of Cosatu said the document was vague and did not spell out what was meant by certain

phrases and words.

Thoko Mkhwanazi-Xaluva of the PAC said the document should be adopted because the only way to change the status quo was to have targets.

She said ratios could not be fixed because the population profile in the city was still in flux.

Neil Ross of the DP argued for the document's acceptance, saying there was a "massive difference between targets and quotas"

He said the city's affirmative action board needed teeth.

Mzukisi Gaba of the SA Communist Party felt the document was trying "to sit between two chairs" because it said that jobs should be filled first from within the ranks of the existing council

This did not reflect the demographics of the Western Cape.

Council to beef up affirmative action

PETER DENNEHY

CAPE TOWN City Council is close to adopting a controversial addition to its affirmative action agreement.

The additional policy document, which spells out in greater detail how action will be implemented, was referred back for further discussion at yesterday's council meeting after councillors

found the wording was confusing

The central issue is that selection will be on merit "provided that selection shall favour, as determined by the targets, competent applicants from a disadvantaged background"

A row blew up over "targets", which Mr Arthur Wienburg claimed were actually quotas. He objected, saying the council had never agreed to a quota system

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However, Mr Neil Ross said there was a world of difference between targets and quotas

"Quotas are a given. Targets are something you aim for"

The document says each department or branch of the council must negotiate with unions to arrive at targets which must be submitted to the council's affirmative action board and will help to correct disparities

RET 6/10/95

Rivals query ANC list after fraud

DAVID BREIER
Political Staff

THE fraud conviction of the African National Congress's top candidate in Wellington shows the poor quality of ANC candidates in next month's municipal elections, rival parties claim.

The National Party and the Democratic Party have had a field day following the conviction of Cupido Rogers, 38, who was fined R2 000 or 12 months' jail, suspended for four years, for taking R80 and R300 from two local residents in return for promises of land in Carterville.

Rogers is appealing.

His conviction threatens huge damage to the ANC's Boland campaign as Rogers' name appears at the top of its list of candidates to be elected by proportional representation in Wellington — which means a vote for the ANC on the proportional list in the town is a vote for Mr Rogers.

The ANC is due to hold an internal inquiry soon.

The Western Cape ANC is also lobbying central government urgently in a bid to change municipal election laws to allow it to remove Rogers from its list, although nominations closed last month, to avoid the em-

■ The ANC has suffered a major election setback in the Boland after its top candidate in Wellington was convicted of fraud for taking money from residents in return for promises of land.

barrassment of facing the voters with Rogers at the top of its list.

Peter Marais, Western Cape local government minister and NP arch-enemy of the ANC, said the fraud conviction of the top ANC candidate in Wellington showed the low calibre of ANC leadership in the country apart from the top 20 or so ANC leaders at national level.

Mr Marais said the ANC could not trust its own members to govern the provinces because of their low level of expertise which embarrassed President Nelson Mandela.

"If the ANC has such weak leadership at provincial and central level, what kind of leadership do they have on the ground at local level?" he asked.

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Rather than try to change the law, he said, the ANC should simply admit they did not have the right calibre of people to serve at local level.

"They want to bend the rules for their own convenience. How much faith can people have under such a government? They cannot change the laws every time they come up with a problem," he said.

DP Western Cape leader Henne Bester said there was a tendency in the ANC to change rules when it suited them.

"The ANC must take the consequences of their own bad judgment," he said.

"If the ANC is unable to weed out the fraudsters and gangsters in their own ranks, then the public must judge them," he said.

Mr Bester disclosed that before nominations the DP had "weeded out" a candidate in Ashton who had been involved in fraud.

He pointed out that nearly half the election candidates in East London were under investigation for allegedly falsifying signatures supporting their nominations or for owing money to local authorities — which disqualifies them from standing for election.

James Sefo, DP executive direc-

tor, said "If you make your bed, you must sleep in it" — and the Rogers incident reflected very poorly on the ANC's candidate selection process.

ANC provincial spokesman Cameron Dugmore said that when Rogers was elected to the ANC's list he had not been convicted. There was no provision at local government level to remove his name from the ANC candidates' list. This would require a change to the regulations or possibly the Act.

Any party should be entitled, for example, to appoint one of its candidates as an ambassador, and then make an adjustment to its list, he said. There was no clarity on this in the local government law, and this was unfair, he said.

The legal battle between the ANC and Mr Marais which included the recent Constitutional Court judgment which the NP won, is also being fought in the Supreme Court, where the ANC has brought two applications.

One is aimed at reinstating an ANC candidate in Kaysna and another to contest decisions by Mr Marais allegedly favouring NP candidates and disadvantaging ANC candidates in Freremshem, Rhenendal and Herbertsdale.

W Cape gets the plaudits in survey

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DAVID BREIER
Staff Reporter

THE Western Cape has been shown to be one of South Africa's "top" provinces — whose businesses are run by some of the country's worst managers.

These are among the findings of a study published in a book to be released next week by the Graduate School of Business at the University of Stellenbosch in conjunction with the university's Institute for Futures Research.

The book forms the basis of a jointly-organised conference in Somerset West on October 20 on "Competitiveness and Development in South and Southern Africa".

The conference will discuss which provinces are likely to be most attractive to investors — and which will repel investors due to their poor performance.

Business School director Dave Tromp told Saturday Argus that in the research for the book, the Western Cape emerged as one of the top three provinces along with Gauteng and KwaZulu-Natal.

Professor Tromp said Gauteng scored two first places and a second to the Western Cape's one first and two seconds in various areas such as economic strength, standards of government, finance and infrastructure.

But the quality of management in the Western Cape was rated only fifth out of the nine South African provinces, according to the research.

Surprisingly, the sparsely-populated "Cinderella province" of the Northern Cape scored high for both the government and the quality of management.

The Western Cape came tops on the quality of its people — measured by factors such as employment rates, education and standard of living.

But this is little cause for celebration as South Africa came last in the recent world competitiveness report of 48 countries for people quality — making the Western Cape the best of a very bad bunch.

■ A study shows the Western Cape is holding its own as one of the top three provinces in South Africa — but the level of management in the province is regarded as shoddy compared with the rest of the country.

Philip Spies, director of the Institute for Futures Research, said the conference and book would interest anyone wanting to help develop the country, especially business people.

But Professor Spies warned against provinces competing to get the better of each other by grabbing a bigger share of the development.

"It's essential we must develop integrated planning in Southern Africa. Unless we do this, the problems of the region will overflow. South Africa will not escape Africa's problems," he said.

He said it would also be a mistake to develop a country in which there were vast provincial differences.

"It would be dangerous if wealthier provinces like Gauteng and the Western Cape decided to go it alone. It won't work," he said, explaining this would result in a greater flow of people from the poorer provinces which would worsen the over-extension of the cities.

Professor Spies said many of the Western Cape's problems originated outside the province, and many of South Africa's problems originated outside the country; there had been a large influx of people into the country.

For this reason, his institute was also researching conditions in the Southern African Development Community (SADC) as "it is absolutely essential that we must develop integrated planning in Southern Africa".

Anyone interested in attending the conference can contact Lynette Allan at (021)918 4155.

Only NP has Cape election list

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ET 9/10/95

CHRIS BATEMAN

WITH just 12 days left for redrafting laws to enable local government elections to take place on November 1, three of the four main parties have not yet produced candidate lists for Western Cape country towns.

By last night only the NP had named the candidates it is putting forward to fight 87 of the 95 transitional local councils.

The ANC said it expected its lists to be ready by tomorrow "at the latest". The other parties were also hurriedly completing their lists.

The Constitutional Court has given Parliament until October 25 to redraft the fundamental section 16 (A) of the Local Government Transitional Act.

A joint sitting by senators and MPs in the Portfolio Committee on Constitutional Affairs is unlikely to be ready in time for when Parliament reconvenes on Wednesday to begin passing the redrafted legislation.

Both the SA Agricultural Union and organised labour have signalled that they still want to make submissions to the committee.

The DP does not expect to win control of any of the Western Cape municipalities.

DP senator Mr James Selfe said: "We're looking for a foothold to enable people to see the DP as hard community workers, instead of the old stereotypes of colonial middle class and so on."

ANC regional spokesman Mr Cameron

Dugmore said his party expected to gain control of Paarl and Worcester, two crucial towns outside of the Cape Metropole.

Mr Dugmore said alliance politics, based on each town's own policy issues, would play a critical role in the elections, while the election formula that gives half of each council's seats to African voters would boost his party's chances.

He said the ANC's rural support had grown because rural coloured people "still experience racism directly".

Attempts to contact an NP spokesman last night were unsuccessful.

The Free State, Gauteng and Northern Cape are the only provinces where metropolitan, rural and TLC elections are set to go ahead simultaneously on November 1.

FW declares his support for Marais

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CHRIS BATEMAN

DEPUTY PRESIDENT F W de Klerk has thrown his weight behind Local Government Minister Mr Peter Marais, saying it was his constitutional prerogative to appoint members to the provincial watchdog committee which finally passes demarcation proposals.

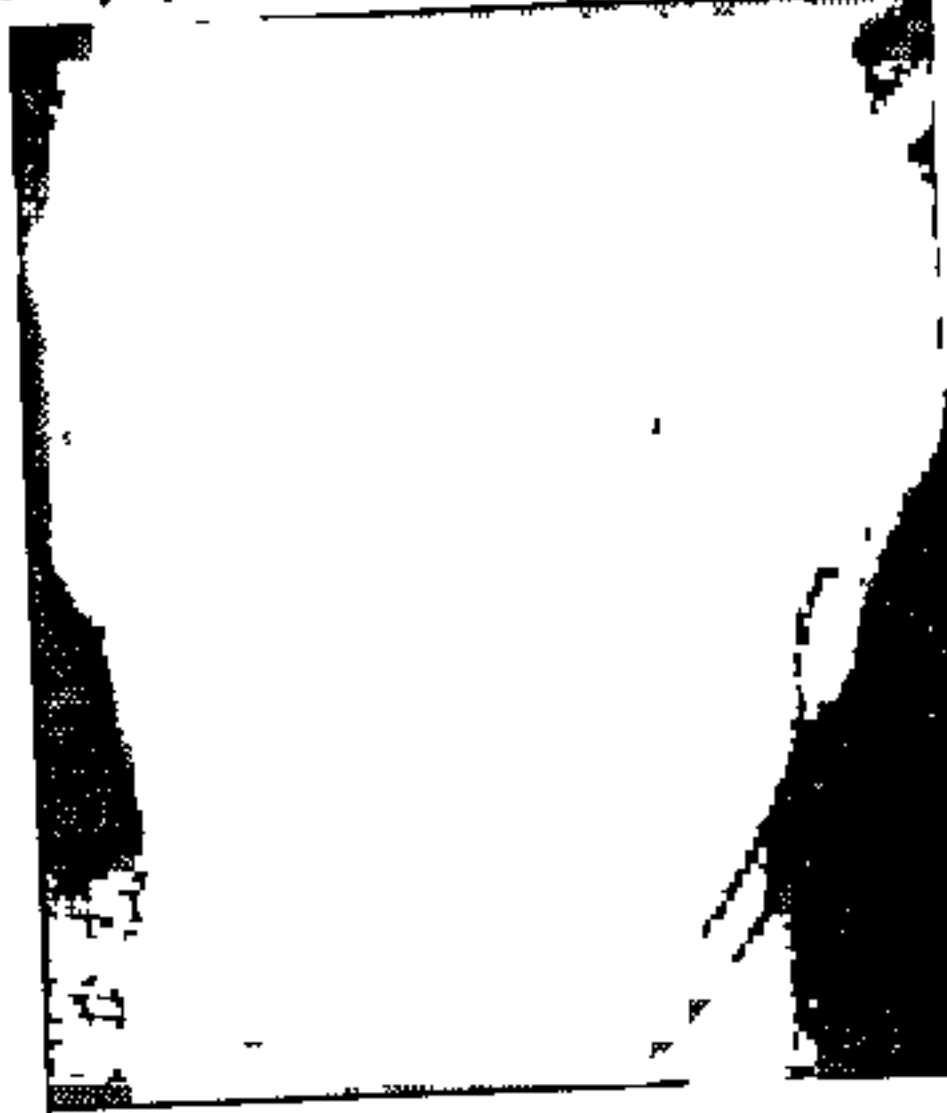
Speaking after the Cape Times/Seeff Executive Breakfast Club on Friday, Mr De Klerk said even if Mr Marais "made a mistake", he was entitled to do so.

The ANC accuses Mr Marais of "gerrymandering" Cape Metropolitan boundaries by making NP-leaning appointments to the transition-watchdog committee.

They charge this was to ensure Khayelitsha was excluded from the NP stronghold of Tygerberg — although the NP claims sound financial and logistical reasons for their proposal to join Khayelitsha with Cape Town instead.

The ANC was unable to "sell" to its Khayelitsha constituents a compromise proposal to include most other local black townships in the Tygerberg in exchange for Cape Town taking Khayelitsha.

The failed compromise led directly to last month's NP Constitutional Court challenge in which the 11 judges instructed Parlia-



SUPPORT:

Deputy President F W de Klerk

ment to redraft a section of the Local Government Transition Act. It was this act in terms of which President Nelson Mandela restructured Mr Marais' committee.

Mr De Klerk also appealed for statesmanship in the upcoming election battle so that a vigorous fight at the polls did not upset the "delicate transformation" which the country was undergoing.

"What is required now is that we strike a balance between pursuing vigorously our multi-party democracy — taking one another by the shirt fronts and doing our thing, offering the voter a choice at the polls — and a level of statesmanship," he said.

Former Mamre council

'squandered millions'

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ESANN de KOCK
Staff Reporter

THE former Mamre management council appears to have attached little value to accountability and responsibility.

This is the conclusion of advocate Lovell Fernandez who investigated the alleged fraud of millions of rands of public funds by members of the West Coast town's former management board.

Mr Fernandez, recommended to the Mamre transitional council by Justice Minister Dullah Omar, has completed a report and recommendation on the alleged multimillion rand scam committed by the former National Party-controlled board.

After studying and analysing documents, he recommended that the present management council bring the issue to the attention of the Attorney-General of the Western Cape.

In his opinion, the facts were "extremely worrying, given the fact that they affect the assets of an entire community".

Mr Fernandez concluded that sworn statements, auditors' reports and a copy of a letter by the present mayor summarising the basis of the allegations, indicated a shocking chronology of events regarding the manner in which the community's assets had been administered.

It had begun 12 years ago when the then management council told the Mamre community it had sold part of the community's fixed property for R3,6 million.

The council promised the communi-

ty at a meeting that the money would be invested for 10 years, at the end of which the investment would have increased to R11,8 million.

Accordingly, R3,6 million was invested for four years and the council's attorneys were paid a commission for effecting this transaction.

Interest of R72 000 a month was used by the council without the consent of the community.

After the policy had matured, the council bought an annuity for R3,6 million in 1989 and cancelled it again in 1993. The council used R82 000 a month, again without the permission of the community.

In addition, the council used R40 000 of the capital invested.

Interest amounting to R42 000 was invested in another policy and, by then, the original investment had decreased to R2,5 million.

Nine months before the original policy matured, the council sold it — resulting in a loss to the community of about R1 million.

Other alleged irregularities included the sale by the council of a front-end loader worth R250 000 for R20 000 to "a friend" and the granting of a tender for work on the sportsfield without a contract or proof of any call for tenders or proof of inspection forms.

Mr Fernandez said "Based on the allegations levelled against it, the council seemed to have functioned on the theory that once power has proceeded from the people it never goes back to them; accordingly they have no say in the business of the council."

NP may block local polls bill

CLIVE SAWYER
Political Correspondent

THE National Party was to decide today whether to block controversial local government transition legislation in the senate, a move which could scupper prospects of elections in the Western Cape before the March 30 deadline.

Parliamentary committees on constitutional affairs will vote today on the Local Government Transition Act Second Amendment Bill, prior to the bill going to the national assembly and senate for approval later this week.

The bill is aimed at rectifying procedural irregularities in proclamations on local government, rejected last month by the Constitutional Court. Encapsulating the proclamations in legislation is essential to the November 1 local elections going ahead

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The African National Congress has refused so far to accede to NP demands to split the bill into two parts, which would allow the November elections to go ahead while preserving the Western Cape NP's victory in the Constitutional Court

The NP is considering invoking the constitution to demand that the bill be passed only if a majority of senators in affected provinces — in this case, the Western Cape and KwaZulu-Natal — assent to it

But there is concern in NP circles that using this tactic may mean a referral of the question of whether the measure itself is applicable to the Constitutional Court

Such a delay could imperil deadlines to enable the March 30 deadline for local elections to be

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met. in which case the government would be entitled to appoint administrators to Western Cape metropolitan and rural local authorities

Whether it attempts to use the senate device or not, the NP will vote against the bill, which requires only a simple majority to be passed

It is certain the NP will refer clauses it finds unacceptable to the Constitutional Court.

Even if this happens, it will not affect the November elections.

Yesterday, the bill was attacked by the SA Agricultural Union, which said it would consider boycotting the elections unless its members were allocated 40 percent of the seats on transitional representative councils for rural areas.

STELLENBOSCH SET FOR SHARP CLASH

Parties poised to fight for 95 W Cape towns

OWING TO UNCERTAINTY about whether local elections will take place on November 1, interest is only now starting to grow in Western Cape towns. **BARRY STREEK** reports.

THE National Party and the ANC are squaring up to fight for the control of 95 country towns in the Western Cape on November 1

Both parties have nominated candidates in nearly all the towns, although in some cases they have supported local ratepayers associations by not formally putting forward candidates.

The smaller parties have also nominated candidates in some of the towns, but none as extensively as the ANC and NP

The most intensely contested election in the Western Cape will be Stellenbosch where 41 candidates are contesting 12 ward seats and 50 candidates representing nine parties and organisations are

fighting the eight proportional representation seats

After uncertainty about whether elections would be held anywhere on November 1, interest in the towns is only now starting to mount

With its convincing electoral victory in the Western Cape in the election in April last year, the NP must be regarded as the favourite to win control of most of the rural towns.

But the ANC is confident that it will win control of Paarl and Worcester, and do well in other areas

It has already won some unopposed wards in some towns.

The DP does not expect to win control of any of the councils, but

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expects a reasonable showing in Montagu and Worcester as well as Knysna and Plettenberg Bay

However, the DP has not put forward any candidates in places like Franschhoek, although it has named five people for proportional seats in the Stellenbosch area.

The PAC has put up candidates in Hermanus, Bot River and Stellenbosch and has named five for proportional seats in Robertson

The Freedom Front has also nominated candidates in a number of towns

It faces right-wing opposition from the Conservative Party in the Hangklip/Kleinmond area.

The eight proportional seats in Stellenbosch are being contested by the ACDP, ANC, DP, NP, PAC, Stellenbosch Interest Group, Stellenbosch Civic Alliance, FF and Stellenbosch Housing Action Committee

ANC's surprise move catches NP off balance

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BY PATRICK BULGER
POLITICAL CORRESPONDENT

Cape Town — The ANC stunned the NP in Parliament last night with a manoeuvre that will rule out another appeal to the Constitutional Court and ensure that the local government elections go ahead on November 1.

Shortly before Parliament's portfolio committee on constitutional affairs was due to vote on the Local Government Transition Act Second Amendment Bill, the ANC dropped the controversial presidential proclamations that the Constitutional Court had earlier ruled unconstitutional, and to which the NP had been objecting.

The ANC's surprise move, announced by Provincial Affairs and Constitutional Development Deputy Minister Mohammed Valli Moosa, makes it impossible for the Western Cape's NP government to refer

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NP caught off guard by ANC move

From Page 1

the law to the Constitutional Court.

NP members were stunned when Moosa told Parliament's portfolio committee on constitutional affairs that the proclamations were no longer considered necessary, but that they had been necessary in June when President Mandela issued them.

Instead, the ANC introduced a new clause in the Bill which invalidates the actions taken by Western Cape MEC for Local Government Peter Marais, who reconsti-

tuted the provincial committee because the NP did not accept the local government demarcations it had initiated.

Until last night, there was the possibility that the Western Cape government could appeal to the Constitutional Court to rule on the substance of the proclamations.

The court recently threw out the proclamations and gave Parliament until October 25 to rectify the problem — not because of what they contained, but because they were issued by Mandela rather than Parliament.

CLIVE SAWYER
Political Correspondent

IT now seems certain that Khayelitsha will become part of the Tygerberg local authority, after months of confrontation between the African National Congress and the National Party over the issue.

Revised local government transition legislation, which will reverse the NP's moves to have Khayelitsha incorporated in the central sub-structure — which includes Cape Town — is expected to be voted on in the national assembly today.

The legislation appears set for unimpeded passage through parliament, with even the National Party disarmed of the chance to refer controversial clauses to the Constitutional Court.

In a surprise move at a late-night sitting of parliament's committees on constitutional affairs, the African National Congress announced it was deleting clauses which would have brought into law presidential proclamations overruling actions by Western Cape Minister of Local Government Peter Marais.

The Deputy-Minister of Provincial Affairs Vali Moosa, of the ANC, said legal advice was that the proclamations had been necessary at the time, but were no longer needed.

He made the announcement shortly soon before the committee voted on the bill.

A clause was inserted in the bill to invalidate the reshuffle of the Western Cape provincial committee on local government by the NP's local government minister Peter Marais.

This means a ruling by the provincial committee on local government that Khayelitsha should be included in the central sub-structure rather than the Tygerberg will fall away.

The latest version of the bill, to be put to the national assembly today, will confirm the appointments to the provincial committee made by Minister of Provincial Affairs Roelf Meyer.

While it does not expect this to be necessary, the government is prepared to go to court to ensure the Western Cape government falls into line with the bill.

Mr Meyer confirmed that November 1 local elections would go ahead as planned, but emphasised that at no stage in the processing of the bill had they been in peril.

The NP is expected to oppose the bill today, and the Democratic Party and Inkatha Freedom Party have reserved their positions.

If passed by the national assembly, the bill will be put to the senate select committee on constitutional affairs tonight and to the senate tomorrow.

The exclusion of the two clauses removes the possibility of Western Cape senators arguing that their consent will be required for approval of the bill.

Other changes to the bill agreed to by the committee included an amendment proposed by the ANC which will give a greater role to special electoral courts, the bodies of final appeal on demarcation disputes.

Tygerberg's gets Khayelitsha

□ Legislation after months of ANC, NP confrontation

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ANC wins three seats in unopposed Paarl wards

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MUNICIPAL REPORTER

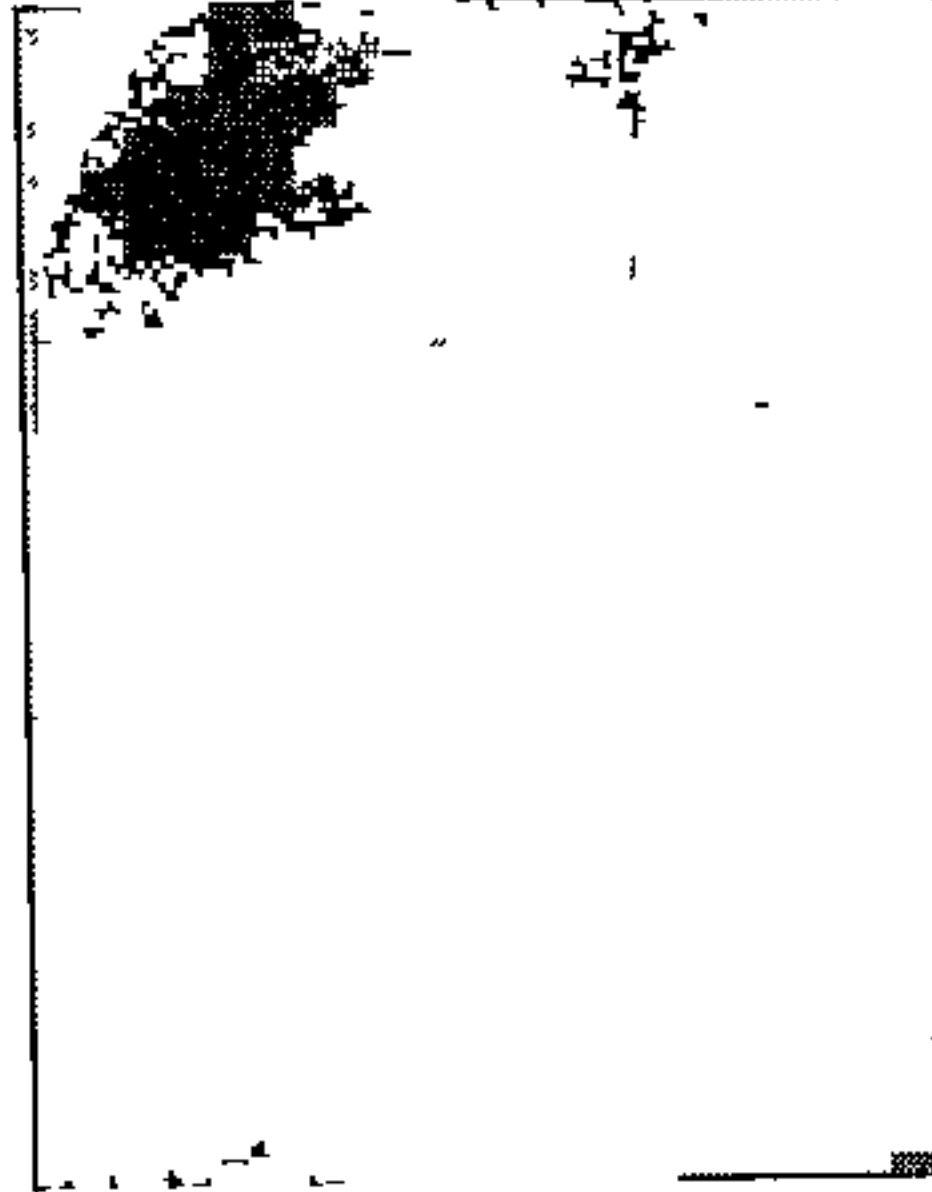
THREE ANC candidates have already won their seats on the new Paarl council, Constitutional Affairs Minister Mr Roelf Meyer was told on a visit to the town yesterday to check local election preparedness

There will be 12 ward seats on the Paarl council, and eight party-list seats, giving a total of 20, said deputy returning officer Mr Hertzus Carstens.

The three councillors who have already secured their seats have only done so because they were unopposed in their wards

All three unopposed wards are in Mbekweni, the township that is being integrated into Paarl municipality

The other three Mbekweni ward seats are being contested between ANC and independent candidates. The NP is not fighting those seats



VISITING: Mr Roelf Meyer

Of the 12 ward seats, six have to be in Mbekweni, and the other six in the white and coloured parts of town. There are two ward seats in Paarl West, which is the largely white part of town, and four in Paarl East, which is more coloured.

One other candidate, an independent, has been elected unop-

posed in Paarl West

Paarl has a four-way fight on its hands, with the parties involved being the NP, ANC, DP and the residents' association

Mr Carstens told Mr Meyer that every citizen in Paarl would soon receive a letter telling him or her to vote at a particular polling station. There are 22 polling stations in Paarl to cater for a voting population of 49 000

Meanwhile Wellington municipality, which used to be just white and coloured, now has 800 registered voters from a black population of 5 000

There are 23 000 coloureds and 7 000 whites in the town

Town clerk Mr Jacques Carstens said the local black population consisted mainly of shack dwellers from the outskirts of Mbekweni

The parties fighting the local elections seats here (eight ward seats, five party-list seats) are the NP, ANC and PAC

Panel accepts local govt bill

A PARLIAMENTARY committee has adopted a bill reversing boundary decisions by the Western Cape.

The African National Congress steamrolled National Party opposition to adopt a trimmed-down Local Government Transition Act Amendment Bill.

The bill is certain to be passed by the ANC-dominated national assembly.

Once it has been signed into law by President Nelson Mandela, it will put the November 1 local government elections back on track.

It will also invalidate Western Cape Premier Mr Hrnus Kriel's attempt to demarcate boundaries in a way that would cut debt-laden Khayelitsha out of the NP-supporting Tygerberg municipality and include it in Cape Town's central region.

The elections were put in doubt by a Constitutional Court ruling last month that certain arrangements promulgated by President Mandela were invalid and would have to be validated by Parliament by October 25 — Reuter

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VICTORIES EXPECTED IN RURAL TOWNS

Coloured support growing, claims ANC

(263) 2/12/10/95
THE ANC SAYS increasing numbers of coloured voters are turning to it because of disillusionment with their treatment by the National Party. **ANTHONY JOHNSON** reports.

THE ANC expects to attract more coloured support in rural Western Cape towns on November 1 than in last year's April general election

ANC local government elections co-ordinator Mr Saki Macozoma told a media briefing yesterday that party canvassers had noted a "shift in thinking" towards the party in a number of areas across the country

He singled out coloured voters in the Western Cape and Indian voters in Natal as having shifted their allegiances away from the National Party

He said the treatment coloureds had received at the hands of the NP-led government in the Western Cape and dissatisfaction at the NP's handling of the metropolitan boundary dispute had turned many voters against the NP

ANC chief whip in the senate, Mr Bulelani Ngcuka, said the ANC had picked up growing support in a number of Karoo towns in the Western Cape, particularly among coloured voters

"We expect to do much better in these areas," he said.

Mr Macozoma said the ANC expected to maintain support in its

traditional strongholds in the upcoming poll. The party achieved over 62% of the vote in April 1994

Treasurer-general Mr Arnold Stofile said the ANC had set up a special election budget and special accounting mechanisms to monitor the spending of funds

Disciplined

Mr Stofile, who is also ANC chief whip in the national assembly, said any ANC MPs who mobilised for Contralesa, or Sanco candidates against the ANC would be disciplined

He added the ANC favoured a system of "tendered" votes for people who arrived at the polls without having registered

LEGAL ADVICE STILL TO BE SOUGHT

Kriel silent on amendment

THE NP WILL comment on the latest amendments to the Local Government Transition Act only after it has finally been passed by the senate, **CHRIS BATEMAN** reports.

WESTERN CAPE Premier Mr Hennis Kriel held fire last night in the wake of acrimonious debate in the national assembly over a trimmed down Local Government Transition Act Amendment Bill which experts said may have effectively "spiked his guns"

In place of a clause which allowed President Nelson Mandela to refer restructuring of watch-dog provincial committees to central government ministers now stands a clause which refers anything which may negatively affect elections to the chairperson of the Special Electoral Court

This side-steps administrators such as Western Cape Local Government Minister Mr Peter Marais, who the ANC accused of "fixing"

his provincial committee to ensure that Khayelitsha was excluded from the Tygerberg in Cape Metropole demarcations

It now seems increasingly likely that, should the new law be passed, Tygerberg will be forced to take on the debt-laden, fast growing Khayelitsha

Mr Kriel's spokesman Mr Frikkie Odendaal said last night that the premier had only received the latest amendments to the controversial bill yesterday afternoon and was still studying them

"Three things need to happen before he will comment — Parliament must still finally pass the bill, it must be passed by the senate and we must still seek legal advice," Mr Odendaal said

The Western Cape government

forced the current emergency sitting of parliament through a partly successful challenge of the transitional legislation in the Constitutional Court

The court did not pronounce on the validity of Mr Mandela's actions but was critical of the manner in which the legislation was passed and gave central government until October 25 to do it properly

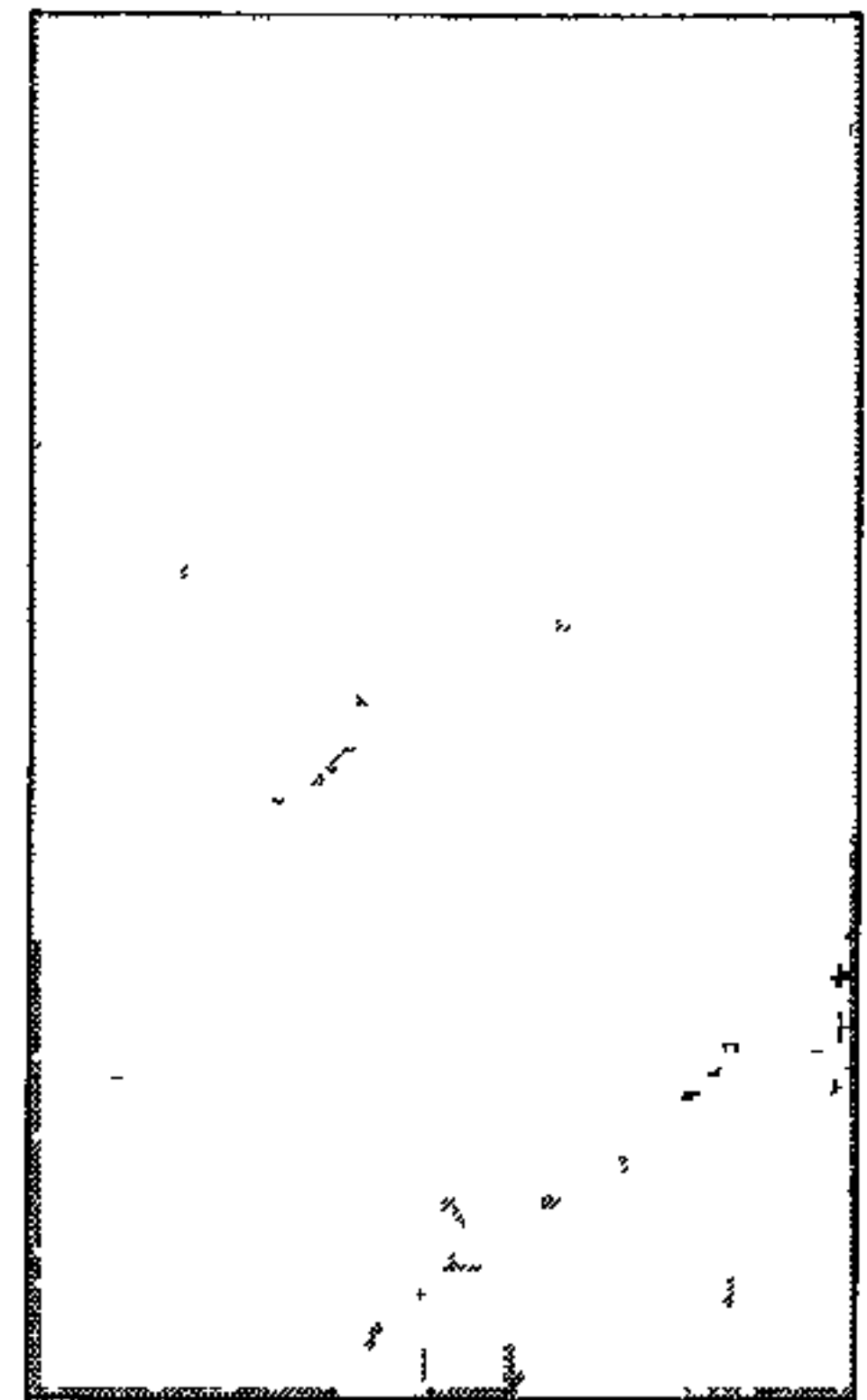
Interference

Mr Marais had threatened to return to the Constitutional Court if an extension was granted to central government ministers' right to "interfere" in the structuring of provincial committees

Provincial committees need to concur with Local Government Ministers over demarcations — or refer committee deadlocks to the Electoral Court

CT 12/10/95

(263)



HOLDING FIRE: Western Cape Premier Mr Hennis Kriel has yet to comment on the latest amendments to the Local Government Transition Act.

Local polls bill faces final hurdle

(263)

□ *Senate to settle angry demarcation debate*

ARCT 12/10/95

CLIVE SAWYER
Political Correspondent

THE local government legislation package which will enable November elections to go ahead and help bring to a close the Western Cape demarcation row, faces its final hurdle in the senate today.

The Local Government Transition Act Second Amendment Bill was passed yesterday by the national assembly and the senate select committee on constitutional affairs.

The assembly approved the bill by 237 votes to 102, with the African National Congress, Pan Africanist Congress, Democratic Party and African Christian Democratic Party in favour and the National Party, Inkatha Freedom Party and Freedom Front against.

The IFP said it intended invoking a constitutional provision during the senate debate to demand that the bill be passed only if a majority of senators from Kwa-zulu-Natal consent.

The provision may be used when it can be proven that legislation is aimed at a specific province.

The five-hour debate showed all the effects of political tem-

peratures rising as elections loom, and included an acrimonious clash between cabinet colleagues F W de Klerk and Mac Maharaj.

NP speakers accused the ANC of inflexibility in refusing any concessions on the bill.

The party said its opposition was not intended to impede the holding of the November elections.

The NP attacked the ANC call for tendered ballots to be allowed for unregistered voters, saying this exposed naked fear that the ANC would not be able to muster enough supporters at the polls.

Frik van Deventer (NP) rejected allegations that his party was racist in its attempts to keep Khayelitsha from being included in the Tygerberg metropolitan sub-structure.

Inclusion of the township would drain scarce resources needed for other impoverished "brown areas" in the Tygerberg.

Melanie Verwoerd (ANC) asked why Western Cape minister for local government Peter Marais had failed to take the demarcation dispute to the special electoral court.

"If Mr Marais is so sure of the merits of his case, why not put it to the test?"

Zhou Kota (ANC) said it was pure racism that the NP did not want Khayelitsha in the Tygerberg.

There was a debate-within-a-debate about the Masakhane campaign, with the ANC saying it was gathering momentum and the NP saying it had failed.

Several ANC speakers said the NP had been taken over by its right wing.

Replying to the debate, the Deputy-Minister of Provincial and Constitutional Affairs Valli Moosa, of the ANC, said NP opposition to the bill was evidence that the party was hostile to the government of national unity and to the transition to democracy itself.

Accusing the NP of having reneged on principles agreed to during multiparty talks, Mr Moosa said: "Today the NP kicks us in the guts."

"As far as I am concerned from this point onwards things cannot remain the same. The laws of natural justice say that if one side reneges on an agreement, there is no obligation on the other to fulfil their side of the deal."

The NP was opening itself to many things it was likely to regret, he said.

Evicted workers in fight for jobs

Staff Reporters

FIRE municipal workers at De Doorns are to meet members of the town's transitional local council today in a desperate attempt to win back their jobs.

The workers — members of the SA Municipal Workers' Union — have been dismissed and evicted from council houses by the De Doorns municipality after three weeks of industrial action

ARG 12/10/95
The workers, who were demanding a wage increase, called off their strike last week after the municipality allegedly promised them an increase

But when they received their wages last week, the increase was not reflected and they were told their services had been terminated.

Meanwhile, the municipality has employed part-time workers

Municipal spokesman Stephanus Rossouw said today about 45 workers had been dismissed and were now being regarded as ordinary members of the community.

The workers were welcome to reapply for jobs, and their applications would be handled in exactly the same manner as the municipality intended handling other applications.

Anele Nyembe, a member of the non-statutory body of the council, said township residents were upset because they paid for services and the municipality provided services only in the town itself.

The townships were in a filthy state, with drains overflowing and rubbish piling up, and could soon become a health hazard, he said.

Court to decide on Natal elections

CT 13/10/95

(263)

MARITZBURG. kwaZulu/Natal will not take part in next month's local government elections, provincial government and housing Minister Mr Peter Miller said here yesterday.

He proposed the kwaZulu/Natal local polls should be held on March 27 next year, four days before central government's cut-off date for provinces to hold delayed elections.

kwaZulu/Natal premier Dr Frank Mdlalose had applied for

exemption from the November elections, but had not yet received a reply, Mr Miller said.

Elections could not be held until the disputes over the boundaries of several transitional local councils (TLC's) and the Durban Metropolitan Council had been resolved, he added.

The disputes were largely over the inclusion, or exclusion, of tribal areas in the TLCs.

The disputes would be referred to the Electoral Court next week,

Mr Miller said.

Negotiations on the demarcation of boundaries deadlocked after Mr Miller failed to get the support of four of the six members in the provincial committee on local government. Mr Miller said the Electoral Court would also have to decide whether tribal areas should be included in urban areas for the elections.

The exclusion of tribal areas would exclude an estimated 2,6 million voters, 1,5 million of them

registered.

Mr Miller said the inclusion of tribal areas into urban areas was an extremely complex issue which entailed widespread consultation with chiefs and tribes.

The House of Traditional Leaders earlier this month rejected suggestions that traditional communities be included in the TLCs.

Mr Miller said the court would have to make its decision before the end of November to make next year's elections possible — Sapa

Bellville: All will feel the impact

PETER DENNEHY
MUNICIPAL REPORTER

CT 13/10/95 (263)

THE impact of Khayelitsha's inclusion in Tygerberg will be felt by everyone within the same boundaries, says Mr Dave Heywood, Bellville's director of finances

But it is not yet possible to say by how much the inclusion will increase property rates in Bellville

There are too many variables, and the necessary figures are not yet available, he told the Cape Times.

He does not know how many people there are in Khayelitsha or how much they pay for municipal services

"A lot is said about the impact on rates, but the impact of Khayelitsha's inclusion will be felt by everyone within the same boundaries," he said

Surpluses on the water and the electricity accounts would also be affected.

Cheaper

The cost of municipal services in Cape Town was not generally higher than in Bellville, he said. In many cases, services were cheaper in Cape Town.

Studies comparing 10 municipalities in the Peninsula area had shown that Cape Town's services were far from the most expensive, he said

"The inclusion of Khayelitsha in Tygerberg will necessitate a rethink of the services that will be rendered by Tygerberg. It will have to take into account how much the consumer can afford. This means sliding scales, as there already are for water

"Consumers who use the smallest amounts of water are not charged the full cost of providing it, and the costs are then recovered from those who can pay more"

Existing "sliding scale tariffs" would probably have to be stretched at both ends, if Khayelitsha is included in Tygerberg.

New local govt forum

(263)

STAFF REPORTER

CT 13/10/95

REPRESENTATIVES of local government groups in the Cape metropole yesterday formed a "metropolitan restructuring" forum that will assist the Metropolitan Commission to restructure the old regional service council and help to re-allocate services and assets.

The forum will also be required to provide restructuring proposals for when the new elected joint executive councils come into office.

Cape Metropolitan Council chairman Mr Wilhe van Schoor said the forum would provide a "unique opportunity" to build a better and more effective system of local government.

He said that Local Government Minister Mr Pieter Marais had welcomed the new forum.

Local poll: Ball now in NP's court

ARL 13/10/95 (263)

CLIVE SAWYER
Political Correspondent

IT is up to the National Party in the Western Cape to decide on further attempts to block controversial local government legislation.

The campaign against the Local Government Transition Act Second Amendment Bill, which has included court actions and an emergency session of parliament, has cost taxpayers R1,5 million so far

Approval means local government elections will go ahead as scheduled for 701 councils on November 1.

Various options for further opposition to the measures were open to the NP in the Western Cape, Alex van Breda (NP) said during the debate

These included referring the demarcation dispute to the Special Electoral Court, a move which the NP has so far avoided

Mr Van Breda declined to elaborate on other options.

Premier Hernus Kriel has not yet consulted legal advisers on whether to take action against the legislation, and in what form this action should take

Consultations could take place today

Mr Van Breda said the NP had been naïve to support the

first amendment bill last year, which delegated legislative powers to the president

"We never considered the president using these powers .. even to the extent of taking away provincial powers"

He said the senate was meant to be the guardian of the interests of provinces.

African National Congress and Democratic Party senators, who supported the bill, were "wanting in that regard," Mr Van Breda said.

James Selfe (DP) said he hoped that if the Western Cape government decided to go back to court "they will do so with their own money and not that of the taxpayers of the Western Cape"

Mohamed Bhabha (ANC) said the act flowed from a covenant meant to consolidate democracy

"With this act of betrayal, the very people the NP claims to protect will not taste the fruits of democracy.

"(Western Cape local government minister) Peter Marais, who supposedly represents the interests of coloured people, has deserted them in their hour of need."

Senate president Kobie Coetsee asked Mr Bhabha to refrain from attacking officials of other institutions who were not present to defend themselves

"It does not become the senate," Mr Coetsee said

Vallh Moosa, the Deputy Minister of Provincial Affairs and Constitutional Development, said the NP campaign against the bill had given the best possible election campaign platform to the ANC.

"I do not understand why you have been so good to us. Thank you," said Mr Moosa.

Taxpayers would be entitled to demand that the bill be sent to Mr Kriel and Mr Marais

"After a long roundabout exercise we have come back to where we would have been provided they had been prepared to play by the rules."

He said the NP had tried to make Khayelitsha a bantustan

"The Western Cape did not want (the demarcation) taken to the Special Electoral Court for arbitration because it knew no court would look with sympathy on racism as a consideration."

At the end of the debate, IFP whip Narend Singh asked that the bill be passed only with the consent of the majority of senators from KwaZulu-Natal, claiming that certain provisions affected only that province.

Mr Coetsee overruled this, citing a clause in the bill which said it applied to the entire country

The bill was approved by 57 votes to 18, with ANC and the DP in favour and the NP, FF and IFP against.

Western Cape top province to call home - survey

A new study shows that Western Cape has the healthiest people with the best quality of life in SA, writes **DAVID BREIER**

of a high-level conference in Somerset West next week comparing the competitiveness of South Africa's nine provinces

Extensive research for the book shows that Western Cape is unquestionably the best place to live in SA if you want a long and happy life. Average life expectancy in the Western Cape is a healthy 67,7 years - more than the 66-year average in Gauteng, the wealthiest province

Cape Town - The average life expectancy in Gauteng is 66 years, according to a book published this week by the Graduate School of Business and the Institute for Futures Research at the University of Stellenbosch

However, the book finds that Western Cape people live longer than other South Africans and have the best quality of life in the country

The book is to form the basis

at an average age of 59,66 years, and Eastern Cape, where the average life lasts 60,65 years

However, life is not only longer in the Western Cape, it is also better. The survey rates the quality of life in the province at 7,1 out of 10

Second best in the quality of life stakes is not Gauteng, which rates a modest 5,5, but the Free State with 6,8.

Drought-stricken Northern Province is at the bottom of the scale with a miserable 3,7.

Eastern Cape, with 4,3, is not much better, nor is Northern Cape at 4,7

Western Cape, with 0,826 out of one, scores best on the human development index, which mea-

sures not only life expectancy, but average income and education levels

Gauteng comes second in this regard with 0,818. Impoverished Northern Province, with 0,470, is again worst off

However, there is no room for complacency. South Africa came last out of 48 countries in the people factor surveyed in the latest World Competitiveness Report. Top of that log is Japan, followed by countries like France, Australia, the US, Britain, Germany and New Zealand

The university report lists several reasons why Western Cape is the best place to be in South Africa. The province has the lowest unemployment figure

- 17,3% compared with 47% in Northern Province, and only 14,1% of Western Cape households are classified as "poor", compared with 15,4% in Gauteng and 61,9% in Northern Province

Western Cape has an average of 672 people per doctor compared with 750 in Gauteng and 7 472 in Northern Province. Each hospital bed in Western Cape caters for 179 people, compared with 197 in Gauteng and 700 in Northern Province. However, budget cuts could soon affect the Western Cape's lead

On the education front, Western Cape teachers have only an average of 21,35 pupils in their classes compared with 26,69 in Gauteng and 40,68 in Eastern

Cape. But again, with education budget cuts looming, Western Cape could lose this advantage

Thanks to its high quality of education, Western Cape has a literacy rate of 0,946 out of 1 - better than Gauteng's 0,927. On this front North West comes last with 0,695

However, the report warns the top two provinces in terms of economics - Gauteng and Western Cape - not to gloat, because poor people tend to migrate to where opportunities exist

"The very success of South Africa's two top economic provinces could become their failure," the report warns, urging more development in poorer provinces such as Eastern Cape

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Star 14/10/95

■ The ANC in Wellington is embroiled in controversy again after allegations surfaced that Namibian police have issued an arrest warrant for one of its election candidates.

DAVID BREIER
Political Staff Reporter

ANOTHER candidate for the African National Congress in Wellington is under a cloud as the National Party exploits a controversy over the calibre of ANC election candidates in the Boland.

The ANC leapt to the defence of Cupido Rogers, its top election candidate in Wellington, who has been convicted of fraud. But it now faces further controversy with one of its other election candidates wanted in Windhoek for diamond theft.

Wellington election officer Jacques Carstens confirmed that a warrant for the arrest of the second candidate had been issued by the Namibian police after he had allegedly escaped from police custody. When contacted by Saturday Argus the man denied he was an election candidate.

Rogers was recently fined R2 000 or 12 months, suspended for four years, for taking R80 and R300 from two local residents in return for promises of land in Carterville. He is appealing against the conviction.

ANC Western Cape secretary James Ngculu said the Wellington ANC branch as well as Rogers held the view that the case against him was baseless.

"He feels there was prejudice against him because of the conservative nature of the area and his own profile. The view of the branch was that there was an attempt to victimise him as an ANC candidate.

"He disputes the bribery charge. He has assisted many people in the Chris Hani squatter area in getting plots. He says there is not any proof that moneys were given to him directly".

Mr Ngculu said he had not heard of the second case.

The National Party's Peter Marais, provincial local government minister, said: "It seems the NP can win this election on the quality of their candidates. I think the ANC suffers from a lack of suitable candidates in the municipal elections."

"People must be careful who they vote for," he added.

Mr Marais said the ANC's election slogan, "Let it happen here" would boomerang because people would say "Please don't let it happen here."

Another ANC poll scandal — candidate sought by

ARG 14/10/95 (263)
police

Boundary row to drag on in court

Municipal Reporter

AA 14/10/95

(263)

THE scene is set for the next round of the Cape metropole's demarcation row to be heard in the Cape Supreme Court.

Deputy Constitutional Affairs Minister Mohamed Valli Moosa is expected to approach the Supreme Court to ask it to invalidate appointments made to the provincial committee by Local Government Minister Peter Marais

This would pave the way for replacements for the two disputed positions on the six-member committee to be filled by Constitutional Affairs Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with premier Hennis Kriel.

This follows the passing of an amendment to the Local Government Transition Act in parliament this week which side-stepped further wrangling over provincial versus central government powers.

Instead of presenting parliament with the same proclamations which were disputed in

the Constitutional Court, the legislators produced a brand new amendment which said disputes should go to the special electoral court if half the provincial committee agreed

The amendment also stipulated that vacancies on provincial committees would be filled by the national ministers in consultation with the premier of the affected province.

If Mr Moosa succeeds in getting a new provincial committee in place, it is likely that the demarcation dispute will come before the electoral court which would ultimately be asked to rule on whether Tygerberg should get Khayelitsha or not.

The amendment to the Act also gives the electoral court the power to make rulings if the local government minister fails to perform a duty "properly, expeditiously or at all" and which may negatively affect the election.

Mr Kriel's Press secretary, Frikkie Oendaal, said the premier was in the process of taking legal advice on the implications of the new amendment

Shooting has town in turmoil

Staff Reporters
(263)
ARG 14/10/95

DE DOORNS residents and town council workers occupied municipal offices in the town following the alleged shooting of two council workers and a local community leader.

This was the latest drama in a three-week dispute between members of the SA Municipal Workers Union (Samwu) and the council over demands for wage increases and the reinstatement of about 61 workers fired for going on strike. Western Cape police spokesman Wicus Holtzhausen said one demonstrator had been shot in the leg, but was not seriously hurt.

Captain Holtzhausen said the situation was calm, although the offices were still being occupied last night. According to Samwu, the workers had called off their strike last week in the hope of getting their promised increases.

But, when they got their wages last week, the increase was not reflected and instead the workers were also being fired from their council houses.

The situation worsened when the council employed labour to replace the dismissed workers and to clean areas occupied by white residents.

Anele Nyembe, chairman of the African National Congress branch in De Doorns, said the transitional local council had held a meeting the previous night in which it voted 6-5 in favour of the workers' reinstatement.

De Doorns mayor Henmie Beukes, who was not in favour of the decision, tried to force the meeting to vote again, but this time against the workers' reinstatement.

"We who had voted for the workers' reinstatement decided we were not going to be party to an undemocratic procedure and we left the meeting."

"After we had left, our decision was reversed and this angered the residents who came back today."

He said some council workers who were not in favour of the decision were reinstated and this angered the residents who came back today.

When the rest of the workers went into the municipal offices to demand their wages, and at that point someone drew a gun and fired a shot, hitting a worker in the leg.

A member of the community, Surita Brown, said the involvement of the council also said Mr Nyembe was initially a labour dispute because of the council's racism.

"The coloured community also pays rates and taxes, but they are not receiving any services which have for the past two weeks only been received by the white residents," she said.

"We want the workers to be reinstated."

Mayor Beukes said workers had brought their dismissal on themselves by not returning to work.

The residents are calling for the establishment of an independent body to probe the shootings.

MARAIS: ANC 'RUNNING TO SUPREME COURT'

Next round in border row

(263)

CT 16/10/95

THE BORDER row concerning Khayelitsha could be decided soon in the Supreme Court if the ANC seeks an order on the provincial committee. **PETER DENNEHY** reports

THE next round in the battle over which municipal area will get Khayelitsha could take place in the Supreme Court this week or the next

Western Cape Local Government Minister Mr Peter Marais said yesterday he was aware the ANC would soon be "running to the Supreme Court"

There it will seek an order declaring the provincial committee as re-constituted by Mr Marais

"null and void" This is something that was left out of the local government legislation that was passed at a special sitting of Parliament and the Senate last week

Mr Marais said the ANC "had been too stupid to think about" including it

ANC MP Mr Willie Hofmeyr retorted it had been considered, but it had not been necessary to include "retrospective clauses" as Mr Marais had been out of order in

the first place

His actions (Mr Marais' reconstituting the committee) were invalid, so their effects did not have to be retrospectively undone by an act of Parliament, he said.

Mr Hofmeyr confirmed moves were afoot to launch a Supreme Court action, but he did not know when this would be

The six-member committee is supposed to reflect a balance of the political parties in the region and it has to watch over the actions of the provincial local government minister in the run-up to elections

Its power lies in the fact that

once two-thirds of the committee and the minister have agreed on boundaries, these can be promulgated in the Provincial Gazette

After reshuffling the committee, Mr Marais and the required two-thirds of the committee did agree that Khayelitsha should be included in Cape Town. But this was never gazetted

Sources close to the NP suspect these boundaries — with Khayelitsha included in the Cape Town area, not Tygerberg — will be gazetted by Mr Marais this week

This could trigger another ANC application in the Supreme Court

Councillors to make good

MUNICIPAL REPORTER

SEVERAL local government politicians who have been overpaid in allowances are to repay the difference. The money is to be deducted from their allowances over the next three months.

Cape Metropolitan Council (CMC) chairman Mr Willie van Schoor said yesterday he did not know if interest would be charged on the money.

"If there is money to be collected, it will be collected," he said. "If we don't, the auditor-general will address us about the over-expenditure."

From February, anyone who served on the executive committee of their local council and on the executive committee of the CMC could be paid two "executive" allowances.

This was changed in May by a provincial

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proclamation that each councillor was to be paid only one executive allowance. The second was to be that of an ordinary councillor.

After negotiations, another proclamation was issued, saying the second allowance could be no more than double an ordinary councillor's allowance and that any preceding overpayments could be condoned. This came into effect from July.

Mr Van Schoor said overpayments from July to September — made to fewer than 10 Cape Metropolitan councillors — would be deducted. He declined to name the councillors.

Mr Peter Gabriel, an ANC councillor who serves on the Grassy Park body but not on the CMC, had been underpaid, but had chosen not to accept a back payment, Mr Van Schoor said.

Govt sets deadline for W Cape

CHRIS BATEMAN
POLITICAL STAFF

THE central government has given the Western Cape government until today to concede defeat in the Cape Metropolitan demarcation wrangle — or it will ask the Supreme Court to nullify the provincial committee appointments by provincial Local Govern-

CT 17/10/95
ment Minister Mr Peter Marais

In a letter yesterday, the state attorney's office in Cape Town asked lawyers for Premier Mr Her-nus Kriel to say if they considered Mr Marais' provincial committee appointments legal or not — and requested an answer by today.

Legal sources interpreted this deadline as a "certain indication" of a court threat

(263)
Khayelitsha's inclusion in Cape Town or Tygerberg lies at the heart of the wrangle. The committee earlier this year approved a decision by Mr Marais to include Khayelitsha with Cape Town.

A spokesman for Mr Kriel's office confirmed the premier's attorney had received the letter, adding "the matter will be handled this week".

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We face uphill Cape battle — DP

Edward West

(263) *BD 18/10/95*

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CAPE TOWN — The DP was facing an uphill battle in the run-up to the local elections in the Western Cape because the NP and ANC were running party political campaigns while the DP was focusing its campaign on individual candidates, DP provincial director Stuart McLoughlin said yesterday.

In addition, there was "the greatest voter apathy I've ever seen out there", he said. The party planned to field 87 candidates in 21 of the 95 rural towns that will be taking part in the election on November 1. Because the election in the Cape metropole will take place next year, the November 1 election affects only 30% of the province's population.

McLoughlin said the DP's strategy was to achieve sufficient seats in towns with known DP supporters to be able to exercise a balance of power between NP and ANC councillors. The DP did not expect to win control of any town, but was hoping for large blocks of support in Knysna and Plettenberg Bay.

ANC Western Cape spokesman Sihle Moon said the ANC would conduct a party political campaign, focusing on the continuation of the process of democracy. He expected the party to achieve substantially more support than in the last election.

He said an ANC survey indicated a "massive shift" towards the party by coloured people in the platteland. The ANC had more than 600 candidates in 85 towns. In a number of wards in Beaufort West, George, Fremersheim, Paarl, Mossel Bay and Hermanus, the ANC would be uncontested. The vote in George would be crucial as it was the second most populous town.

An NP spokesman said the NP, which would be backing about 800 candidates in 86 towns, would hold four uncontested towns.

PAC MP Patricia de Lille said the party was expected to achieve substantial support in Grabouw, Botrivier and Clanwilliam. The PAC was contesting seats in 25 towns.

over up. 126%

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balance sheet

Figures in R000

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It had sold Meg...
SULMARI

Gauteng to spend R39m on upgrading health care

BD 19/10/95

Ingrid Salgado

THE Gauteng government would spend R12,27m from RDP funds in the 1995/6 financial year to build and upgrade more than 20 clinics in the province and had allocated a further R22,98m for their running costs, the provincial health department said yesterday.

An additional R4,3m had been allocated for upgrading and maintaining existing clinics.

Maternal and neonatal units, health care centres and upgrading of equipment were also in the pipeline. Six projects in the Vaal area were planned, five each in Central Witwatersrand and the East Rand, two in Pretoria, seven on the West Rand and three on the North-East Rand.

The department had embarked on a needs an-

alysis in identifying priority areas and extensive consultation with community organisations was used to identify facilities, it said.

Identified projects included maternal and child health, HIV/AIDS and communicable diseases, mental health, chronic disease and rehabilitation services. Projects which would cost large amounts had been prioritised and would be funded from shifts in the budget.

Additional maternity and obstetric units would result in about 15 000 women being able to have their babies delivered in their own community health centres.

Gauteng had a "major problem" with an inadequate network of clinics and health centres and thus had contributed to overloading in hospitals, the department said.

Elections could be postponed in five Eastern Cape districts

BD 19/10/95 (263)

EAST LONDON — Local government elections in five Eastern Cape rural districts could be postponed until November 29 to sort out several technical hitches which have disqualified the ANC from taking part in these areas.

The Algoa Regional Services Council has asked for the November 1 poll to be delayed for 23 000 rural voters in Alexandria, Bathurst, Albany, Port Elizabeth and Uitenhage.

The council's application was formally endorsed by the Eastern Cape executive council yesterday.

It would now go to Provincial Affairs and Constitutional Development Minister Roelf Meyer for a final decision, Eastern Cape election manager Keith Watrus said.

The ANC was disqualified after infringing on Local Government Transition Act regulations. In terms of the regulations, parties are required to submit a list of office bearers and their addresses in the rural districts they are contesting.

The ANC slipped up in Alexandria by giving the names of office bearers living in town instead of the adjacent rural areas. Similar mistakes were made in Uitenhage, Port Elizabeth and Bathurst rural areas.

In Albany, ANC candidates and not the party were disqualified because they stood for election to the rural council despite living in town. The regional services council had asked for the postponement in order to avoid holding an illegitimate poll. — Sapa

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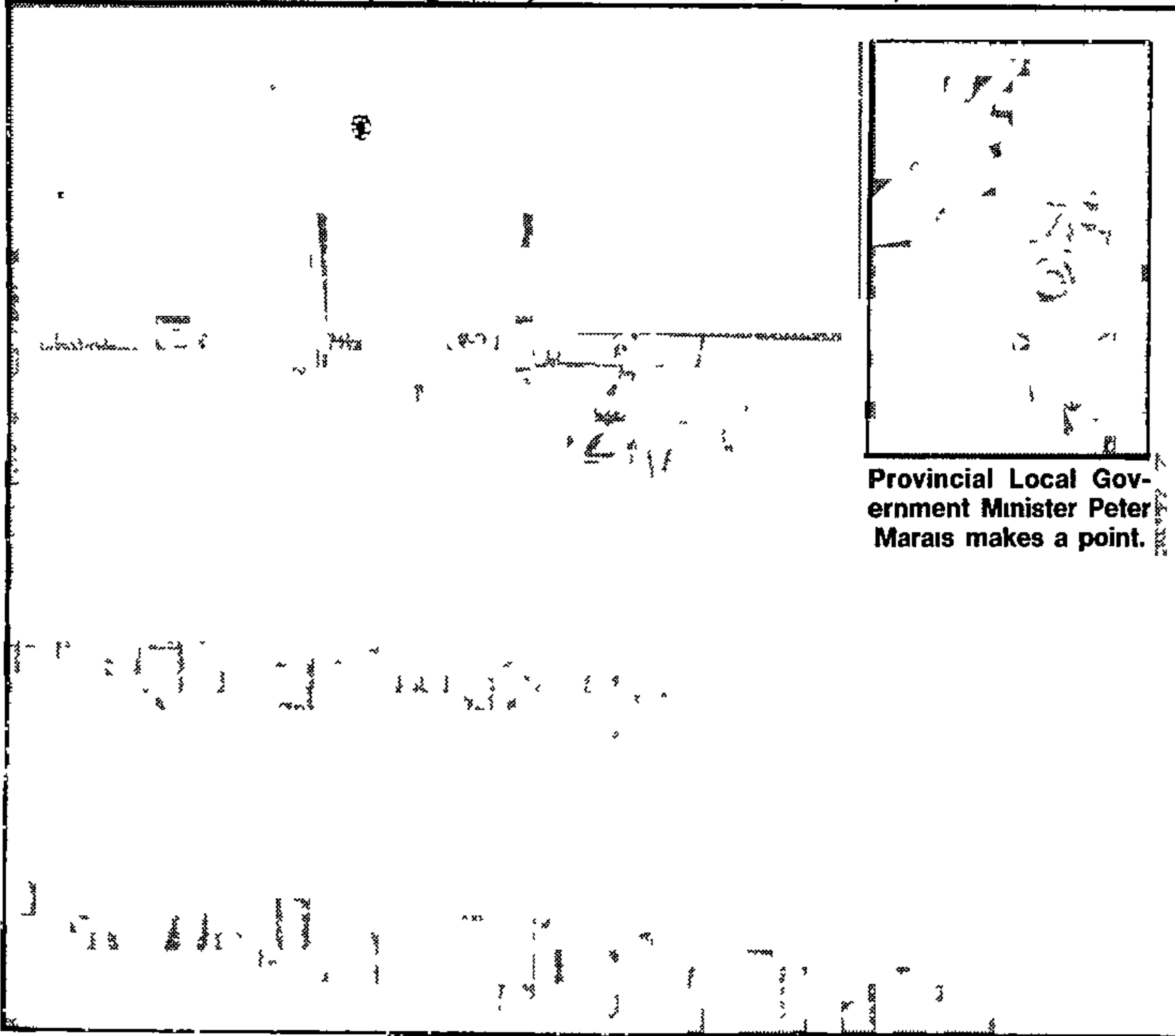
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INSIDERS

ANC delivers b... all, says fiery Peter Marais

□ RDP paralysed by 'too much consultation and wrangling'
(263) (200) ARG 19/10/95



Provincial Local Government Minister Peter Marais makes a point.

Pictures ANDREW INGRAM, The Argus

CENTRE FIELD: Surrounded by shrubbery, Western Cape Local Government Minister Peter Marais speaks from a podium at Wellington's Boland Stadium

Mandela to meet amnesty seekers soon

PRETORIA — A decision on extending an amnesty cut-off date to May 10, 1994 would be made after consultation with Justice Minister Dullah Omar, Safety and Security Minister Sydney Mufamadi, the cabinet and those affected by it, President Nelson Mandela said today.

Speaking after meeting Freedom Front leader Constand Viljoen at the Union Buildings, Mr Mandela said he would meet people out on bail charged with politically motivated crimes next Thursday to discuss the matter with them.

A distinction had to be made between "pure murder cases" and political acts, he said, adding that the victims of the crimes had to be remembered.

"These are matters which are not simple. I am taking General Viljoen's request seriously," Mr Mandela said.

General Viljoen said soldiers and policemen who qualified for indemnity would attend next Thursday's meeting.

"We are hopeful that we will find a way out of this problem and achieve reconciliation," he added. — Sapa.



Mandela targets homeland 'scams'

Political Staff

KEMPTON PARK — President Mandela has announced a top-level probe to expose corruption in the former South African and homeland governments.

Mr Mandela made the announcement during his closing address to the Habitat II African Housing Ministers' Conference at the World Trade Centre here last night.

The announcement follows the release this week of the report of the Skweyiya Commission set up to investigate financial irregularities involving more than R15 million in the former Bophuthatswana homeland.

Mr Mandela said last night he had "taken note" of the Skweyiya Commission's findings.

"It is clear to me that in the past decade or more, corrup-

tion and malpractice of the kind dealt with in the (Skweyiya) report were not confined to that part of South Africa but were widespread, deriving from the workings of the whole apartheid system which created the homelands.

"We need to eradicate corruption throughout South Africa. The kind of plunder of taxpayers' money, corruption, malpractices and dishonesty referred to by the Skweyiya Commission continue to rear their ugly head and must be exposed and dealt with.

"I will make a further announcement in this regard after consultation with the cabinet," said Mr Mandela.

During the session this year, parliament received several reports from the auditor-general on financial irregularities in the former homelands, especially Transkei.

Political Correspondent

THE African National Congress's obsession with consultation and inclusivity has paralysed the reconstruction and development programme, says Peter Marais.

The fiery Western Cape Local Government Minister added that promises of new houses and a better life for all had come to nought.

He was speaking at a meeting in Wellington last night.

He was warmly received at the Boland Stadium by about 100 supporters.

Organisers said the poor turn-out was because the meeting clashed with several school functions and a choir festival.

However, Mr Marais seemed undeterred, delivering a characteristically boisterous tirade against the ANC, peppered with one-line jibes.

Rounding on the RDP and promises made in last year's election, Mr Marais said "They promised a better life for all, houses for all, jobs for all, money for all but the people say there's buggar-all."

In a play on the Afrikaans version of the RDP acronym — HOP — he scoffed "The only HOP I know is the record that says 'Hop, Johanna'."

He said the ANC's obsession with consultation meant it took months for decisions to be made, followed by further wrangling over who should do the work, and even then, recommendations still had to be approved by RDP Minister Jay Naidoo "if he can be found on one of his blitz visits to South Africa."

"The whole thing suffers from paralysis. We negotiate and negotiate and negotiate and nothing happens."

Dwelling at length on the virtue of the Western Cape's struggle against the central government, he charged that the only reason the ANC did not want provinces to have real power was "because they know their own people in the provinces they control cannot govern."

Even the "logic" of the central government was hard to fathom when, at a time of increasing crime, it abolished the death penalty and released thousands of prisoners, or instituted free health care for pregnant mothers and children, yet slashed health budgets.

On the touchy subject of violence, Mr Marais said the ANC "cannot even stop the violence because many of those found guilty of violence are members of the ANC."

NP agrees to reconstituted provincial committee

ET 20/10/95 (263)

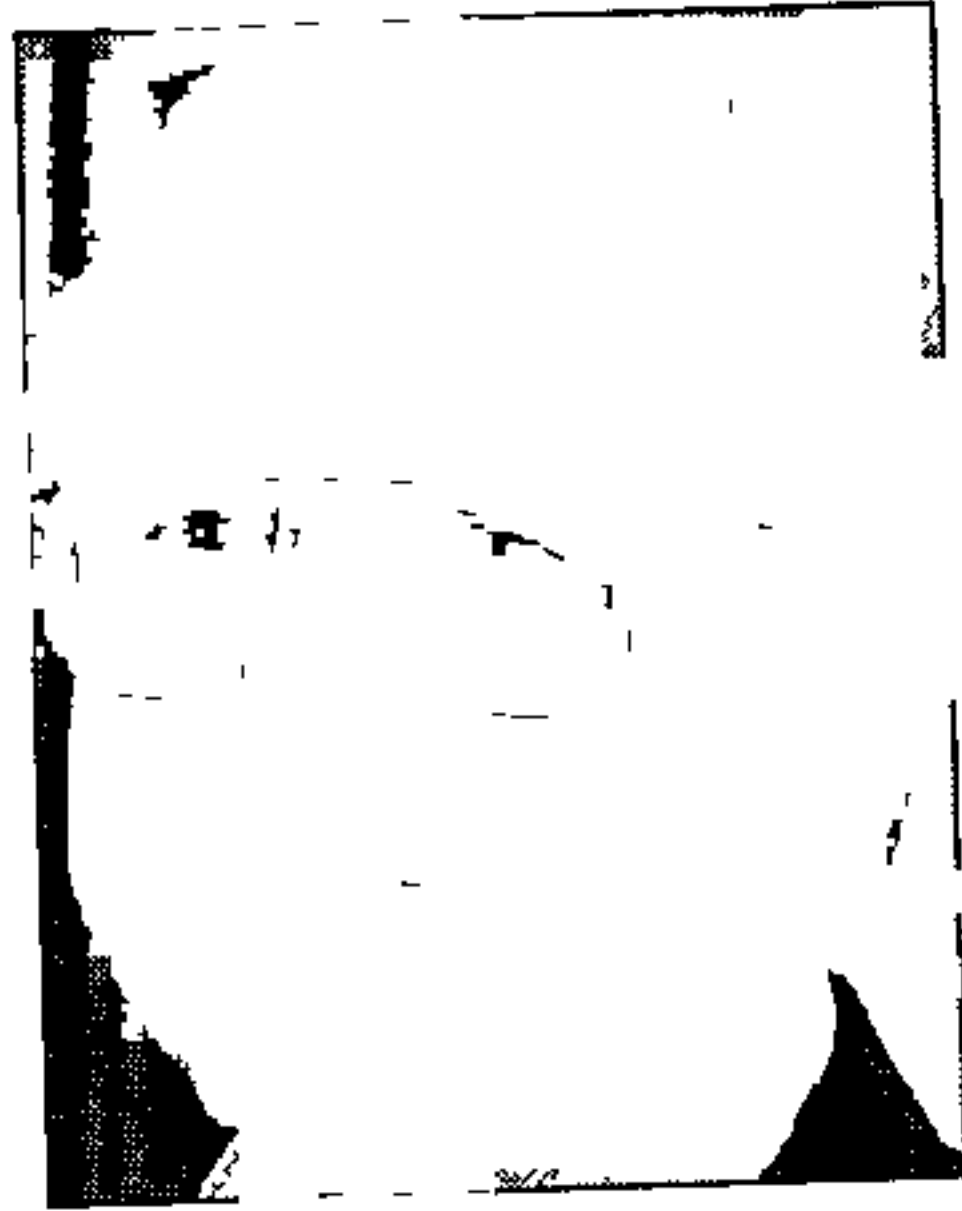
BARRY STREEK
POLITICAL STAFF

THE NP majority in the Western Cape government agreed to a settlement of the Greater Cape Town demarcation dispute yesterday — clearing the way for elections in the area to be held by the end of March next year.

Premier Mr Hernus Kriel said the demarcation dispute would end up in the Special Electoral Court — a solution originally proposed by the ANC — and the NP would accept its ruling.

The provincial government could still have gone to the Constitutional Court but that would be "unsatisfactory, drawn-out and expensive" and it had therefore proposed a settlement.

Deputy Minister of Provincial Affairs and Constitutional Development Mr Valli Moosa said the NP had "conceded to the terms" of the government and the party's strategy of imposing its demarca-



SETTLEMENT: Western Cape Premier Mr Hernus Kriel

tion on Cape Town had "fallen flat on its face".

Both Mr Moosa and Mr Kriel said elections could now be held in Cape Town before March 31. Both the NP and ANC also said they would accept the Special Electoral Court's ruling on the issue.

Effectively, both sides have

now agreed that the Provincial Committee will be constituted in the way it was appointed by the Minister of Provincial Affairs, Mr Roelf Meyer, after two appointments made to it in May by the provincial Minister of Local Government, Mr Peter Marais, were challenged to the ANC.

Mr Kriel said Mrs Lesley Ashton and Pastor Stafford Petersen, the two people appointed by Mr Marais, had agreed to resign.

The two people appointed to the committee by Mr Meyer — Mr Cam Chetty and Mr Cecil Herandien — would be ratified and it would now consist of three ANC and three NP members.

The NP would reconsider its demarcation proposals and submit these to the Provincial Committee when it meets next Wednesday.

Mr Kriel said he did not expect the committee to reach agreement and the matter would therefore go to the Special Electoral Court, which he hoped would sit soon.

Battle for the Boland in top gear

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ST (M) 22/10/95
By NORMAN WEST
Political Reporter

WITH only 10 days left to the first local government elections, the ANC and NP are rolling out their big guns this week for the final vote-catching push in the Western Cape rural areas

The main towns to be targeted in the run-up to the November 1 poll are likely to be Paarl, Worcester and Stellenbosch.

Both Deputy President Thabo Mbeki and NP leader Mr F W de Klerk are to stage roadshows in the Boland this week.

On Thursday, Mr De Klerk and the NP Western Cape leader Dr Dawie de Villiers are to visit Tulbagh, Ceres and Wolseley, ending their roadshow with a public meeting at Worcester that evening

On Saturday, Mr Mbeki is to address rallies at the Paarl and Worcester stadiums. President Nelson Mandela will be doing his final election round-up at Graaff-Reinet. A rally will be held in the morning followed by an address by the president in the Asherville sports complex in the afternoon

Dispute

The Cape Town Metropolitan area, with 1 439 052 voters, is the second-largest voting zone, but because of the region's boundary dispute, it is expected to go to the polls only at the end of March

November 1 will be a national public holiday (except in Kwazulu-Natal) and there will be extensive TV coverage through historic first-time "provincial broadcasts"

Panelists familiar with the Western Cape, its towns, people, different cultures and political dynamics, will give Western Cape TV viewers focused and updated analyses and regular comments on progress

In the Western Cape alone, 2 117 transitional councillors, appointed to transitional local government structures, will lose their jobs to democratically elected replacements after November 1

To streamline activities at the polling stations, the ANC has embarked on a training programme of 15 000 party agents during 58 training sessions

Their job will be to monitor the elections for the ANC and to assist the presiding officer and the returning officer in ensuring the smooth running of the election.

NP confident of taking most Stellenbosch seats

PETER DENNEHY

THE National Party is confident of winning most seats in Stellenbosch because 60% of the town's voters in last year's election voted NP, said NP candidate Mr André Gaum yesterday.

The ANC got less than 30% of the vote here in last year's election, he said.

Mr Ayanda Royi, chairman of the local ANC branch, does not contest these figures, but he is confident his party will fare better.

"We don't expect to take the whole town, but we do expect to take a large part of it," he said yesterday, adding that fears about the ANC had not materialised. The ANC's record in the government over the past 18 months will work strongly in its favour, he said.

Hotly-contested

The ANC is contesting eight of the twelve ward seats — the six in Stellenbosch's Kayamandi township, and the seats in Cloeteville and Ida's Valley, which it also expects to win.

The largely coloured constituencies are the most hotly-contested.

The largest single ward in Stellenbosch — Cloeteville and Klapmuts — has 6 814 voters. Eight candidates are contesting this seat.

The second largest ward — Ida's Valley, Jamestown and Johannesdal —

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has 5 421 voters. Ten candidates are contesting this seat.

The mayor of Stellenbosch, Professor "Chimpie" Cawood, has been returned to office unopposed in ward one. He was nominated by the Stellenbosch Ratepayers' Association.

The NP is not contesting any of the ward seats here as a party "because there are councillors we support", Mr Gaum said.

Township

"We don't have alliances at this stage, but we do have good relationships with some people, including two or three from Kayamandi," he said.

Mr Royi admits the ANC is likely to benefit from the formula for allocating ward seats. According to a deal negotiated at Kempton Park, 50% of all ward seats must be in the township.

In Stellenbosch, it means that six of the 12 ward seats are in Kayamandi, which has 6 255 registered voters.

Apart from the ward seats, there are eight party-list seats, bringing the number of seats to 20.

The other parties and organisations contesting the poll here are the DP, PAC, Freedom Front, African Christian Democratic Party, Stellenbosch Belangegroep, Stellenbosch Civic Alliance and the Stellenbosch Huis Aksie Komitee.

Worcester TLC's success scrutinised

CHRIS BATEMAN

WORCESTER'S Transitional Local Council (TLC) has done more for its people in the 12 months of its existence than any of the town's previous administrations — but try to find out why and you discover what next week's election is all about.

ANC mayor Mr Riyadh Williams says the reason is that his party finally has an equal say in running the town and has directed a bigger budget at the most pressing basic needs, "without overburdening the ratepayers".

This proves, he claims, that previous councils had neither the political will nor the social conscience to address the greatest needs.

Uplifting

He says that to uplift the disadvantaged, his non-statutory TLC component had to "cajole the statutory NP component and reach agreement by exhaustion".

Fellow lawyer, councillor and NP campaign leader Mr Roelof McLachlan rejects this as "blatant nonsense", although he agrees that the TLC has been an unprecedented success story.

For a start, he says, former town councils failed to deliver because the ANC and its union allies used boycotts and strikes to prevent funds from reaching their targets.

"Now that they're on board, the funds are suddenly getting there — with our active support and the support of the NP-led province — yet they claim credit," Mr McLachlan said.

At the top of the NP's election agenda is the racially divisive and acrimonious strike staged by Samwu in August, which led to three serious injuries, refuse trucks dumping rubbish along formerly pristine streets and statutory TLC members being held hostage.

Running close second is an election formula that gives half the 10 available ward seats to the black township — another potent NP vote-grabbing opportunity.

Worcester's 17 000-strong coloured community has three wards, the 9 000 white residents two wards and the African township of Zwelethemba, with 7 000 people, has five wards. There are seven proportional list seats.

Mr McLachlan rejects Mr Williams' claim that NP canvassers use "swart-

CT 23/10/95 (263)
gevaar" tactics, but admits to "pointing out facts".

The "facts" are that even with Zwelethemba's five almost-certain ANC seats (one is ACDP-opposed); the ANC has put two Africans among its top three listed candidates — which would give a demographically-skewed mix of councillors (seven Africans in a 17-member council).

Mr Williams reckons his party has a good chance of winning 10 seats and is banking on the Freedom Front to split the NP vote.

An eight ANC/eight NP council with the Freedom Front holding a balance of power is a distinct possibility.

The best available indicator is last year's election results for Worcester, De Doorns, Touws River and Rawsonville.

Then the NP won 54% of the vote, the ANC 34%, the FF 2,4% and the DP 1,2%.

Mr Williams believes TLC service delivery will change all that. He expects to be labelled "soft on Samwu" but says the NP has no culture of democracy nor an understanding of union negotiations.

"Their 'kragdadige' tactics would have caused mayhem," he says, referring to mainly white gun-toting townfolk who gathered in the town square to confront workers on one strike day.

Mr McLachlan says the ANC fought the April 27 election from the Samwu offices and that Mr Williams therefore "owed them — that's why he was so soft".

Successes

The Worcester TLC's achievements include an integrated (non-racial) housing waiting list, budgeting for stormwater drains and tarring of roads, R2 million to repair and upgrade council flats using paid tenant labour, electrification of all 106 Ouers Van Daar housing units, 18 of which have been upgraded, and approving housing subsidies for 339 Avian Park housing units and for servicing another 910 plots.

Zwelethemba has had two more roads tarred. Bridging finance was used to build 139 homes to take the overflow from hostels that were being upgraded with National Hostels Fund money.

Plans for a R150-million shopping complex at the Worcester Dam would provide 1 000 permanent jobs but may pull major tenants away from the CBD, providing another subject for electioneering.

NP expected to win in Western Cape

Edward West

(263)

BD 24/10/95

CAPE TOWN — There was unlikely to be a major shift in party political allegiances among Western Cape voters during the coming election, academics said yesterday.

University of Cape Town political science department head Robert Schrire said the election would be a test of party organisational capacity in the 95 Western Cape towns taking part in the election. The NP's organisational capacity was stronger than it had been in 1994.

Although "local governments do not count all that much", there appeared to be much apathy and confusion among voters in the province.

University of the Western Cape political science professor Willem van Vuuren said a survey undertaken in

August showed that although the overall level of voting in the province would be lower than the last election the NP was likely to draw most of the voting support from a lower overall vote.

University of Stellenbosch's Willie Breytenbach said he expected the gap between the number of NP- and ANC-supporting voters to widen. In the last election the majority of coloured voters voted either for the NP or ANC.

Reasons for NP support included the emergence of a new identity consciousness in the coloured community, the Alan Boesak affair, affirmative action fears and organisational capacity in the party.

The NP was expected to face a "tough ride" in many other provinces, except possibly Northern Cape. It would draw most of its coloured support from the rural working class.

Angry crowd has mayor on the run

(162) (263)
□ Talks with strikers fail
AUG 24/10/95

NORMAN JOSEPH, Staff Reporter

STRAND mayor Chris Hattingh was chased by an angry mob when he tried to address a crowd of striking municipal workers outside the council offices.

Mr Hattingh was forced to retreat into the building yesterday and take refuge there until he left later under armed escort.

Two members of the SA Municipal Workers Union (Samwu) confirmed the incident, but Strand police station commander Mike Reitz said it had not been reported to the police.

"If it happened, we don't know about it," Major Reitz said.

Major Reitz could also not confirm allegations that a protester had attempted to stab Mr Hattingh.

Samwu chairperson Bennett September said while Mr Hattingh was talking to the striking workers over a megaphone, a Xhosa interpreter indicated that he needed a chance to interpret the speech after each sentence.

Mr Hattingh allegedly refused and a scuffle ensued between him and the interpreter.

Mr September said: "Then all hell broke loose. The crowd started chasing him while an unidentified video cameraman filmed the chaos."

Repeated efforts to contact Mr Hattingh and town clerk Bert Boschhoff failed.

Negotiations also started between a Strand council delegation and the Samwu over municipal workers' hours of work.

More than 330 protesting Strand municipal workers have vowed to continue strike action this week until their hours of work are equal to those of office staff at the municipality.

While the talks were in progress this week, all services ground to a halt and the municipality was closed to the public.

Last week the council twice rejected recommendations by a sub-committee that all weekly-paid workers should work 41,5 hours instead of 44 hours a week.

Municipal office staff start work at 8am until 4.30pm with a 40-minute lunch-break — a total of 39 hours 10 minutes a week.

The sub-committee, consisting of four Samwu officials and four municipal department heads, proposed workers should start work at 7.30am and finish at 4.30pm with a lunch break of 30 minutes.

Mr September said the workers had started at 7am in summer and 7.30am in winter, but claimed the council now refused to adhere to these starting times.



WINDS OF CHANGE? These Paarl East voters — crucial to Paarl's election outcome — will find politicians flocking to their front doorsteps as the TLC elections come to the boil this week **PICTURE: CHRIS BATEMAN**

'Is the NP saying we have gangsterism in our blood?'

CHRIS BATEMAN

EITHER the NP was saying coloured and African people were born with gangster blood in their veins or they had to look at the social causes, Paarl's ANC mayor, Mr Allen Paulse, says in a typically pre-emptive election strike

Aiming to neutralise the NP's "crime wave" election strategy in his marginal town, which the ANC probably has the best chance of winning of any of the Western Cape's 95 municipalities, this mayoral incumbent of 12 months chooses his words carefully

He is speaking from his law office in Paarl East whose predominantly coloured residents will decide who controls Paarl's first democratically elected fully-representative town council on November 1

Mr Paulse broods silently between sentences.

"The NP says the ANC can't control crime. If you use Paarl as an example, I ask, why are most thefts, rapes, burglaries taking place in Paarl East and Mbekweni? Is this a co-incidence?"

Removals

Like all good politicians he answers his own question

"It's because of forced removals, they threw us on a heap without housing or facilities, creating the very conditions they now use as election fodder," he says

"We are not born and bred bad people — it's the Group Areas Act."

Across the Berg River in central Paarl, a crusty Mr Corneels Malherbe, NP secretary and former mayor, shudders when I mention

race or "this and that side" of the river to denote ward demarcations or vote catchment areas

"What Mr Paulse says is not worth commenting on — nobody has been pushed around over the past six or seven years, and before that you had separate development

"I don't know if it caused crime, whites were also forced to move," he says, stubbing out a cigarette in anticipation of choosing another issue

Expelled

Paarl has 20 seats up for grabs — 12 ward and eight proportional seats.

Six wards are in Mbekweni — (three ANC-held and unopposed and the others opposed by the Paarl Residents' Association (PRA) and two independents)

Mr Paulse says these opponents were expelled from the ANC for breaking party discipline, but remained ANC sympathisers and gave an undertaking to caucus with the ANC if they won.

Then there are central "white" Paarl's two wards, one uncontested, with NP-aligned Mr Edward Beukman firmly esconced, and the other contested by (NP-aligned) former deputy mayor Mr André de Villiers and local businessman Mr David Hellig

Which leaves Paarl East, with four wards contested by four groupings, as the inevitable battleground

Here the PRA (mainly members of the former coloured management committee and black local authorities), the DP, NP and ANC canvassers, work furiously as top

provincial guns like Local Government Minister Mr Peter Marais and Economics Minister Mr Chris Nissen rouse the masses to the democratic opportunity of a lifetime

Distorting

In Paarl, as in Worcester, the majority of voters are coloured. But in contrast to Worcester, where the NP claims that two Africans at the top of the ANC's proportional list will distort the ratio on the council, in Paarl the ANC says two whites at the top of the NP's proportional list will have the same effect

Affirmative action and pre-emptive action are Mr Paulse's two hobby horses

His proudest affirmative action moment, he says, was when the non-statutory bodies on his TLC took the power to appoint council staff away from senior officials and gave it to a council sub-committee

He claims that for the first time in Paarl's history the budget includes bursaries for disadvantaged people to gain the skills necessary for affirmative action

His proudest pre-emptive moment? Persuading Mbekweni's residents to take a 150% to 200% services charge hike and pay up like the white and coloured residents

"If Paulse is so confident why is he top of their proportional representation list and standing in a ward?" asks Malherbe "He's wearing a belt and braces"

The NP expects to win 12 "anti-ANC" seats out of 20 (8 ANC) — "if we're lucky", Mr Malherbe says — in what I could swear was an unguarded moment

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For last year's general elections, Political Reporter **Mondli Makhanya** went to the Western Cape to cover the various campaigns. He was there again last week, and returned convinced that the focus is again on the coloured vote.

Coloureds don't buy it this time

(263) Show 25/10/95

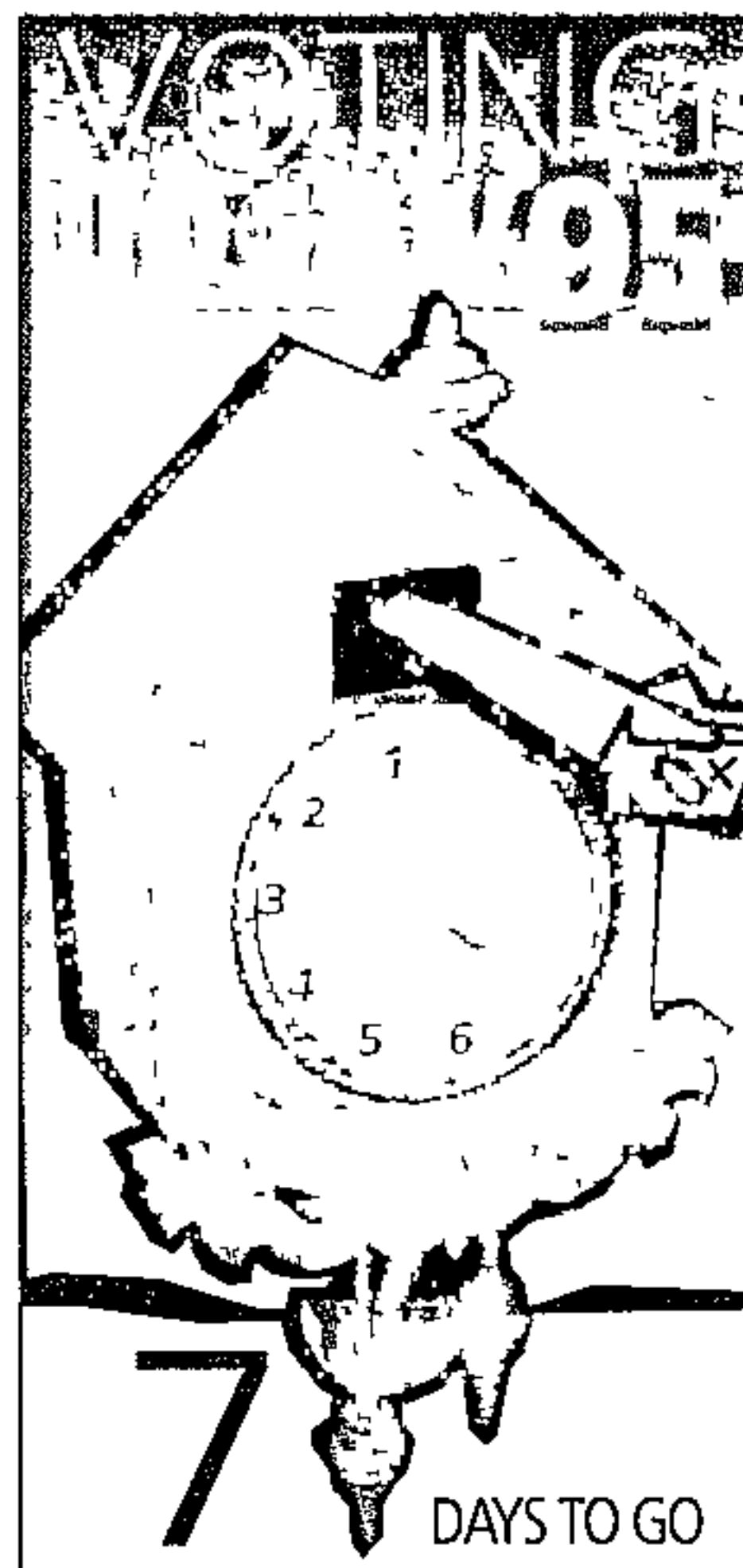
Adorning the lamp-posts in rural Western Cape towns like Worcester, Wellington and Atlantis are election posters with diametrically opposed messages: a smiling President Mandela imploring voters to make a better life happen where they live while a National Party poster retorts that "Die NP doen terwyl die ANC praat" (The NP does while the ANC talks).

These messages are mainly directed at the predominantly coloured voting population who are the prize catch in what will arguably be the most hotly contested elections on November 1.

Just as in last year's election, the two main parties are ploughing resources and manpower into capturing the coloured vote. While the ANC is continuing to tell voters that only it can better their lives, the NP is using the fear-inducing tactics that were so effective in delivering the coloured votes.

The battle for control of the approximately 95 Transitional Local Councils is being used as a practice run for the crucial poll in the Cape Town metropole early next year and the general election in 1999.

Unlike last year's election, when the outcome was a foregone conclusion, this year's local polls will be a much more closely contested affair. The fight last year was between a Nelson Mandela whom many believed would order Africans to seize coloured properties and an F W de Klerk who



would protect the coloured people from this eventuality. This time the personalities are well-known locals and there are many more local dynamics at play.

Nonetheless, the NP comes into the fight with a slight advantage, having captured the coloured vote in last year's election. This year, the NP has developed its "swart gevaar" theme further and is telling coloured voters that the fears that made them vote the NP into power in the Western Cape have materialised in all ANC-ruled provinces.

Through pamphlets, speeches and the bush-telegraph, the NP is

telling coloureds that the ANC's version of affirmative action is prejudicing them, that the ANC-run central Government is discriminating against the Western Cape and hence the failure of the provincial administration to deliver social services to this predominantly coloured province.

The NP is also painting a picture of growing chaos in the rest of the country by playing up reports of rampant crime in Gauteng, corruption in the Eastern Cape and Mpumalanga, disruptive strikes and university trashings by pro-ANC unions and student organisations in ANC-run provinces.

But the messages are not taking root as easily as they did last year. Scepticism and confusion have replaced fear as the main currency among coloureds who feel genuinely marginalised.

Whereas the NP offered them protection last year, some people say the organisation forgot them immediately after the votes were counted. Many disillusioned NP canvassers in coloured areas are now either working with the new coloured parties or are just watching the show from the sidelines.

On the other hand, the ANC has not stopped campaigning since its defeat in last year's election and its activists have remained engaged in their communities. Prominent ANC leaders have maintained regular contact with the communities, and ANC-aligned advice offices and unions have become the communities'

lifeline in their battles against farmers and employers.

The ANC has also identified the medium-sized towns of George, Oudstroom, Worcester, Stellenbosch and Beaufort West as Transitional Local Councils (TLCs) which it believes it can and should win.

Each of these towns is the effective capital of sub-regions and control of these can give any party substantial influence. They also happen to be some of the few areas in the province which have black townships that used to fall under the Black Local Authorities' Act.

In terms of the constitution, half the seats on these TLCs go to black townships. This has bred the anomalous situation in which the outnumbered black populations have more voting power than the coloureds and non-partisans. It has secured many votes in black townships unopposed, either because other parties just didn't bother to fight lost battles or because the PAC suffered incredibly from disqualifications.

Strengthening the ANC's hand is the growing strength of the Freedom Front, which is threatening to split the white vote and thus secure the ANC a proportional majority.

Also likely to significantly affect the result and upset the plan of the major players is the proliferation of civic organisations, ratepayers' associations and coloured interest groups that have refused to align themselves with political parties.

'Niemand het enige iets vir my gedoen nie'

APATHY may see the NP-run town of Worcester fall into ANC hands, writes Mondli Makhanya

Worcester resident Letty Williams voted for the National Party in last year's general election. She had heard of the ANC's promises of jobs and houses.

But she believed none of them, as the party had had no experience of government and would, after all, advance Africans once in power.

On November 1, she will not bother to give her vote to anybody who will probably not care for her once the elections are over.

"Niemand het enige iets vir my gedoen nie (Nobody has done anything for me)," she says.

Williams is part of a growing band of apathetic coloured voters who are finding themselves without a political home, with the ANC just too black and fearsome for them and the National Party, on which they pinned their hopes, not having fulfilled its promise of protecting them from the ANC.

Thus apathy and disenchantment among coloured voters like Williams may give the ANC a technical victory in Worcester and several other traditionally coloured areas.

Worcester already has an ANC mayor because the Thembaletu township is guaranteed 50% of the seats on the Transitional Local Council.

In white Worcester a violent municipal workers' strike earlier this year precipitated a sharp swing to the right-wing Freedom Front, a shift that cuts deep into the NP's support base.

In the absence of an election pact, this could split the white vote and strengthen the ANC's hand.

Strand weekly earners strike

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PETER DENNEHY

CT 25/10/95

THREE QUARTERS of the Strand municipality's weekly wage earners have been on strike since Friday to protest against having to work longer hours than their salaried colleagues

This was claimed by Mr Bennett September, chairman of the Strand branch of the SA Municipal Workers' Union.

He said he could not condone the workers' action in "rushing at" Strand mayor Mr Chris Hattingh on Friday. The mayor and the council have since then refused to speak to the workers.

Mr September said the union had been negotiating over working hours for the past two weeks, and that the strike was legal.

ELECTORAL COURT LIKELY TO HAVE FINAL SAY

Meeting today on city boundaries dispute

THE provincial committee is likely to deadlock today over Local Government Minister Mr Peter Marais' metropolitan boundary proposals. **CHRIS BATEMAN** reports.

LOCAL government minister Mr Peter Marais will today again propose a massive central sub-structure, including Khayelitsha and the southern sub-structure, for the March 1996 Cape Metropolitan elections — making a final decision by the Electoral Court almost certain

This was reliably learned from sources within the local government office on the eve of today's sitting by the restructured provincial committee

The committee, which Mr Marais allegedly rigged by appointing two NP-aligned members to ensure that Khayelitsha was excluded from the Tygerberg sub-

structure, is a watchdog body set up to ensure a fair transitional process.

Mr Marais and the committee must concur before the metropolitan boundaries for the local government elections next March can be finalised

Deadlock

Today's sitting, which committee chairwoman Ms Hilda Ndude was yesterday trying to ensure would be open to the media, is expected to deadlock over Mr Marais' proposals

This would mean the Special Electoral Court will make the final

decision on the election boundaries *CT 25/10/95*

Central government intervention to ensure the provincial committee remained politically balanced resulted in protracted political negotiations and a Constitutional Court hearing. Parliament was eventually reconvened to redraft the Transitional Local Government Act

Mr Marais and Premier Mr Hennis Kriel were forced to abandon plans to return to the Constitutional Court when the House of Assembly made the Electoral Court the final arbiter of future changes to provincial committees

The Western Cape Demarcation Board has recommended that Khayelitsha be included in the Tygerberg sub-structure and the Electoral Court is expected to follow this

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'Four bergs' plan for the Cape Metropole

□ Finance deal will help new municipalities cope, Marais says

(263) ARG 26/10/95

ANDREA WEISS
Municipal Reporter

LOCAL Government Minister Peter Marais has suggested that the Cape Metropole be carved up into four bergs — Tafelberg, Blaauwberg, Tygerberg and Helderberg.

This was the proposal put to the reconstituted provincial committee for local government yesterday. The committee has not reached agreement and will reconvene tomorrow to make a final decision as to whether the matter should go to the special electoral court.

In Mr Marais's proposal, the biggest of the four municipal-

ities would be Tafelberg, consisting of Cape Town, the whole of the south Peninsula, Langa, Browns Farm, Philippi and the whole of Khayelitsha.

The Tygerberg municipality would take in Nyanga, Guguletu and Crossroads, along with the municipalities on its eastern boundaries such as Brackenfell, Kraaifontein and Kuils River.

Blaauwberg would be the northern substructure as was proposed by the demarcation board.

The Helderberg municipality would consist of all the areas in the Helderberg basin.

Mr Marais said he would be announcing a "comprehensive

financial package" to help the newly established municipalities, especially those asked to include poverty-stricken areas.

In his motivation for excluding Khayelitsha from the Tygerberg, Mr Marais said the Tygerberg did not have the financial resources to cope with Khayelitsha's escalating arrears. It also did not have the administrative capacity because it would have to merge seven municipalities into a single one during the next two years.

While Nyanga, Guguletu and Crossroads might also require new infrastructure, no new houses were planned for the area and it therefore had no

new growth potential, he argued.

By contrast, Khayelitsha had the development potential to provide a further 10 000 sites which could mean a further 60 000 people.

He said the demarcation board had erred in "underplaying" the importance of coloured poverty areas.

"It seems to be solely preoccupied with finding a white municipality to look after black areas, instead of poverty areas."

He said ward councils would be established in the larger substructures, namely Tafelberg and Tygerberg, to ensure "greater accountability"

CALL FOR ACTION IN POLITICS

'Leadership vacuum among coloureds?'

PROFESSOR Wilmot James, head of Idasa, has called on coloureds to stop complaining and to get involved in politics "to build a better tomorrow". **ANEEZ SALIE** reports.

ET 26/10/95

(263)

coloured ones? Are we training the next generation of leadership? Are we nurturing our political talents to create leaders of a calibre and sophistication of whom we can be proud and trust?

There is a leadership vacuum in the coloured community, says Professor Wilmot James, head of Idasa.

It was time therefore for some clear and authoritative leadership to deal with divisiveness and sectarianism among coloured people, he said yesterday at the annual general meeting of the Social Involvement Association, an organised business network charged with making the RDP work.

Professor James, who is also a non-executive board member of Cape Newspapers, owners of the Cape Times, spoke on Managing Ethnic and Racial Diversity.

He spoke not only in his Idasa capacity but also as a coloured man and a non-partisan politician

On political representation he said: "Members of the coloured community have a prominent place in government. There is no statistical basis for claiming neglect on this score, (but) all of us need to get involved in politics and to creatively use politics to the benefit of all, not just some.

"There is room for better and greater representation. There is a leadership vacuum."

He asked: "Who leads and directs the communities of the Western Cape, particularly

"We need leadership, direction and a vision to guide us in this province. We need to get involved in politics. No more of this apathy stuff. No more whining and complaining. No more in-fighting and division. We all need to pull together in the same direction and build a basis for a new tomorrow."

In response to a question about how to avoid a coloured backlash against Africans over affirmative action he said it should be as broad as possible, and not amount to window-dressing. "It is not the answer to change a few places on company boards by black faces."

ANC CLAIMS 'SLEIGHT OF HAND'

Marais slammed over latest boundary plan

26/10/95

(263)

THE reconstituted provincial committee reached no agreement on Cape Metropole demarcation proposals yesterday, **CHRIS BATEMAN** reports.

THE restructured Western Cape Provincial Committee adjourned in disarray yesterday with the ANC component accusing Local Government Minister Mr Peter Marais of "sleight of hand".

It will reconvene tomorrow after the three ANC members have taken legal advice and consulted with the Demarcation Board.

Chairperson Mrs Hilda Ndude said there were substantive differences between demarcation proposals given to her committee for consideration on Tuesday, and ones tabled at yesterday's official meeting. Mr Marais blamed "typographical errors", she said.

The earlier proposals seemed to have Khayelitsha standing alone as

a Transitional Local Council, unattached to either Cape Town or Tygerberg. However, yesterday's proposal joined Khayelitsha with Cape Town and included "significant" alterations.

ANC provincial committee member Mr Kam Chetty said Mr Marais had dressed his proposals up as those made by ANC deputy minister of Constitutional Development Mr Valli Moosa.

Mr Moosa's model puts Nyanga, Guguletu and Crossroads (193 000 voters) in Tygerberg, while Cape Town takes Khayelitsha (187 000 voters) and separates the Southern substructure.

Yesterday's model tabled by Mr Marais proposes four structures:

- The Tafelberg Municipality,

including the traditional Cape Town council area, Cape Point, Simon's Town, Scarborough, Fish Hoek, Constantia, Hout Bay, Pinelands, Langa, Brown's Farm, Philippi East, the Philippi farming district and Khayelitsha.

- Blaauwberg: Brooklyn, Rugby, Tygerhof, Sanddrift, a portion of Paarden Eiland, Milnerton, Marconi Beam, Du Noon, Melkbosstrand, Bloubergstrand, Koeberg, Philadelphia West, Atlantis, Mamre and Pella,

- Tygerberg (including the Eastern substructure) Bothasig, Richwood, Parow, Goodwood, Elsie's River, Ravensmead, Durbanville, Bellville, Belhar, Boqunor, Matroosfontein, Delft, Mfuleni, Nyanga, Guguletu and Crossroads.

- Helderberg: Macassar, Firgrove, Faure, Somerset West, Gordon's Bay, Lwandle, Nomzamo, Sir Lowry's Pass Village, Steenbras River Mouth and Kogel Bay.

Coloureds (263) 27/10/95 urged to boycott poll

BARRY STREEK
POLITICAL STAFF

COLOURED people are being used by the ANC and the NP as "voting factories" and are again being discriminated against, Kleurling Weerstandsbeweging (KWB) Cape Peninsula leader Mr George van Niekerk said yesterday

Because of this, coloured people should boycott the local government elections, he said

Mr Van Niekerk said affirmative action was reverse apartheid "People are giving jobs to blacks at the expense of coloureds "

RDP funds were only being channelled to black townships like Khayelitsha; coloured people did not see any results of the RDP.

"The ANC says it's non-racial, but it's for blacks; the NP says it's for minorities, but it's for whites "

Mr Van Niekerk added "Coloured people should stay away from the polls because the 50/50 formula negotiated by the ANC and NP at Codesa has discriminated against coloured people, who are the majority in the Western Cape.

"The KWB will not sell out our own people by voting."

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POLITICS

W CAPE WRANGLING CONTINUES

Opposition parties reject Marais' plans

WRANGLING over Cape metropolitan boundaries continues, with opposition parties saying local government minister Mr Peter Marais is politically motivated.

OPPOSITION parties in the Western Cape yesterday rejected proposals made on Wednesday by provincial Local Government Minister Mr Peter Marais to resolve the Cape Town metropole boundary dispute.

The chairperson of the Western Cape provincial committee on local government, Ms Hilda Ndude (ANC), accused Mr Marais and his National Party in a statement of "putting a gun to our heads".

Democratic Party Western Cape leader Mr Hennie Bester said: "This is Mr Marais' third variation on the DP's proposal. This negates any claim from his side that he has applied his mind to the matter."

Mr Marais proposed to the provincial committee on Wednesday that the Cape metropole be divided into four sub-structures —

Tafelberg, Blaauwberg, Tygerberg and Helderberg — with Khayelitsha being incorporated in Tafelberg, whose main other component would be Cape Town.

Virtually all other parties and groupings, and the Demarcation Board, favour Khayelitsha being placed in Tygerberg.

Wrangling over the issue has led to the local government poll in the Cape metropole being postponed until next year.

Ms Ndude said she and other ANC-aligned members of the provincial committee believed that the NP was not prepared to consider the Demarcation Board's proposals in a non-party political manner.

Her committee had agreed after long deliberations on Wednesday to adjourn until today to study Mr Marais' proposals.

Mr Bester said the DP "completely rejects" Mr Marais' proposals.

The NP was trying to "dress up party-politically motivated boundaries as financially and demographically sound ones".

The DP called on the provincial committee to endorse the Demarcation Board's proposal and "thereby put an end to a saga which has already cost the taxpayer several million rand".

Mr Marais on Wednesday said he rejected allegations of manipulation and racism, saying the NP proposals were based only on the financial viability of the local authorities involved.

The issue would be referred to the Special Electoral Court for arbitration if the provincial committee reached a deadlock.

"Every delay makes the likelihood of elections being held by March 31 next year more impossible," Mr Marais said.

"It seems that at this stage we are heading for April" — Sapa

ET 27/10/95

(263)

COUNCILLORS SAY HE MUST QUIT

'Non-stat' member of exco crosses floor

ET 27/10/95

(263)

WHEN a non-statutory member of exco crossed to the NP this week, councillors voted that he be asked to resign, but he refused. **PETER DENNEHY** reports.

A CITY Council exco member has crossed the floor from the non-statutory side to the National Party — unleashing a furious debate yesterday and calls for his resignation from exco.

The move by Mr David Statham, formerly of the African Christian Democratic Party (ACDP), has disturbed the balance between the statutory and non-statutory sides on exco.

After an acrimonious two-hour party-political debate, the Council voted 42-31 to ask Mr Statham to resign — but he has refused.

He said afterwards he was sure he was morally correct in refusing.

As an ACDP nominee on the Council he was elected onto the executive committee by the "non-statutory" side.

The Democratic Party allowed its members a "free vote" and the ANC and those who voted with it carried the day.

However, town clerk Mr Keith

Nicol said Mr Statham was not compelled to resign.

The motion was introduced by Mr Arthur Wienburg of the DP, who said Mr Statham's change of parties disturbed a balance on exco.

This balance had been agreed upon by the Council in February.

NP caucus leader Mr Leon Markowitz said no agreement had been made concerning councillors who changed their political affiliations.

Commitment

Mr Statham did not defend himself in the Council, except briefly to complain that his commitment to his beliefs was being questioned.

Afterwards he said he agreed with the original Council resolution to start out with a 50-50 balance on exco between statutory and non-statutory sides, but he

added that there had been no intention to maintain the balance from then onwards.

During the debate in the Council, several councillors pointed out that the balance had been disturbed right from the start.

Councillors on the 18-person exco who are no longer with their parties for various reasons include Mr Sedick Soeker (formerly NP), Mr Llewellyn van Wyk (former DP), Mr Balarajan Pather (former NP), and Mr Siviwe Matika (formerly Azapo).

Mr Soeker said his own move from the party had not disturbed the balance. The same applied to the other councillors who had moved, except for Mr Statham.

Mr Neil Ross said if Mr Statham had occupied a seat in Parliament and had changed parties, both the NP and the ANC views would have been that he should lose his seat. But the DP would feel in such a case that he should retain it.

Mr Saleem Mowzer of the ANC said Mr Statham no longer enjoyed the confidence of the non-statutory members.

Opposition parties reject NP proposal

BD 27/10/95 (263)

CAPE TOWN — Opposition parties in the Western Cape have rejected proposals made on Wednesday by local government MEC Peter Marais to resolve the metropole boundary dispute.

The chairman of the Western Cape provincial committee on local government, Hilda Ndude (ANC), accused Marais and the NP of "putting a gun to our heads".

DP Western Cape leader Hennie Bester said: "This is Mr Marais' third variation on the demarcation board's proposal.

"This negates any claim from his side that he has applied his mind to the matter"

Marais proposed to the provincial committee on Wednesday that the Cape metropole be divided into four substructures — Tafelberg, Blaauwberg, Tygerberg and Helderberg — with Khayelitsha township being incorporated into Tafelberg, whose main other component would be Cape Town.

Virtually all other parties and groupings, and the demarcation board itself, favour Khayelitsha being placed in Tygerberg.

Wrangling over the issue has led to the local government poll in the Cape metropole being postponed until next year. Ndude said she and other ANC-aligned members of the provincial committee believed that the NP was not

prepared to consider the demarcation board's proposals in a non-party political manner.

The ANC-aligned members would not be "fooled" by any attempt by Marais to label the new proposal as the (Deputy Constitutional Development

Minister Mohammed)

"Valli Moosa proposal".

Her committee had agreed after long deliberations on Wednesday to adjourn until today to study the proposals put forward by Marais.

Bester said the DP "completely rejects" Marais' proposals.

The NP was trying to "dress up party-politically motivated boundaries as financially and demographically sound ones"

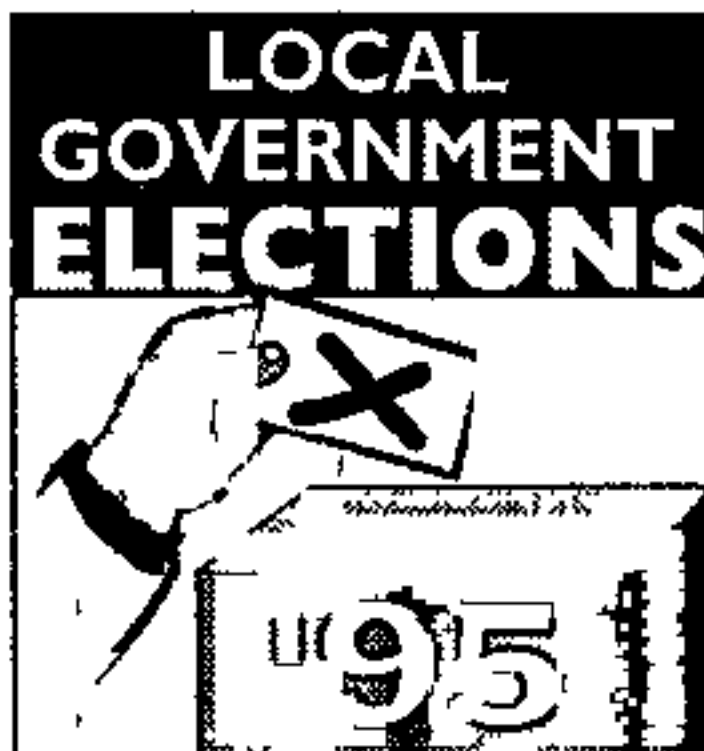
The DP called on the provincial committee to endorse the demarcation board's proposal and "thereby put an end to a saga which has already cost the taxpayer several million rand".

Marais said the NP proposals were based only on the financial viability of the local authorities involved.

The issue would be referred to the Special Electoral Court for arbitration if a deadlock was reached, he said.

"Every delay makes the likelihood of elections being held by March 31 next year more impossible.

"It seems that at this stage we are heading for April." — Sapa.



Electoral Court to decide in Khayelitsha row

(263) ST(M)
By NORMAN WEST
Political Reporter

29/10/95

THE end is finally in sight for the long-running, bitter dispute between the National Party and the ANC over which sub-structure Khayelitsha should be included in.

The row, which led to elections in the Cape Metropole being delayed until next year, will be decided by the Electoral Court.

The call to refer the matter to the Electoral Court comes after the three NP and three ANC members of the Western Cape Provincial Committee reached deadlock on Wednesday over Local Government Minister Peter Marais' four-substructure plan for the metropole.

The NP members on the committee have supported Mr Marais' demands for Khayelitsha's inclusion in a central Cape Town structure, which they say should be renamed Tafelberg.

The ANC committee members demanded that the original Demarcation Board six-substructure plan, which placed Khayelitsha in Tygerberg, should be implemented.

On Friday, committee chairperson Hilda Ndude (ANC) confirmed that she had asked Mr Marais to refer the matter to the Court "as a matter of urgency".

She said she had also sent her request directly to the Electoral Court, which is expected to meet later this week or, at the latest, next week.

Mr Marais said yesterday his proposals could only be implemented if at least one of the ANC members supported them, giving him a two-thirds majority.

He said elections for the Cape Metropole might now take place only in April because of prescribed procedures which must be met.

Councillor David Dlali, executive chairperson of the Cape Metropolitan Council, called on Mr Marais to refer the matter to the Electoral Court by tomorrow to ensure that voters can go to the polls on March 27 next year.

Mr Dlali said: "It is time Mr Marais realised the aspirations of citizens . . . rather than embark on petty political brinkmanship."

Coloured vote 'not based on racism'

IF YOU thought that the strong support for the National Party among coloured voters in South Africa or the Western Cape in particular is a stray from the norm, think again, say the results of Idasa's national survey on voting trends in the 1994 election.

Coloured voting patterns are normal and predictable for they respond to the usual forces — class, ideology, and judgment of past performance — which motivate voters worldwide, according to the survey (263)

The Left has explained this seeming anomaly in terms of anti-black racism while some on the Right have attributed it to coloured people's greater affinity to whites, especially Afrikaners, in terms of language and religion CP 29/10/95

Both explanations are deeply flawed, the survey findings assert.

For instance, presumptions about the electoral impact of coloured anti-black racism has contributed to strong pressures on the Western Cape ANC to de-emphasise attempts to win coloured votes and instead concentrate its efforts in the black townships.

Furthermore, presumptions about a "natural" white/coloured political alignment have led the National Party to throw enormous resources into a demarcation fight to protect its

"electoral flock" in coloured Cape Flats suburbs, the findings state.

According to the survey findings class played a crucial role in the election for, while normally workers support parties on the Left and the middle classes the parties on the Right, the National Party had majority support among the coloured working class.

Among the middle classes, a sharp difference existed between those who owned businesses — who supported the National Party overwhelmingly — and the civil servants, teachers and professionals who supported the ANC or had the tendency not to be aligned to any political party.

However, only 16 percent of coloureds belonged to this group.

When respondents were asked for their evaluation of general economic and overall conditions in the country at the time of last year's election, the ANC emerged the winner among those who felt "things were getting better".

The NP led by large margins among those who felt things had remained the same or were getting worse.

The findings conclude that, while racism most certainly exists, more immediate and common-sense factors explain coloured voter preferences.

'Just get to the polls'

ELECTIONS BRIEFING



MICHAEL MORRIS
Political Correspondent

GET to the polls and vote. This is the unanimous message from the main party leaders in the Western Cape to voters in the 95 towns in which elections take place tomorrow.

The exclusion of the Cape metropole from tomorrow's poll means only about 24 percent of the Western Cape's more than two million registered voters will be able to vote tomorrow.

But the outcome will have a crucial bearing on virtually every aspect of day-to-day life in nearly 100 communities throughout the province.

As political analysts turned their attention to some of the key fights — including Paarl, Worcester, Stellenbosch and Gra-bouw — party leaders yesterday delivered a pre-ballot call to their supporters, and the undecided, to join the queues tomorrow.

Dawie de Villiers, National Party leader in the Western Cape and Minister of Environment Affairs, emphasised the importance of having a say "in the most important level of government."

"This election affords people the opportunity to take charge of their own lives in their own communities and the challenge is



CHRIS NISSEN: Provincial leader of the African National Congress

to move away from simply criticising from the sidelines and to engage in managing affairs that affect them most."

The NP, he said, felt strongly that local government "should be given more powers" and was opposed to the "tendency of the ANC to centralise power."

Voters, he said, should choose the NP because "it is a party that can make a difference."

"We appeal to voters to vote NP because we believe we represent community values that have the widest appeal discipline, respect for one another, respect for authority and law and order, and freedom with responsibility."



DAWIE DE VILLIERS: Provincial leader of the National Party.

It was vital that every voter made a special effort to cast his or her ballot "People will have to live with their representatives for the next five years, and in many wards as few as five or six votes will make a difference between one candidate and another. So take the trouble to vote and see that others vote."

The NP was "confident" and expected to "give a good account of ourselves tomorrow."

His chief rival, Chris Nissen, regional leader of the African National Congress and Western Cape Minister of Economic Affairs, urged voters to cast their ballots "as part of the process of bringing gov-

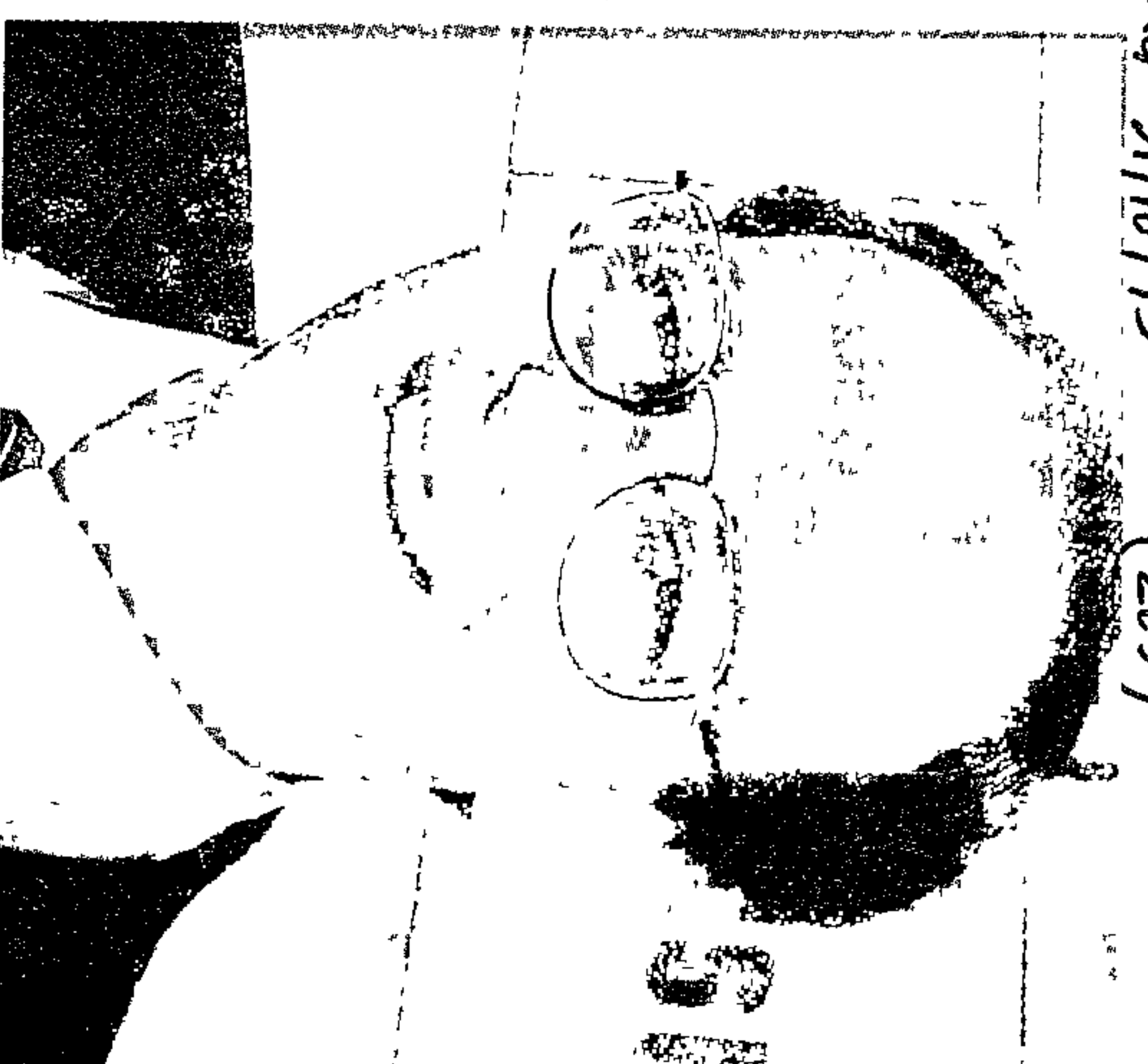
ernment closer to the people."

Local government was vital, he said, because these structures were prerequisites for the implementation of the reconstruction and development programme.

Mr Nissen was confident there had been a "mind-shift" among voters in their attitude towards the ANC.

"There's an acknowledgment that the ANC has delivered, and there's an understanding that the lies and propaganda about the ANC have caused fear in some sections of the community."

"But the ANC has proved that it is serious and has demonstrated this,



HENNIE BESTER: Regional leader of the Democratic Party.

not least through its management of the economy. Inflation is down and the national growth rate is running at about 3.2 percent. In the Western Cape — where an ANC minister is responsible for economic affairs — we have growth of about 4.2 percent."

"I think people's eyes have been opened by the reality they have perceived in the past year and have indicated that they will be voting for us because they can see from what we have done thus far that we are a party that is serious."

Democratic Party leader Hennie Bester, echoing the sentiments of the leaders of the two bigger parties, said "The most important thing is that voters go out in large numbers and vote. Local government elections are going to change the lives of ordinary South Africans much more than last year's national election and people elected now will have a much greater direct impact on the day-to-day life of people. Therefore it is critically important to exercise that vote."

"We have a unique selling proposition in that we are the only party able to create and maintain a strong, vigorous opposition."

"To all intents and purposes, the ANC will come out tops in most places, and one needs a strong opposition, particularly when it comes to matters such as financial control and management of resources in the local government sphere."

Mr Bester said the DP "has the energy and commitment" to get delivery going and its detailed strategy — the party's ABC plan — was the "only policy alternative to the government's centralist approach."

AA5 31/10/95

(263)

Phantom vote may decide power balance

CLIVE SAWYER
Political Correspondent
(263)

THE balance of power in towns across the Western Cape lies in the hands of thousands of undecided voters.

And the question of which party, if any, has won decisive control of local government in the province could linger tantalisingly for days until the political affiliation of dozens of "independent" candidates becomes clear.

In some of the larger towns independent candidates make up as much as half the total in the running, but many are acknowledged to have at least an informal party affiliation *My 3/10/76*
Surveys have shown more than 20 per cent of voters have not decided where to put crosses tomorrow

Apathy could be another major factor in tilting the balance of power, if the perception of disillusionment among some voters at lack of delivery on last year's election promises is correct

But, voter turnout could prove surprisingly high, with more than 500 000 Western Cape voters having put their names on voters' rolls, yielding a healthily high registration figure of 88 per cent

If this figure is translated into turnout at the polls, election officials will have their hands full tomorrow

The African National Congress remains confident of winning control of key Bopland and Southern Cape towns

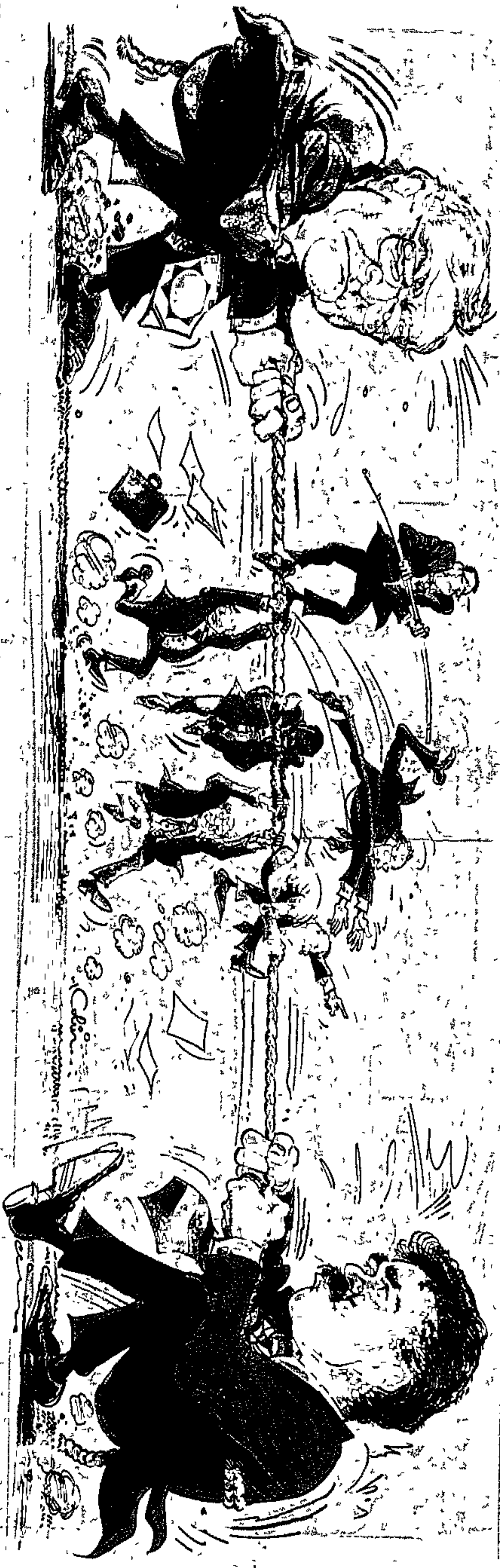
Campaign organiser Max Ozonsky said one of the strengths of the ANC had been an emphasis on local issues, in contrast to the national issues used by the National Party

The ANC had responded to NP jibes about alleged lack of delivery of Reconstruction and Development Programme promises with challenges of its own

"We hit a sore spot when we asked how many houses (Western Cape Housing Minister Gerald) Morkel had built"

Use of the issue of delivery was why the ANC had chosen as its culmination poster in its campaign *Die NP het misluk in die Wes-Kaap* (The NP has failed in the Western Cape).

Mr Ozonsky believed that voter apathy would hit the NP harder than any other party



Hermus Kriel (left), NP's Western Cape premier, and ANC leader Chris Nissen in the votes tug-of-war, with other parties hanging in, too.

Illustration COLIN DANIEL

⌘ PUBLIC SECTOR - LOCAL AUTHORITIES -
WESTERN CAPE

1995-

NOVEMBER - DEC.

Nissen, Marais in bitter war of words

(263) CT 1/11/95

CHRIS BATEMAN

A BITTER war of words erupted on the eve of the election after Local Government Minister Mr Peter Marais labelled ANC provincial leader and Economic Affairs Minister Mr Chris Nissen "a hollow braggart with no real power"

Mr Nissen retaliated, saying Mr Marais was "an embarrassment to coloured people and the province"

The ANC chief predicted party victories in Worcester, George, Grabouw and Paarl, and Mr Marais conceded possible major ANC gains in George, Paarl, Beaufort West and Oudtshoorn

But Mr Marais said that all ANC gains would be "entirely dependent" on the African township favouring ward formula and on opposition parties splitting the pro-

portional vote

Mr Marais' attack flowed in part from a reported claim by Mr Nissen that the three percent economic growth in the Western Cape was largely due to his department

Mr Marais said the growth was "in spite of him being economic affairs minister — he's got no department and no powers devolved. It's a hollow brag, he's merely an expense item on the budget"

Mr Nissen said he ran a "fully fledged" department and was the first to have appointed coloured people to the most senior positions — something Mr Marais had been unable to match

"I would degrade myself by responding to his personal attack — I think he's stupid," Mr Nissen said

● TV election coverage — See Page 13

VOTERS URGED TO TURN OUT IN FORCE

City demos as 13m gear for historic poll

CT 1/11/95 (263)

AS VOTERS IN SMALLER Western Cape towns prepared to vote today, protests erupted in Cape Town over the demarcation battle which has delayed polls in the city by at least five months.

ANTHONY JOHNSON and **CHRIS BATEMAN** report.

AS 13 MILLION voters prepared to stream to the polls around the country to complete South Africa's transition to democracy, protests erupted in Cape Town last night at the inability of 75% of voters in the Western Cape to cast their ballots during today's historic poll.

While ANC supporters staged placard protests during rush-hour traffic in the city, Cosatu announced a half-day strike in kwaZulu/Natal today to back ANC protests at being robbed of the opportunity to vote in the Inkatha-controlled province.

And while political parties, independent candidates and thousands of electoral officials made frantic last-minute preparations for the elections in the province, a flaming row erupted between the National Party and the ANC, with NP Local Government Minister Mr Peter Marais and ANC Economic Affairs Minister Mr Chris Nissen firing insults at each other.

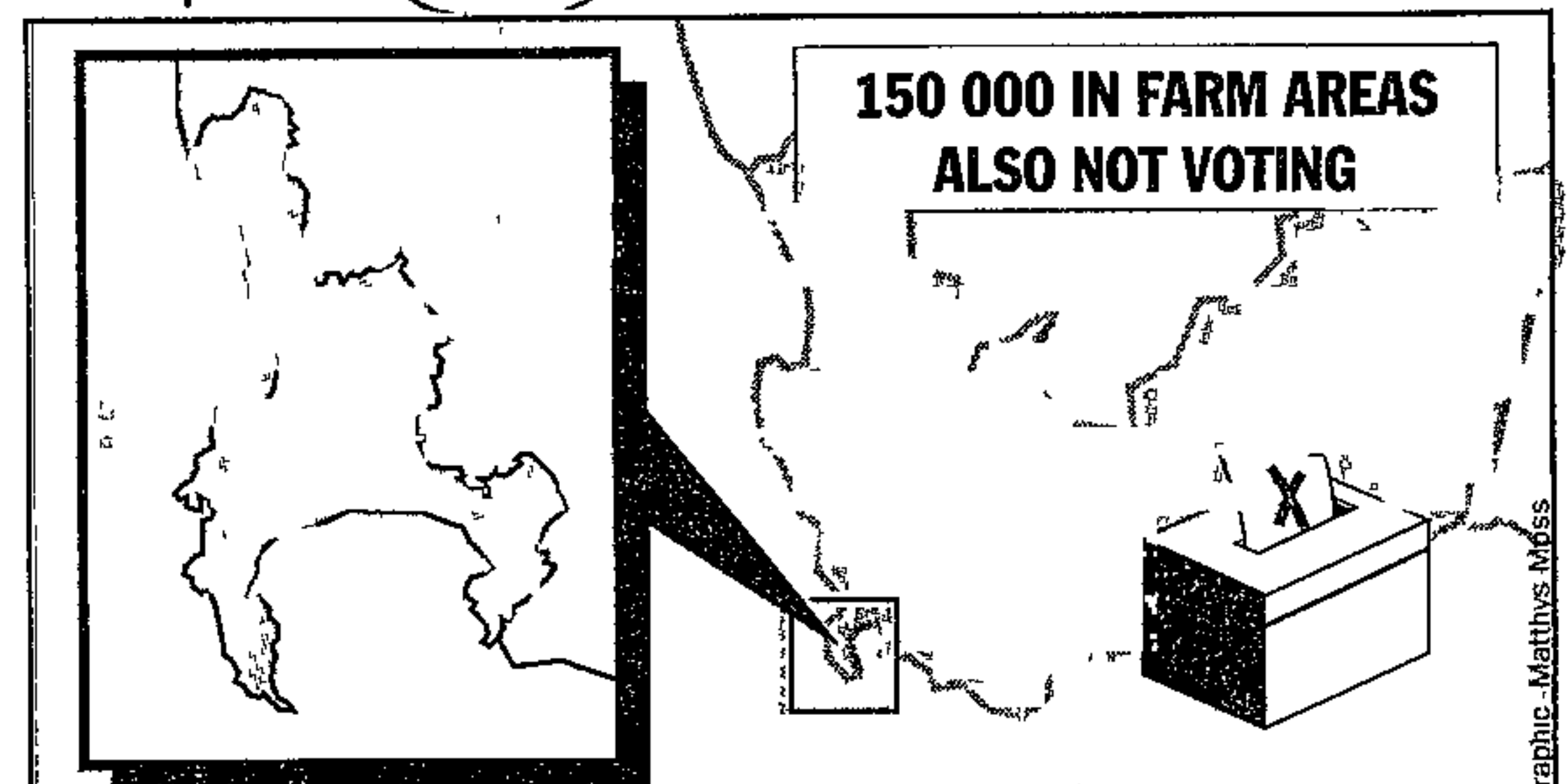
The ANC sees Mr Marais as the main culprit behind the delay of the elections in

Premier Mr Hennis Kriel and Democratic Party provincial leader Mr Hennie Bester urged voters to turn out in force for today's election.

Saying the most important community elections ever were going to take place "in the largest part of the Western Cape", Mr Bester urged the 500 000 voters eligible to go to the polls "to keep intimidation and violence away from the election process".

He urged coloured voters in particular to cast their ballots to break "the deep seam of apathy running through the coloured community". He said that any person refusing to vote would have no right to complain about a shortage of services or problems with elected local authorities.

But the ANC complained that the 1.5 million voters in the Cape Town metropole encompassing greater Cape Town and environs stretching from Mamre in the west to Gordon's Bay in the east and Kuils River and Kraaifontein in the north, will be spectators instead of participants



Graphic: Matthias Moss

THEY'RE IN 500 000 AND OUT 1 500 000

Stellenbosch	Calvinham	Paarl	Cape Town	George	Strand
Paarl	Edwardsburg	Fransfontein	Simon's Town	Worcester	Worcester
Worcester	Clanville	Worcester	Worcester	Worcester	Worcester
Worcester	Edwardsburg	Fransfontein	Worcester	Worcester	Worcester
Worcester	Ceres	Riversdale	Worcester	Worcester	Worcester
Worcester	D. D. D.	Riversdale	Worcester	Worcester	Worcester
Mopreesburg	Greyton	Stellenbosch	Worcester	Worcester	Worcester
Montagu	Hangklip	Touws River	Worcester	Worcester	Worcester
Piketberg	McGregor	Worcester	Worcester	Worcester	Worcester
Grahamstown			Worcester	Worcester	Worcester



pole would lead to the "absolute paralysis" of the city. Results in most of the towns in the

gains in George, Paarl, Beaufort West and Oudtshoorn. But inroads made by the ANC would

Cape comes out to vote

ARC 1/11/95

□ Thousands stream to polls to make mark 'for a better future'
(263)

JOSEPH ARANES, MICHAEL MORRIS
and ANDREA WEISS, Staff Reporters

AT 81, William Pullen is sure his cross in the Stellenbosch community elections will make a difference and help improve the lives and future prospects of his children and grandchildren

When the polling station opened at 7am in Cloetesville Mr Pullen, who lives in the local old-age home, was one of the first to cast his ballot "I've lived through years of oppression and now, as a free citizen of this country, I'm using my new-found rights to vote in my first community election

"Although I am old and don't think I will live long enough to benefit from all the changes taking place, I'm sure my children and grandchildren will enjoy the fruits of the new South Africa"

Mr Pullen said he was sure the conditions in the country would improve but said the new councillors and government should be given a fair chance to set things right

"They inherited a mess, but already we are seeing the changes"

For Vizezard Gwebecilemele, 55, of Kayamandi, a vote in the community elections was another way of showing his support for the African National Congress

"I've been here since 5 30am to be first in the line for the ANC because they are the only party that will improve our living conditions"

Mr Gwebecilemele said his area needed decent houses, toilets and a range of recreational and educational facilities

At most polling stations in Stellenbosch voting was brisk with voters queuing from well before sunrise

If the trend continues throughout the day, it would appear that most of the town's 34 845 registered voters will make their mark by the end of the day and help usher in a new system of local government.

Paarl voters turned out in droves from early today despite leaden skies and occasional squalls of drizzle

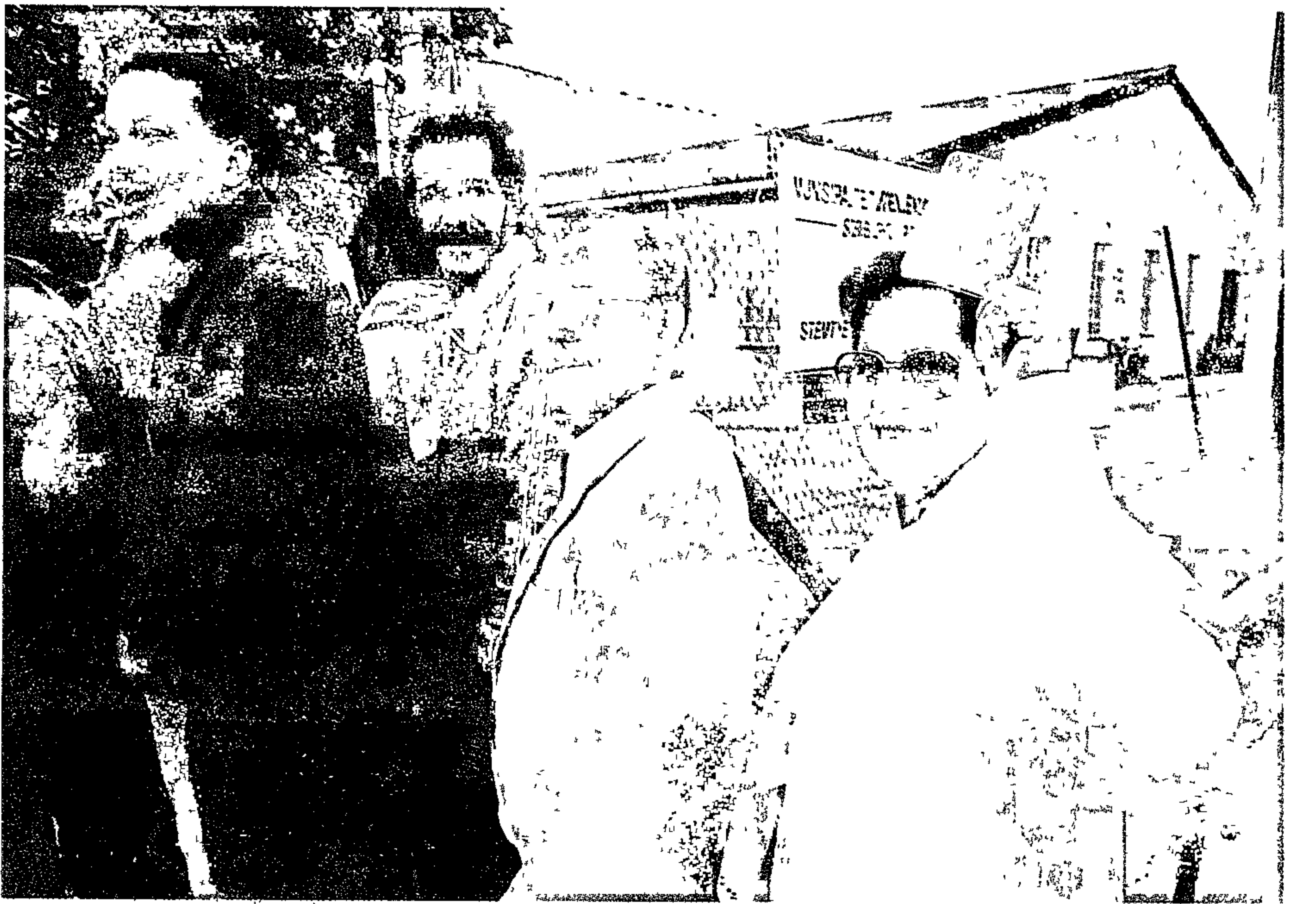
A cheery mood swept along the queue of voters — many casting their local government ballots for the first time — at the Dal Josafat stadium, a polling booth serving the Fairyland informal settlement and the somewhat better off Paarl extension

Among the voters helping to choose a new Paarl council for the first time was Ada Julies of Greenhills who beamed "I'm very happy This is a very good day At long last we also have a chance to vote for the council"

She said that health and education were two of the most local issues for her

Another Greenhills resident, Gertrude Adams, echoed the sentiment, adding jobs to the list of her expectations for change at the local government level

Further down the queue first-time voters Nathaniel and Cynthia Maqungo of



Picture ROY WIGLEY, The Argus

LINING UP: A Stellenbosch voter waves her identity book as she joins a queue to vote in the local government elections.

THE NATION

Voting brisk as Western Cape goes to the polls

● From page 1

Fairyland expressed their delight at having a chance for the first time of having a say in local affairs

Rabeka Kumalo, 76, was first in line at a polling station in Zwelethemba township outside Worcester to cast her vote "for a better future"

Township residents said they hoped the new council would provide better sports facilities, housing and even swimming pools

Meanwhile some Montagu voters had little idea why they were voting today, but others had very definite expectations of the local government elections

An informal poll by The Argus at three of the six voting stations in the town pointed to a landslide victory for the National Party

Although rain bucketed down, voters streamed to the polls and officials expected a high turnout

Irene and Jan Smit said they

hoped the election would lead to an improvement in the quality of life for all

"Things did not improve after last year's election," said Mrs Smit

Pensioner, Johannes Steyn, said he had cast his vote in the hope that the municipality would lower the cost of living in the town

As a pensioner, he battled to make ends meet and rates were particularly expensive, he said

An elderly woman who said

her name was as secret as her vote, had little idea what to expect from the election

"I don't even know why I'm voting, everything is so vague.

"I suppose I hope that the life of the community will improve," she said

Japhta Jack made no bones about having voted for the ANC He wished the whole town would support his party of choice

The town's bottle stores were open and appeared to be doing a roaring trade

● Turn to page 4

Back off the ropes

(263)

ARG 1/1/95

ONE of his proudest sporting achievements was playing flank for the Volcano Rugby Club when it stormed to the Robben Island league title in the winter of 1979. Now, as regional Minister of Sport and Recreation, Lerumo Kalako has set himself new goals. He spoke to ROGER FRIEDMAN.

As a promising young cricketer brought up on a diet of inferior equipment and uneven pitches, Lerumo Kalako might teach Jonty Rhodes a thing or two about ducking bouncers.

So the ease with which he has bounced back from the curvball false accusation that he misused public funds on an Australian tour last year, to set about reconstructing and developing sport in the region on a shoe-string budget, is perhaps not surprising.

The unassuming, bespectacled former soldier and scholar spoke of his love of sport, its importance to the liberation struggle and its enormous potential as an agent for reconciliation in a wide-ranging interview with The Argus earlier this week.

Essentially, Mr Kalako has set himself two goals. As the minister in charge of implementing the sports Reconstruction and Development Programme in the Western Cape, his first goal is "to be able to say, practically, that these or those facilities were built through my office".

But, said Mr Kalako, "besides that, I want to see promising sports stars



LERUMO KALAKO: He has his sights set on two goals.

emerging from the communities benefiting from those programmes".

It has not been the easiest of years for Mr Kalako.

First there were those widely-publicised allegations of misusing taxpayers' money. He was cleared of the charge by a commission of inquiry.

Then, in March, he was shifted from the Ministry of Nature Conservation, Environment and Tourism to the new Ministry of Sport and Recreation —

created after the finalisation of the province's 1994/95 budget.

Aside from the R1 million given by the national Ministry of Sport to implement RDP programmes in the Western Cape, money for the day-to-day functioning of his department was extremely scarce.

But in spite of it all, reflecting on how the R1 million has been put to work, Mr Kalako is satisfied with his department's achievements.

"It is amazing, considering that the department has been running with no budget at all, how we have

been able to make sure the department has played a

role in

"Not only have we been involved in co-ordinating sporting activities — including provincial and international sporting events — but we have also been able to provide finance for the provision of basic facilities," he said.

"Because our approach was that rural areas were always neglected and had virtually no facilities at all, we said 'Let us have a bias toward the rural and disadvantaged areas'.

"Many sports stars including Chester Williams, Tinus Linde and Errol Tobias come from the Blatte-

land. It shows there is enormous potential waiting there

"For the 1995/96 year, we will hopefully have more than R1 million to spend, and this time we can achieve a better spread between the rural and urban areas."

This year's R1 million has been spent on

● A multi-sport facility at Touwsraam near Wilderness (R150 000), which will comprise an athletics track, rugby and soccer fields, and netball and volleyball courts.

● A similar complex in Sluifrivier near Stellen-

berg (R190 000), although this complex will include tennis courts and cricket and hockey facilities.

● Rugby and soccer fields in Rawsonville (R80 000).

● A soccer complex in Malmesbury (R190 000).

● A netball, cricket, rugby and athletics facility at Waenhuiskrans (R140 000), and

● A donation of R250 000 towards upgrading Boland Bank Park, the new headquarters of the Boland Cricket Union in Paarl.

"That is the RDP work-

thusiastic about the Malmesbury development, complimenting the local authority there for "following RDP guidelines to the letter".

The complex had been placed on the border between the traditionally coloured and African residential areas — which "completely undermined" apartheid planning, and fostered true unity in sport.

Turning to his own sports background, among Mr Kalako's earliest sporting memories is attending international rugby matches at the Boet Erasmus Stadium in Port Elizabeth, and vocally supporting whoever opposed the Springboks.

"Sport was at the beginning of my political consciousness," he said.

Mr Kalako played rugby and cricket at school — representing Eastern Province schools at the Passmore Cricket Week — and learned volleyball and tennis while imprisoned on Robben Island.

Just as sport played a "huge role" in liberation politics — largely through the international isolation of South African sports teams — so its role in fostering practical reconciliation was a "pivotal" one.

One of Mr Kalako's current dreams is his department's plan to hold the Western Cape Community Games in the Boland, South Western Districts and Western Province.

He hopes the event will include multi-soccer, softball, volleyball, handball and basketball "to create a sporting culture and to bridge unnatural apartheid divides including the rural/urban and racial divides".

And then there are the Olympic Games. Mr Kalako is a board member of the Olympic Bid Committee.

"The Olympics will serve a similar purpose to the RDP," he said.

Stellenbosch ANC man's Victory 'for democracy' (2/13)

ART 2/11/95

CLIVE SAWYER
Political Correspondent

BUFFETED by the congratulations of his colleagues, Patrick Xegwana, newly elected Stellenbosch town councillor, accepted his victory with humility.

The victory was for democracy "I am not proud for myself".

It was 1.30 am when returning officer Koos Retief came out to the town hall steps, megaphone in hand, to announce the result of the first ward vote.

Mr Xegwana, a general worker at the university, did not linger to share the jubilation of the mainly ANC crowd.

He was expected at work at 6.30 am, and wanted some rest after a long day at the polls.

But, a hard-core remained to keep a vigil through the night, with the final results for the 12 wards and eight proportional representation seats expected only by mid-morning.

The vigil began with a few tense moments when the ANC group lit a braai fire in a half-drum on the town hall lawns.

Moments later, a fire official arrived in a bakke complete with water tank and hose.

In the face of indignant protest — and with ANC MP Melanie Verwoerd demanding the official quote exactly which

regulation forbade a braai on that spot, the official radioed to headquarters — and withdrew, amid cheering.

It was the not the last moment in the "Battle of the Braai".

A police vehicle drew up and terse discussions ensued, becoming heated when a policeman took umbrage at being offered a beer.

Crossly he pointed out that that sort of thing was not allowed on duty.

But, calm returned and the braai proceeded, the warm night ringing to ANC campaign songs.

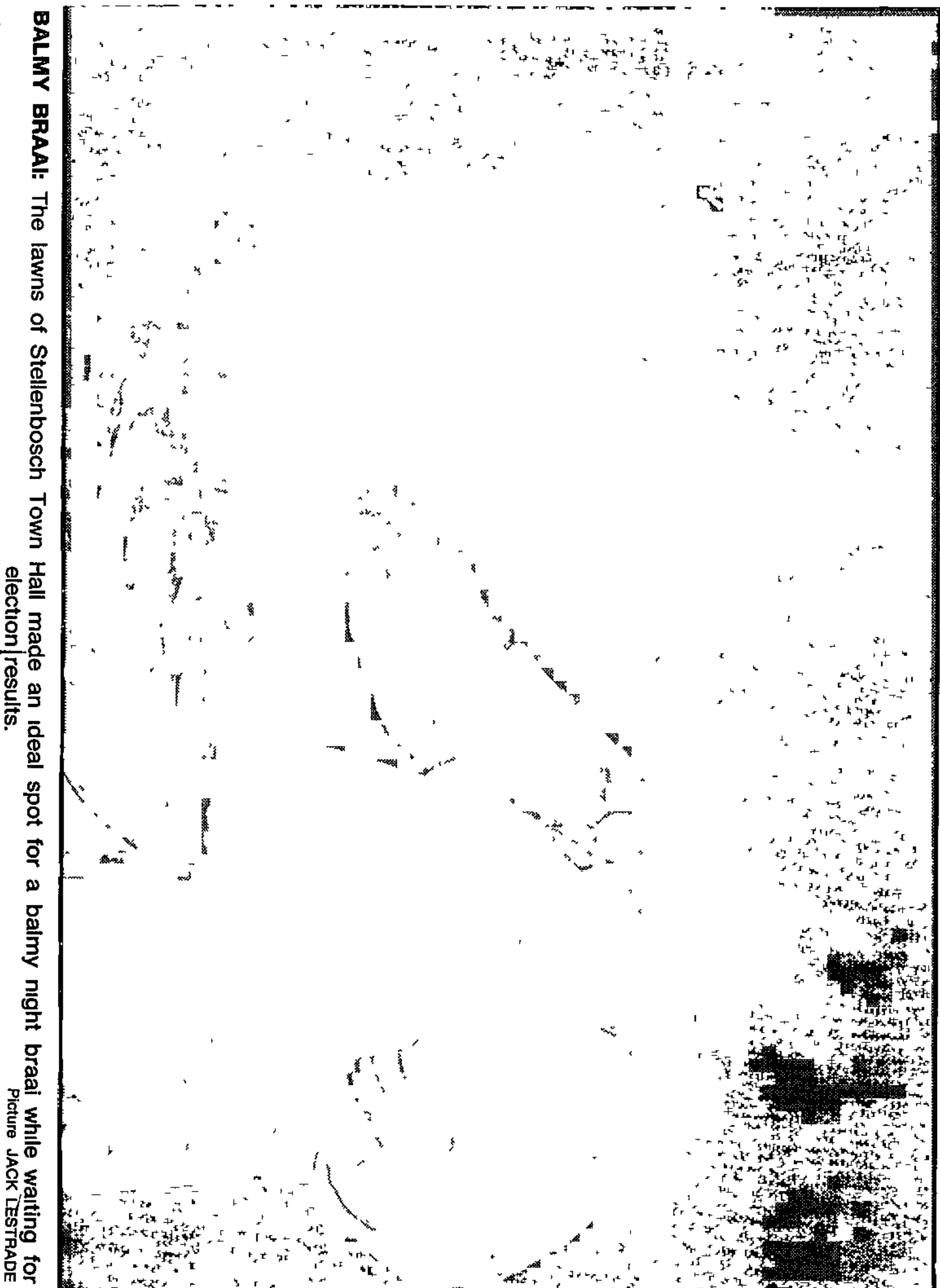
As it was, the order in which results were disclosed might have made it seem ANC victory songs were in order.

The first six results were from wards in Kayamandi, an ANC stronghold.

Each went to an ANC candidate, or an independent candidate who is a member of the ANC — as in ward 10, where three ANC members stood as independents against each other.

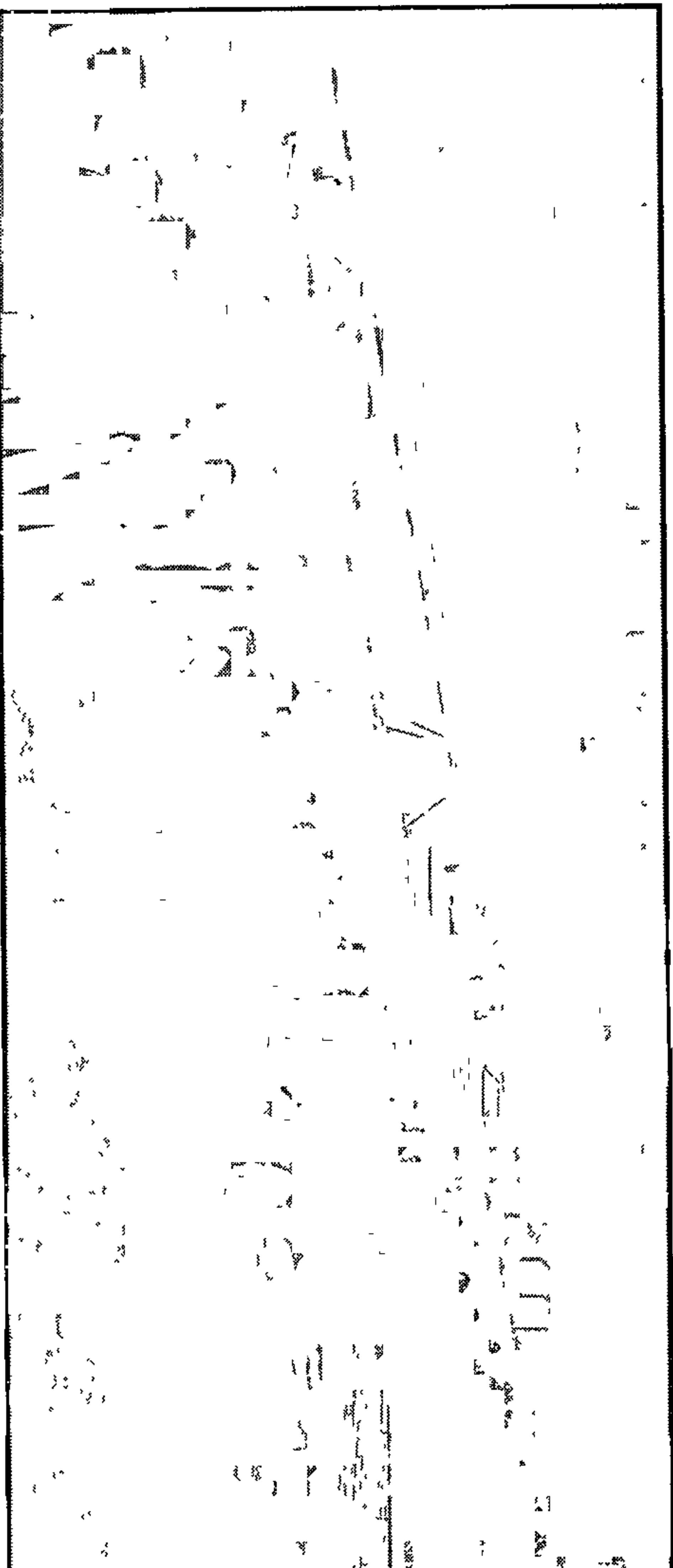
At intervals of about 45 minutes to an hour through the night, Mr Retief returned to bring his tidings to a crowd whose liveliness and size dwindled as dawn neared.

Gayborn Ketse, Alicia Mgyijima, Math Ntunze, William Kazana joined Patrick Xegwana in greeting the day, knowing they were now Stellenbosch town councillors.



BALMY BRAAI: The lawns of Stellenbosch Town Hall made an ideal spot for a balmy night braai while waiting for election results.
Picture JACK LESTRADE

Voting scenes from the Boland

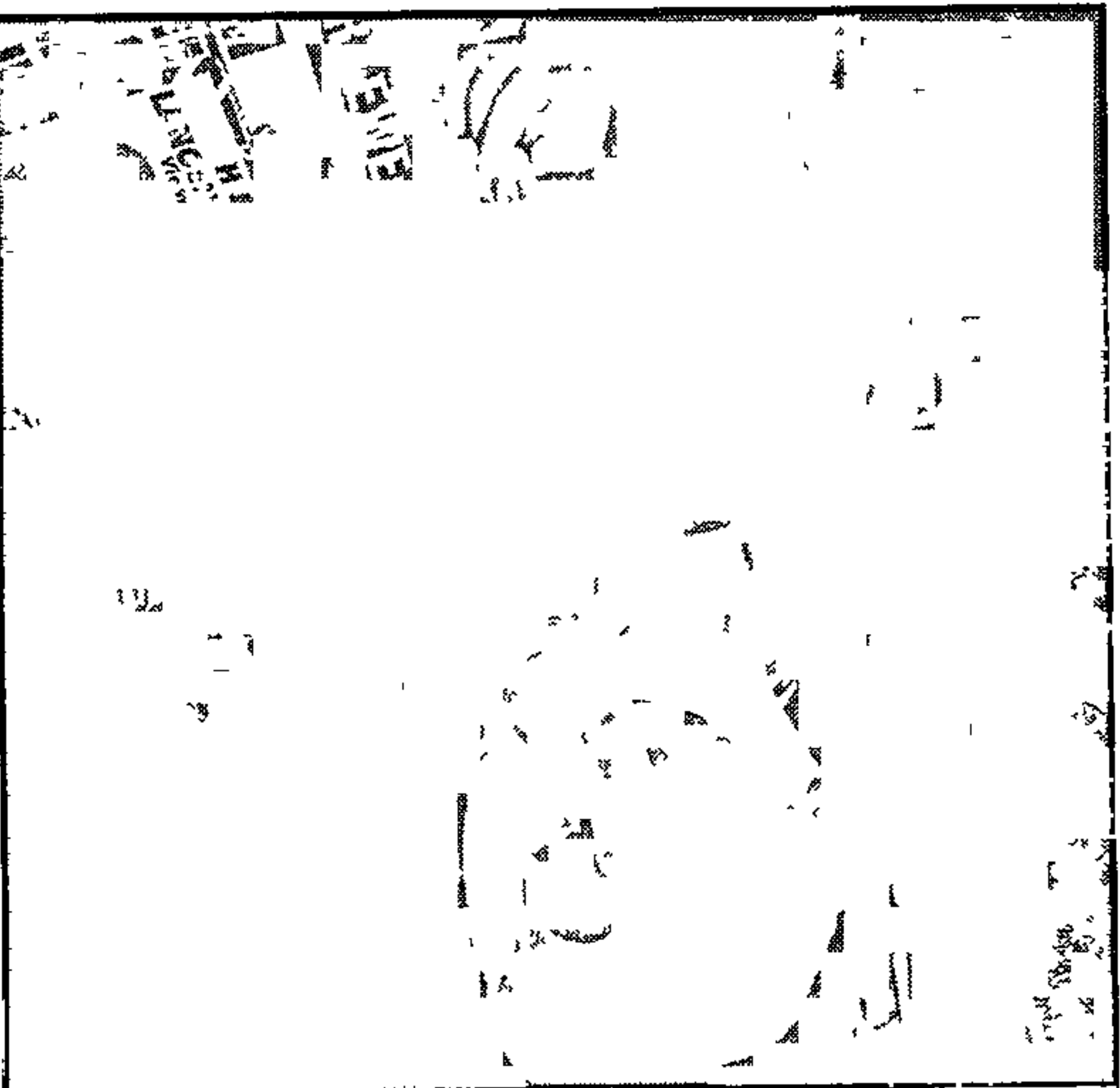


ON QUEUE: Voters from Mbekweni at Paarl wait in line to cast their ballots during yesterday's local government elections.

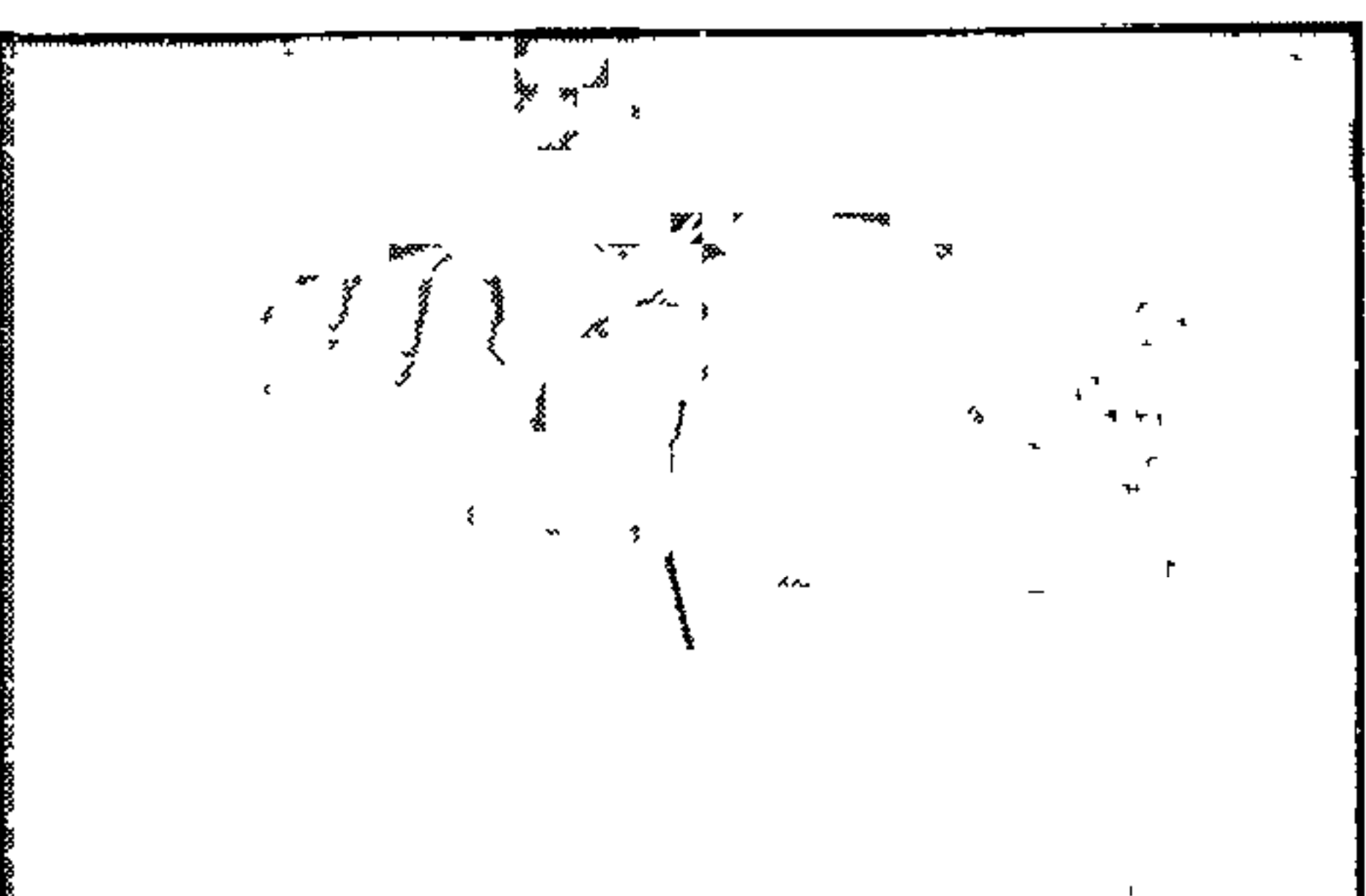
Pictures: BRENTON GEACH, DOUG PITHEY, ROY WIGLEY, JACK LESTRADE, The Argus



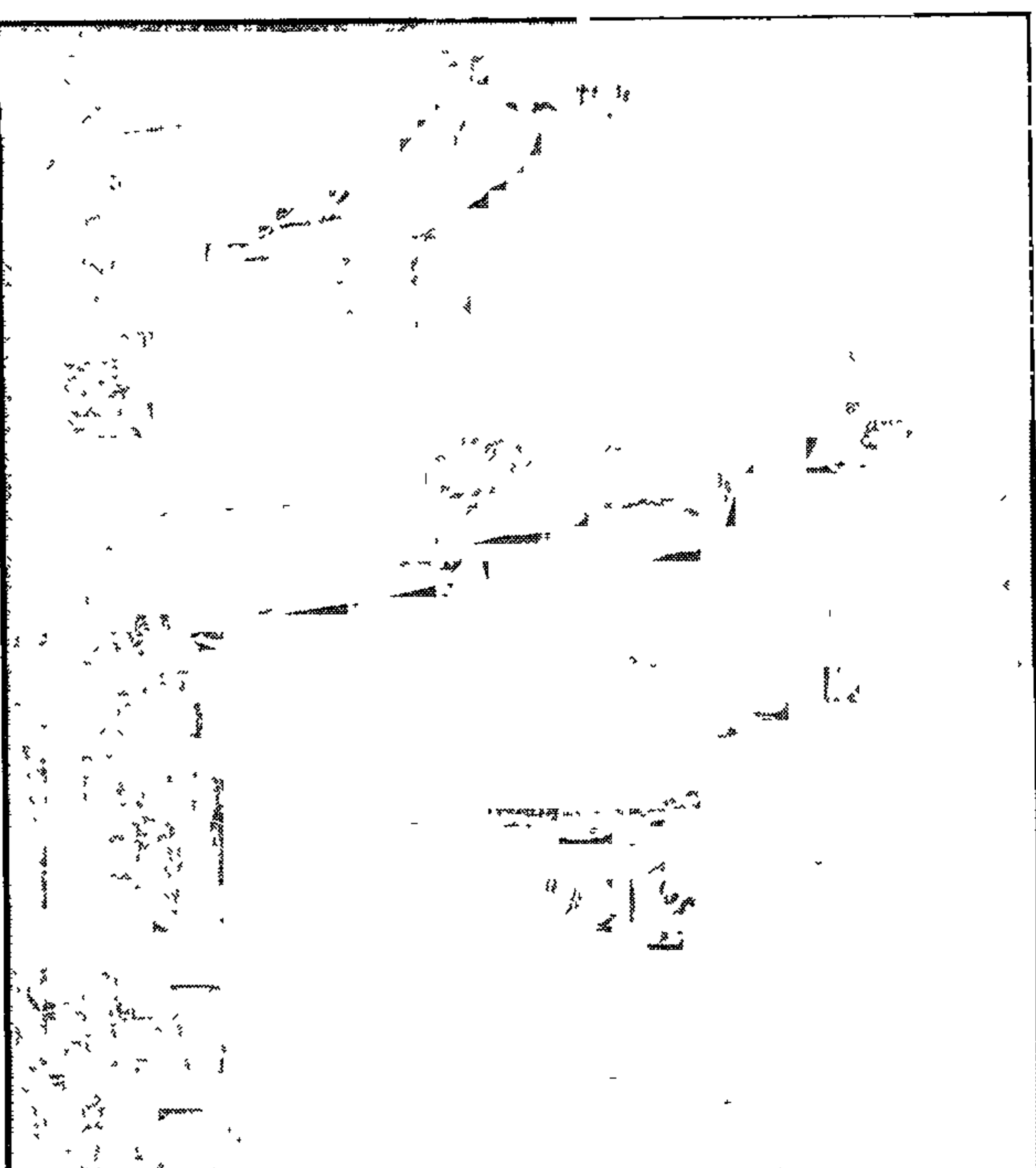
THE LONG WAIT: A yawning voter, tired after rising early to join the queue, nears the polling booth at Mbekweni near Paarl



NISSEN ON TOUR: African National Congress provincial leader Chris Nissen, right, visits a polling station in Stellenbosch as voters decide who will hold the keys the most hotly-contested Boland towns.



PATRICIA'S PATRONAGE: PAC MP Patricia de Lille flew from Mpumalanga to Grabouw for a friendly visit that turned into a row



VIVA DEMOCRACY: Residents of the township Zwelethema near Worcester turned out in force to cast their votes from 7 am despite an icy wind which was whipping through the valley

31 West Cape results are in so far, but Reef ⁽²⁶³⁾ faces a long wait ^{27/11/95}

RESULTS for thirty-one Western Cape towns and areas are already in but upcountry it is a different story. Election results for Greater Johannesburg were not expected until late today after a last-minute change in procedures delayed the start of ballot counting in Soweto by up to 12 hours.

Thirty-one results are through so far for towns and areas in the Western Cape, but by 8am this morning the results of only six Johannesburg wards were known. They were all Western MSS wards in the traditionally conservative western suburbs and they were won by the NP.

Gauteng Housing and Local Government MEC-told a media briefing early today that the poll figure of 30% for Johannesburg was a "guesstimate" and that a final figure would only be available later in the day.

At other polling stations ballot boxes were locked inside and guarded by police throughout the night because either were not enough police vehicles to collect them.

About 2am presiding officer Jane Mongatane of Mahon Evangelical Church polling station was preparing to spend the rest of the night in the church guarding the ballot boxes with her team of watchful party agents and members of the SAPS.

Final results for some of the Western Cape towns, in three of which the candidates came in unopposed, are

Wards	Proportional rep
Albertina	ANC 1, NP 1
Aurora	NP 2
Barrydale	ANC 1, NP 1
Beaufort West	ANC 3, Ind 2, NP 1
Calledon/Middleton	ANC 1, NP 1, Other 3
Citrusdal	ANC 2, NP 2
Cianwilliam	NP 3, ANC 1
De Rust Blomnek	NP 1, ANC 1
Gouritz	Ind 4, Other 1
Great Brak River	ANC 2, NP 2
Hopfield	ANC 3, Ind 3
Heidelberg	ANC 2, NP 2
Langsburg	NP 1, ANC 1/2, Ind 1/2
Langebaan	ANC 1, Ind 2
Mainreep	NP 5, ANC 3, Ind 2
Mariesburg	ANC 2, NP 3, Other 1
Murraysburg	NP 2, ANC 2
Piketberg	ANC 1, NP 3
Priner	Other 3
Porterville	Ind 3
Prince Albert	NP 2, Other 1
Rawsonville	ANC 1, NP 1, Ind 2
Redelinghuys	NP 3, ANC 1
Riversonderend	Ind 2, Ind 1/2, Ind 1/2
Stamford	ANC 1, NP 1
Strusbaai	ANC 1, Other 1
Swellendam	Ind 2, ANC 1, NP 2
Vannynsdorp	ANC 3, Ind 2
Vanwyksdorp	ANC 1, NP 1
Villiersdorp	NP 1, ANC 1
Yzerfontein	Ind 6, ANC 2, Other 2
	NP 2

20 percent of the TLC results are in — NP 76 seats, ANC 60 seats, Independent 43, Ratepayers 35 and Democratic Party 1

Proportional voting percentages — NP 43 percent, ANC 34 percent, Independent, Ratepayers 17 percent, Freedom Front three percent, and DP one percent

ANC sweeps to (2b3) Worcester victory

ARG 2/11/95

LINDSAY BARNES
Staff Reporter

THE African National Congress scored virtually a landslide victory in the former politically conservative town of Worcester, winning a higher percentage of the votes than anticipated.

Jubilant ANC candidates celebrated outside the town hall; many supporters danced and wept tears of joy.

The crowd clapped and cheered as their lead candidate, a past mayor of Worcester, Riyahd Williams, arrived as dawn broke, to discover, before results were officially announced, his party was a clear winner.

Mr Williams was ecstatic.

"I think results indicate the scare-mongering of the National Party has not worked.

"The people of Worcester judged the ANC on its track record of the past year on the transitional local council and the swing will become a landslide by 1999."

Town Clerk Neels de Bruyn confirmed two parties had lodged official complaints, but he declined details. He said the objections would be investigated.

As officials prepared for counting in the early hours, the atmosphere was calm. Candidates were positive about outcome.

Work began in earnest shortly after 2am and, as several candidates paced, others went home to sleep, returning for the official announcement.

At 8.45 am the final results were announced.

The NP candidates elected are Eddie Prince (Ward 1), Christo Marais (Ward 2), and elected on the proportional

vote are C Ismail, Werner Schwella and F A Schönland.

The ANC's proportional representatives are Riyahd Williams, L M Sebeko, Kennedy Rampang and Alice Titus, while the following ward candidates were elected: Clarence Johnson (Ward 3), Davey Petersen (Ward 4), Brendan Dammons (Ward 5), W Z Londi (Ward 6), Philip Tyira (Ward 7), Joe Mapanza (Ward 8), Thembile Chole (Ward 9) and Wilson Ntshingila (Ward 10).

Candidates for Wards 6, 7, 8 and 10 were elected unopposed.

About 70 percent of voters turned out to vote yesterday.

The National Party fared worse than anticipated and the party's leading candidate, Christo Marais, blamed this on a number of factors, including a poor turnout in the coloured areas.

He claimed many NP supporters had in fact abstained because they were turned away from the polling stations in Wards 1 and 2. They had allegedly got incorrect information on where to vote, and on reaching the front of the queue were sent elsewhere.

He said the organising of the National Party had been "very good under difficult circumstances".

Tom Falck of the Freedom Front, who stood in Ward 1, said the election campaigning had involved "a lot of mudslinging".

Democratic Party candidate Cedrick McNeil said today was a "sad day for Worcester". The ANC had used the same scare tactics as the National Party and it had no control over its people, he said.

Tough contest brings out voters

Political Correspondent

ELECTORAL officials began counting votes in Paarl early today after one of the toughest poll contests the town has seen.

Intense politicking in the run-up to the ballot may have led to a higher than expected turn-out at most polling booths, with the African National Congress setting its sights on winning a majority of the 20 seats on the new council, and the National Party striving to defend its traditionally dominant position.

Lines of often silently-intent — and some cheerfully chatting — voters formed early at key polling stations in Paarl East and Mbekweni, and, by late morning, there was a steady stream even at polling booths in majority white wards where low-stakes contests were thought to have dampened the electoral spirit.

Of the 20 seats in contention in Paarl, eight will be filled by ward candidates and the remaining 12 from the proportional list.

The main contenders are the ANC (15 candidates, ward and list, with some in both categories), the NP (15), the DP (three) and the Paarl Residents' Association (13). There are 10 independents.

The ANC already has three unopposed ward seats.

The ANC/NP contest centres on four wards which, broadly, represent the coloured vote, about 80 000 strong.

In the heart of this area was the Dal Josafat Stadium polling booth which drew eager voters as early as 6.30 am yesterday. Within a few hours, there were more than 800 in the queue and it was growing by the minute.

Most of them were voting at the local government level for the first time and expressed high hopes for changes that would ease their lot in life.

Among them were Elizabeth Mnayini, Sophie Bebeza and Patricia Pietersen — but, they opted out of the queue for a while to sit down and rest their legs, and shade themselves with umbrellas.

Rain threatened early — and there were occasional squalls of drizzle — but, as the queues edged slowly forward and the clouds thinned, the umbrellas were turned to good effect as sun shields. ARG 2/11/95

In Mbekweni, children played happily in the streets as their parents joined ever-lengthening queues.

Here, too, voters had gathered well before 7 am and had snaked out of sight within a few hours. (263)

PAC accused over De Lille 'threats' (2/3)

Political Staff

THE African National Congress in the Western Cape today called for the Pan Africanist Congress to reprimand Patricia de Lille, a PAC MP whom the ANC accused of threatening the life of its Western Cape leader, Chris Nissen

In a statement the ANC said Ms de Lille's threats, also made against several Grabouw ANC leaders, were being taken seriously

A complaint against the PAC would be lodged with the Electoral Tribunal because the ANC considered it had deliberately contravened the Electoral Code of Conduct relating to violence and intimidation, said ANC spokesman Brent Simons.

IN Grabouw, where 6 000 voters had a choice of 30 candidates — one an independent, the remainder from four parties — voting at three of six polling stations was well under way by 7.15 am.

At one station, PAC MP and national executive member Patricia de Lille, said her organisation was frustrated by the employment of only known African National Congress (ANC) supporters as election staff at one station

Mrs De Lille, who had flown in from Mpumalanga especially to fly the PAC flag in a town which she visited earlier this year to mediate in a bitter land squabble, said PAC supporters who were registered had been turned away because, they were told, their names did not appear on the voters' roll

She said there was no doubt these voters were legally qualified to vote and the PAC would get its own copies of the roll to keep election staff honest.

Mrs De Lille said she had taken a keen interest in Grabouw because of homelessness and landlessness in the town.

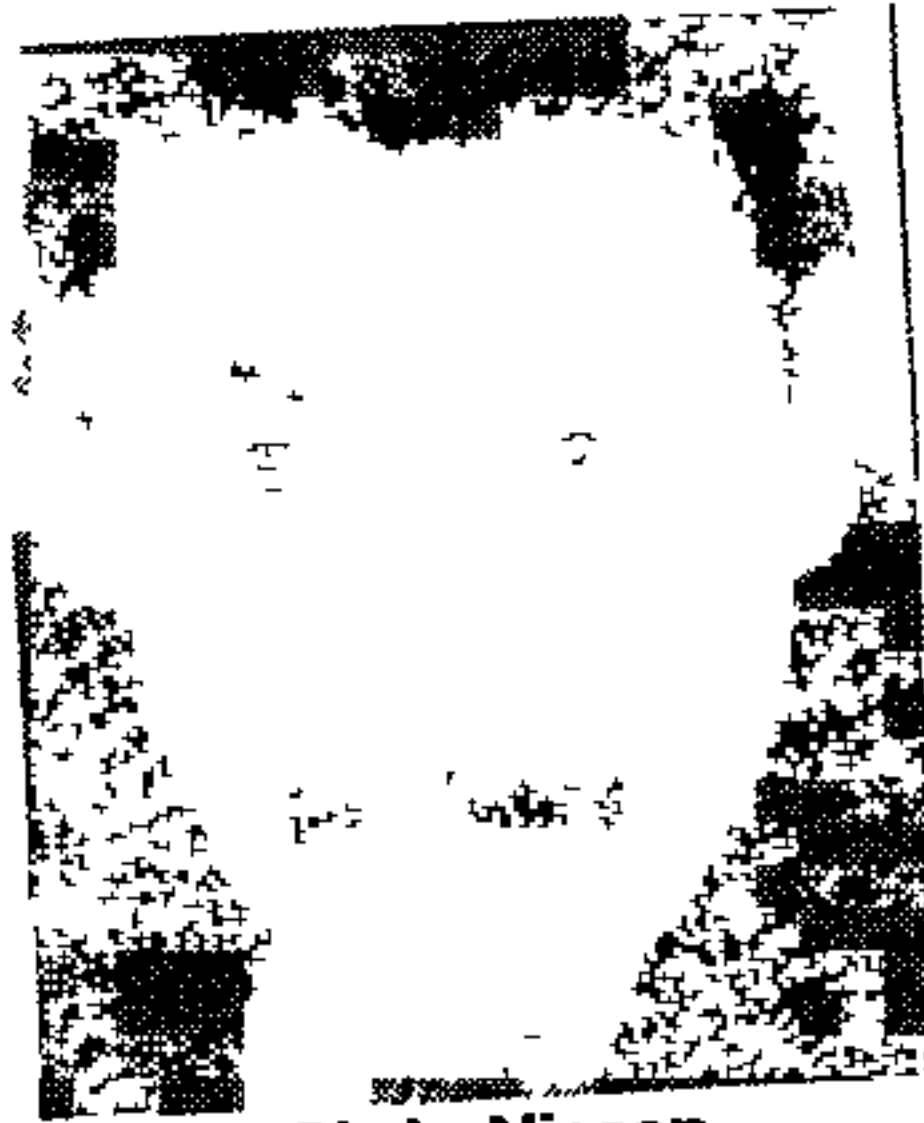
PAC candidate and local chairman Dennis Marinus was hot under the collar because, he alleged, the ANC had circulated defamatory pamphlets and daubed similar graffiti on strategic walls in the town

Mr Marinus said he had laid charges

One of United Christian Democratic Party candidate Willem Fortuin's first tasks at the Ward 2 station — where Mrs De Lille was visiting — was to remove his own poster

APG 2/11/95
from a fence across the road from the station

Mr Fortuin, whose national party leader is former Bophuthatswana prime minister Lucas Mangope, acknowledged that having the poster there was a contravention of the election ruling



Chris Nissen

Huge coloured swing to ANC

ARG 2/11/95 (263)

Political Staff

WESTERN Cape local government election results showed a mass defection of coloured voters from the National Party to the African National Congress

The swing gave the ANC control over scores of NP strongholds, including Beaufort West, Worcester, Riversdale, Saldanha Bay, Swellendam, Vredendal, Wolseley and Ashton.

As counting proceeded in larger towns adjoining the Cape Town metro area — including Paarl and Stellenbosch — a close finish was being forecast.

In Stellenbosch late today, the ANC had won seven wards to the NP's two, with three wards still outstanding.

But it was unclear whether or not this would translate into ANC control of the town once proportional representation seats were allocated to the parties on the local council

In Grabouw, the ANC had won three seats, to one each for the NP and the Pan Africanist Congress, with votes in one ward still to be counted and proportional representation seats still to be awarded.

In Beaufort West, the ANC and its allied independent candidates won eight of the 11 seats on the local council.

By midday the ANC had won 62 of the 79 "coloured" wards in the province where counting had been completed, and with ANC-allied independent candidates it held 77 percent of the wards in the coloured community.

The results are certain to send shock waves through the National Party as it witnesses a significant erosion of the support base which last year brought it control of the provincial parliament.

An ANC landslide in the Western Cape will guarantee an unprecedented electoral battle when Cape metropole elections are held next year.

In last year's elections, the ANC won about 20 percent of coloured votes in rural areas. Initial results in the local elections show a swing of at least 30 percent to the ANC

"Our estimate is that we are averaging between 55 to 60 percent of the votes in the coloured community," said provincial leader Chris Nissen

He expected the trend would be repeated throughout the province as further results became known.

In early results, the NP won the small towns of Yzerfontein, Koringberg, Redelinghuis and Aurora

But at the same stage of counting, the ANC had won 83, about 42 percent, of 198 seats on local councils. Counting in allied candidates, the ANC has won 46 percent of seats.

In Worcester, the ANC won all three coloured wards, the five Zweekhemba wards and three from the proportional list to secure 11 seats on the 17-member council. The remaining six seats went to the NP.

In Riversdale, the ANC won six of the 10 seats on the council. In last year's election, the ANC won only 14 percent of the votes, the remaining 76 percent going to the NP

Mr Nissen said the huge shift away from the NP showed "people's eyes have opened — they are no longer interested in division and racism, they are appreciative of President Nelson Mandela's approach to reconciliation, and see the ANC as the vehicle of effective change".

Commenting on the poor showing of other parties, Mr Nissen said: "It's like the cartoon you had in The Argus, of the tug o'war — the rope is pulling to our side and the people in the middle are falling off"

● Turn to page 2

Hiccups but most local polls go well

The Argus Correspondents

SIXTY percent of proportional representation votes cast in the local government elections have gone to the African National Congress, with 18 percent going to the National Party and 11 percent to independent candidates, according to preliminary information issued by the Local Government Elections Task Group today

However, the group cautioned that "this is a preliminary figure and one should not try to identify any particular trends".

Election task group co-chairman Frederick van Zyl Slabbert said at a media briefing in Pretoria today that his group was grateful for the low level of violence which had taken place in the elections yesterday. ARG 2/11/95

"I could argue that this augurs well for the spirit of democratic tolerance and for inter-party co-operation. We have come through a steep learning curve and had to face many challenges," Dr Slabbert said.

Millions of people turned out to vote, but so far only a few results have been released because in some cases counting started during the night or this morning.

The elections went smoothly, but teething problems and hiccups were experienced at some polling stations.

Provincial Affairs and Local Government Deputy Minister Mohamed Valli Moosa called the elections "a phenomenal success".

Election results for greater Johannesburg were not expected until later today, after a last-minute change in procedures delayed the start of counting in Soweto by up to 12 hours.

But the turnout was much lower than

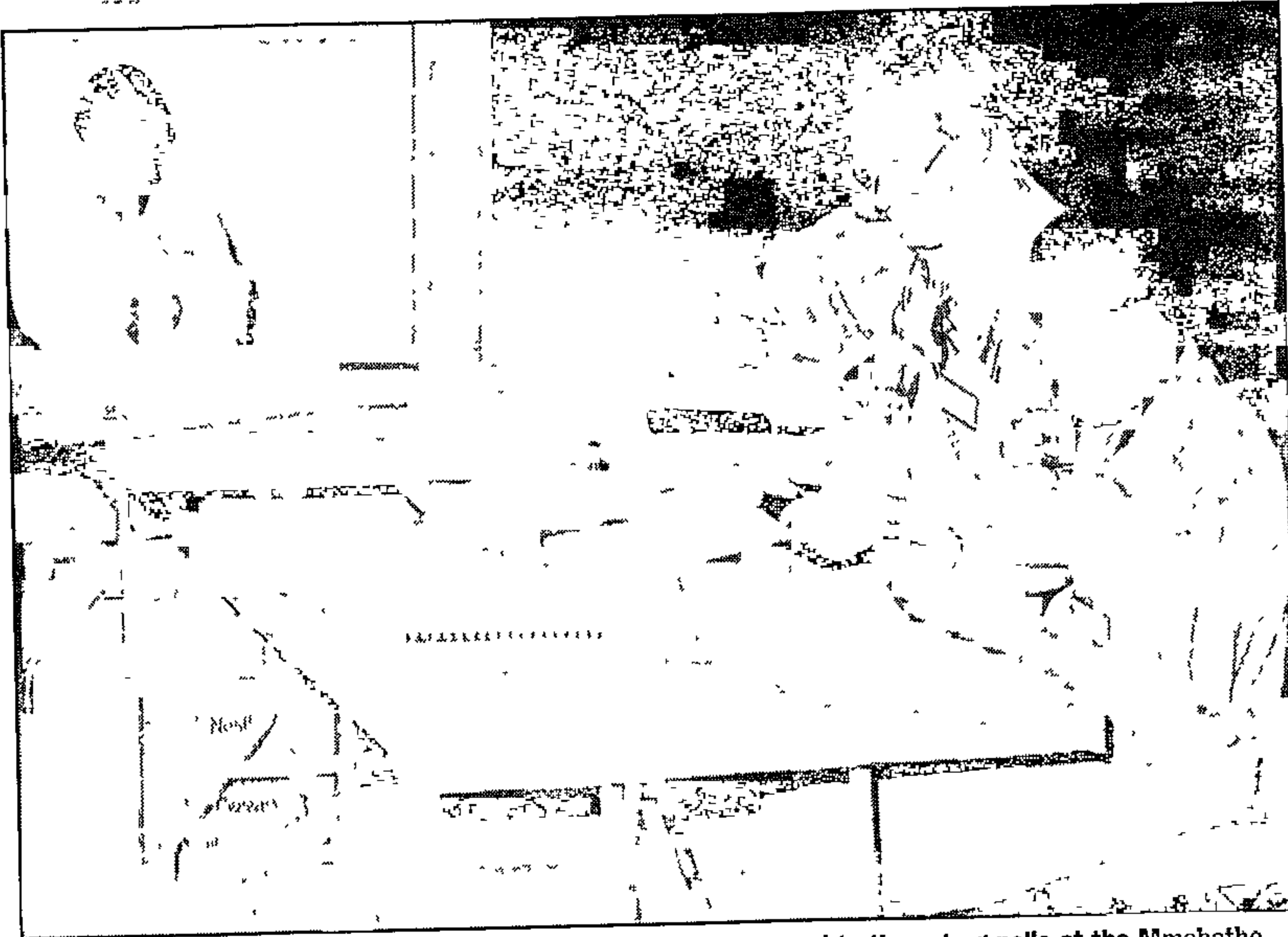
To page 2

Admin hitches

From page 1

ARG 2/11/95

- Citrusdal, where the ANC won three of six seats, winning both wards in the coloured community with majorities of 71 percent and 69 percent respectively.
- Doringbaai-Strandfontein, where the ANC won three of six seats,
- Bitterfontein, where it won three of seven seats with one by-election pending,
- Langebaan, where the ANC captured both seats in the coloured ward,
- Stilbaai, where the ANC won the coloured ward, the only one in the town it contested. Last year the ANC got only 18 votes in Stilbaai,
- Montagu, where two seats were won by the ANC and three by ANC-aligned candidates, of a total 10 seats,
- Prince Albert, where the ANC won three of 10 seats, with an ANC-aligned independent taking another
- Laingsburg, where the ANC won two of six seats, the Pan Africanist Congress one and a ratepayers' association two,
- Murraysburg, where the ANC won three of the six seats,



Electoral officers keep a vigilant eye as hundreds of voters streamed to the voting polls at the Mmabatho Civic Centre yesterday. Voting was slow in the morning but later picked up during the day.

Polling smooth in W Cape

Sowetan 2/11/95 (263)

ABOUT 60 voters queued outside Stellenbosch town hall as the doors opened at 7am yesterday

Returning officer Mr Johan Bekker said everything was running smoothly and he foresaw no hitches. There were 4 600 voters registered at this voting station, one of 18 in the area.

First in the queue was Mervyn

Edwards, who works for the University of Stellenbosch's maintenance department. He said he had arrived at 6 30am because he had to go to work.

"I feel everybody should vote," he said, adding he was going to vote for the Democratic Party.

Second in the queue was Sakkie Thuart, who said he was voting early to

get it over with.

In Paarl, the elections appeared to get off to a brisk start with long queues outside most polling stations.

A Western Cape Police Services spokesman said no problems had been reported in the region, where the ANC and NP were locked in a duel for control of the province.

ANC SLAMS PROPOSAL

Marais sets May 22 for W Cape election

(263) ET 2/11/95
THE LATE DATE set for local elections yesterday raises the possibility Constitutional Affairs Minister Mr Roelf Meyer will intervene. **CHRIS BATEMAN, BARRY STREEK** report.

WESTERN CAPE Local Government Minister Mr Peter Marais has set the Cape Metropolitan election date at May 22 next year — nearly two months after the legal date set for elections in areas which did not vote yesterday.

The proposal was slammed last night by the ANC, who accused Mr Marais of playing "silly games" and appealed to him to stop trying to keep the people of the Cape Metropole out of the democratic process.

But Mr Marais cited the lack of final appointments to the Special Electoral Court — which he said had to finalise the Cape Metropole boundary impasse before mid-November — to practically enable

the May 22 election date

"I'm determined to have a First World election and not give the people an election reminiscent of Third World countries," he said yesterday

'Reckless'

Mr Marais' decision effectively gives Constitutional Affairs Minister Mr Roelf Meyer the legal power to appoint an administrator in his place to ensure outstanding elections take place by March 31 next year.

ANC deputy secretary-general Ms Cheryl Carolus said Mr Marais was being "reckless" and "foolish or stupidly provocative"

She added that Mr Marais him-

self had been party to the national agreement that the polls would have to be held before the end of March.

However, Mr Marais contends that it is practically impossible to hold Cape Metropole and rural district elections in the Western Cape by this date and is confident that Mr Meyer will stay his legal hand

"We must first make sure we have a voters roll which can stand the test of any court challenge, that sufficient time is given for its inspection, that independent candidates collect the two percent of signatures required — and that there are at least 40 campaigning days between Nomination Day and Election Day," he said

Mr Marais notified Mr Meyer yesterday of his choice of election date, on condition the Special Electoral Court hands down a Cape Metropolitan demarcation judgment by November 15.

Jobs main issue for rural voters

(263) CT 2/11/95

CAROL CAMPBELL

ZWELIHLE shack dweller Mr Bongani Bubi said he was casting his vote for "land, toilets, work and water" in Hermanus yesterday.

Mr Bubi moved to Hermanus from the Transkei in 1989 and was an unemployed bricklayer.

"I know how to vote because of the first election — now I want to vote so that I can have a say in my future," he said.

Deputy President F W de Klerk and his wife Marike cast their ballot at 8.30am at the De Mond caravan park near their holiday home.

The deputy presiding officer at De Mond, Mr Martin Meyer, said there was a long queue of voters at 7am but the pace slowed later in the day.

For the people of Stanford in the southern Cape the election was about jobs, houses and low rent and the race looked set to be a hard run between the ANC and the local ratepayers' association.

Retired Pinelands doctor Dr Dennis Knight, standing as an ANC-aligned independent candidate, said there was a desperate shortage of jobs for shack dwellers who had come to Stanford to escape violence.

Work in Stanford was seasonal and centred on the flower-growing industry, he said.

At least a third of voters in the town owned holiday homes and were not expected to travel from Cape Town and Gauteng to vote.

Views invited on role of the CMC

Municipal Reporter

THE Cape Metropolitan Council has launched a campaign to inform people that it not just a continuation of the former Western Cape Regional Services Council and to invite them to give their view of what role it should play in future

Chairman of the CMC Willie van Schoor said that while the CMC performed functions previously carried out by the RSC, this would change when the new boundaries were determined

The CMC's new functions would in-

clude managing and directing urban growth and development, making policy for and co-ordinating the provision of metropolitan services and functions, and, where necessary, rendering services. ARG 3/11/95

Questions people are being invited to answer are what roles they think should be emphasised by the CMC.

Anyone wishing to comment on the CMC's future role should call David Phillips on 4872026, or write to the CMC Restructuring Co-ordinator, PO Box 16548, Vlaeberg, 8018.

'Officials should apply anew for jobs'

(263) ARG 3/11/95

Municipal Reporter

SENIOR council officials should be made to reapply for their jobs after the election to ensure accountability to the people they serve.

This was the unanimous position of three senior city councillors at a debate before the Cape Town Press Club.

Councillors Clive Keegan and Arthur Wienburg all supported the view that senior officials should re-apply for their jobs, an idea first put forward by Leon Markovitz.

Mr Keegan said it was "virtually impossible to get rid of senior officials short of them being caught performing lewd acts in public".

Marais rejects claims of swing in voter support

(263) ARG 3/11/95

Staff Reporter

PROVINCIAL Local Government Minister Peter Marais has rejected political analysts' claims that there was a big swing of support to the African National Congress in Wednesday's community elections

Speaking to reporters as the results from the region's 95 rural towns that held elections came in, Mr Marais said the proportional voting percentages did not indicate a swing to the ANC

"With 35 percent of the towns' results in, the ANC mustered only 32 percent of the vote compared to the 33,5 percent they got during last year's provincial elections."

The figures also indicated that Mr Marais's National Party, which took 54 percent of the vote last year, got only 44 percent of the community elections votes

Independent candidates and civic and ratepayers' associations managed to secure 20 percent of the votes

Mr Marais said that historically, the NP had never contested local elections under the party banner, but rather left it to ratepayers' associations



Picture HANNES THIART, The Argus

NATIONALIST LEADERS: Declaring their "consolidated" position in the Western Cape are, from left, Western Cape Local Government Minister Peter Marais, provincial leader and Minister of Environment Dawie de Villiers and Premier Hernus Kriel.

"In fact, a number of our branches indicated they would campaign under the names of ratepayer associations and this is reflected by the high percentage of proportional votes the NP has won

"And, as we all know, the ANC benefited most by the Kempton Park agreement which allowed for a 50/50 split of wards between the statutory and non-statutory areas irrespective of the number of people living in areas"

FF claim progress

JOHANNESBURG — The Freedom Front says the local government elections revealed a large growth in its support

FF general-secretary Flip Buys said while the National Party had done better in some areas where there was a low turnout by African National Congress supporters, a swing to the FF was evident. — Sapa

Good humour rules as ANC flag flies in Grabouw

Staff Reporter

THE ANC's black, green and yellow flag fluttered through Grabouw, the town at the heart of the lushly beautiful Elgin Valley, best known for its fruit production and packaging.

Temperamental Cape weather seemed to mirror the mood during vote-counting, with the drizzly grey skies matched by a sprinkling of desultory sup-

porters marking the early, uncertain stages.

By the time the results of the third ward were tallied, the rain had begun to clear and the crowd of party faithfuls began to swell.

As if in anticipation of the overall results, Pan Africanist Congress supporters huddled in a corner furthest from the closed doors behind

which the fate of the town was being decided.

ANC supporters, flaunting party caps and T-shirts, had colonised the opposite area, near a public telephone, used often to relay the latest results to those too timid to brave the cold.

Excited clapping, impromptu dancing and backslapping

greeted successful ward candidates.

"It's a lekker feeling," summed up one supporter when the reality of the ANC's victory in the town had sunk in

General good humour prompted invitations to unsuccessful candidates to join in celebrating the ANC's victory and the birth of the new local government

Bubbly as ANC, Nats claim W Cape poll wins

(263) ARG 3/11/95

MICHAEL MORRIS
Political Correspondent

CHAMPAGNE corks popped at African National Congress and National Party regional headquarters last night as the two main Western Cape rivals declared winning tallies midway through the vote-count.

Both were confident the patterns were clear enough — and clearly enough in their favour — to uncork the bubbly after counting in some 55 of the 95 contested towns in the province.

Strategists on both sides had pored over the figures and come up with good news, although the verdicts were essentially irreconcilable.

First to declare victory was the ANC, at a palpably joyous Press conference at its Wale Street headquarters addressed by a regional leadership convinced that the result was "a clear indication that the NP is losing its grip on the Western Cape", and that the ANC was "averaging between 55 and 60 percent of the votes in the coloured community".

It disclosed it had taken — at that stage — 243 of the 598 seats in the province (40,6 percent), excluding unopposed ANC-aligned independent winners, and that it had "literally won a landslide in coloured wards".



Picture DOUG PITHEV, The Argus

GRAND CRU: Delighted ANC regional leader Chris Nissen, centre, flanked by key regional executive member Hilda Ndude, left, and fellow provincial minister Leonard Ramatlakane, spells out details of the party's gains in Wednesday's poll. On the right are two of the party's faithful.

winning 110 out of 197 (57,3 percent)

Provincial leader Chris Nissen acknowledged that while the 50/50 ward allocation — negotiated at the Kempton Park talks — had brought some advantage to the ANC, this had been limited and its true gains had been in coloured

areas where this did not apply

In Worcester, he pointed out, the ANC had "hopelessly lost to the NP" in last year's general election, but won a two-thirds majority in Wednesday's poll.

He believed the results showed that voters realised "that only the ANC can bring real change to their lives",

while the NP had "failed to govern in the Western Cape".

"The shift from the NP is finally a clear indication that our people are fed up with its racial policies. This is the start of the end of the NP."

This would be evident in next year's metropolitan poll. An hour later, two blocks

Provincial leader Dawie de Villiers said the party had "given a good account of itself, not only consolidating, but even improving its position" in securing 45 percent of the proportional vote — to the ANC's 35 percent — after counting in 55 of the 95 towns.

He cautioned, though, that even this did not reflect the true position.

Excluded from the poll, he argued, were thousands of rural voters on farms, who traditionally supported the NP.

Furthermore, he said, scores of successful independent candidates — including those in 23 towns in which the NP did not contest wards — were allies with whom post-election caucus agreements already had been sealed, or with whom there was at least a tacit agreement to co-operate.

"Taken as a sum, this means we have done far better than last year."

Ultimately, "the only way to tell who will hold power will be to analyse each and every town and consider who the independents will support".

Referendum urged on the Olympic Games bid

ARG 3/11/95

ANDREA WEISS
Municipal Reporter

CAPE Town's citizens should be asked in a referendum whether they want the Olympics.

This was the view of city councillors Arthur Wienburg, Clive Keegan and Leon Markovitz at a public debate before the Cape Town Press Club.

The three councillors all answered "yes" to the question from the floor on whether they viewed a referendum as being necessary.

Mr Keegan said the International Olympic Committee needed "empirical" proof that the city was behind the bid.

"That is a non-negotiable requirement of the IOC," he said.

Earlier, at an executive commit-

tee of the Cape Town City Council, Olympic bid chief Chris Ball said he did not believe a referendum was feasible in the South African context

However, once people were more fully informed about the plans for the bid, the intention was to conduct professional polls to test public feeling

"The time is not right yet," he added

Also at the Cape Town Press Club lunch, the three councillors expressed their doubts about the cabinet's recent backing for the bid.

Mr Keegan said the cabinet had not allocated any money to the bid, and there was no indication that it would be forthcoming.

'Officials should apply anew for jobs'

ARG 3/11/95

(263) Municipal Reporter

SENIOR council officials should be made to reapply for their jobs after the election to ensure accountability to the people they serve.

This was the unanimous position of three senior city councillors at a debate before the Cape Town Press Club.

Councillors Clive Keegan and Arthur Wienburg all supported the view that senior officials should re-apply for their jobs, an idea first put forward by Leon Markovitz.

Mr Keegan said it was "virtually impossible to get rid of senior officials short of them being caught performing lewd acts in public".

Keegan resigns from ANC and joins new city grouping

ARG 3/11/95

(263) Municipal Reporter

A NEW urban grouping is taking shape to fight Cape Town's local election next year.

This was revealed by Clive Keegan, a current member of the Cape Town City Council, in announcing that he had resigned from the African National Congress at the end of October.

Mr Keegan was speaking in a debate at a meeting of the Cape Town Press Club.

"I shall be fighting the election as part of a new group in Cape Town with firm action policies to take us into a new century," he said.

Mr Keegan was elected to the Cape Town City Council in 1978, has served as mayor and is a former chairman of the executive committee. He is currently a co-chairman of the council's economic development committee.

Mr Keegan said he believed that party politics had done a great deal of damage to city government in the past few months since a transitional council was formed

However, he said he still supported the ANC as a national political party, and it could still count on his vote.

Mr Keegan said local government has been "a ghost at the election banquet" in the last three months and parties had said absolutely nothing about a vision for the future management of cities.

He believed a vast number of voters were crying out for an opportunity to cast their vote for candidates fighting the election on the strength of an urban agenda.

He believed it was vital for there to be an independent and non-party political voice on councils.

ANC claims Boland

CT 3/11/95

Q (263)

THE ANC has made inroads into NP territory. **ANTHONY JOHNSON** and **BARRY STREEK** report.

THE National Party and the ANC last night both claimed victory in the hotly contested Western Cape local election — but the ANC seized control of several traditional NP bastions

The ANC also made inroads into the NP's main support base in the coloured community, which comprises more than half of the province's voters

But the wild cards will be the independents and ratepayer associations — who hold the balance of power in several of the 95 towns where voters cast their ballots this week.

The ANC had some significant victories in the larger towns, winning outright control of Stellenbosch, George, Paarl, Worcester, Mossel Bay, Beaufort West, Swellendam, Ladismith, Vredendal, Saldanha, Riversdale, Grabouw and Heidelberg

Dominant

The NP won control of Clanwilliam, Laingsburg, Malmesbury and Moorreesburg, while power was shared in Ceres, Citrusdal, Barrydale, Piketberg and Vanrhynsdorp. In Caledon the independent ratepayer groups will dominate the council.

With about two-thirds of the ballots counted, election officials said the NP had won 47% of the votes (compared with its 53% throughout the province last year) and the ANC 37% (33% last year)

The independent and

ratepayer association candidates got 14% of the vote

The Democratic Party and PAC polled one percent and the Freedom Front two percent. Of the first seats decided in the Western Cape, the NP took 195, the ANC 187, PAC three, the DP two and the Freedom Front one, while independents took 192

The controversial 50-50 ward arrangement allowed the ANC to take 40% of the ward seats with 37% of the votes.

'Landslide'

An elated Mr Chris Nissen, the ANC's Western Cape leader, said the party's victories in former Nationalist strongholds showed a "landslide" swing to the ANC among coloureds, who make up more than half the voters in the province.

ANC election strategists claimed its share of the coloured vote had risen from 20% last year to over 50%

But Premier Mr Hennis Kriel last night dismissed the claims, saying: "The one fact that has clearly emerged in this election is that the National Party is still the strongest political party in the Western Cape"

NP provincial leader Dr Dawie de Villiers claimed that because of agreements the NP had struck with ratepayers and independents before the election "you should add 10% to the NP tally"

However, ANC secretary-general Mr Cyril Ramaphosa said: "People in the country — and in the Western Cape in particular — have shown confidence in the ANC's ability to transform the country"

Several results will not be finalised until today

● See Pages 6 and 7



VICTORIOUS: Mr Faghrie Patel of the Stellenbosch Civic Alliance is held high by jubilant supporters after his crucial victory in a nine-way fight in Cloetesville. Mr Patel was initially an ANC nominee, but after a dispute with the party they put up a candidate against him. He is still an ANC member. **PICTURE: NIC BOTHMA**

Stellenbosch under effective ANC control

PETER DENNEHY

THE ANC has taken effective control of Stellenbosch municipality — if its allies and its dissidents are all counted as being on its side.

It won all six seats it was expected to take in Kayamandi, and it took another two seats through proportional representation, bringing its official total to eight seats out of the total 20.

Another three seats have fallen effectively into ANC hands.

The first of these went to Mr Faghrie Patel, an ANC nominee on Stellenbosch Council during the transitional period. He served as chairman of its executive committee.

He was also until recently the chairman of the ANC branch in Stellenbosch. But the ANC branch became so unhappy with him, for undisclosed reasons, that it tried to have him ejected from the council

and replaced.

This was not legally possible, so he stayed on. He formed his own civic grouping, the Stellenbosch Civic Alliance, and won the massive predominantly-coloured Cloetesville seat on this ticket.

Lost and gained

The neighbouring equally huge coloured ward of Ida's Valley (a 10-way fight) was taken by the Stellenbosch Housing Action Committee's candidate Dominee Simon Adams. This civic body is generally seen to be ANC-aligned.

The third ANC-aligned seat is that taken by Mr Dawie Carolissen, who until a couple of days ago was the town's deputy mayor. He joined Mr Patel's new grouping, and stood in Ida's Valley. He lost there, but gained a seat on the proportional representation list.

In all the largely white wards,

four NP-aligned Ratepayers' Association candidates came in. Mr G P Lubbe defeated the DP's Mr Pieter Viljoen in ward six, the central area of Stellenbosch.

Dr E P S Taljaard defeated Mr R. Moses of the Stellenbosch Civic Alliance in ward five, which includes the 900 coloured voters of Dalsig, Brandwag and Jamestown, and 1 800 voters from the white part of Stellenbosch.

Mr Koos van Schoor defeated Dr Isabel Roos, an independent thought to be more or less DP or ANC aligned, in ward four.

And, Professor Chimpie Cawood, who was the town's mayor until just prior to the election, had already secured his seat as he was unopposed in ward one.

The NP won another four on the proportional representation list, while one proportional representation seat went to the Democratic Party.

CT 3/11/95

(263)

Split vote in Genadendal

ANEEZ SALIE

GENADENDAL, the former mission station after which President Nelson Mandela named his Western Cape residence, is split down the middle. The ANC and NP have effectively each won five seats on the new council

Last month Mr Mandela visited the area, 35km north of Caledon, in his capacity as head of state

"His visit did not really have an

effect on the elections," the town's management board secretary, Mr Anthony Potberg, said yesterday. "His trip was strictly non-party-political. He came because he named his home after our town. We respect him for that."

The ANC and the NP each won two proportional seats and the six wards were all won by independents. But locals say half the independents owe their allegiance to the ANC and half to the NP.

Mr Potberg, who is effectively the town clerk, said the RDP was the top priority for the underdeveloped town — many people still had to use the bucket toilet system

An RDP Forum had been established and project proposals had been forwarded to the provincial government, but Genadendal had not yet received a cent, he said: "Perhaps, now we have a new council, the money will come in

(263)

CT 3/11/95

'WE CONSOLIDATED,' SAYS NP

ANC claims 'landslide' win

3/11/95

(263)

WITH ELECTION RESULTS still coming in, both the ANC and NP have claimed "victories" in the fight for the coloured vote in the W Cape. **CHRIS BATEMAN** reports.

CHAMPAGNE corks popped at both ANC and NP media conferences early yesterday evening, the ANC claiming a "landslide victory" in the pivotal coloured wards and the NP claiming to have "consolidated and gained" overall

NP Western Cape leader Dr Dawie de Villiers warned against comparing yesterday's results to last year's general election, as "a quarter to a third" of all voters this time were excluded because of living in rural areas where their elections were postponed

He gave the example of Worcester ANC victory where 68 396 people voted last April (including rural areas) compared to this year's voters roll with just over 31 000 people

"I'd estimate that at least a third of last year's voters were just passing through from outside (versus having to vote where you registered this year).

He said the NP result had to be interpreted against a background of tacit NP agreements with individuals and independent candidates, which led to the party not standing in 23 of the 92 country towns. It had suited the NP better to form alliances later, he added

'Better win'

If one counted alliances, the NP secured "way over 50%" — a better win than last year

ANC chief Mr Chris Nissen said the ANC had (by 4pm) won an average of 71% of the wards in the

coloured community (including independent or civic allies) compared to about 20% in the rural areas in April last year

"We raised the coloured issue to expose the NP lies," he said.

Local organiser and national MP Mr Willie Hofmeyr emphasised rural areas were not a "heartland where we went to seek traditional support" — yet by 3pm the ANC had won control of 15 of 92 towns and half the seats in another eight with the NP controlling 13

"This represents a huge shift from last year when the ANC probably did not have a majority in a single coloured rural area," he said

Premier Mr Hernus Kriel said it was "wishful thinking" for the ANC to interpret their wins as a "swing" away from traditional NP support. Local Government Minister Mr Peter Marais described the "swing" as "utter nonsense" because it was impossible to say how many coloureds voted NP or

ANC last year — it was just assumed that the NP owed its success to a 100% coloured vote"

With constituencies, it was now possible to tell that the ANC had 33% support in towns like Vredenberg, Paarl, Worcester and Grabouw — which had "surprised the ANC, not us".

'Undemocratic'

Mr Kriel said the 50/50 formula which gave formal black settlements half the council ward seats before a vote was cast, had produced an "undemocratic result"

The ANC expressed delight at Cape Metropolitan election prospects next year

Mr Kriel said the NP remained the major political force in the Western Cape and Mr Marais promised it would be "business as usual" in ANC-controlled councils as he was "only interested in helping them develop their towns"

Wild cheer as ANC takes Paarl

(263)

STAFF REPORTER

CT 3/11/95

SEVERAL hours of anxious waiting finally gave way to scenes of wild jubilation as ANC supporters celebrated a historic election victory in the formerly conservative Boland town of Paarl yesterday

Flag-waving supporters, who moments earlier had been uncertain of their chances, took to their vehicles and set off on a victory convoy through the streets of Paarl

In sharp contrast, dejected and disbelieving NP supporters milled about outside the Paarl sports-grounds contemplating the ANC's narrow victory.

However, one NP candidate and runner in the traditionally strong NP region of Chicago, Mrs Bokkie Claasen, was more positive when she proclaimed: "The NP are too good! I have overpowered the ANC."

Although everyone expected the result to be close, not many, least of all some of the ANC candidates, thought their party would win.

Earlier ANC winner in the Groenheuwel area, Mr Bruce Kanemeyer, said that despite an ANC victory in his ward, early indications were that results in other wards were disappointing.



ELATION: ANC supporters, arms raised in victory, celebrated at the Paarl sports grounds yesterday after an ANC victory in the local government elections in the Boland town

PICTURE NIC BOTHMA

Keegan quits ANC to form city alliance ⁽²⁶³⁾

PETER DENNEHY

CT 3/11/95

VETERAN city councillor Mr Clive Keegan announced his resignation from the ANC at a Press Club lunch yesterday — to head a future apolitical alliance for the city's first all-race municipal elections next year

"I will fight the election as part of a new grouping with an agenda to take us into the next century," he said, but he declined to name the grouping or who would form part of the new movement. An announcement would be made within the next month, he said.

Mr Keegan has 17 years' experience in local government office. He has been mayor of Cape Town and chairman of the executive committee, and he is now co-chairman of the economic development committee.

He said he had been withholding his announcement until after the elections as he did not want to fight the ANC from within or lay himself open to accusations of political opportunism.

"In the last three months, there has been a ghost at the electoral banquet," he said. "We heard a lot about crime, and a lot of sniping, but nothing about a vision of the future of our cities."

Rivalry

"There are a lot of people who could not give a fig about the traditional rivalry between the ANC and the NP," he said. "They want policies for urban government."

The new alliance would cut across party-political and racial lines, Mr Keegan said.

"The ANC is a national political party, and I continue to support it," he said. However, "we need a party that concentrates on the needs of Cape Town."

Later yesterday, his fellow councillor Mr Llewellyn van Wyk, formerly a member of the DP but not aligned to any party at present, confirmed that he was having tentative discussions with Mr Keegan.

Another possible candidate, Mr Siviwe Matika (formerly of Azapo) who is co-chairman of the town planning committee, could not be reached for comment.

Mr Keegan said party politics and the impending elections had had a debilitating effect on the council.

"He had been wrong to support the formation of party caucuses in the council, he said. "The business of city management and planning for the future has yielded to ideological dispute."

Conflicting views on party support in Western Cape

Edward West

(263)

BD 3/11/95

CAPE TOWN — The ANC has made significant inroads into the NP's support base in the Western Cape's coloured community, winning majorities in several towns where the NP triumphed in last year's general election.

However, both parties claimed early victory in the province yesterday as the results of nearly half the 95 towns taking part in the elections became known. By late afternoon the ANC had won 15 major towns including Worcester, Stellenbosch, Mossel Bay, Ladismith, Riversdal, Swellendam, Beaufort West, Vredendal and Saldanha Bay, as well as smaller towns such as Wolsely, Hopefield, Ashton, Uniondale and Great Brak. Coloured areas such as Haarlem, Zoar, Ebenhauzer and Rietpoort also went to the ANC.

ANC Western Cape leader Chris Nissen said the overall percentage vote indicated a major shift from the NP, specifically among coloured voters.

NP Western Cape leader Dawie de Villiers said it was "absolutely mad" to think there had been a swing towards the ANC. The NP had not participated in 23 transitional council wards because of agreements with ratepayers' associations. If these were taken into account, "we have well over 50% of the votes at this stage, which is better than we did last year".

Industry wants weekend election

(263) ARG 3/11/95

LOCAL government elections in the Cape Town metropole should be held over a weekend or on an existing statutory public holiday, the Cape Chamber of Commerce and Industry says

The chamber was reacting yesterday to regional Minister of Local Government Pieter Marais's statement that he

would propose May 22 for the elections

Chamber president Mike Stekhoven said Wednesday's elections in the rest of the country had brought the economy to a virtual standstill. Businesses that had opened would have had to pay overtime rates

"We certainly cannot afford

a repeat performance next year"

He said the elections should be held over a weekend, on a statutory public holiday or a Friday, but not in the middle of the week

"Every day that the election is delayed is costing the region dearly"— Sapa.

Beneath the volcano

FM 3/11/95
Constitutionalism was the victor in the Western Cape local government boundary dispute, with parliament coming a close second. Claims by the ANC and NP to have won the day are premature. The wilful ex-

ercise, initiated by the Nationalists, has wasted R1,5m of taxpayers' money and the parties are practically back where they started — taking legal advice on the possibility of renewed court action.

However, the ANC is merely seeking to tidy up a few loose ends. Court action by the NP would be a last grasp at an elusive prize — their domination of a key local authority in the Western Cape. It is likely that the eventual outcome will be decided by the Special Electoral Court.

Parliament finally passed the Local Government Transition Act (LGTA) Second Amendment Bill with a clear majority last month — the ANC and DP voting for it and the NP, FF and IFP voting against it.

But the highly acrimonious passage of the Bill has strained relations in the Government of National Unity (GNU) to breaking point.

Matters reached a head when ANC Transport Minister Mac Maharaj unleashed a bruising attack on Deputy President F W de Klerk during debate on the Bill. It sparked rumours of his resignation and caused jitters on the financial markets.

The accusation that De Klerk was a traitor and the call for his resignation as chairman of the Cabinet security committee was made to score a political point and to whip up emotions in the House before the local elections.

In the same vein, Deputy Minister of Provincial Affairs & Constitutional Development Valli Moosa told the House that the official positions given to the NP as gestures of reconciliation — such as Deputy Speaker and Senate President — had been compromised by the party's failure to back the LGTA and keep the elections on track.

"The NP cannot be, at the same time, a partner in government and the most hostile and obstructive opposition. We need no longer treat the NP as a partner," he said.

On an official level, the ANC claims the GNU is functioning well and inspiring all South Africans with a common national identity and purpose. But the reality is that the election campaign threatened to erase the national mood of reconciliation and nourish old ethnic and racial conflicts.

An ANC discussion document released last week says "Local government is a crucial centre of legislative and executive power. How we fare in these elections will be crucial, not only for delivery of socio-economic needs but also for the survival of the whole democratic project."

The ANC is worried about the pace of delivery, which will be expedited if it has strong support at local government level, and it was therefore crucial for the ANC that elections take place on November 1 in as many areas as possible.

It could hardly have asked for a better campaign platform than the NP's racist

approach to the demarcation of new municipal boundaries in the Western Cape.

By picking a fight with the ANC the NP highlighted its own inability to shrug off its old apartheid image. All its efforts — which have put back elections in the region by at least six months — have been an attempt to maintain its rightwing support base in the northern suburbs, where rates are expected to soar if the municipal boundaries are expanded to include Khayelitsha.

NP Local Government MEC Peter Marais rejected the findings of two separate bodies that proposed these boundaries, refused to refer the matter to the Special Electoral Court as stipulated in the LGTA and contravened a political understanding by loading the deciding committee with NP supporters to force through its proposals.

The ANC responded by having NP Minister of Provincial Affairs & Constitutional Development Roelf Meyer amend the LGTA to allow President Nelson Mandela to reconstitute Marais' committee and overrule its boundary decisions by proclamation.

Western Cape premier Hernus Kriel attacked the proclamations in the Constitutional Court, arguing that they were an unconstitutional interference in the province's running of local government affairs.

The NP hailed the court ruling as a victory for itself and federalism. But the court

didn't make a ruling on the argument that central government had interfered unduly in the powers of the provinces. It merely found that the proclamations were procedurally faulty because they should have been passed by parliament and not the President.

Parliament was duly recalled to do the necessary. The result was that constitutionalism triumphed over political gerrymandering and parliament was affirmed as the sole law-maker.

This was not without embarrassment to Meyer, whose party proceeded to vote against the amended legislation, which appeared in his name and was also necessary for the holding of the November elections — something he has fought for.

The Constitutional Court's historic ruling marked the first occasion since 1954 that a court had overruled the national executive.

It lay to rest any doubt about the court's impartiality and confirmed SA as a constitutional State. ■

NOW FOR THE REAL BATTLE

THE BATTLE

4/5/11/95 29/11/95 PMS (263) ARG 4/

■ The high proportion of independents is one of the factors which makes it almost impossible to say which party really came out tops in the Western Cape local elections.

MICHAEL MORRIS
Political Staff

FRESH from tough contests in 95 local council elections across the Western Cape, the big parties are already revving-up their election machinery for an all-out battle in the Cape Metropole next year

The metropolitan districts — home to some 1.5 million voters — are the key to power in the province and a fierce engagement is on the cards

African National Congress gains in Wednesday's poll of about a quarter of the Western Cape's more than two million registered voters revealed unexpected fluidity, particularly in the coloured community, and will intensify competition in the final local government bout.

As party strategists and analysts teased out the strands of the unfolding electoral tapestry, it became clear the results would require more cautious interpretation than it seemed at first.

A shift in favour of the ANC remained unquestioned, but observers warned that this excluded the vital 1.5 million votes in the metropolitan area and the 150 000 in the farming districts.

Attention turns now to the scores of successful independent and ratepayer candidates — 281 in all — who might turn out simply to be ANC or NP stand-ins, or a genuinely independent counter-balancing force at local government level

Their influence will differ from town to town

But observers are unanimous in predicting a major showdown in the metropole, with the ANC entering the fray for City Hall seats with an undoubted edge over the NP

Clear fluctuations in the coloured vote — long, and wrongly, held to be a solid NP support base — introduce an element of uncertainty to the metro election that the big, and even the small, parties will go all-out to exploit.

Blustery Western Cape Local Government Minister Peter Marais declared confidently "We are going to give (the ANC) the thrashing of their lives. We'll shut them up forever"

However ANC leader Chris Nissen was equally confident the NP's grip was giving way and that voters would turn away from the former apartheid party in droves

And Democratic Party leader Hennie Bester — pleased with the party having established its first foothold in the platteland — predicted significant gains in its metropolitan homebase.

■ At the close of the count in the Western Cape, the ANC had won 306 seats, the NP 292, independent candidates 164, ratepayer organisations 97, "Other" (mainly civics) 10, Democratic Party six, Pan Africanist Congress four and Freedom Front three

In percentage terms, the NP secured 43 percent of the vote (down from 45 percent in last year's general election) the ANC 38 percent (up from 33.5 percent last year), the Democratic Party three percent and the Freedom Front two percent.

The ANC now controls 16 councils, the NP 11. There are independent majorities in 26 and a profusion of independents in 42 other councils effectively defies assessing a winner

■ More reports on pages 4, 5.



■ HERE TO STAY: Joe Marks says he will never vacate his home and desert his community in Retreat

MP Joe Marks in row over living in a subsidised house

GLYNNIS UNDERHILL
Staff Reporter

A POLITICAL row has erupted around popular community leader Joe Marks, who is paying R70 a month for his subsidised council home while earning R216 000 a year as a member of the provincial parliament.

Vowing to remain in the two-bedroom, ground-floor flat he has occupied for the past 27 years in Retreat, jovial Mr Marks said he would never abandon his community as other leaders had done.

Mr Marks, who was a fruit and vegetable vendor when he first moved into the house, said he would willingly pay increased rent if requested — but no requests had ever been

made by Cape Town City Council.

The grassroots leader said he played a vital role in resolving disputes among residents and the council and dismissed as "politicking" the issue which the St Montagus Village Community Development Association in Retreat raised on the council housing committee agenda about his housing situation.

"I am not moving. I am a role model for people in the area. I would not move to a more leafy area like Pinelands just because I now can. I have always been involved in engineering the struggle with the people at a grassroots-level," said Mr Marks.

David Sasman, a convenor of

the joint civic initiative — an umbrella body for civic organisations across the Cape Peninsula — said there was "grave concern" about the fact Mr Marks and his family were living in sub-economic housing.

Mr Marks' son, Joey, who is a spokesman for the Cape Areas Housing Action Committee and a member of the executive committee of the Cape Metropolitan Council, confirmed he was also staying in a subsidised council house in the area.

Mr Marks' son told Saturday Argus he was one of many public officials from various communities who came from council estates.

"I was born in this house and I live in the area. We live in the community and we have no

■ To page 2

Perlemoen mows ducks to bullets

PERLEMOEN to the highly perlemoen industry bullets fired at him outside his house near Hermanus. It was one of the tense moments after quotas were handed out by the Fishing Quota Board.

Nine newcomers will retain 1995/1996 quotas given to them by the board, according to an agreement reached in the Cape Town Supreme Court yesterday.

Tension over the allocation of new quotas has risen to such an extent that one of the new quota-holders (who asked not to be named) was shot at last week by an unknown assailant outside his house near Hermanus.

ELECTION ROUND-UP

Drinks on house at Red Roof shebeen?

TYRONE SEALE

Political Staff

ELECTION promises aside, Grabouw's new ANC-dominated local council represents individual expertise ranging from running a shebeen to formal business management, teaching and security.

The ANC has five members on the council, the Pan Africanist Congress has three, the National Party one and the 10th is independent candidate Petrus Engelbrecht.

The town's six wards have gone to three ANC candidates, two PAC candidates and Mr Engelbrecht.

ANC candidate Fame Booysen attracted 494 of the 711 votes cast in his ward.

Mr Booysen, 36, clearly popular with ANC supporters judging by the celebration at the counting station, is hugely unpopular with political opponents who are asking how he can commit himself to social upliftment while running a shebeen at his Roodakke home.

He in turn argues that none of his opponents has objected to several

■ Grabouw's new local council is a telling sign that democracy has come of age in the farming community. (263)

ARC 4/11/95

"formal" bars in the town and says he is not in the business of allowing clients to spend money that they should have spent on food or municipal services.

Grabouw's current mayor and leading ANC light, Stanley Shuma, 32, earned his keep in the race for the proportional vote and says he would, if elected, happily continue wearing the chain of office.

Mr Shuma is a teacher at Groenberg Senior Secondary School.

Another ANC councillor elected through the proportional vote is Rachel Magale, who lives in the Roodakke settlement, where no municipal services exist.

Eskom security worker Charles November has secured a seat on the council by beating the NP, PAC and United Christian Democratic Party candidates in his ward.

The father-and-daughter team of Dennis and Charlene Marinus accounts for two of the three PAC seats on the council.

Mr Marinus, a teacher, got in on the proportional vote while Charlene, 20, a volunteer pre-school teacher, won 387 of the 704 votes in her ward.

Completing the Pan-Africanist trio is Karel Davids who, like the Marinuses, would ascribe some of their success to the direct interest taken in the area by PAC national leaders Clarence Makwetu and Patricia de Lille.

Mrs De Lille intervened in a bitter land dispute in the area earlier this year and, like Mr Makwetu, made a point of visiting the town this week to bolster supporters' resolve.

National Party lead candidate Chris Petzer was serving pizzas and other fast food to customers at his Mann Road outlet when a fax bearing details of his success in the proportional vote arrived.

Mr Petzer regretted his party's poor performance, but said the new council represented a greater degree of party political balance. Somewhere in Bangkok a waiter

can expect an order for champagne from Petrus Engelbrecht, manager of Elgin Fruit Juices and winner of the only independent berth on the council.

A former Grabouw mayor and longstanding public figure in the town, Mr Engelbrecht is on a business visit to Bangkok. He can expect a call from his daughter Adri telling him he attracted 514 votes.

Mr Petzer said his party had only its own supporters to blame. He said only 600 of the 1 100 presumed NP supporters in the town had gone to the polls.

Of Grabouw's 6 987 voters, 4 192 — or 61.5 percent — participated in Wednesday's peaceful election, marred only by the ANC and PAC complaining about supporters' names not being found on the voters' roll used at six polling stations.

Wednesday's subdued trek to the polls was followed by a small turnout of equally dispassionate party faithfuls at the town's only counting station.

However, in the last two hours of counting supporters became progressively animated as party agents leaked the results ward by ward.

Ousted Ikapa town councillors appeal to community for support

SABATA NGCAI
Staff Reporter

OUSTED Ikapa town councillors are trying to mobilise community support to return them to offices from which they have been ejected by council workers

The councillors wanted to "misuse" council property, the council workers claimed yesterday

The employees said they had information that the councillors held a series of meetings with members of the community until late on Thursday evening

The mayor, Khonzile Mama, said the allegations were "not true"

They were "reporting to stakeholders and the community", to whom they were accountable, about what happened at the office

On Thursday the councillors were ordered out of the council premises by enraged employees in a dramatic turn which saw the management officials on suspension forcibly reinstated by the workers

They handed over their office keys to security guards

The employees told the councillors to go back to their organisations to find themselves offices. Among other things, the councillors were accused of "interfering" with the

administration of the municipality

Mr Mama said the council was taking legal action against the forcefully reinstated officials

"There is no need to take legal action against the employees. Their matter will be sorted out by the community," Mr Mama said

"They have no right to chase us off the premises. We are there by proclamation

"We are answerable to the community, not the employees"

A meeting of all areas falling under the jurisdiction of the town council would be held tomorrow at the Crossroads Civic Hall

The council covers Langa, Nyanga, Crossroads, Philippi and Gugulethu

The "evictions" followed a council decision early this week, on the recommendations of the auditors, to suspend four officials implicated in the misappropriation of about R1 million

The workers reinstated the officials because they were "not consulted" before the action was taken and ordered the councillors who took the decision off the council premises

However, the council said it had a right to take a decision to suspend and inform other parties later

263
ARC 4/11/95

Cape councillors 'evicted' after suspensions dispute

(263) Star 4/11/95

Cape Town - Ikapa town councillors have been ordered out of the council's premises by enraged employees in a dramatic turn which saw management officials on suspension forcibly reinstated by the workers. The councillors were told to go back to the respective organisations which elected them and tell them to find them new offices.

The executive committee chief, the mayor and the councillors yesterday handed their office keys to security guards and were ordered to leave all council property behind when they left. They will be allowed back only to attend council meetings. Councillors with council vehicles were forced to walk home or catch taxis.

The "evictions" followed a six-hour meeting at council premises after the council took a decision on Tuesday to suspend its chief executive officer, Deon Jaarman and the town treasurer - Own C. Respondent

New party set to challenge in Cape election

(263) ST(M) 5/11/95

By NORMAN WEST
Political Reporter

A NEW Cape-based independent party — expected to be led by maverick city councillor Arthur Wienburg — is set to enter the already crowded political arena in the forthcoming battle for control of the Cape metropole.

Metro has learnt that Mr Wienburg, a former council executive committee chairman, has held a series of exploratory meetings with potential candidates and financial backers

The new party aims to cross racial and political boundaries, sources said, and would focus on grassroots issues and field strong local candidates throughout the Cape metropole

Mr Wienburg, who is facing expulsion from the Democratic Party for refusing to join the party's city council caucus, yesterday declined to comment.

However, well-placed sources said Mr Wienburg had been approached by "a number of people of substance from different political structures" to lead a party based on "liberal values". Its prime aim would be to usurp the DP's role as watchdog over ratepayers' interests in the metropole

Details of the new party follow hard on the heels of an announcement earlier this week by another city councillor, Clive Keegan, that he had resigned from the ANC at the end of October and was planning to form a new urban alliance to fight the Cape metropole elections next year

The ANC has dismissed Mr Keegan, a former mayor and head of the city executive committee, as an "opportunist".

The Keegan alliance and the new Wienburg-led party would swell the number of challengers to traditional political parties, already under threat from a plethora of civic, ratepayers', community organisations, other interest groups and independents.

Meanwhile, the stakes have increased for next year's metropolitan polls in the wake of the bruising Bolland and southern Cape local election battle last Wednesday, when the ANC gained clear control over 16 towns out of 95, compared with 11 won by the NP.

The ANC claims that their analysis of the results in coloured areas reveals they captured 45 percent of the vote, compared with the NP's 34 percent.

The ANC claims this swing by coloureds to the party would continue when the election in the Cape metropole, expected in May next year, is held.

Wednesday's election involved only a quarter of the 560 000 voters registered in the Western Cape. Next year more than 1.5-million metropolitan voters and 150 000 rural voters will decide party supremacy on local government level in the Western Cape.

After this week's election there are now independent majorities in 26 Western Cape towns, while in 42 other towns, independents will hold the balance of power between the major political parties.

In terms of seats in the Western Cape, the ANC won 306, the NP 292, independent candidates 164, ratepayer organisations 97, other civic organisations 10, the DP six, the PAC four and the Freedom Front three.

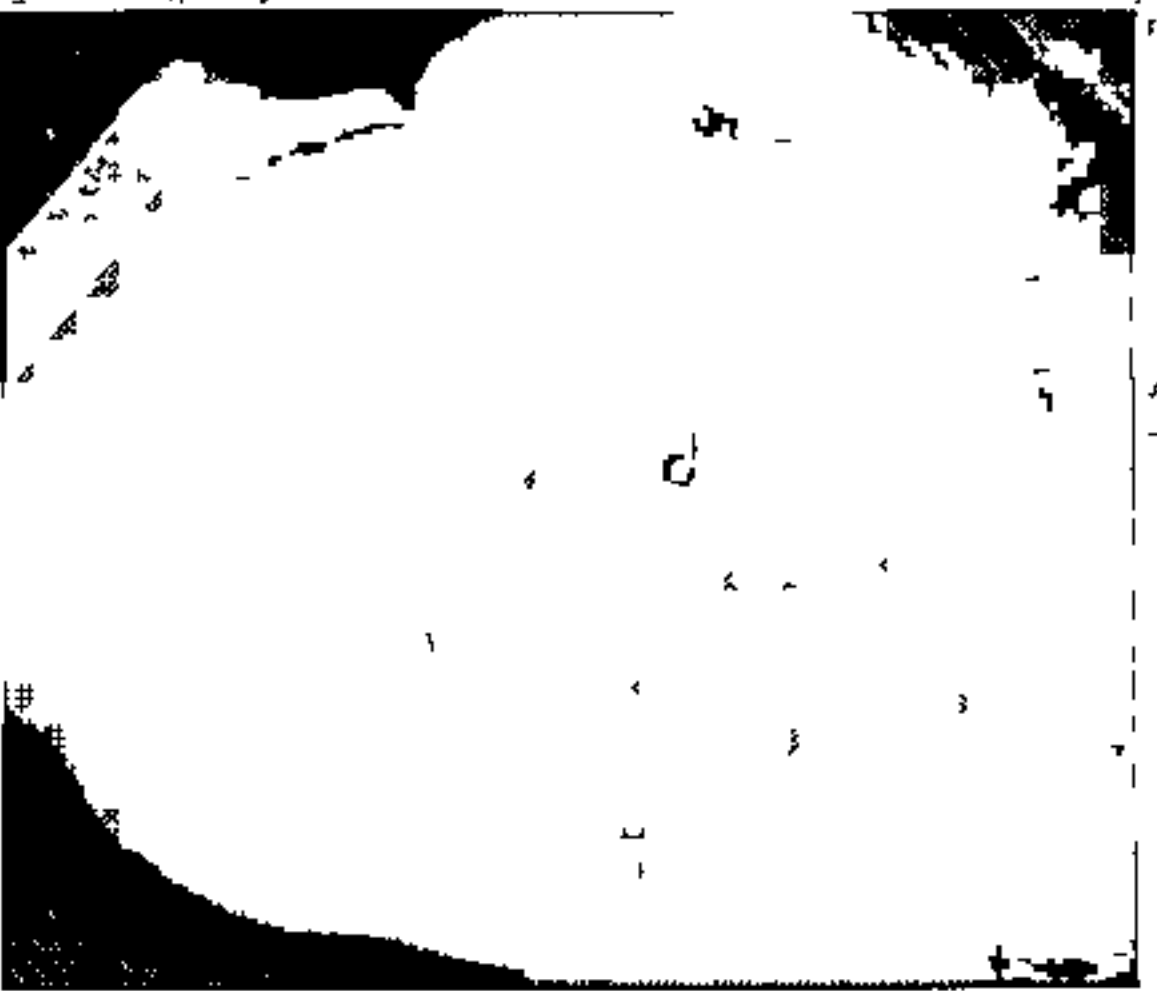
Party politics disrupt council — Keegan

(263) CT 6/11/95

MELANIE GOSLING

SOUTH AFRICA's success as a nation will stand or fall in the cities and people should take the government of urban areas far more seriously, says veteran city councillor Mr Clive Keegan.

Mr Keegan said this was one of the reasons why he had decided to form an apolitical alliance — the Cape Town 2000 Alliance — to fight the city's first all-race



ALLIANCE: Mr Clive Keegan has formed an apolitical alliance

municipal elections next year.

"I'm not alone in being bitterly disappointed this past year by the disruptive effects of party politics on city government. It is my belief there are many people in Cape Town who resent the interference of party politics in the city council.

"Ideological posturing has frustrated local government and it was against this background that I decided to launch a group

which would concentrate on urban issues," Mr Keegan said.

He declined to say who the members of the new alliance were, but said it would be as representative as possible.

He had been discussing the alliance with 10 people including existing councillors, members of the business community and community leaders, all of whom were likely to become members.

He said the alliance, which

will be launched later this month, had prepared an agenda for Cape Town which dealt with finance, economic development, the environment, crime, labour relations and the Olympic bid.

● Councillor Mr Arthur Wernburg would neither confirm nor deny reports yesterday that he was considering launching an independent Cape-based party in the coming battle for control of the metropole.

Marais rejects claims he 'shot himself in the foot'

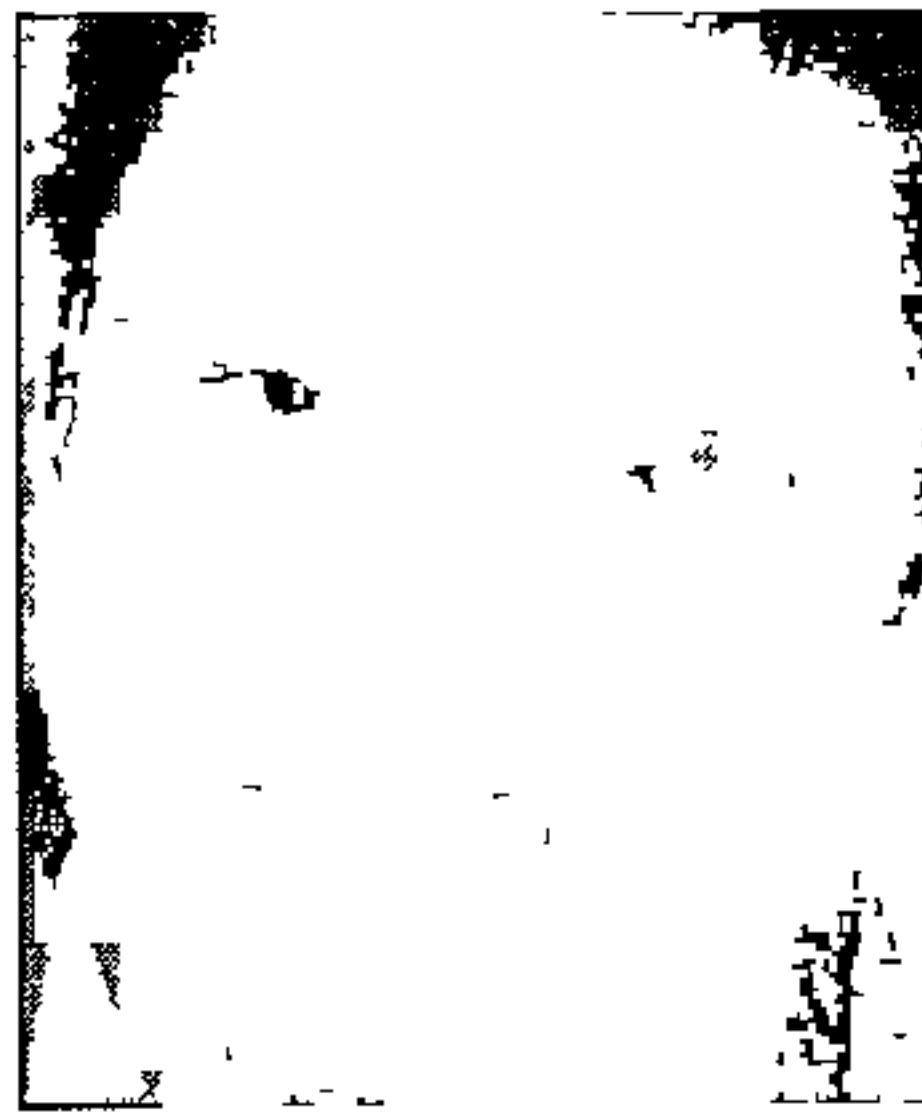
CHRIS BATEMAN

CLAIMS by the ANC that his attempts to postpone the Cape metropolitan elections to May 22 next year had contributed to their country town poll successes last week were rejected by Local Government Minister, Mr Peter Marais, at the weekend.

National ANC MP Mr Willie Hofmeyr claimed Mr Marais had "shot himself in the foot" by trying to delay metropolitan elections — because the ANC'S country town successes would have a "huge impact" on the outcome of the metropolitan and rural farm elections next year.

Both he and regional Health Minister Mr Ebrahim Rasool said the results would weaken the positions of many of the key Western Cape NP members, especially Mr Marais.

"Marais' bitter recriminations signify that if anyone has personally lost, it is him, and it's a bitter pill to swallow," Mr Rasool said.



POSTPONEMENT: Mr Peter Marais has rejected claims that his position has been weakened.

Mr Marais said that, unlike Mr Hofmeyr, he did not need "letters to editors" to prove his existence or relevance to local politics.

"And I want to remind Mr Rasool that I held his portfolio before he came onto the scene (Health and Hospitals 1991-1993) — the plans he's now trying to implement were devised by me

(263) ET 6/11/95
and are the fruits of my hard work with my chief director, Dr Alan MacMahon," he said.

Personal attacks on him by the ANC were an admission that he was their chief opponent "whom they dare not ignore".

The ANC should "rather concentrate on whether they can deliver in areas where they've won majorities," Mr Marais added.

Contrary to Gauteng where eight court cases were pending post elections, the Western Cape elections had been trouble free.

To achieve a "similar success story" in May next year in a Cape Metropole which had four times as many voters, he needed at least until May 22 to prepare, he said.

If Constitutional Development Minister Mr Roelf Meyer was unhappy with this, he had let the media know but not himself, Mr Marais said.

Mr Meyer can appoint an administrator in Mr Marais' place if Cape metropolitan elections do not take place by March 31.

NP loses Western Cape councils

Edward West

BD 6/11/95 (263)

CAPE TOWN — The ANC took control of most of the major towns and a great number of smaller councils in the Western Cape, but the NP retained its command over the overall number of votes in the province.

When the final result was added to that of the entire province at the Cape provincial buildings on Friday afternoon, it was clearly evident there had been a huge swing from the NP to the ANC compared with the 1994 election.

The NP had won 44% of the votes in the province while the ANC had won 36%, indicating a narrowing of the gap between the two parties since the last election when the NP secured 54% of the province's votes to the ANC's 33%.

The ANC had won 306 cumulative ward and proportional vote seats in the province compared with 292 for the NP, the PAC's four, six for the DP, six for the CP, three for the Freedom

Front, 97 for ratepayers' associations and 164 independent seats.

Western Cape local government minister Peter Marais has rejected claims by the ANC that the NP had lost support. He said the NP was instead surprised by the support it had received in towns, as the party's traditional support base in the province was from rural areas which are expected to hold elections with the Cape metropolitan area on April 22 next year.

Both parties have claimed support from significant numbers of the civic and ratepayers' organisations that took part in the election. The NP said it had taken part in the elections in 23 of the 95 towns because of agreements with these organisations.

Marais said these organisations would probably have to "fly their flags" when a new mayor was appointed in each town. A greater measure of NP support in towns could be assessed with mayors' appointments, he said.

Political parties are out to benefit themselves, not the local community

	BELHAR	BELVILLE	KHAYELITSHA
Local political parties	32.1%	10.3%	7.2%
Local government	19.7%	34.8%	10.0%
Local business	29.5%	21.3%	43.6%
Local community	17.3%	31.0%	27.2%
Local services	1.3%	2.6%	12.0%

Who should have more power?

	BELHAR	KHAYELITSHA
Local political parties	60.7%	65.8%
Local government	55.3%	55.1%
Local business	38.1%	77.4%
Local community	18.3%	55.4%



Poll reveals mistrust of party politicians

BARRY STREEK
(263) CT 711195

COLOURED voters in the Cape Town area had strong feelings against party political involvement on a local level, Professor Willem van Vuuren of the University of the Western Cape said yesterday.

A recent UWC survey of voters in Belhar had found that over 50% believed political parties were fighting local government elections to benefit themselves rather than the community. Almost a quarter said representatives in local government should not belong to a political party.

In Khayelitsha, however, only 17,2% thought parties were in it for themselves and 29,2% thought local government representatives should not belong to a party.

Prof Van Vuuren said the difference "lies in with different patterns among black and coloured voters regarding attitudes towards

the empowerment of political parties and the three levels of government".

A total of 60,7% of Belhar residents, compared to 65,8% of Khayelitsha residents, felt local government officials should have more power and influence. In Belhar 18,3% said politicians should have more power and influence, against 55,4% in Khayelitsha.

Only 38,1% of Belhar residents felt the central government should have more power and influence, against 77,4% of Khayelitsha residents.

Prof Van Vuuren said this correlated with Idasa findings that 60,9% of blacks, compared to only 13,2% of coloureds, regarded political meetings as a trustworthy source of political information.

"These results suggest favourable prospects for non-partisan/independent candidates in local government elections."

215 DAYS AFTER COURT RULING

Local elections in late 1996 — proposal

THE TIME-FRAME suggested by the town clerk yesterday puts the Metropole local elections date in the second half of next year. **CHRIS BATEMAN** reports. *CT 8/11/95*

LESSONS learnt from monitoring last week's local election in Gauteng convinced him that the Cape Metropole and rural districts needed at least 215 days from the time the Special Electoral Court makes a ruling on the Western Cape demarcation impasse, town clerk Mr Keith Nicol said yesterday.

If agreed to by the government, Mr Nicol's time frame effectively places outstanding Western Cape elections in the second half of next year, because the Special Electoral Court has yet to be reconvened.

Mr Nicol appealed to Constitutional Development Minister Mr Roelf Meyer not to use his power to appoint administrators onto transitional councils if the voting deadline of March 31 was not met.

"I would ask him to leave transitional councils in place until elec-

tions," Mr Nicol said.

Mr Nicol's preparation time-frame stretches local elections way beyond Local Government Minister Mr Peter Marais' proposed date of May 22 next year.

"The March 31 date is no longer practical if we want to follow legislative time frames and do justice to elections," Mr Nicol said.

Mr Meyer's spokesman Mr Izak Retief said yesterday the Special Electoral Court had "not been finalised", and its chairman, Mr Justice Smalberger, was "trying to speed up the process, but the judge has quite a hectic work load".

The court fell apart when two of its five judges were appointed to the Constitutional Court. Three of the judges are nominated by the Judge President and two by President Nelson Mandela.

Mr Nicol said the major lesson

he learnt in Gauteng was how critical accurate voters rolls are.

Another cause of problems was insufficient time and attention given to the training of polling officials — "bearing in mind that voters arrive in hordes and many were not on the list".

Some officials also did not know how to use infra-red hand-scanning devices, he said.

● **DALE GRANGER** reports that the number of registered voters in some areas of the Metropole will drop by as much as 40% due to duplication of voters, some of whom were registered up to 15 times, a Transitional Affairs Committee meeting of the City Council was told yesterday.

Voters roll co-ordinator Mr Brent Gerber said some of the duplication arose when people owned property in more than one area. Also, some married couples were registered under the same ID number. There were cases of three different people being registered under the same ID, he said.

(263)

Rasool hits at Marais' health claim

(263) CT8/11/95
CHRIS BATEMAN

CLAIMS by Local Government Minister Mr Peter Marais that local health plans were the fruits of his labours as former health minister were described by the present incumbent Mr Ebrahim Rasool yesterday as "spurious attempts to cover his failure to deliver the coloured vote for the NP".

The verbal war between Mr Marais and ANC opponents has escalated since elections results, with Health and Social Services Minister Mr Ebrahim Rasool saying Mr Marais had neither the political will nor the financial creativity to turn around a R400 million health deficit.

"Marais never addressed the issue that 60% of his budget was being used in three big hospitals to the detriment of rural and squatter communities — and during his years (1991-1993) the Western Cape was reputedly the TB capital of the world," Mr Rasool said.

Deficit cut

In the 18 months since taking over from Mr Marais, he had cut the regional deficit to a "respectable R150m" by shifting patient load away from big hospitals and creating savings to enable the building of 20 new clinics.

"Mr Marais' essential weakness is that he didn't have the political will to change health, nor did he understand that you needed a financing plan," Mr Rasool said.

In his three year tenure with an "unlimited budget" Mr Marais had "not even got out of the starting blocks", whereas his own administration had fundamentally altered the face of provincial health with a shrinking budget, Mr Rasool said.

'Resign' call to councillor

Municipal Reporter (263) ARG 8/11/95

THE African Christian Democratic Party is demanding the resignation of David Statham, an executive committee member of the Cape Town City Council, who has joined the National Party.

Mr Statham's decision recently led the city council to vote in favour of a demand that he should resign from the executive committee because his change of party had affected the balance of the committee.

In a press statement, the ACDP said it had asked Mr Statham to withdraw from all positions attained as an ACDP councillor.

● Mr Statham said in an interview shortly after the city council debate that he felt he was not under any moral obligation to resign and would remain in his seat as co-chairman of the emergency and protective services committee.

Meyer not opposed to poll date

CHRIS BATESMAN

THE PEOPLES PARTY has little to fear from a constitutional amendment that would set the date for the election of Mayor Joseph R. Grady to the office of mayor in the city of Philadelphia. The party's platform states that it is not opposed to the amendment.

The party's platform states that it is not opposed to the amendment. The party's platform states that it is not opposed to the amendment. The party's platform states that it is not opposed to the amendment.

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(263) ET 9/11/95

Errol Tobias sets new goals as mayor of Caledon

Municipal Staff

FORMER Springbok rugby player Errol Tobias, who was last night elected mayor of Caledon, says he still knows where the tryline is — and will now be crossing it for the community

Mr Tobias was elected to the council in last week's community elections on the ticket of the Caledon Community Association (Calca). After some behind-the-scenes negotiations, Calca formed a coalition with the African National Congress and elected him mayor.

David Abrahams of the ANC was elected his deputy.

Mr Tobias said one of his first tasks would be to unify the council and the town so the divisions and separation of the apartheid past would not influ-

ence the work they intended doing

"There is a lot of work to be done among the disadvantaged sectors and especially in the small squatter camp. But our programmes will be an extension of the government's reconstruction and development programme, and we will hopefully be able to get funds from them to build houses for the squatters and the homeless.

"At the same time I will ensure that there is a balance in our approach so that the white townfolk do not feel left out, but that they are part of the development and growth of the town."

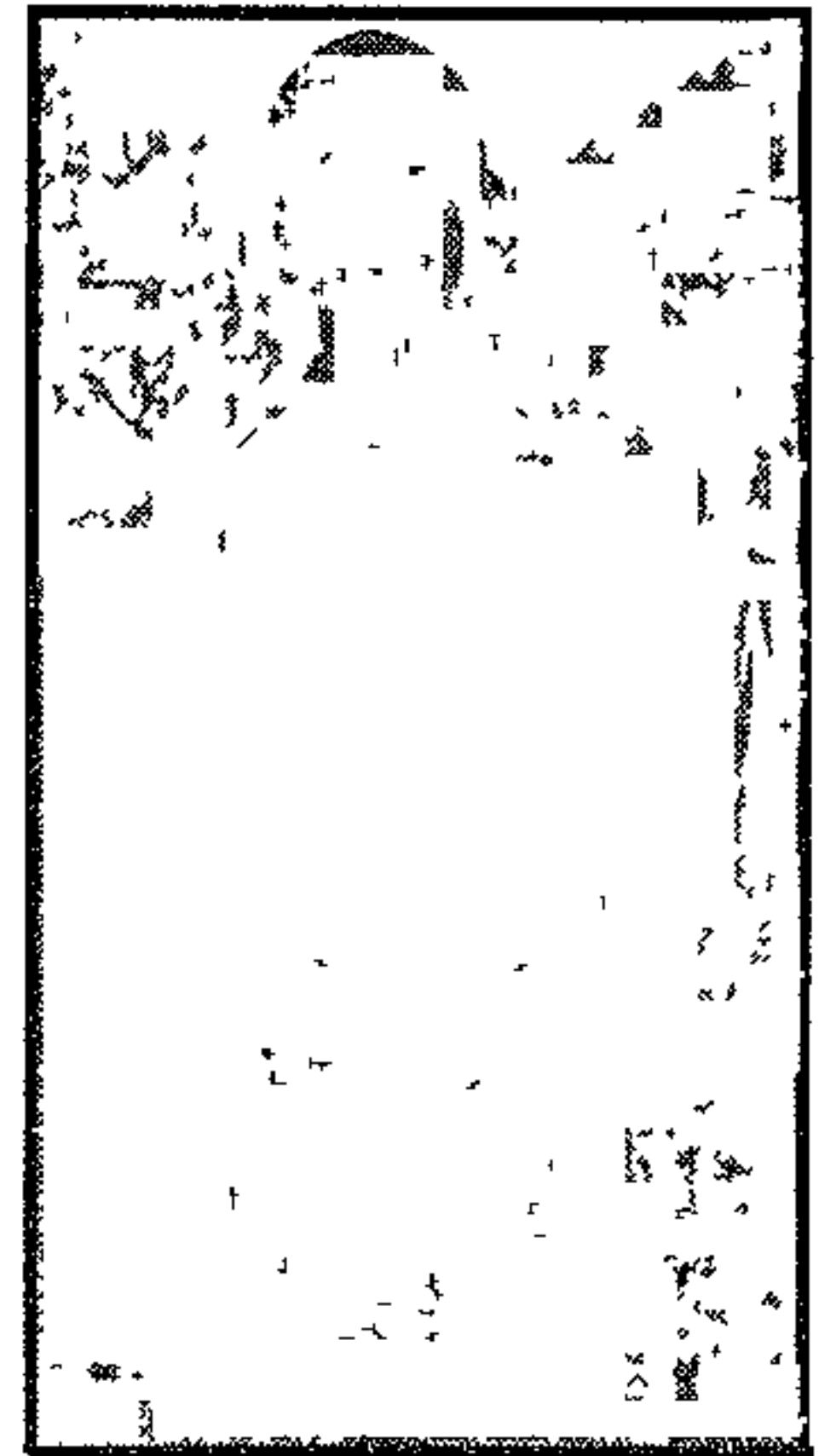
He said he was full of confidence for the future of Caledon and that he was honoured to lead such a wonderful commu-

nity — where people still had a high regard and respect for religion, people and their property.

"One of the most sensitive issues in the town, like in most other municipalities, is the question of arrears. Fortunately our problem is not as big as most other towns, the amount owed being around R12 000."

Mr Tobias said while he welcomed the chance to do something for the community, he was slightly saddened by the fact that he would not have enough time to spend coaching the area's schoolboys in his favourite sport.

"I will have to see if I can squeeze some training in — but my focus will now be to score tries for the whole community."



Errol Tobias

How the west was (almost) won

(263) M+G 10-16/11/95
Gaye Davis

AFRICAN National Congress morale soared this week as an analysis of Western Cape local government election results showed more coloured people voted ANC than for the National Party, in a startling turnabout on voting patterns during last year's general election.

The overall result for the region — with the NP at 45 percent and the ANC at 36 percent — indicated ANC inroads into NP support among coloured people. But the detailed analysis shows a major swing which took even the ANC by surprise.

"We're stunned," said ANC MP Willie Hofmeyr. "We won three times as many wards as the NP in the coloured community — a landslide victory in any terms."

Using detailed figures provided by the Local Government Elections Task Group, the ANC tallied the actual votes it won on second ballots cast in 260 Western Cape wards where coloured people made up 90 percent or more of voters. These were the proportional representation ballots, where people voted for a party rather than a candidate, and could thus be some measure of party loyalty.

The analysis shows that overall, the ANC won 44,3 percent (68 853) of 155 568 votes, while the NP won 37,3 percent (58 481 votes). This, said Hofmeyr, was a "huge swing" from last year's election, where the ANC won less than 30 percent of coloured votes overall and as little as 20 percent in rural areas.

The shift was even more marked when it came to the number of coloured wards won by the ANC, Hofmeyr said. "The ANC won 137, or 52,7 percent, of the 260 wards. This does not take into account independents who do or may support the ANC. The NP won only 45 wards (17,3 percent)."

Considering that in last year's general election the ANC failed to gain a majority at any Western Cape polling station except one, in the tiny town of Saron, the shift is remarkable.

The Western Cape ANC went into the local elections shadowed by its dismal

showing against the NP last year and bruised by major internal tensions.

Attitudes regarding the value of coloured voters had to change. "List conferences came up with names of people from African communities in the top positions. We revised them to achieve balance and there was genuine political acceptance of the need to do this. This was a coming of age for the ANC in the Western Cape and was a significant organisational and political shift. Many people voted against the ANC in 1994 because they couldn't accept an organisation with strong African leadership."

Rural ANC structures were revived and 10 regional offices — the bulk in rural areas — were set up, liaising closely with MPs and MPLs working in 32 constituency offices.

Pamphlets and posters were overwhelmingly in Afrikaans and Xhosa, focusing on land claims ("the ANC started the process"), scrapping arrears incurred up to February last year, and affirmative action (making the point that none of the NP MECs, unlike their ANC counterparts, had appointed coloured people to top posts in their departments).

Perceptions that the NP was still a white party — especially in rural areas, where racial oppression is more acutely felt — also helped, said ANC Western Cape secretary general James Ngculu. Relatively small numbers of African people meant the NP's "swartgevaar" tactics could not work, said Hofmeyr. "A key factor was Mandela's inclusive, unity-seeking style of leadership, as opposed to the NP's appeal to ethnic sentiment. And people's fears of losing houses and jobs to black people had been proved unfounded."

But the major challenge — elections in the Cape metro, where 1,5-million voters are registered, and the farming areas, with about 150 000 voters — lies ahead. "After the last elections, morale plummeted. There were tensions which led to squabbles," said Ngculu. "These results have helped people regain self respect and confidence. It bodes well for the campaigns that lie ahead."

Caledon's mayor Errol Tobias aims to use rugby to forge racial unity

Star 10/11/95 (263)
Cape Town - South Africa's first black Springbok rugby player Errol Tobias has been elected as the first black mayor of the traditionally white town of Caledon in the Western Cape.

Tobias, who played flyhalf for the Springboks in six international Test games from 1981 to 1984, has exchanged his rugby boots for the mayoral chain and says his main goal now is to unify the town which has been divided by apartheid.

"Our motto is one town, one community," he said yesterday.

He said while joint community projects such as clearing the town's rubbish would bring people togeth-

er, rugby was the real bridge builder.

"I can use my knowledge of rugby to train and play with boys from different racial groups. If they all play together they can improve relations, and those same boys will some day lead the town," he said.

Tobias was elected on to the town council in last week's municipal polls as a member of the Caledon Community Association, which was formed two years ago.

After the elections the organisation, which won five of the 13 seats, formed a coalition with the African National Congress, which has two seats, and elected Tobias as mayor. - Reuters.



One town, one community ... Tobias' mayoral motto.

Big rivals form new parties for elections



Picture HANNES THIART, Staff Photographer.
 AIMING HIGH: Clive Keegan hopes to win his own power base on the council.

NEXT year's Cape metro elections will be High Noon for bitter city council rivals Clive Keegan and Arthur Wienburg who are launching their own groupings to slug it out at the hustings

But experts do not expect either to do well outside their own wards in the elections which have been delayed by the wrangle over municipal boundaries.

Instead, the mainstream political parties such as the African National Congress, National Party and Democratic Party are expected to dominate the contest for the proportional vote.

The home-grown parties of Mr Keegan and Mr Wienburg will only win in their own wards, predicts University of Cape Town political scientist David Welsh

The bitter rivalry between Mr Keegan and Mr Wienburg in the Cape Town City Council has become legendary.

Now both intend to expand their fiery council chamber confrontations into the streets to battle each other for votes next year.

Mr Keegan threw down the gauntlet first when he announced recently that he was resigning from the ANC to fight the election as part of a new grouping "with an agenda to take us into the next century."

No sooner had Mr Keegan made his announcement than word began to spread that Mr Wienburg was planning to create his own party to fight the elections.

Mr Wienburg, a former leader of the DP in the council, is still a party member but is unlikely to be so for long. He is expected to announce the formation of a Western Cape party

■ New groupings founded by strong civic personalities will contest next year's Cape metro elections — but analysts expect them to win little more than their own wards. **DAVID BREIER** of the Weekend Argus Political Staff reports.

ARG 11/11/95

(263)

shortly, although he is not prepared to comment on it at this stage

However it is understood Mr Wienburg, who has long championed ratepayers' interests, expects to pick up a large number of votes from people disgruntled at party political interference in the council

Both Mr Keegan and Mr Wienburg appear to be encouraged by the relatively strong performance of independents in the rest of the province and the country in the local elections earlier this month

However both the NP and ANC claim that many of these "independents" are in fact affiliated to them

The complex municipal voting system makes it vital for Mr Keegan and Mr Wienburg to set up their own parties in the hope of achieving a local power base.

This is because every voter in the metro area will have three votes — one vote for their ward councillor, one vote for a party in their local sub-structure, and one vote for a party at metro level

Both these party votes will count proportionally. So if Mr Keegan and Mr Wienburg want a share of the proportional vote, they have to

start their own parties to appear on the ballot papers

Professor Welsh believes that both Mr Wienburg and Mr Keegan have given excellent service to their wards. But he gives them little chance of matching the established parties in the proportional vote

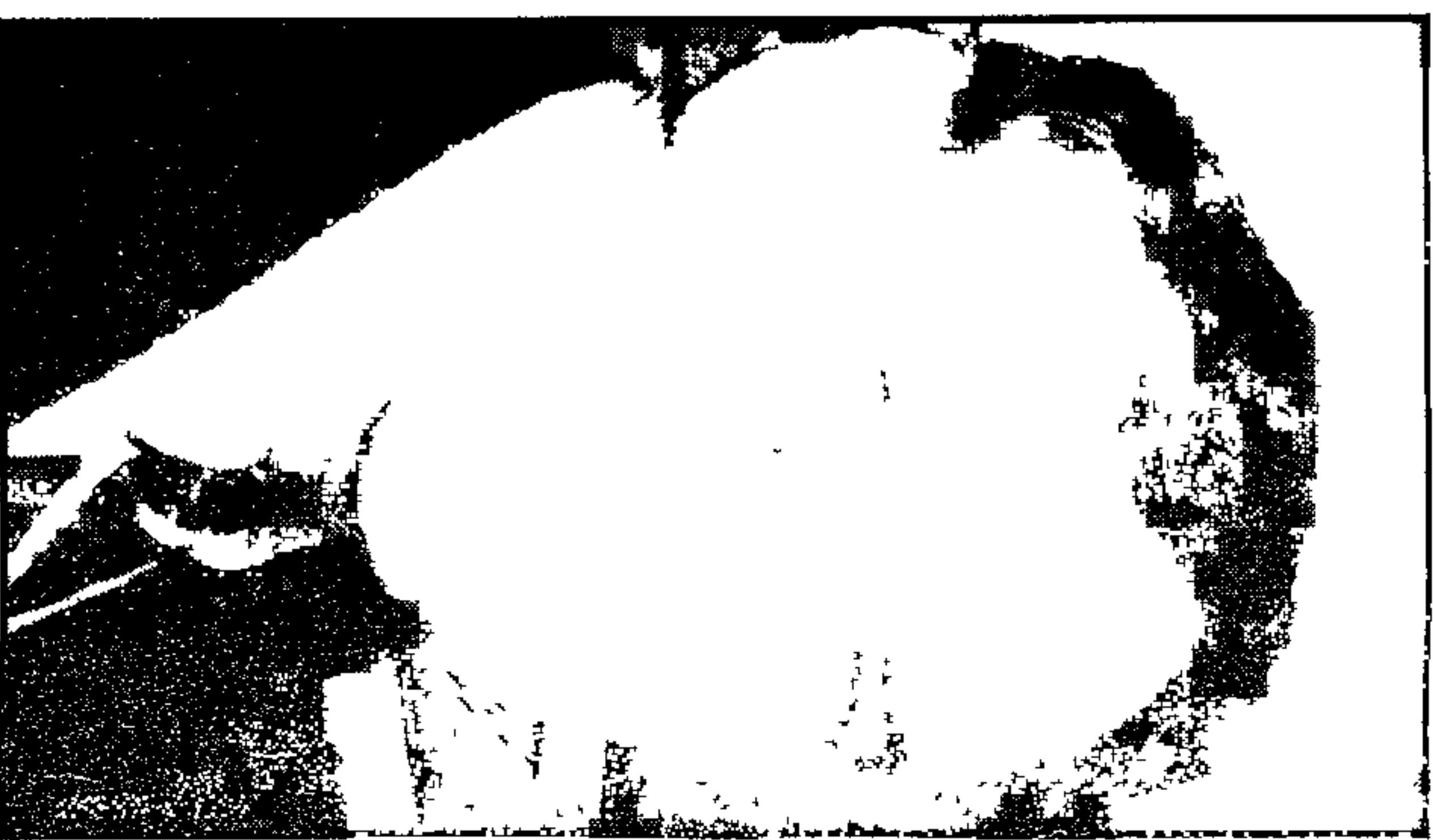
Professor Welsh said he would vote for Mr Wienburg in Rondebosch due to his excellent record of service in the ward

"Both councillors have looked after their wards and they have both got quite a large personal following. It is not impossible for them to win their wards," he said

But Professor Welsh predicted the Wienburg and Keegan parties would be "wiped out" at proportional level "It is impossible to establish a viable party organisation from scratch where you've got big party machines to fight against," Professor Welsh said

However one factor in their favour was the "quaint old tradition" in Cape Town that political parties should not feature in local government elections

But in reality, even when this tradition was still alive, councillors' true political affiliations, although masked, were well known and people voted accordingly, Professor Welsh said.



Picture LEON MÜLLER, Staff Photographer.
 OWN PARTY: Arthur Wienburg is expected to launch a new party soon.

Caledon passes ball to Tobias

And the captain calls for council to work like a rugby team

By HERMAN WASSERMAN

FOR FORMER Springbok rugby flyhalf Errol Tobias, his new job as mayor of the Overberg town of Caledon involves the same kind of challenge that he faced when still a rugby player — that of encouraging different people to work together as a team towards one goal.

The 45-year old builder, who became famous 15 years ago as the first black Springbok rugby player, was elected mayor this week, after the Caledon Community Association (Calca), for which he was a candidate, won four of the town's eight contested wards.

He is the first black mayor of the town.

He said he would approach his new position in much the same way as he did when still a rugby player — employing team work to face up to the challenges at hand.

Challenge

"I think it is a great challenge, and I am very motivated to start getting down to business.

"What I want to achieve is a united Caledon. To achieve that it is necessary for the town council not to be divided between white and black, but to operate as a team.

"Affirmative action is high on the agenda, but also a very controversial issue. I would like to allay white people's fears about affirmative action so that we can work together.

"My dream is to see Caledon people striving as one to create a clean, happy and safe town where everybody will feel at home, and of which every resident will be proud," he said.

"The election to me was just like playing trials for a rugby team. In the trial period we were pitted against each other, but now that we have been elected, we must work together as a team."



(263) ep 12/11/95
CAPTAIN OF CALEDON . . .
 Running a town will be like managing a rugby team for Errol Tobias, the first black Springbok rugby player who became the first black mayor of the town of Caledon.

CITY PRESS

hprints you last week's

Cape Metropole polls may be delayed to July

(263)

By NORMAN WEST
Political Reporter

ST(M) 12/11/92
THE Cape Metropole elections may be delayed until July because the Special Electoral Court can hear submissions on the metropolitan demarcation wrangle only in mid-December.

A spokesperson for the Electoral Court in Bloemfontein confirmed on Friday that mid-December was "the earliest date" that the court could hear and decide on the dispute between the ANC and the NP on Cape metropolitan boundaries.

The findings of the Electoral Court are final and binding and not subject to further appeal.

Local Government Minister Peter Marais said last week he would propose to the Minister of Constitutional Development, Roelf Meyer, that elections be held on May 22.

But he added that elections on May 22 would be possible only "if the Electoral Court gave a verdict by November 15".

This is now clearly impossible.

Mr Marais yesterday said deciding the boundary issue as late as December "would throw the whole schedule of procedures before the elections can actually take place into disarray".

Rules governing local government elections lay down a time-scale of 215 days from proclamation to polling dates.

Mr Marais said with the Christmas holidays stretching into late January "elections could now be delayed even longer than I had feared".

"A final date now depends entirely on when the court reaches a verdict."

Court is flooded with claims

Political Reporter

BY FRIDAY afternoon, dozens of dossiers containing submissions to the Special Electoral Court (SEC), tasked with deciding the final boundaries of the Cape Metropole, had arrived at the offices of the court in Bloemfontein.

The court is expected to start deliberations on the issue in mid-December.

The court's secretary said submissions had been received from most of the parties represented in the Western Cape Provincial Legislature including the NP, ANC, IFP and DP.

Submissions have also been received from the PAC, as well as from the Durbanville municipality, Milnerton municipality and the Cape Metropolitan Council. The southern Peninsula suburbs will also be represented.

Probe into councillor's role in job decision

(263) CT13/11/95

DALE GRANGER

THE Cape Town City Council is investigating allegations that a councillor influenced a Parks and Forests official to pay a community officer who was improperly appointed.

The Parks and Forests officer, who signed pay cheques for R6 500, has been suspended

According to a Green Paper before the council, councillor Mr Avril Harding, in a letter referring to a meeting of the Interim Management Team (IMT) on September 11, arranged for Mr John van der Merwe to be appointed Coniston Park development officer

The Green Paper says, however, that the meeting not properly constituted, so any decisions it took

had no legal force. Also, it had decided only that the question of Mr Van der Merwe's employment be discussed by a properly constituted meeting

Other councillors at the meeting have confirmed that no decision was taken about the appointment

"These minutes and the personal intervention of (Mr) Harding

on two occasions were used to cause a council employee to sign cheques in favour of (Mr) Van der Merwe for R6 500 drawn on the community's account," the Green Paper says

The city's deputy administrator, Mr Barnie Botha, said the council was awaiting a report from a disciplinary hearing before deciding whether to investigate further

Border ruling 'expected by Xmas'

CHRIS BATEMAN

THE Cape Metropole can expect a final decision on its election boundaries before Christmas — pushing elections back to anywhere between June 23 and early August next year, it emerged at the weekend

The secretary to the Special Electoral Court in Bloemfontein, Mrs Isabel Lindemann, said the court's

five judges had long-standing routine court commitments, but intended hearing Durban's boundary dispute later this month and Cape Town's "definitely" next month, probably "around mid-December"

Confirming that verbal evidence would be heard, she said it would take "two to three days" for the court to rule on the dispute

The protracted wrangle went to

(263)
the Electoral Court after a reconstituted provincial committee deadlocked over whether Cape Town or Tygerberg should take Khayelitsha.

Provincial Local Government Minister Mr Peter Marais has proposed a 158-day period from final demarcation to prepare for the metropolitan and rural district polls. However, city town clerk Mr Keith Nicol claims 215 days is more realistic.

CT 13/11/95

(263) Women lose
out in
ARG 11/12/95
council jobs

Municipal Reporter

THE Cape Town City Council has only two women handymen, one woman firefighter, 96 women labourers and 20 professional assistants in its employ.

It has no women drivers, foremen or gardeners.

These are some of the results of a survey of women in local government which says that, according to its affirmative action board, women are under-represented in three of seven departments in the council.

The target figure for women is 33 percent.

Departments where women are well represented are health, human resources, treasurer, and, to a lesser extent, administration, where several women hold management positions.

The council's largest department — engineer's — has a staff of 7,252 but only 373 women working for it, amounting to only three percent representation.

The other two departments low on the list are the city planner's (21 percent representation) and the city electrical engineer's (five percent representation).

Council faces 'worst financial crisis ever'

CT 1/12/95

~~1995~~

(263)

PETER DENNEHY

CAPE TOWN'S finances are in the worst shape ever, and the city faces a "financial crisis" unless the question of unpaid arrears is resolved, the City Council heard yesterday

"Unless we move this debate beyond populist sloganeering, this city will move into a financial crisis," Mr Clive Keegan said

He was speaking moments after NP councillor Mr Leon Markovitz had said the council was owed about R300 million in arrears, and was in "the worst financial circumstances ever".

Mr Kenneth Penkin said Kapa owed R27m to the council for bulk water supplies, and Lingeletu West R26,9m. The arrears from black townships were increasing at a rate of R6m a month, he said

He did not know if the council was yet in a financial crisis, but a money shortage of that magnitude was enough to burn a hole in anyone's pocket, he said

The council voted yesterday to

withhold an amount of R51m owed to the government for water to offset a debt of R55m due from the government for bulk water supplied by the council to black local authorities.

Mr Keegan said it would be irresponsible to merely transfer creditors' responsibilities from one group to another, when it knew it would be placing a crippling burden on poor ratepayers who would have to pay

Inferior

Mr Keegan, who was at Kempton Park when the black arrears write-off agreement was signed but refused to add his signature, said the agreement had related only to former black local authority arrears

In those areas, services had not been delivered, or else accounts had been sent out for "obviously inferior services"

● Residents staged a sit-in yesterday in the Beacon Valley, Mitchells Plain, housing office in a protest apparently related to the "scrap arrears" campaign.

Vote to expel 'floor-crosser' from exco

20/11/95 (263)
BY PETER DENNEHY

CAPE TOWN city councillors voted yesterday by 34 votes to 15 to oust councillor Mr David Statham from the executive committee

This was a consequence of his "crossing the floor" some weeks ago from the African Christian Democratic Party to the NP.

The decision to expel him will not be put into effect yet, because Mr Neil Ross of the DP indicated that he would move to overturn the decision at the council's next meeting on December 12.

This suspends the consequences of the vote, meaning that Mr Statham remains an exco councillor until then.

During the debate, Mr Leon Markovitz, leader of the NP caucus in the council, warned that he had taken legal advice on the matter, and threatened that he would take the council to court over it.

Mr Statham said he might go to the Constitutional Court to fight against discrimination.

'Don't rush Cape metro polls'

■ Politicians want to hold Cape Town's metro elections by June next year — but officials warn that proper organisation will take longer.

DAVID BREIER

Staff Reporter

(263)
ARG 2/12/95

THE long-delayed Cape metro elections are likely to be held by the end of June next year, municipal sources have disclosed.

But electoral officials have warned that more time is needed to organise the area into wards with proper voters' rolls

If officials have to cut corners to hold elections before they are ready, it will affect the quality of the election, assistant city administrator Ben van Rensburg told Saturday Argus

In effect, this will mean some voters queuing all day to vote in their wards and discovering to their anger that they have been registered in error in some other ward

This is what happened in Johannesburg with the November 1 elections due to insufficient preparation, Mr Van Rensburg said

He estimates it will take 215 days to demarcate wards with properly-prepared voters' rolls. This can only begin once the metropolitan sub-structures are finalised

The special electoral court sits early next week to decide whether Khayelitsha should fall within the Cape Town or Tygerberg sub-structures. Informed sources expect the court to make its ruling within days

This would mean an election early in July if officials are to be given enough time to organise

But it is understood a political decision has been taken to hold the election during the current municipal financial year, which ends on June 30. Mr Van Rensburg speculated the election would be held before that date

western Cape local government minister Peter Marais has named May 22 as the election date, but this is widely regarded as far too early to organise a proper election

Mr Van Rensburg said holding the election less than 215 days after the electoral court makes its ruling, could mean reducing the time that voters' rolls are open to public inspection

It could also mean less time to sort out ward demarcation issues. He predicted it would take some time for political parties to debate ward demarcation as they strove for ward boundaries that favoured them

Parties wanted to have wards demarcated to maximise their power base. "It is impossible to demarcate wards in such a manner as to satisfy everybody"

Mr Van Rensburg said that in Johannesburg, it emerged after two hours of debate that there would never be consensus among the politicians on ward boundaries. The parties then agreed to accept the recommendations of the officials

"We don't think we're going to have a two-hour process to sort out our ward demarcation here. It's going to be a longer process," he said.

(263)

153 000 voters to be axed from roll

ST (M) 3/12/95
BY NORMAN WEST

Political Reporter

Tens of thousands of names are to be removed from the voters' roll in the Western Cape following the uncovering of widespread irregularities in the registration process.

Western Cape Minister of Local Government Peter Marais yesterday disclosed that 153 000 "duplicate voters" would be deleted from the voters' roll in the Cape Metropolitan region before community elections take place next year.

Mr Marais said part of the reason for voter duplication was the "commercialisation" of the registration process after people were paid up to R1 for every person they registered. "It was discovered that even dead people were registered when money-grabbers copied their details from tombstones in graveyards and then claimed payment," he said.

ANC media spokesman Brent Simon said yesterday the ANC would support the deletion of duplicated registrations — but at the same time this would open a new area of potential conflict in the bitter row that has delayed elections in the W Cape until next year.

The ANC, he said, would demand that voter registration rolls for the region be re-opened in the interests of people "who have not had a fair chance so far."

Mr Simon said the ANC would do "everything in our power to ensure that the voters' roll is re-opened to allow people who have not registered an opportunity to vote".

A legal source said people not yet registered had the constitutional right to inspect the rolls after a new electoral time-scale was announced.

"If their names are not on the list, they will be legally entitled to register on a supplementary roll."

Mr Ashiek Manie, chairman of the Local Government Joint Management Board responsible for registrations, said the computer system used to verify voters had been designed to pick up duplications.

They had already started the clean-up process through the computers, he added.

● The Special Electoral Court will sit tomorrow and Tuesday at the Supreme Court in Cape Town to hear submissions on the boundary dispute in the metropole.

Protest over NP plan for Khayelitsha

Staff Reporter (263) ARG 4/12/95

A PLACARD protest against the National Party's plan to include Khayelitsha in the Cape Town sub-structure of local government was to be held outside the Cape Supreme Court at Keerom Street early today.

The demonstration was planned to coincide with a sitting of the Electoral Court which is hearing evidence on the dispute between the Western Cape's Minister for Local Government Peter Marais of the National Party and the Demarcation Board, which has proposed Khayelitsha be included in the Bellville sub-structure.

The organisers of the demonstration are demanding a united, non-racial and viable metropolitan government.

Spokesman Guzlar Khan said their campaign had the support of "the vast majority of organisations and communities in Greater Cape Town".

"We now must go the final mile," he said.

Court hears boundary dispute (263)

ANDREA WEISS, Municipal Reporter

A SPECIAL electoral court of five judges began hearing evidence in the Supreme Court building today about the dispute over local government boundaries in metropolitan Cape Town which delayed local elections.

The dispute has pitted Western Cape Local Government minister Peter Marais and the National Party against the Demarcation Board, African National Congress and most municipalities in the metropolitan area, and earlier this year went to the Constitutional Court

Four legal teams representing Mr Marais, the southern substructure, Cape Town City Council and the Cape metropolitan council were due to put their positions to the court, sitting today and tomorrow

First to make a submission was J van der Bergh, SC, for Mr Marais who argued that the proposed eastern sub-structure, which forms part of the demarcation board's six municipal models, was not fi-

nancially viable and would therefore have to be merged with Tygerberg

Mr Van der Bergh said the minister's proposal — for the metropolitan area to be divided into four municipalities with Khayelitsha linked to Cape Town central — was supported by "simple logic"

His main objection to the southern municipality being hived off on its own was that the population mix was not balanced enough and the Table Mountain chain would be split between two local authorities. *ARG 4/12/95*

But Mr Marais's submission was slated by Jeremy Gauntlett SC as "scrappy, perfunctory and lacking integrity"

Mr Gauntlett was appearing for municipalities in the southern Peninsula which are hoping to be amalgamated into a new southern sub-structure

G van Schalkwyk, SC, appearing for the Cape Town City Council, argued there was nothing before the court which would justify the incorporation of Khayelitsha into the central sub-structure

● Picture, page 5.

Special Electoral Court hearing on poll wrangle

CHRIS BATEMAN

CT 4/12/95

THE wrangle over the division of the Cape Metropole for next year's elections is set to climax in the Cape Supreme Court this week.

This morning's argument begins before the Special Electoral Court by counsel for organisations ranging from the ANC and NP to the Cape Town City Council, the Cape Metropolitan Council, the southern suburbs sub-structure and the DP.

A placard demonstration claiming to represent the broad sweep of opposition to Local Government Minister Mr Peter Marais' demarcation proposals is scheduled to take place outside the Supreme Court.

The court will decide whether to accept or reject Mr Marais' proposal to include Guguletu, Nyanga and Crossroads with Tygerberg, and Khayelitsha, Langa and the southern suburbs with Cape Town in one massive sub-structure.

Khayelitsha lies at the heart of the bat-

tle which saw President Nelson Mandela intervening and the NP responding with a partly successful Constitutional Court challenge.

This constitutional challenge forced an unscheduled reconvention of parliament and changes to the Transitional Local Government Act (TLGA) to facilitate the neutral restructuring of the Western Cape provincial committee.

Final arbiter

Mr Marais had allegedly replaced two members with NP-leaning people in an "attempt" (the ANC claims) to upset the neutral political balance and favour his party's demarcation model.

The TLGA requires Mr Marais to agree with the provincial committee on demarcations.

The Special Electoral Court is now the final legal arbiter.

The court is scheduled to sit today and tomorrow.

Double

ANC, NP leaders spell out why their pa

As the festive season approaches, thoughts in many minds turn to turkey, Father Christmas and the New Year. In the Western Cape, however, the thoughts of leaders of major political parties in the Western Cape. M.

CHRIS NISSEN, African National Congress leader in the Western Cape:

The President will be elated if we win because the Western Cape is perceived as the last bastion of apartheid.

THE African National Congress believes the swing towards the ANC in local government elections held thus far in the Western Cape is the first sign that the National Party will not enjoy official opposition status by the time the next national elections are held in 1999.

"With the National Party becoming desperate and disillusionment rife - they're even considering a name change - I would hold out some hope were I from the Freedom Front or the Democratic Party," said ANC regional leader Chris Nissen.

"The Freedom Front has certainly taken more of an active and caring role for Afrikaners in their handling of the Magnus Malan and generals case, and other matters.

"If they, or the DP, play their cards right then one of them will manoeuvre the NP out as the official opposition in 1999," said Mr Nissen.

"The Afrikaner should give the Freedom Front a chance, just as they should give us a chance."

Mr Nissen said people who voted for the NP last April, but for the ANC last month, had seen through the NP's "swart gevaar" tactics.

"They saw that instead of being worse off under an ANC government, they are better off. They saw that the ANC government at central level is a government that can function and deliver.

"They saw that coloured people were not excluded from government, and the country, instead of collapsing into chaos, enjoyed economic growth and a decline in inflation. And none of these things is an election ploy.

"We believe there will be a similar swing in the metropole for similar reasons."

Mr Nissen said the ANC strategy to win the metropolitan election next year would be similar to those used thus far in the province.

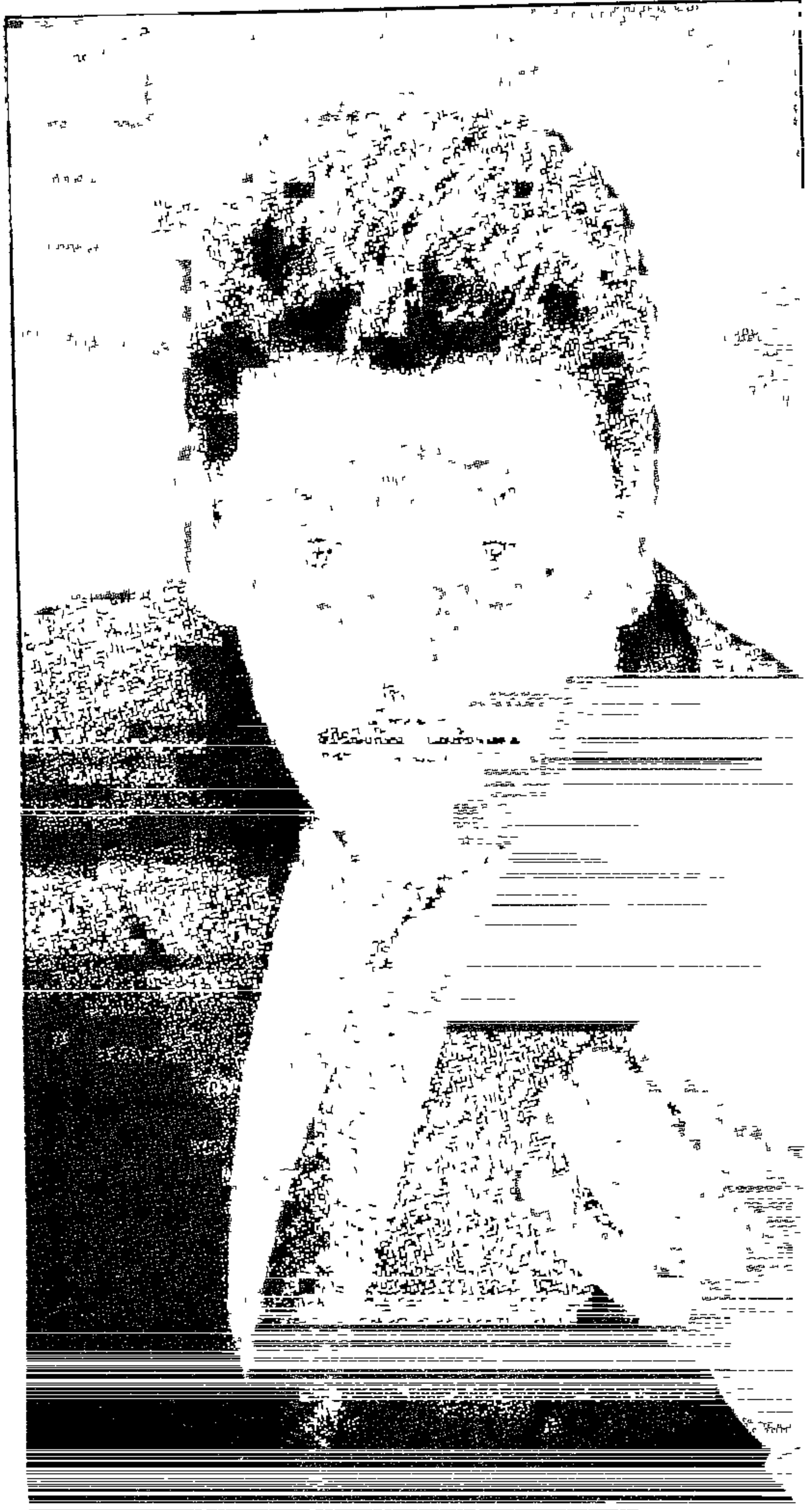
"Our strategy was very personal, very localised and focused largely on grassroots issues.

"We were able to present candidates with a history of working for the communities they lived in, people who worked for civic organisations or at advice offices.

"This will be carried through to the metropole. The issues will be real and localised.

"We'd rather risk losing the metropole with the truth, than win with a pack of lies. We want people to vote for us because we can make a difference. People must vote for progress, and for change," he said.

Support for the NP was undoubtedly dwindling, he said, largely for three reasons.



The NP projected themselves as championing white interests, yet they were perceived as not standing up to the ANC with any real vigour.

Support for the NP in the business community was dwindling because business people were feeling increasingly comfortable under the ANC government and fears of nationalism had come to nothing.

Another telling factor was the huge contribution of President Mandela to reconciliation and nation-building.

"But we also believe that the ANC has been a stabilising factor in the Western Cape," said Mr Nissen.

"The Western Cape has been very stable. You haven't seen the ANC leadership demonstrating unwillingness to work with the NP.

"Basically, our only disagreement has been over the demarcation proposals."

He said the ANC planned to ramp up pre-election activities soon in the new year.

The local party faithfuls will be joined by such luminaries as Gauteng Premier Tokyo Sexwale as the ANC launched an all-out assault on the metropole.

"We are already busy holding meetings with councillors who are going out into the wards. We are already strengthening our campaigning work.

"We have emerged from the quagmire of despondency following our defeat last April.

"I am confident of an overall victory, then we can concentrate on provincial level," said Mr Nissen.

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Party will win the Western Cape election

Christmas and Tweede Nuwejaar. But the silly season will bring scant respite for the Metropolitan elections beckon. ROGER FRIEDMAN reports.

(263) ARG 5/12/95

DAWIE DE VILLIERS, National Party leader in the Western Cape:

If they (the ANC) look over their shoulder we are the one party, though I accept quite a distance behind, with the potential to catch them up.

THE National Party believes the relatively low poll recorded in local government elections held thus far in the Western Cape is the first sign that black South Africans are starting to rethink their allegiance to the African National Congress

"It is bad for democracy if the ANC enjoys too comfortable a position, so far away from the other parties that there is no real challenge," said NP Western Cape leader Dawie de Villiers, looking ahead to the completion of local government elections some time next year

"It is characteristic of the black community at the moment that they are relatively consolidated in their voting patterns

"But the ANC is a party of parties - including Cosatu and a variety of civic organisations - they can't last as that

"Democracy will only come with maturity in our society, when that political maturity characterises the black community. There are signs that it will happen

"The low poll (in November) is the beginning. The first sign of black voters rethinking their support for the ANC," said Dr De Villiers

The November round of elections had otherwise proved very little, although parties across the political spectrum claimed to have made progress

"It is difficult to interpret the Western Cape results because the majority of people have not yet voted," he said

"But we are satisfied we have retained our position in the Western Cape and believe our strongholds will show up next year"

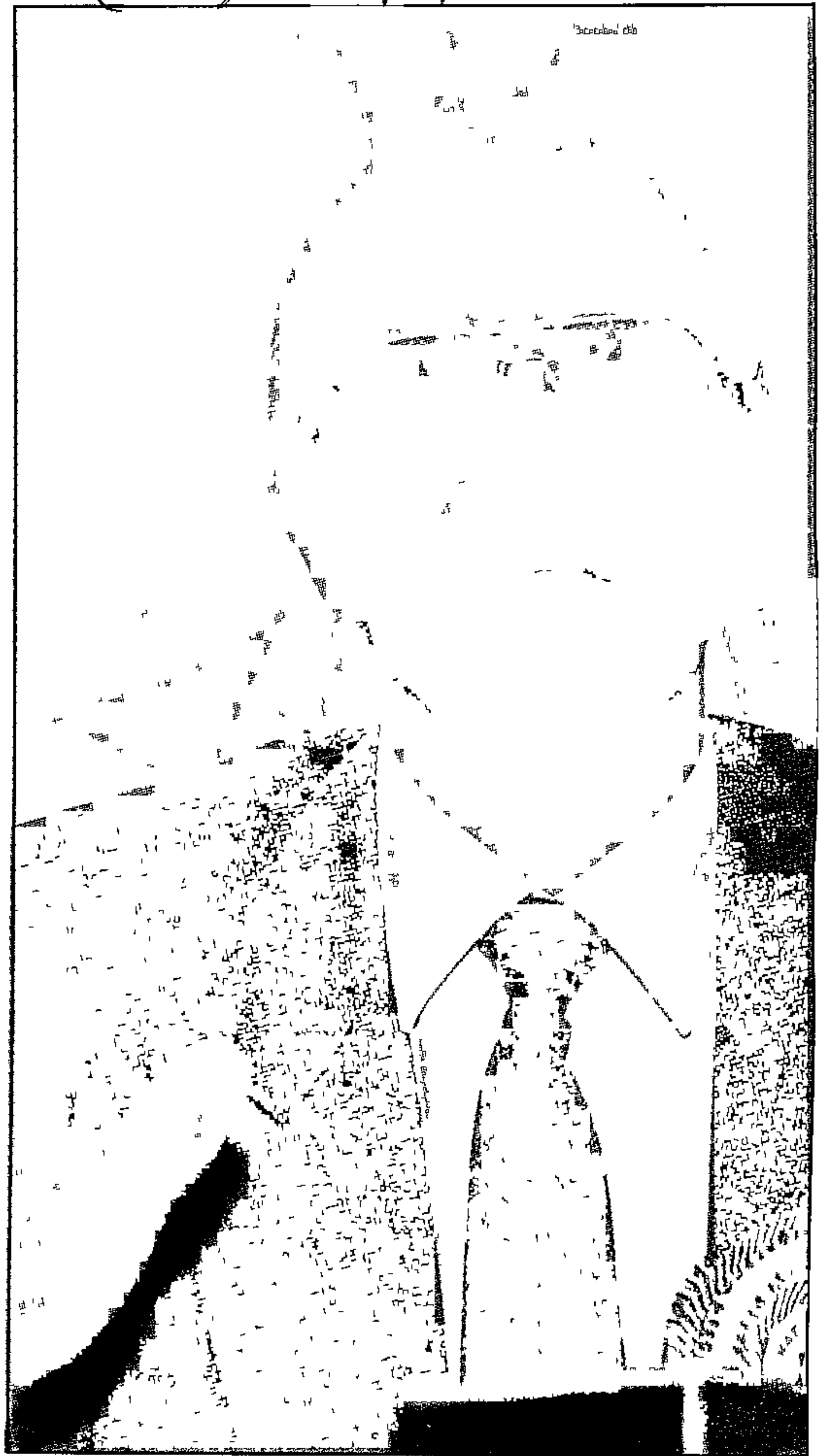
Dr De Villiers said the challenge facing the NP in next year's round of elections was to strengthen its position

"We are still the strongest party in the Western Cape and we believe the results will ratify that position"

He said ordinary card-carrying members were the heart of the NP in the Western Cape. Membership had increased by 14 percent this year, with about 50 percent of new members from the coloured community

The NP was also showing growth in the white community, with many former supporters who deserted the ship due to uncertainty over the country's transformation, now returning to the fold

Dr De Villiers questioned the seemingly close relationship that seemed to be developing between



President Nelson Mandela and Constand Viljoen of the Freedom Front

"It doesn't really surprise me, though. The ANC would like to see the small Freedom Front grow a little by taking votes away from the NP

"But I think the NP has a vision and we must try to put our position over more strongly"

The vision included an emphasis on values, morals, authority and discipline

"We believe that these things are not being pushed enough. We are for freedom, but freedom with responsibility," he said

Turning to the nitty-gritty of next year's election campaign, Dr De Villiers said the NP planned some "hard, solid organising"

"Sure, the glamour will be there and we have no doubt the ANC will throw a lot of money into it

"But we are confident that the majority of the Western Cape will continue to support the NP. I think we will have a much more motivated NP team this time

"It boils down to candidates on the streets. This is a close-to-the-people campaign"

Dr De Villiers said he disagreed with those political analysts who perceived the Cape Metropolitan demarcation boundary row to have been harmful to the NP's cause

It had done NP supporters good to see their party stand up to the ANC giant

"I believe standing up against what we regarded as interference from the top was right to show that provincial governments should not be steamrollered"

Turning to race, Dr De Villiers said criticism of the NP's transformation process was unfair

Three out of the six NP regional ministers in the Western Cape were coloured, Abe Williams was in the national cabinet, Pauline Cupido had recently been elected leader of the women's movement, and many coloured people had been elected on to the Head Council

"So in our leadership echelons coloureds are probably better represented than in any other party

"The unity in our party must now translate into change on the ground. We need to break down barriers. The NP is an agent for change"

Court rejects Marais's 'four bergs' plan

ANDREA WEISS, Municipal Reporter

KHAYELITSHA has been put into a new Tygerberg municipal area after months of controversy on its future

The special electoral court today ruled in favour of the demarcation board model for six new municipalities in the Cape Metropole. This means Khayelitsha has been included with Tygerberg and Ikapa-Crossroads is with central Cape Town

As there is no right of appeal, the decision is final

Giving judgment today Justice John Smalberger said "In our view the board's recommendations are clearly preferred."

He said submissions by local government minister Peter Marais which suggested Cape Town should be divided into four municipalities "lacked substance and supporting facts".

Immediately after the finding, supporters of the demarcation board left the court singing and dancing.

Mr Justice Smalberger said the court had been approached in its deadlock-breaking role to resolve the dispute between Mr Marais and the provincial committee

ARG 5/12/95

He said the demarcation board had held several public meetings and considered 139 written submissions. Its report was detailed, cogent and well-reasoned

In addition an evaluation commissioned by Mr Marais from Deloitte & Touche had supported the findings of the board

The judge said "no materially valid criticism can be levelled at the demarcation board's approach" He said Mr Marais had also not advanced any criteria why his report should be accepted.

He said the board's report also enjoyed considerable support from members of the provincial committee, the ANC, the DP, local councils, ratepayers and community-based interest groups

On merging the proposed eastern substructure with Tygerberg he said the board had concluded that it would have problems but these were not insurmountable

On the issue of combining Khayelitsha with Cape Town and Ikapa with Tygerberg the judge said "this ignores the historic and established service links with central Cape Town".

(263)
Meanwhile the ANC was expected to call for Mr Marais's resignation today

Asked about Mr Marais's position, ANC Western Cape leader Chris Nissen said this question would be dealt with at a press conference today

Western Cape premier Hernus Kriel and Mr Marais, in a joint statement, said "It is difficult to comprehend how the court could adjudicate such an intricate matter with such far-reaching consequences in one-and-a-half days"

While accepting the judgment, they remained convinced demarcation into six substructures would not be in the best interests of the metropole

"The inclusion of Khayelitsha into the Tygerberg substructure is not in the interests of the citizens of Khayelitsha"

They would recommend to the central government that the community elections in the metropole and the rural areas be held on May 22

Achieving this date would need the whole-hearted co-operation of all substructures and the Metropolitan Council

● Picture, page 8

Deal on ANC rent arrears

Staff Reporter

(263)

THE Western Cape region of the African National Congress and the Cape Town City Council have reached an agreement on the more than R9 000 in rental arrears owed by the ANC.

But if the ANC fails to pay up it will be evicted from the offices in Bonteheuwel.

At a recent meeting between the parties, the ANC agreed to repay the outstanding amounts it owed for the lease of an office it rented in the Bonteheuwel-town centre before last year's elections.

The meeting agreed that the

regional ANC office pay the rent for the period January 20, 1994 to April 30 and that the local Bonteheuwel branch be responsible for the rent from May 1 to the present.

The regional ANC used the office for election purposes and failed to pay the R400 a month rent, while the local branch took over the office after the elections and also did not pay the R50 a month rental due.

Yesterday the council's housing committee agreed that the local branch could re-occupy the office on condition that it entered into negotiations about a new rental lease.

Council will have role in library restructuring

~~50~~ (263) CT 5/12/95
MUNICIPAL REPORTER

CAPE TOWN'S library service will not be restructured without the input of the City Council's politicians and officials, councillors were told yesterday.

Fears were expressed recently that Cape Town municipality's library service, including staff and libraries, would fall under the provincial administration.

Many Capetonians who use city libraries feel the provincial service is not as good as their own.

After a recent scare over restructuring of the library service, a city delegation went to meet Mrs

Martha Olckers, regional Minister of Education and Culture, to tell her the council's viewpoint.

Deputy city administrator Mr Attie van der Merwe reported to the amenities committee yesterday that the delegation had been told that no restructuring would take place without local input.

"Province have not asked us for any meetings yet. We don't want to push it (the issue) before the election," he said.

He added that the grant the province gave to Cape Town for running its own library service was likely to be reduced in the forthcoming budget.

Marais: Poll date by the weekend

ANTHONY JOHNSON

CT 5/12/95

A DATE for Cape Town's local government poll should be set by the weekend, Western Cape Local Government Minister Mr Peter Marais said yesterday.

However, the Mother City could "kiss goodbye" the proposed May 22 election date unless a number of city and provincial officials were prepared to cancel their Christmas leave and start preparing for the poll, he said.

He would talk to Cape metro-pole officials "to see if they can work through December".

The Electoral Court is expected to rule on the Cape Town metro-pole boundary dispute this week, allowing for detailed planning to begin for the election.

Telescope

The minister noted that regulations stipulated that 212 days were necessary to prepare for the election once the boundaries were decided, but it was possible to telescope the procedure to 150 days.

Differences still remain between the parties on whether the election should be held over one or two days; whether polling day should be a public holiday and on whether a general re-opening of voter registration was advisable.

All parties on the Western Cape multi-party liaison committee yesterday declared that last month's elections in 95 towns in the province were free and fair.

PROPOSALS 'ABSURD', ELECTORAL COURT TOLD

Boundaries ruling today

THE POINT OF THE new civic boundaries was to make the richer poorer, Judge Mohamed Navsa of the Special Electoral Court said yesterday. **CHRIS BATEMAN** reports.

JUDGMENT by the Special Electoral Court in the finale of the bitter Cape metropolitan demarcation battle — which will fundamentally alter the civic face of the Peninsula — is due today

Regional Minister of Local Government Mr Peter Marais' proposals to create a civic "colossus" of 1,8 million people by including Khayelitsha and the southern suburbs with Cape Town were "disreputable, absurd and lacking integrity or persuasive power", the court was told yesterday

This was said by Mr Jeremy

Gauntlett, SC, for the southern sub-structure, who was broadly supported in rejecting Mr Marais proposals by advocates for Cape Town, the ANC and the Cape Metropolitan Council. Argument was heard by judges Mr Vusi Tshabalala, Mr Piet van der Walt, Mr John Smalberger (chairman), Mr Edwin King and Mr Mohamed Navsa

Among Mr Marais' arguments, put by Mr J van der Berg, SC, were that the southern sub-structure's ratio of blacks to coloureds and whites was too far removed from the metropolitan norm to be accepted

Mr Van der Berg said that establishing a southern sub-structure that was separate from a Central (Cape Town) sub-structure would deprive the Central structure of "vital revenue". This would weaken its capacity to upgrade Khayelitsha or Crossroads/iKapa

However, he conceded that, with the exception of the eastern sub-structure, the southern sub-structure would have the lowest per capita income

'Robin Hood'

Asked by Judge Navsa if attaching a richer suburb to a poorer would make "the richer poorer", Mr Van der Berg said "Yes, but that sounds like Robin Hood"

Judge Navsa replied: "That's the

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point of the exercise."

The court also heard a plea by Durbanville mayor Mr Lucas Olivier for his suburb to be excised and allowed to function independently. He said 75% of Durbanville ratepayers surveyed wanted the suburb to remain as it was

Asked by Judge Navsa if the argument that people living around Durbanville should not share this lifestyle was not "most compelling", Mr Olivier said "I'm not so sure it would have that effect". Judge Navsa shot back: "I think you must guard against being an island of privilege in a sea of expectation"

A ruling today would place the date for the Cape metropolitan and rural district local elections firmly in late June or early July

Cape boundary dispute decision expected

CAPE TOWN — The Special Electoral Court should make known its decision on the Cape metropole demarcation dispute by tomorrow, a spokesman for Western Cape local government MEC Peter Marais said yesterday.

The court was scheduled to sit yesterday and today to consider Marais' proposal to include Crossroads, Guguletu and Nyanga in the Tygerberg sub-structure and Khayelitsha and Langa in the Cape Town sub-structure.

The dispute led to the local government elections being postponed until next year in the Cape metropole.

After an agreement could not be reached in the provincial demarcations committee, the matter was referred to the Special Electoral Court.

The ANC, the NP, the DP, the Cape Town city council, and the Cape metropolitan council all have counsel representing them at the hearing — Sapa

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Kriel 'no' to call ⁽²⁶³⁾ for Marais to be fired

ARG 6/12/95
Municipal Reporter

WESTERN Cape Premier Her-
nus Kriel says he has no inten-
tion of sacking Local Govern-
ment Minister Peter Marais.

This was the word from his
press secretary, Frikkie Oden-
daal, after the African Nation-
al Congress yesterday called on
the premier to reshuffle the
cabinet.

The call came soon after the
Special Electoral Court ruled
in favour of the Demarcation
Board report for six new mu-
nicipalities in the metropolitan
area, and against an alterna-
tive proposal put forward by
Mr Marais.

Using the slogan "Marais
must be reshuffled", the ANC
said it wanted Mr Marais re-
lieved of his portfolio.

"He handled the demarcation
process in a way which has be-
come his trademark in all his
dealings with local government
— divisive, aggressive, petu-
lant, disrespectful and auto-
cratic

"His style is typical of the
kragdadigheid of the NP of
the past and the NP in the
Western Cape. There is no
place for this conduct in our
new democracy. There must be
ministerial accountability."

Boundaries: Intense poll campaign looms

DP in all-out bid for southern substructure
Arg 6/12/95 (263)

Municipal Reporter

THE ruling on municipal boundaries by the Special Electoral Court has kicked off what promises to be an intense election campaign for the Cape metropole

The Democratic Party already has announced it will be making an all-out pitch for the new southern substructure in its response to the ruling which settled the 10-month dispute

And, African National Congress provincial legislature member Hilda Ndude warned the National Party yesterday that it was going to "win the metro"

She said that if the NP was going to "continue with its racist slogans, "it will be playing into our hands"

"They don't know what mass-based consultation is. We're going to show them," she said to applause at a Press conference convened shortly after the court made its ruling

Preparations for an election in the Cape metropole in the first half of next year already were underway even before the Special Electoral Court made

its ruling at 10am yesterday

Local Government Minister Peter Marais met members of the Cape Metropolitan Council at 8am to discuss preparations for the new year, among them the proposed election date of May 22

Several key issues will have to be resolved in the next few months, among them the size of the new councils, ward delimitation and the number of councillors to be elected per ward

A proclamation formalising the court's ruling is expected by Friday, the first step in the political amalgamation that will have to take place over the next few months

In terms of the Cape Metropolitan Negotiating Forum agreement, the local councils, which fall within the area of a new municipality, will have three months to achieve this objective

Within 14 days of the proclamation delimiting the new boundaries, local councils will set up joint executive committees (JECs) drawn from representatives of all the councils in the new municipal area

Representation on the JECs will be based on a formula of one representative for every five members serving on the old councils, provided that every transitional council has the right to appoint a minimum of two members

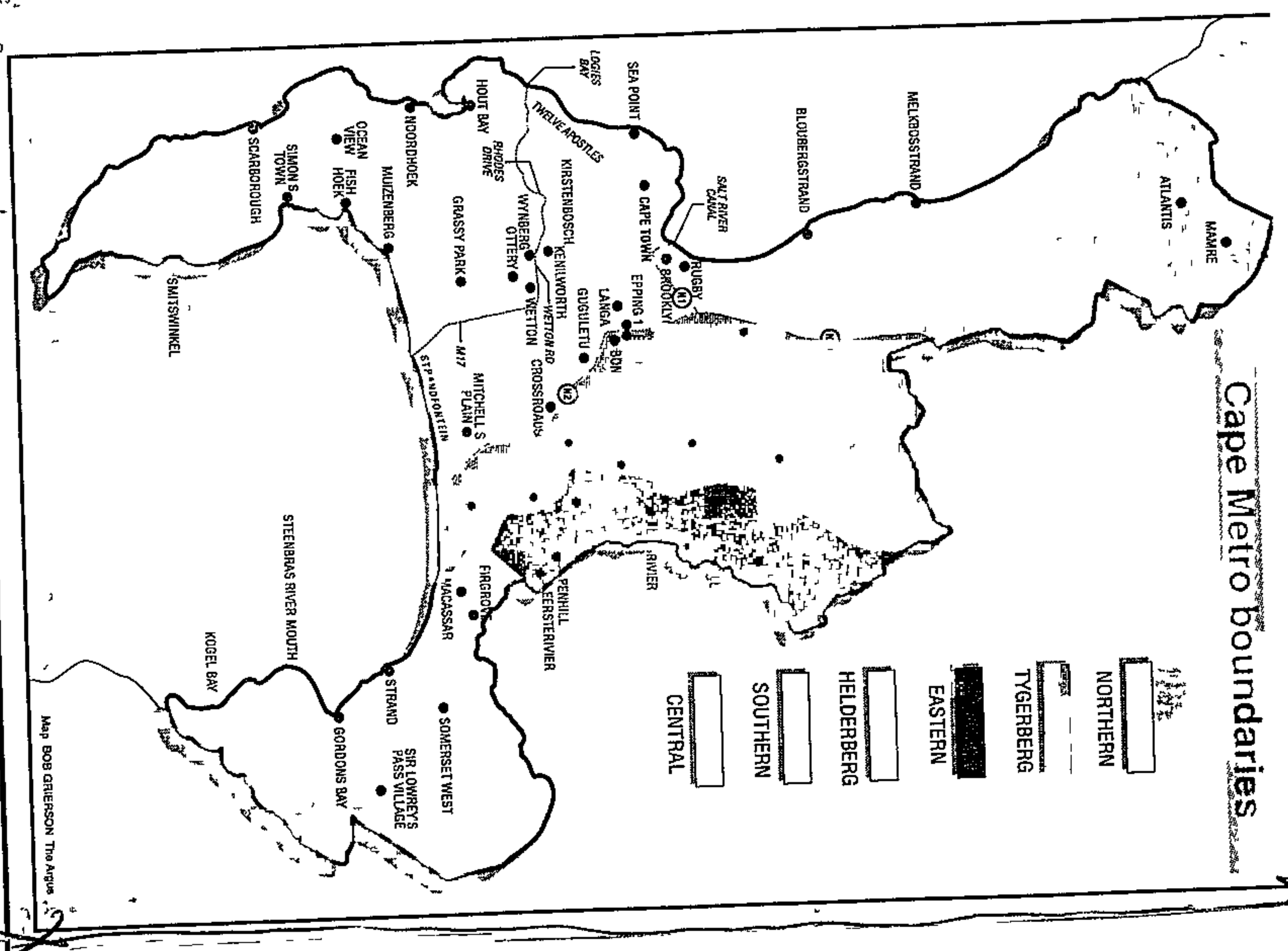
In the case of the Cape Town City Council, it will have the right to appoint members to the JECs of the new southern, northern and central substructures because it has assets and land in each of these new municipalities

In terms of the agreement, the JECs' task will be to "manage the process of political amalgamation" as well as draft and implement integrated budgets

They also will be responsible for co-ordinating elections and related activities

These powers will be delegated to the JECs by the transitional councils

The JECs will cease to exist within 104 days of the original proclamation when the new councils governing the six new municipalities in the city will come into being



Map BOB GRIGNSON The Argus

R5-m and 10 months later, the demarcation

(263)

ARg

dispute is resolved

BACKGROUN TO THE NEWS

ANDREA WEISS, Municipal Reporter
WHEN the Demarcation Board handed in its report to Local Government Minister Peter Marais in February this year, nobody could have predicted that it would take a further 10 months before it would be accepted as the final word on new municipal boundaries for Cape Town

Nor could they have known the issue would be heard in three courts (Supreme, Constitutional and Electoral) and cause parliament to be reconvened at an as-yet unfulfilled cost

The essence of the report, which has now been made final by a ruling of the Special Electoral Court, was that the newly defined Cape metropolitan area should be carved into six municipalities, namely Central, Southern, Northern, Helderberg, Tygerberg and Eastern

The board's recommendation that Khayelitsha should be incorporated into Tygerberg, while Cape Town central would take responsibility for Ikapa

and Crossroads, was at the heart of a simmering dispute between the African National Congress and the National Party because of resistance from the NP powerbase in the northern suburbs

In mid-March, the councils of Bellville, Parow, Durbanville and Goodwood asked Mr Marais to appoint a committee of experts to re-examine the proposed Tygerberg substructure — which Mr Marais duly did, employing Deloitte & Touche management consultants to evaluate further written submissions

In the same month, the Cape Metropolitan Council and the Cape Town City Council both formally voted in favour of the demarcation board's report signalling their opposition to Mr Marais' intentions to exclude Khayelitsha from Tygerberg

On April 26, the Deloitte & Touche report was leaked to The Argus revealing that it too supported the demarcation board's recommendations

Then, in mid-May, Mr Marais dropped a political bombshell by appointing two new members to

the six-member provincial committee for local government with which he was to reach agreement over the boundaries. The newly-reconstituted committee secured him a majority on the committee for five new proposals he was earlier revealed to be considering

This sparked a march to the provincial government offices by members of the ANC alliance

By the end of May, the political impasse was at its height, and central government stepped in, drafting legislation which would effectively overturn the new appointments made to the provincial committee and nullify its boundary decision

During this time, negotiations over the issue be-

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gan in earnest, but talks collapsed in the early hours of the morning on June 2 when the two parties failed to reach agreement over a compromise proposal which put Khayelitsha with Cape Town but part of Ikapa/Crossroads with the Tygerberg

Next, Western Cape premier Herens Kriel appealed to President Mandela not to sign into law the amendment to the Local Government Transition Act which would nullify appointments to the provincial committee, warning this action would delay November 1 elections in the Cape metropole

But on June 8, the president signed the proclamation giving the right to make new appointments to the provincial committee to constitutional development and Provincial Affairs minister Roelf Meyer and Justice minister Dullah Omar

On June 13, the Western Cape government announced it was going to approach the Constitutional Court to have the legislation overturned, but a week later the NP and ANC resumed talks on the boundary issue. These talks lasted all of 40 min-

utes before breaking up

In its first legal step, the Western Cape cabinet approached the Cape Town supreme court which ruled against it, leaving certain constitutional issues to the Constitutional Court. On August 16, the court heard the issue for the first time, but adjourned shortly after convening to allow the Western Cape legal team to prepare a new argument — that President Mandela went beyond his powers when he made law through proclamations

On August 30, the court reconvened to consider the arguments put forward by the Western Cape. Shortly after this, it ruled law-making by presidential proclamation was unconstitutional. It gave parliament until October 25 to make the necessary amendments to the Local Government Transition Act, but it was passed by October 11

Soon after, Mr Kriel and Mr Marais called a Press conference to announce they would be re-constituting the provincial committee along lines laid down by central government — in the interests of allowing the election to proceed

CMC head urges (263) councillors to unite

Municipal Reporter

ARG 6/12/95

CAPE Metropolitan Council (CMC) chairman Willie van Schoor today urged councillors to join forces following the final settlement of the boundary dispute in the metro

Speaking at the opening of the last monthly meeting of the CMC this year, Mr Van Schoor said: "Congratulations to those who got what they asked for, and to those who feel disappointed. I want to say, and now I'm very serious, let us quickly get rid of any feelings of despair."

"Let us recognise that the decision is final and regard it as a new point of departure and a challenge. Let us take hands and work together to achieve the very best possible for all our people."

Mr Van Schoor said councillors had a responsibility to ensure a smooth transition and to prepare the way for free and fair elections in the Metro.

BOUNDARIES RULING SHIFTS NAT/ANC POWER TUSSLE

Times drawn in battle for city

263
6/12/95

THE LOCAL ELECTIONS have the makings of a mini-general election as all parties have committed themselves whole-heartedly to their campaigns and to increasing voter support. **ANTHONY JOHNSON** and **BARRY STREEK** report.

CAPE TOWN is set to become the scene of the country's most hotly contested local elections following the Electoral Court's demarcation ruling yesterday.

The court has rejected the National Party's boundary proposals for Greater Cape Town — paving the way possibly for the NP's opponents, led by the ANC, to gain control of the Mother City in a Nationalist-governed Western Cape.

With all political parties committing themselves yesterday to throwing their national and local resources into the campaign — and predicting that they will increase their support levels — the contest has all the makings of a mini-general election.

The battle will be intensified because, during the run-up to the local elections, most of the nation's political heavyweights will be in Cape Town for Parliament.

Election experts said yesterday that recent surveys had not shown any marked shift in voter preferences in the Cape Town area. However, the complex, racially-loaded 50/50 formula would boost the voting clout of blacks, who are mainly ANC-supporting, in three of the six sub structures.

This formula will affect the ward results in the Central, Tygerberg and Heideberg sub structures

even though black voters are in the minority.

The ANC, whose boundary proposals won the day in a long and bitter dispute, will be under pressure to improve on its poor showing in Cape Town in the 1994 general election.

The head of Idasa's parliamentary monitoring service, Mr Richard Calland, said yesterday: "The ANC got what it wanted — but a big job lies ahead. It has no excuses now if it loses next year."

Idasa polling expert Dr Bob Mattes said: "With so much fluidity in Cape voting patterns, the path is wide open for a good campaign to clinch the election."

Key points

He said the key points were who would gain political control over Cape Town and whether the ANC or NP would increase "real support levels over 1994."

The court ruling means it will be up to the Tygerberg sub structure to upgrade the massive and debilitating Khayelitsha — so a central feature of the campaign will be who should carry the blame for the anticipated rates increases.

Professor David Welsh, of the University of Cape Town's politics department said that if the finalisation of the demarcation dispute did not bring an end to the rates and services boycott, "Cape Town faces not only a financial crisis but

a ratepayers' revolt to boot"

The court's rejection of regional Local Government Minister Mr Peter Marais' boundary plan sparked off celebrations in the ANC, the Democratic Party and a number of ratepayer bodies.

"We are overjoyed. It is a vindication of what we have been saying all along," ANC provincial legislator Mr Cameron Dugmore said. "The DP's provincial leader, Mr Henne Bestler, said his party aimed to win control of the southern sub structure, from Constantia/Wynberg/Hout Bay to Cape Point, and to hold the balance of power in the other five sub structures.

"We are delighted — but we do not underestimate the enormous task that lies ahead," Mr Bestler said.

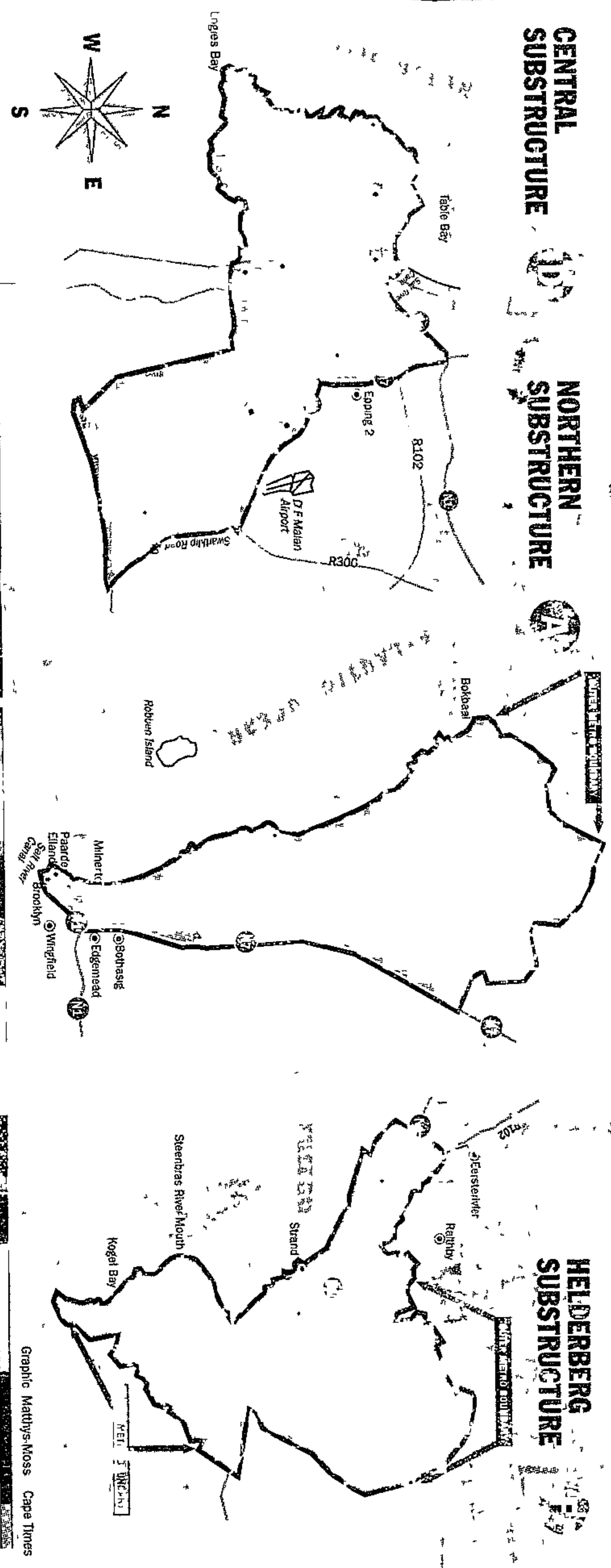
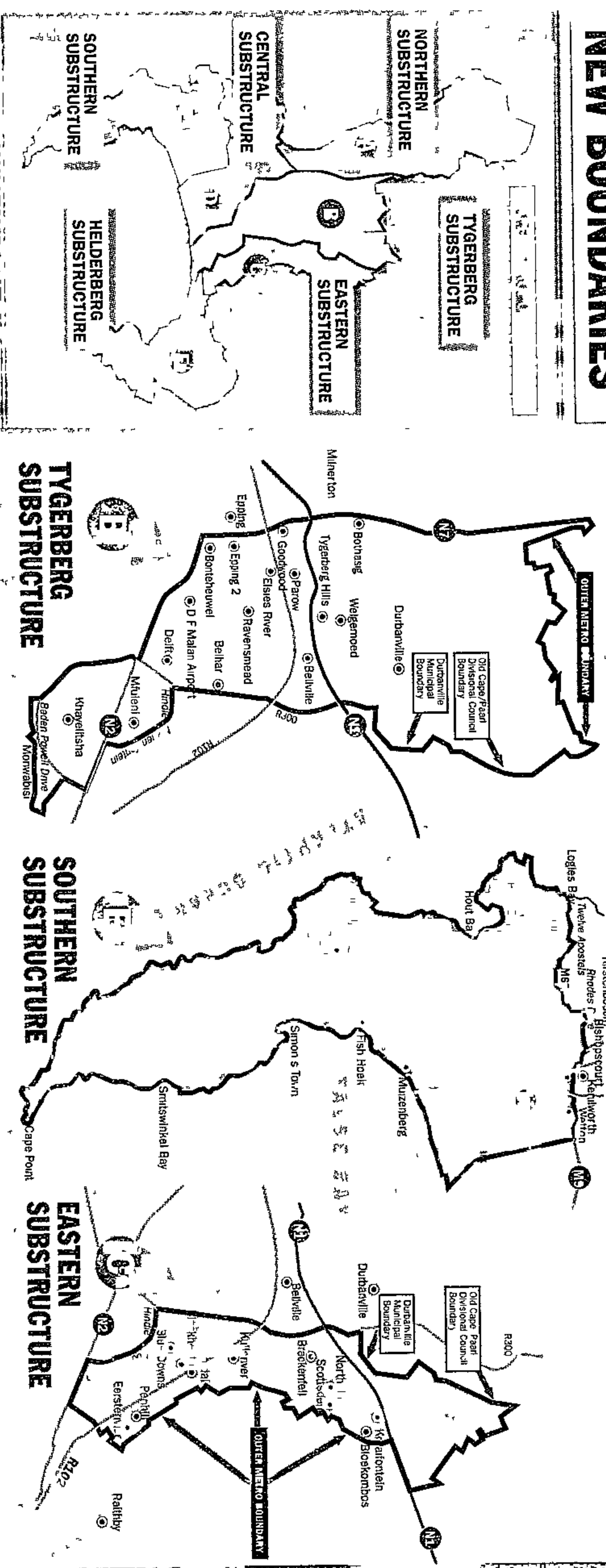
ANC sources predicted that no party would win outright control of the southern sub structure and that it would have a "hung" council.

Professor Herman Gihomee, also of UCT's politics department, said that even if the ANC won control of Cape Town, it would have a huge political burden in trying to keep tax rates down.

Western Cape Premier Mr Herinus Kriel and Mr Marais said in a statement they were disappointed with the verdict and that it was not in the interests of the residents of Khayelitsha and the rest of Cape Town.

However, they would accept the judgment and would recommend to central government that local elections be held on May 22. The powerful Western Cape provincial committee is to meet tomorrow to discuss the poll.

NEW BOUNDARIES



Graphic: Mathys Moss Cape Times

MORE REPORTS PAGES 6 & 7

CO-OPERATION PROMISED

Peace over boundaries

KHAYELITSHA and Tygerberg have exchanged peace offerings as the boundary dispute between the NP and ANC was finally ended **CHRIS BATEMAN** reports

KHAYELITSHA mayor Mr Vuyani Ngcuka yesterday extended an olive branch to his new Tygerberg civic partners — a branch that was immediately accepted by Bellville's deputy exco chairman and Cape Metropolitan Council chairman Mr Wilhe van Schoor

Speaking in the wake of a joyous and noisy ANC "victory conference", Mr Ngcuka said his council would tap as many funding sources as possible and continue increasing the size of Khayelitsha's monthly service payments in order to "bring something to the marriage".

Despite owing the Cape Town City Council some R23 million in service arrears,

an intensive "culture of payment", campaign had seen Khayelitsha's residents increasing monthly payments from R60 000 in August to R133 000 in September to R375 000 in October.

The October payment represented 54% of the monthly service charges, Mr Ngcuka said.

Mr Ngcuka addressed another fear cited by Western Cape Local Government Minister Mr Peter Marais in proposing his four sub-structure Cape metropolitan model (which had Cape Town taking on Khayelitsha) — that Khayelitsha was the fastest growing black area.

Mr Ngcuka said informal

settlement figures had stabilised over the past two years with newcomers to the Peninsula heading for areas like Noordhoek and Milnerton where work was more readily available.

"We are a peaceful people, despite all the negative publicity we get and hold nothing against any community in spite of the suffering our people have endured over the years," he said.

Pledge

He pledged his council to "working hard together to reach consensus with everyone so we can embark on a win-win situation".

Mr Ngcuka cited "outside funding" as coming from the Cape Metropolitan Council (CMC), the RDP and the West-

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ern Cape government which was presently studying a "Khayelitsha priority list".

Mr Van Schoor said Bellville accepted the Electoral Court ruling "without any hesitation", and appreciated Mr Ngcuka's "positive remarks".

He also attempted to assure Tygerberg's jittery ratepayers, saying the Cape Metropolitan Negotiating Forum had agreed to "no inordinate rise in rates to pay for any backlogs".

"We are committed to work together so that in the end the ratepayer will not suffer," he said.

The CMC existed to help sub structures with backlogs in service delivery and infrastructure and received funds from Regional Service Council levies. It recently allocated R30m for spending in four new sub structures.



BATTLE WON: ANC Western Cape chairman Mr Chris Nissen (centre), Mr James Ngcuka (ANC secretary-general, left), Mr Cameron Dugmore (front left), and ANC supporters celebrate yesterday's Electoral Court ruling which incorporated Khayelitsha with the Tygerberg municipal area and ended many months of political wrangling between the NP and ANC.

PICTURE: CLIVE SMITH

New rates will depend on govt support

MUNICIPAL REPORTER

THE impact the new boundaries will have on rates will depend largely on whether the state continues to provide money for black areas, as it does at the moment.

So said Mr Gys Hofmeyr, Cape Town City Council's city administrator, when asked by what percentage property rates are likely to rise next year.

By that time, Cape Town's boundaries will include Pnielands, Langa, Guguletu, Nyanga and Crossroads and exclude the southern suburbs south of Wetton Road and west of Strandfontein Road.

Mr Hofmeyr would not give a figure for the rates increase, but did not deny it could be more than 20%.

At present the government pays over R100 million a year in grants and contributions to black local authorities in Cape Town. It is known it wants to lessen this, which is why it has placed so much emphasis on creating economically viable new local authorities.

But experts say the government will only be able to reduce township support gradually, thus the impact on ratepayers would also be gradual.

According to newspaper files, it is generally accepted Cape Town's property rates would, over a few years, have gone up substantially more, had Khayelitsha been included in its boundaries, as well as Ikapa.

Edge upwards

Instead, rates in the northern municipalities within Tygerberg's boundaries are likely to edge upwards over a period of time until they equal or surpass those of Cape Town (which has for decades taken on the responsibility of the city's coloured working class).

Cape Town's officials and local politicians lost no time after yesterday's boundaries decision, going straight into a preliminary Joint Executive Committee (JEC) meeting.

JECs must come into existence two weeks after new municipal boundaries have been decided upon and gazetted. Boundaries are expected to be proclaimed, along the lines of the Electoral Court decision, in the provincial gazette within a week.

A JEC will govern each of greater Cape Town's six new municipalities for the next three months, in respect of decisions about budgets, election preparations, and paving the way for the political merging of the various old councils into a single new municipality.

Each new municipality will have its own JEC, to decide on certain issues. Present councils will exist alongside the JECs for the next 3 1/2 months. In Cape Town's case, Cape Town, Ikapa and Pnielands councils will form a single JEC.

The law says existing councils and JECs must disappear 104 days after new municipal boundaries are proclaimed. It had been envisaged local elections would take place then, but in Cape Town they will be later.

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COMMERCE WELCOMES BOUNDARIES RULING

North 'accepts' demarcation

(263) 25-6/12/95
NORTHERN councillors are relieved that the boundary row has been resolved, despite the Electoral Court's ruling going against them. **WILLEM STEENKAMP** reports

NORTHERN municipalities yesterday accepted the Electoral Court's boundary decision in favour of the Western Cape Demarcation Board, saying they faced an "enormous" task before the municipal elections.

The judgment, which is binding, means Local Government Minister Mr Peter Marais' plans to split the Cape Metropole into four sub-structures and include Khayelitsha in the central (Cape Town) sub-structure have been denied.

Instead, the Demarcation Board's proposals for six sub-structures and the inclusion of Khayelitsha in the Tygerberg sub-structure have been given the go-ahead, allowing for municipal elections to be held next year.

The six sub-structures now have two weeks to form joint executive committees, unify their municipalities and prepare for the elections.

Goodwood town clerk Mr Dave Wilken said he was "relieved" the drawn-out battle had been resolved. He said Goodwood was ready to "tackle" what lay ahead.

"We accept the demarcation. We must make a success of it," said Mr Wilken, who predicted that the Tygerberg sub-structure could be "a giant economic node for this area."

Durbanville town clerk Mr Dennis Smit, whose municipality recently tried to remain independent of the Tygerberg sub-structure, welcomed the ruling.

"We are one big brotherhood in the Tygerberg sub-structure and we must work together," he said.

Bellville mayor Mr C P R. Cronje said his council had "never taken a negative position" in the boundaries dispute.

Rates

"We submit ourselves to the court's decision. We shall now have to move forward and make it work," Mr Cronje said.

All of the spokesmen, however, stressed the need for all ratepayers to pay their rates and for municipal services, or the sub-structure risked failure.

The Parow municipality declined to comment until it had received "official documents" on the demarcation judgment.

Kraaifontein town clerk Mr Morné Conradie, whose municipality would have fallen under

Tygerberg in Mr Marais' plans but now forms part of the eastern sub-structure, said it was "well-known that the eastern sub-structure will be the poorest of the six."

This meant that "great demands" would be made on the sub-structure's officials to meet the requirements of ratepayers. "But if there is enough goodwill and co-operation between the municipalities and ratepayers, we can make a great success of it," he said.

News of the judgment was welcomed by councillors in the soon-to-be-formed southern sub-structure, which stretches from Wynberg to False Bay.

"I'm very happy for the people of the south," said councillor Mrs Joye Gibbs, who added that the decision would "bring local government closer to the Cape Town end" of the southern sub-structure.

Simon's Town councillor and former mayor Mrs Nicki Holder-

ness said she was "very glad we've finally had the dispute resolved."

She said the Demarcation Board had consulted widely in the False Bay area and there was widespread support for its report.

The decision also found approval in business circles, with the Cape Chamber of Commerce and Industry saying it had favoured the Demarcation Board's report from the start.

Sensible

Chamber spokesman Mr Charl Adams said it made sense to place Khayelitsha in the Tygerberg sub-structure "in the light of business in Cape Town already paying the highest rates in the country."

Federation of African Business and Consumer Services regional chairman Mr Brian Johnston said the NP "needs to know it should serve the whole of the Western Cape and not just a minority."

Marais' proposals 'lacked real substance' — Court

(263) CT 6/12/95
CHRIS BATEMAN

LOCAL Government Minister Mr Peter Marais yesterday came in for a drubbing from the Special Electoral Court, which described his Metropolitan proposals as "lacking any real substance".

Mr Justice Smalberger said Mr Marais' proposals to link Khayelitsha with Cape Town and Tygerberg with Kapa and Crossroads "ignored historical ties and established service links", extended existing service lines and disregarded the wishes of the inhabitants of these townships.

The court found that the "overwhelming majority" of parties at yesterday's hearing supported the Demarcation Board's four sub-structure model, which was "cogent and well-reasoned" and was supported by independent auditors appointed by Mr Marais.

To loud clapping from the gallery the court chairman, Judge



'DIVISIVE & PETULANT':
Mr Peter Marais

Smalberger, ordered Mr Marais to implement the Board's recommendations and said that his arguments "lacked substance and supporting facts".

The ruling led to an immediate ANC call for Mr Marais' removal while the DP said it was "administratively unsound, if not irregular",

for Mr Marais to have overturned a "comprehensive process of consultation without himself going through a similar process".

The ANC said Mr Marais handled the demarcation in a "divisive, aggressive, petulant, disrespectful and autocratic" manner with no regard for the vast majority of stakeholders in local government.

Premier Mr Hennis Kriel, in a joint statement with Mr Marais, noted "disappointment", saying it was "difficult to comprehend" how the Electoral Court could adjudicate "such an intricate matter with such far-reaching consequences" in a day-and-a-half.

While accepting the judgment, the pair maintained that a six sub-structure demarcation was "not in the interest of the metropole", nor of the citizens of Khayelitsha.

Mr Kriel rejected calls by the ANC to remove Mr Marais from his post.

Decision final, no appeal allowed

(263) 6/12/95

POLITICAL STAFF

THE unanimous upholding of the "detailed, cogent and reasoned" report of the Western Cape Demarcation Board by the Electoral Court yesterday — fought tooth and nail over for nearly a year by Local Government Minister Mr Peter Marais — is the final chapter in a tortuous battle of wits

Mr Marais' metropolitan proposal was to include iKapa and Crossroads with Tygerberg and the eastern sub structures (Blaauwberg) and Khayelitsha, Langa and the southern sub structure with Cape Town (Tafelberg) in a second massive structure of 1,8 million people

His motivation for a Cape Metropolitan model of four "berg sub structures" (Blaauwberg, Tygerberg, Helderberg and Tafelberg), was rejected by the five Electoral Court judges yesterday as "lacking substance and supporting facts"

Khayelitsha, once the fastest growing and still the most costly suburb in the Peninsula, lay at the heart of the battle which saw President Nelson Mandela intervening and the National Party responding with a short-lived Constitutional Court victory

Balance upset

It all began with Mr Marais replacing two provincial committee members with NP-leaning people in an attempt (the ANC claims) to upset the neutral political balance and favour his party's demarcation model

The Transitional Local Government Act (TLGA), requires Mr Marais to reach concurrence with this provincial committee

before any demarcation becomes final, or in the case of a committee deadlock, to refer the matter to the Electoral Court

Lawyers for President Mandela argued before the 11 Constitutional Court judges that the urgent demands of transition allowed Mr Mandela to regulate the application of laws in provinces such as in his sudden "correcting" of the Western Cape's provincial committee.

Premier Mr Henu's Kriel's government however had viewed this as "blatant interference in provincial affairs" and won on a technicality centring on Mr Mandela's procedural manner

'Interference'

Mr Mandela's "interference" was to restore the provincial committee's neutrality and change the law by proclamation to make Mr Marais answerable to Justice Minister Mr Dullah Omar and Constitutional Affairs Minister Mr Roelf Meyer for all future committee appointments.

The Constitutional Court victory for the NP forced an unscheduled reconvention of Parliament and changes to the TLGA to consolidate this neutral restructuring of the pivotal committee

This reconstituted committee then deadlocked along ANC/NP lines, as it was originally designed to do, and the Special Electoral Court became the final arbiter

The entire process led to the Western Cape having to delay local government elections with only country town elections possible on November 1

Elections in the Cape metropolitan and rural district areas will be possible at the very earliest on May 22 next year.

Electoral court ruling hits NP's Western Cape hopes

Edward West

BD 6/12/95

(263)

CAPE TOWN — In a major setback for the NP's electoral hopes, the Special Electoral Court has overruled Western Cape local government MEC Pieter Marais' controversial demarcation of the Western Cape metropolitan area

The court ruled yesterday in favour of six metropolitan substructures, with the inclusion of the black township of Khayelitsha into the NP stronghold of Tygerberg and Ikapa-Crossroads into the central substructure

The ruling brings to an end an acrimonious nine-month dispute which forced the postponement of local government elections on the peninsula. It deals a heavy blow to NP hopes of holding the Tygerberg substructure in the elections scheduled for next year.

By including Khayelitsha in the central substructure and opting for four substructures, Marais had overruled demarcation board proposals. He was accused by the ANC, DP and civic organisations of "gerrymandering" the

provincial local government committee to secure endorsement of his plan

Judge John Smalberger found that the demarcation board's proposals were "cogent and well reasoned". Marais' own advisers, accountants DeLotte & Touche, had significantly supported the board.

The ruling is not subject to appeal.

The Western Cape ANC said the verdict vindicated its belief that the metropolitan substructure boundaries should not result in "NP strongholds". It called for the dismissal of Marais.

Western Cape premier Hennis Kriel and Marais said that the six-substructure demarcation was not in the interests of the area.

Kriel said the provincial government intended recommending to central government that the community elections in the metropolitan and rural areas be held on May 22 next year.

The ANC estimated that the delay would cost the taxpayer up to R5m. Additional expenses included the cost of advisers and convening Parliament.

Electoral Court clears block to West Cape poll

(263) Star 6/12/95

National Party attempt to move responsibility for township debt is thrown out as court opts for fixed boundaries

REUTERS

The Special Electoral Court overruled the National Party-led Western Cape government yesterday and cleared the way for local elections in May.

Western Cape Premier Hernus Kriel and local government minister Peter Marais said in a joint statement they regretted the court's decision to uphold the original demarcation of post-apartheid municipal boundaries, but accepted the ruling.

"We will recommend to the central government that the community elections in the metropole and rural areas be held on the 22nd of May 1996," they said.

The ANC, junior partner in the provincial unity government,

hailed the ruling and demanded Marais' immediate resignation.

"We are overjoyed. It is a vindication of what we have been saying all along," said ANC provincial legislator Cameron Dugmore.

"We are unanimous in our call that Peter Marais must go. He has held this province to ransom for the past eight months. He has delayed the election. Peter Marais must resign," he said.

A five-member panel headed by Appeal Court judge John Smalberger dismissed an NP attempt to alter municipal boundaries drawn up by an independent demarcation board preparing for the country's first all-race local government elections in November.

Marais had sought to shift financial responsibility for upgrad-

ing the debt-laden Khayelitsha township, which is dominated by the ANC, from the NP stronghold of Tygerberg to the liberal central Cape Town region.

"The board's cogent and well-reasoned proposals have to be viewed against the MEC's proposals, which lacked substance and supporting facts," Smalberger said.

"In our view, the board's recommendations are clearly to be preferred."

"The Member of the Executive Council for local government (Marais) is directed to implement the delimitation recommendations of the Demarcation Board that the Cape Town Metropolitan Council be divided into six sub-structures. This is the unanimous view." - Reuters

ARG 7/12/95

Mid-week voting under fire

(2b3)

ANDREA WEISS and CLIVE SAWYER
Staff Reporters

VOTERS in metropolitan Cape Town and Western Cape rural areas will go to the polls on May 29 — but already the idea of another mid-week election has come under fire.

Elections in Kwazulu-Natal will be held on the same date, Roelf Meyer, national Minister of Provincial Affairs and Constitutional Affairs, has announced.

The date for the elections, delayed because of demarcation disputes, was decided after local government ministers in both provinces were consulted.

Even before the announcement, voices were raised against another mid-week poll.

Geoffrey Ashmead, president of the

Cape Chamber of Commerce and Industry, said assurances had been given by Western Cape local government minister Peter Marais that it was intended to avoid a mid-week election.

"It is certainly most disappointing that the province has not seen its way clear to bring the elections forward to an earlier date," he said.

The Democratic Party said the election should be held on May 1 because it was a public holiday.

Roger Hulley, deputy chairman of the Cape Metropolitan Council, said this would give new councils enough time to prepare new budgets for the next budgetary cycle from July 1.

Official notice of the date will be published in the Government Gazette soon.

BRITTS

ET 7/12/95

(263)

Wienburg expelled

COUNCILLOR Mr Arthur Wienburg was expelled from the Cape Metropolitan Council chamber yesterday after a series of clashes with chairman Mr Willie van Schoor

The trigger to his expulsion was his calling the chairman "Deaf Willie". This happened after Mr Van Schoor had said he would not be taking any more "points of order" on a particular matter.

Mr Wienburg objected to Mr Van Schoor's unwillingness to take further "points of order". He immediately raised a "point of order", but the chairman appeared to be ignoring him.

"I'm talking to Deaf Willie," Mr Wienburg remarked to his colleagues.

Mr Van Schoor looked up and said: "I am calling you to order. If you make that remark again I am going to ask you to remove yourself from this chamber."

"I have a point of order," Mr Wienburg replied.

"I am not going to take any more points of order on this matter," the chairman said, and asked him to leave the chamber. Mr Wienburg left, muttering something about democracy as he went.

Demarcation row cost taxpayer R3m

(263) CT 7/12/95

CHRIS BATEMAN

THE seven-month long Cape metropole demarcation tussle, which ended in defeat for provincial Local Government Minister Mr Peter Marais this week, cost the taxpayer at least R3 million — enough for 200 low-cost housing subsidies.

While these costs will be split between the three tiers of government, it is the taxpayer/ratepayer who will foot the bills

- Independent auditors who vetted the Demarcation Board's proposals on Mr Marais' instructions would have charged some R240 000.

- The Supreme Court challenge on President Nelson Mandela's proclamation cost an estimated R750 000

- The Constitutional Court challenge cost between R750 000 and R1 million

- The unscheduled reconvention of Parliament cost R850 000

(mainly air fares for MP's)

- The Electoral Court representation of four civic bodies by senior counsel cost R500 000

- The estimated six extra provincial committee sittings to discuss the tussle cost about R10 000 a sitting (the six members charge for their time) This does not include legal fees for negotiations between the NP and the ANC in an attempt to avoid the Constitutional Court case.

Yesterday the ANC accused Mr Marais and Premier Mr Hennis Kriel of "bordering on contempt" of the Electoral Court in their reaction to its ruling on Tuesday

The NP pair expressed difficulty in comprehending how the court could "adjudicate such an intricate matter with such far-reaching consequences in a day-and-a-half"

The ANC's Mr Cameron Dugmore said they were "casting doubt on processes followed to reach the judgment and imply the court did not apply its mind properly"

Local election set for May 29

ANTHONY JOHNSON

(263)

07/12/95

al Development Minister Mr Roelf Meyer announced yesterday

CAPETONIANS will be able to cast their ballots in the long-delayed local government elections on May 29 next year.

A total of 1,5-million voters in the Cape Metropole and 150 000 in the rural areas will be eligible

Voters in kwaZulu/Natal will go to the polls on the same day, Provincial Affairs and Constitution-

In kwaZulu/Natal, South Africa's most populous province, more than five-million people will be eligible to vote

Cape Town substructure may have fewer councillors

Municipal Reporter

(263)

Wynberg.

ART 8/12/95

THE new central substructure which will replace the Cape Town City Council could find its number of councillors slashed from 98 to 50.

This was a proposal put before the provincial committee for local government by Minister Peter Marais at a meeting yesterday.

This proposal would make 30 ward seats available to the new municipality, which will have an estimated population of 1,4 million people.

Half the ward seats will be allocated to Ikapa and Crossroads in terms of a 50:50 provision in the Local Government Transition Act which requires seats to be divided equally between former black local authorities, on the one hand, and coloured and white areas, on the other.

Other proposals are for a 26-member council in the northern substructure, which runs from Milnerton northwards to Mamre, 30 for the Helderberg substructure, and 36 for the southern substructure, which takes in the south Peninsula from

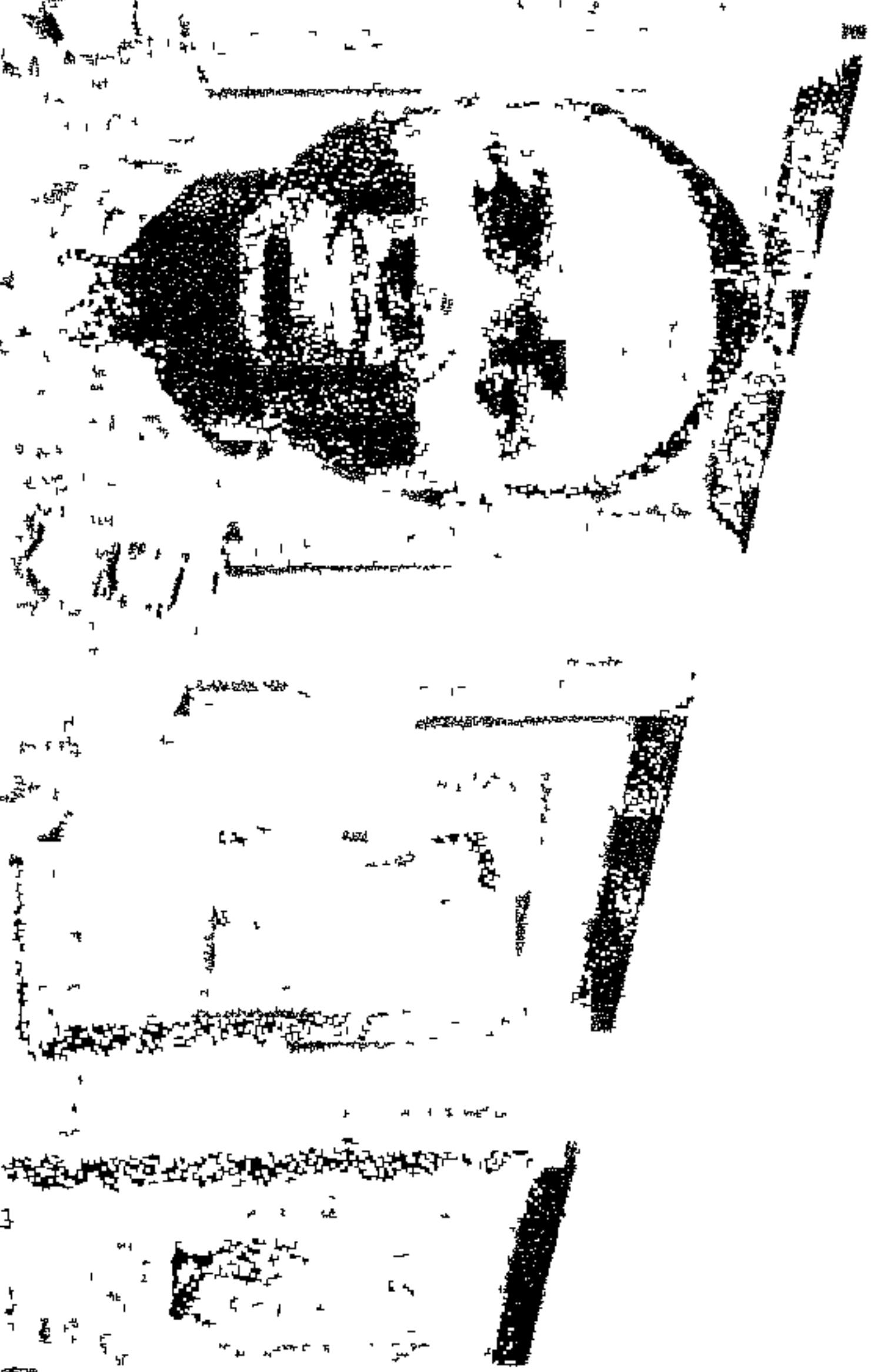
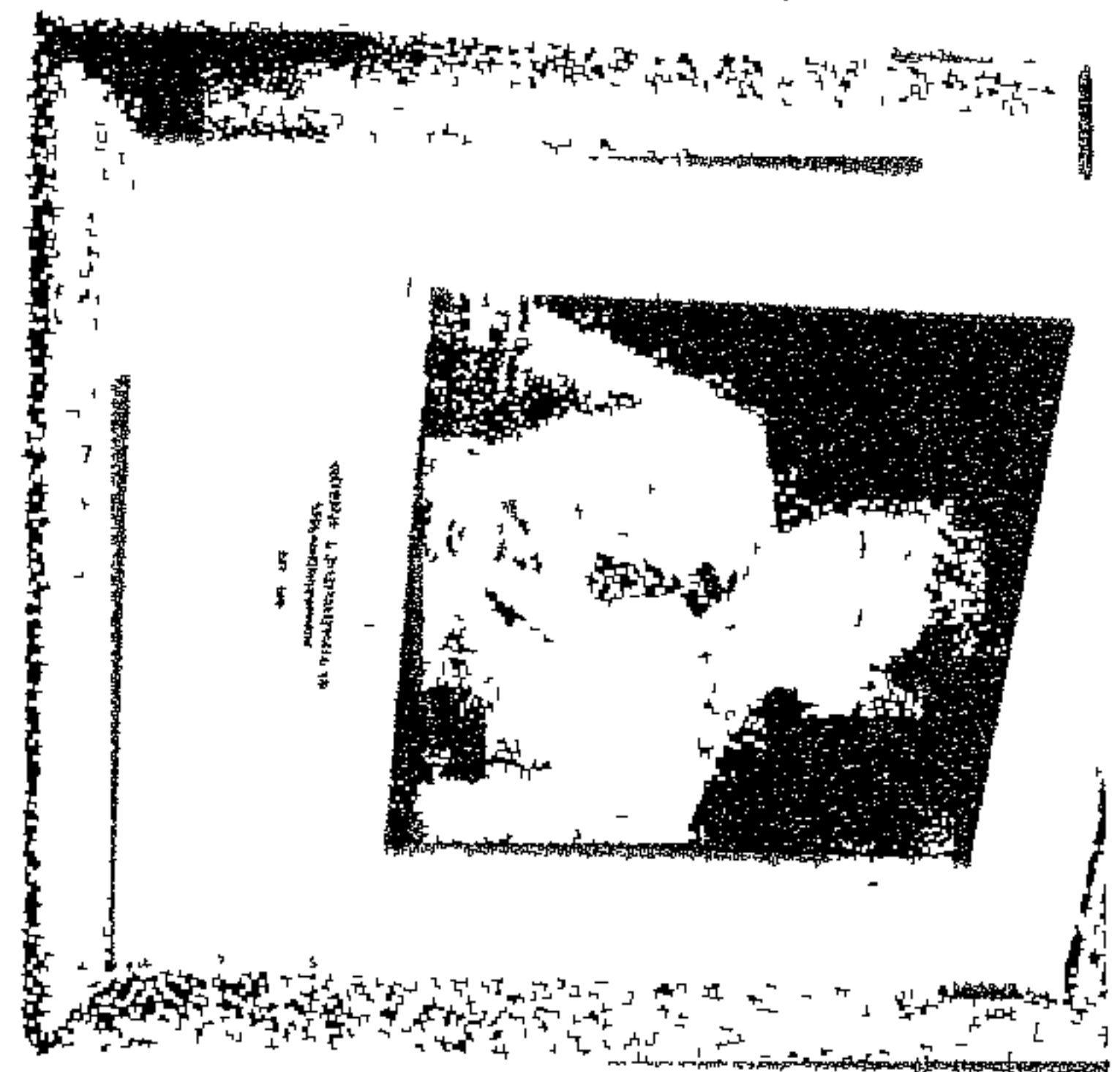
Tygerberg would come in as the second largest council with 46 seats, 28 of which will be ward seats. Half the ward seats would be allocated to Khayelitsha.

In terms of the proposal, the eastern substructure, which consists of a swathe of municipalities on the eastern boundary of the metropole, would have 32 seats.

The Cape Metropolitan Council, which will be an umbrella body guiding development and planning for the city, will have 60 seats, meaning that only 24 seats would be available for the proportional representation vote. The other seats would be occupied by councillors nominated by their substructures.

The provincial committee did not agree to the proposal but has decided that the input of local councils should be obtained.

Within a few days, the joint executive committees of the six new municipalities are expected to meet to begin work on the political amalgamation required.



HALL OF FAME: Infused with energy and ideas, the new mayor of Knysna, Themba Mfume, adds his face to those already gracing the walls of the municipal offices

Picture OBED ZILWA,
The Argus

PR44. 8/12/95

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A mayor of the people

□ *New civic leader determined to redefine role of the office*

LINDSAY BARNES
Staff Reporter

THE hopes of those in the lower and middle income brackets must be addressed in Knysna because these communities have been sorely neglected in the provision of housing and services

This is one of the primary aims of Knysna's new mayor, Themba Mfume, who is leading the council in discussions on how best to tackle basic development in the area

An English and history teacher at the local Percy Mdala High School, the 26-year-old looks relaxed in his new office in the municipal buildings.

It is soon obvious he is used to holding court — and as he chats easily and knowledgeably, he oozes charm

In spite of the general success of the African National Congress in the national elections and expectations of similar results at the local level, the role of mayor is one he did not envision himself assuming, and he

still feels a sense of unreality

Of the 13 council seats in Knysna, eight were won by the ANC, four by the National Party and the last by an independent candidate

"When I became involved in the elections, the issue was whether or not I made it on to the council," he said. This soon changed as he was urged to consider the position of mayor

Mr Mfume is in the process of re-defining the role of his office in accordance with expectations of change

A major problem he sees is the disparity between housing in the squatter sector and the traditionally white area of Knysna, where an ordinary house costs around R500 000

"There has never been any properly developed area for African people and the squatter area that has developed is because of the historical ignorance of people

"Knysna is a beautiful place. What I would like to see in my term of

office is the changing of the present housing situation"

Under his direction the council will be addressing the issue of affordable low- to middle-range housing, as well as the provision of services to the town's informal area

Mr Mfume does not have his own vehicle, and as he uses public transport he is frequently asked why he doesn't have a large mayoral car befitting his position

But this is not something he would feel happy with, he says

He says he has bought a house worth about R18 000, and to drive a vehicle worth R200 000 would seem ridiculous

Tourism is the mainstay of Knysna and he aims to improve on the advantages the town already enjoys, such as its natural beauty

One of the areas to be targeted is service provided to tourists

"We are expecting international tourists and we will have to market

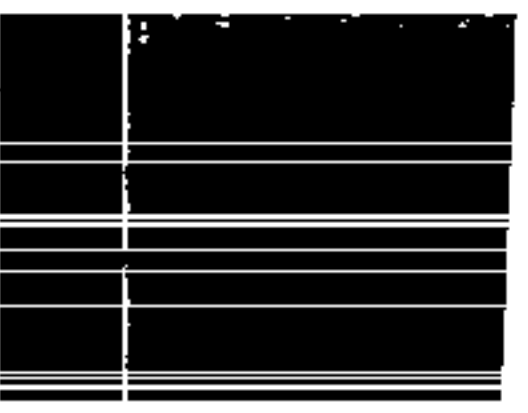
ourselves aggressively. With regard to the environment, we are looking to attract ecotourists"

Mr Mfume attended primary school in Knysna but, as he was unable to complete his secondary education there, he moved to a boarding school in Fort Beaufort

However, his education fell prey to the political upheaval of the late 1980s and as a result he did not matriculate, opting instead to join his father at a sawmill until the following year, when he resumed his studies at a new school in George

He went on to get his Higher Diploma in Education at the University of the Western Cape and taught for a number of years before studying further this year

The struggle for freedom did not touch Knysna until the late 1980s and it was while he was outside of the town that he became involved in organised activity, joining the Congress of South African Students at Fort Beaufort



Cape poll could be delayed again

Western Cape Local Government MEC Peter Marais, whose boundary demarcation plan was rejected in court this week, is at the centre of a new election controversy, reports **Rehana Rossouw** (263)

A NEW local government row is looming in the Western Cape over Local Government MEC Peter Marais' refusal to prepare new legislation for rural local elections or to consult all interest groups.

Rural organisations have signalled that the election, rescheduled for May 29 next year, could be delayed yet again. This comes after the electoral court this week resolved the protracted dispute between Marais and the ANC on metropolitan boundaries, ruling that Cape Town be carved into six municipalities, in line with the Demarcation Board's proposal and not Marais' proposals.

In an open letter to Marais last month, the Centre for Rural Legal Studies (CRLS) warned that the MEC would yet again have to bear the blame for a delay in elections in the Cape as he had ignored regular calls for consultation and transparency from NGOs and political parties regarding the development of his model for rural elections.

The CRLS said to date it knew of no direct consultation with farm workers, women or NGOs considered to be the non-statutory partners in local government negotiations on the formulation of a rural model for local government.

"The only consultation which appears to be happening is between the MEC and his representatives, organised labour in the form of the Western Cape Agricultural Union, other organisations closely aligned to farmers, and the Regional Services Councils," wrote CRLS field-worker Terence Fife.

"Without proper consultation between the MEC and other role

players from across the political and organisational spectrum, the model the MEC arrives at will not be acceptable to all affected parties."

Fife said Marais was the only MEC in the country who had not consulted all stakeholders on the rural local government model. The CRLS called for a provincial local government summit to ensure the voices of farmworkers, women and other interest groups were heard.

The Rural Local Government Lobby — comprising the CRLS, NGOs and two farmworker trade unions — met Marais two weeks ago to raise these concerns. They asked that he amend his voting formula for the rural areas from 60 percent proportional representation and 40 percent nominated representation of interest groups, to 60 percent of votes for interest groups.

Fife said Marais had admitted that he had not been consultative enough, but said he believed women did not require special representation, despite the fact that they were allowed it in other provinces.

Marais also balked at the suggestion that he prepare new legislation for the elections, Fife said. The rural lobby was unhappy that the Regional Services Council run the elections next year, and a new arrangement would have to be legislated.

A suggestion that voter registration be reopened in rural areas was also rejected by Marais, said Fife, claiming the MEC said voters from other provinces would storm the Western Cape to register illegally.

At the time of going to press, Marais had not yet responded.

PETER MILLER

When push comes to shove

KwaZulu-Natal's embattled Local Government & Housing Minister Peter Miller may brush off his future in public life with the comment that politicians have a limited shelf life and his might be close to expiry. But his political survival record suggests he's unlikely to be that easily brushed aside — even by his sometimes formidable party leader Mangosuthu Buthelezi.

A great deal will depend, however, on whether the Home Affairs Minister's bitter tirade against Miller — for allegedly ignoring IFP policy in drafting rural local government legislation — was made in a fit of all-too-familiar pique or part of a campaign, as some believe, to oust Miller.

Miller (54) has been in active politics since his student days and in elected politics since 1978. In that time he has served four political parties. Though this suggests survival is his only priority, Miller explains that his progression — from the United Party (UP) to the New Republic Party (NRP) and to the NP — was as a result of the successive deaths of the parties.

"I was never totally accepted or completely comfortable in the NP, though it was the vehicle for change at the time." His departure from the NP in 1993 followed a campaign not dissimilar from that now being conducted against him.

Miller joined Inkatha because he believed the future lay in parties led by major black politicians. This was coupled with his conviction that Inkatha sought freedom for its people under a political system incorporating federalism and free enterprise.

"Those principles still apply. Whether they are being actively pursued by all my political associates is a moot point."

His vision is based on conventional federalism, as practised by Australia, the US, Germany and Canada. "I'd rather live in a country which tends towards a unitary constitution than extreme versions, which would tend to 'Balkanise' the country."

Fluent in Xhosa and competent in Zulu, Miller was raised in East Griqualand and matriculated at Maritzburg College in 1958. Before attending the University of Natal — where he graduated with an MSc in agriculture (*cum laude*) in 1966 and received the award for the best all-round student in

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the faculty — he trained with SA Air Force chief lieutenant general James Kriel as a pilot.

Miller worked as research officer with the Department of Agriculture before becoming a director of East Griqualand Insurance Brokers in 1969. Nine years later he became financial director of the Kokstad Toyota franchise and then, in 1981, MD of International Farm Services — a position he only relinquished because of the demands made on his time by politics.

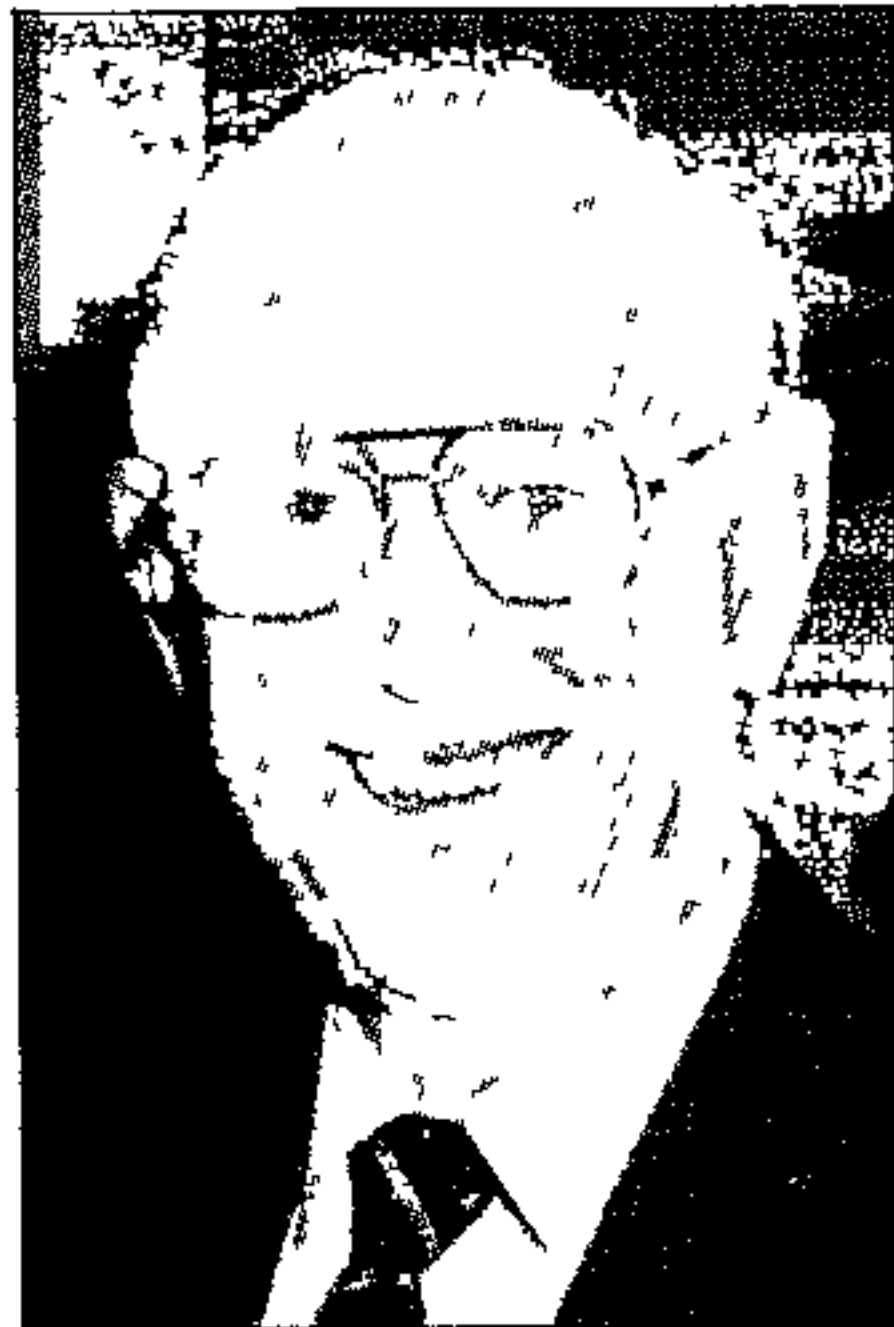
His political career began with the Kokstad branch of the UP, serving as vice-chairman from 1973-1977. He was elected to the provincial council in 1979, ousting the NP incumbent after a successful campaign to incorporate East Griqualand into Natal — something he's now fighting again.

He was chief whip in the council from 1981-1986, during which time he also became chairman of the NRP provincial caucus. In 1986, P W Botha appointed Miller to the executive of the Natal Provincial Administration. He served for seven years until his resignation

to join Inkatha in 1993.

Miller is regarded as one of the IFP's most competent provincial ministers. His grasp of local government and housing issues have earned him the respect of political opponents, such as the late Joe Slovo.

Miller — married, with two children — is an accomplished sportsman, having played squash for the province and first-class rugby, cricket and tennis. ■



Peter Miller



Schlosberg

record company.

His secret, which he isn't shy about sharing, is "knowing and loving the music market and grabbing every opportunity it presents." Indeed, the Schuster recording, launched at the height of World Cup Rugby fever, sold 200 000-odd units in 15 weeks.

EMI SA is a wholly owned subsidiary of the UK's giant Thorn EMI, which famously paid Richard Branson the fabulous price of £510m for his Virgin Music company. What Schlosberg is looking forward to at EMI SA "is being able to combine the hunger of the independent with the resources of a major."

EMI SA has a market share of more than 20%. It competes with Tusk and Gallo — each of which has a third share, with EMI, of local CD maker Compact Disc Technologies — as well as Polygram, Sony, BMG and a host of independents.

EMI SA is well placed to take advantage of areas of potential growth. In the case of increasing visits by international artists, Schlosberg notes that "this is when sales really soar." He adds, suggestively, that EMI SA is expecting soon to play host to "simply the best artist in the world."

Growth could also come through subsidiary CCP, which deals with local black artists, including pop queen Brenda Fassie and Rebecca, a gospel singer whose last recording racked up sales of 185 000 units (25 000 is a gold disc in SA).

Schlosberg also correctly points out that EMI-owned Decibel Music, with artists such as Gé Korsten, is "the biggest Afrikaans music company in the world."

"Then, too, there is the exploitation potential of the mountains of EMI music released throughout the years."

Schlosberg, who was born in Johannesburg and schooled at Highlands North High, is a chartered accountant; he qualified at Wits and served articles with Charles Orbach & Co. Eighteen years ago, he joined RPM as group accountant and went on to become MD in 1987.

He and his wife, Brenda, have two daughters, aged 12 and 15, who, Schlosberg chuckles, play an important role in helping him predict musical hits. He adds that tennis and a 6 km jog a day keep him fit for the competitive record industry fray. ■

IRVING SCHLOSBERG

Music to their ears

Irving Schlosberg, former MD of Gallo's independent record company RPM, is the man on whom EMI SA is pinning its hopes for a marketing renaissance.

The creative force behind Leon Schuster's "Hie' Kommie Bokke" and the "Monster Hits" compilations, Schlosberg (45) repositioned RPM when it began to founder in the late Eighties, following the loss of several major international licences. He went on to make it SA's largest independent

ANC, Nats 'blocked other groups'

FEROZA MILLER
Staff Reporter

THE ANC and the National Party worked together in recent elections in the Cape Flats to keep other organisations out, it has been claimed

Two Retreat community organisations have dismissed the Southern Reconstruction and Development Forum's eight-member executive committee

as "not inclusive" and "lacking gender sensitivity"

The Lavender Hill Housing Action Committee (LAVHAC) and Steenberg Retreat Housing Action Association (SRHAA) said the committee, which was elected on November 30, comprised only National Party and ANC members

LAVHAC chairman Andhor Grey Marks said: "We were dis-

tressed to see that throughout the electoral process the NP voted for ANC candidates and vice-versa. They voted each other into key positions to keep other organisations from achieving key positions"

"What also left a bad taste in our mouths was how the issue of gender was handled," said Mr Marks

From an executive of eight, only three women were elected — as assistants (263)

SRHAA executive committee member Mark Lakay, said the forum was not inclusive and non-transparent.

However, both LAVHAC and SRHAA have committed themselves to continued participation in the forum

ARL 11/12/95

Boundaries decision sets election ball rolling

(263)
MUNICIPAL REPORTER

ET 11/12/95

NOW that the municipal boundaries decision has broken the log-jam holding up the transformation of local government, a host of decisions should follow rapidly.

Local Government Minister Mr Peter Marais' assistant, Mr Fritz Marks, said at the weekend that councils in Cape Town had been asked to make recommendations on how many seats the new councils should have, by this Friday.

Hearings

Between December 18 and December 29, existing councils are asked to submit their ideas on ward demarcation to Mr Marais.

On December 27, the Demarcation Board must advertise the dates and venues of public hearings it will hold about ward boundaries between January 2 and January 23.

The board is expected to report to the minister on ward boundaries by January 30.

The wards and numbers of seats should be formally proclaimed by February 12.

● Cape Town councillor Mr Ian Iversen, a spokesman for the Democratic Party, issued a statement last week slating a proposal by Mr Marais that there should be only 50 seats (compared to 98 at present) on the new council.

Representation

If there are 50 seats, the DP said, 30 will be for wards and only 15 of those wards will be in the white/coloured areas. This means that a single councillor would have to represent over 30 000 voters.

The DP wants no more than 12 000 voters per ward.

● Mr Marais and the Provincial Committee agreed last week on the new structure of rural local government, providing a boost to election planning there. The agreements will be proclaimed in the provincial gazette this week.

Fire services shambles.

(263) ARG 12/12/95

the control of a dedicated fire service committee with representatives from all local sub-structures.
 Chief Sparks, who heads the Western Cape Chief Officers' Co-ordinating Committee, said Chief Harries's appeal "embodies my personal opinion".
 Cape Town City Council today passed a special vote of thanks to the fire services which fought the mountain blaze on Lions Head over the weekend, writes The Argus municipal reporter

FIRE and rescue services in the Peninsula and Boland are fragmented, operationally ineffective and unnecessarily costly, the Cape Metropolitan Council (CMC) fire chief claims.

The claims were made in a document written by Chief Pete Harries, leaked to The Argus by a metropolitan councillor.

Cape Town City Council fire brigade chief Donald Sparks has supported his CMC counterpart's call for rationalisation of the service, as has Goodwood fire brigade divisional officer Dean Roberts.

The CMC fire brigade was not called out to fight the weekend blaze on Table Mountain, Lion's Head, Signal Hill and surrounding suburbs.

Had the fire been sufficiently out of control to warrant it being called, the operation could have run into serious snags such as harried officers battling to match hose connections to fire-tenders, or failing to find urgently required equipment on "foreign" appliances, not to mention widespread confusion over ranks, orders and control.

Each brigade runs its own independent show, with fragmentation and lack of co-ordination "the order of the day".

According to the leaked document, the Cape Metropolitan area has 18 different emergency numbers, and 15 separate local authority fire services operating from 28 separate stations.

The services offer different training, wear different uniforms, operate different machinery and equipment, have different rank structures and different benefits for their officers.

Both Chief Harries and Chief Sparks run seven-station brigades. The other 14 local authorities have only one fire station each.

Altogether, the 28 stations attend to about 15 000 emergencies a year at a total cost of about R100 million.

Chief Harries argued strongly in his document that the whole region be brought under a single command.

If the 28 stations were left "to do their own thing" it would result in extreme ineffectiveness at major accidents, a complete loss of cost-effectiveness, and individual services not being able to reach "acceptable levels" of proficiency.

"As it is, major losses have occurred in the Western Cape when minor incidents have developed — through lack of co-ordination, training and planning — into major catastrophes," Chief Harries wrote.

"Invariably, the bigger the blaze the greater the praise for the service. Only the informed few recognise the bigger picture and the sad failure of the service — through structural flaws beyond its control."

There was simply no way the presently constituted fire services could cope with major fires in a large factory or ship, a high-rise building, a large passenger aircraft, a large chemical spill or a multi-vehicle pile-up.

"All that is required is one control room, one emergency telephone number and one radio frequency. This would vastly improve mobilising and control, and substantially reduce costs," he said.

Chief Harries recommended a regional fire and rescue service be formed, under

Councillor Clive Keegan formally proposed at the council's monthly meeting that it should express its deep gratitude to all who fought the fire.

Mayor William Bantam said he had already written to the fire service and also thanked Bellville, Goodwood, Milnerton, Parow and the Cape Metropolitan Council for helping to fight the fire.

● Call to revamp fire service — page 25

P.T.O.

Angry Mfuleni residents hold firemen hostage

Staff Reporter

THE Mfuleni community seized a fire-engine from the Cape Metropolitan Council and held firemen captive after they helped put out a shack fire in the settlement late last night.

Mfuleni mayor Oliver Nqubelani said today residents were "dying like flies" in shack fires, and the community was "incensed" there was no stand-by fire-fighting equipment available to them in spite of repeated requests.

Cape Metropolitan Council fire chief Pete Harries responded "All the resources available in the Western Cape could certainly be spread around better, but there are no funds available to put a station in Mfuleni."

Mr Nqubelani said four shacks burned last night. Calling the fire brigade was "futile" as the fire was usually out by the time they arrived.

A big engine and a Landcruiser came out last night. The community withheld the Landcruiser and are keeping it at the police station as a symbolic gesture.

"That's what they want... a small vehicle on standby."

Khayelitsha was getting a fire-engine and had 19 officers in training. Mfuleni wanted the same.

Chief Harries said his officers, stationed at Melton Rose, were held hostage by an "aggressive" Mfuleni community for two hours before being released and allowed to leave on one fire engine.

SALDRU: Project for Statistics on Living Standards and D
 Shaded cells contain entries considered not statistically

Source:

Race	Metr. Status	Rate			Number		
		Female	Male	All	Female	Male	All
African	Rural	16.2	28.2	24.0	810300	1473700	2284000
	Urban	24.7	46.1	37.5	365600	545100	910700
	Metropolitan	26.9	42.9	35.8	502300	621700	1124000
Coloured	Rural	2.1	7.3	4.8	39900	47300	87200
	Urban	30.1	31.4	30.9	120600	153500	274100
	Metropolitan	51.2	53.3	52.3	210000	267400	477500
Indian	Rural	0.0	34.4	25.9	900	2700	3600
	Urban	37.1	35.3	36.0	54300	91900	146200
	Metropolitan	45.0	46.9	42.8	47500	90800	138300
White	Rural	2.0	22.3	13.9	51400	73400	124700
	Urban	13.8	29.2	22.8	206100	290300	496500
	Metropolitan	10.5	15.4	13.3	505700	716000	1221700
All	Rural	14.8	27.3	22.8	902500	1597100	2499600
	Urban	23.5	38.6	32.4	746600	1080800	1827400
	Metropolitan	24.7	33.1	29.5	1265500	1695900	2961400
All	Rural	21.3	32.3	27.9	2914500	4373900	7288400

Western Cape govt expects R800m budget shortfall

CHRIS BATEMAN

THE Western Cape government expects a budget shortfall of R800 million this financial year, R200m less than predicted, but will still have to secure bridging finance to meet its massive staff salary bill

This was said yesterday by Western Cape Finance Minister Mr Kobus Meiring, after the Western Cape cabinet decided to set up a special multi-party budget committee to oversee the 1996/97 budget, 80% of which is taken up by salaries

"We're caught between the devil and the deep blue sea because bridging finance has to be paid back to Pretoria — and we can't avoid paying salaries," he said

Education and health remained the biggest headaches, Mr Meiring said

Free health care to pregnant women and young children had drained revenue resources by some R60 million — although increased income from horse racing and motor vehicle licences (figures unavailable) had helped even out



CAP IN HAND: Finance Minister Mr Kobus Meiring

this expenditure

"Patients who can pay do, but increasingly public health is for the indigent," he said

Mr Meiring warned against expecting a "jackpot" boost to the coffers from gambling tax

"We originally saw this as a salvation for all our problems but the closer to it we got the more we realised that it will not be that big a money-spinner," he said.

Pressed, he said his "guesstimate" would be an annual gambling income of between R100 and R200 million — nowhere near the figure needed to ease the province's financial woes

With a white paper on gambling released and being scoured for constitutional flaws by Premier Mr Hernus Kriel's lawyers, debate is now only expected towards the end of February

Betting tax

Mr Meiring said he doubted whether actual gambling legislation would be ready before the end of next year, adding: "They haven't even decided on what betting tax will be"

He said provinces had yet to receive funding from Pretoria for police, tourism and sport

The Department of State Expenditure was trying to resolve these provincial allocations by playing "referee" between the nine provinces and Pretoria

The Western Cape's new special budget committee is to meet again on January 18

Parties differ over number of city councillors, seats

(263) CT 12/12/95

MUNICIPAL REPORTER

THE present number of Cape Town city councillors— 98 — should be almost halved, the Demarcation Board has said.

While the NP agrees with this recommendation, both the ANC and the DP say 50 seats are not enough.

ANC spokesman Mr Brent Simons said 25 000 to 30 000 voters in a single ward was not good for effective local government.

DP spokesman Mr Ian Iversen said there should not be more than 12 000 voters per ward.

As there are more than 650 000 voters in the Central Substructure

(Cape Town municipality with its new boundaries), that means the DP wants at least 54 seats.

The NP says 50 is enough.

Independent Mr Clive Keegan — a former ANC member — also says 50 councillors is plenty for Cape Town. He said the council had been "utterly unwieldy" with its 98 members.

The real problem was the Local Government Transition Act, which required that 50% of the ward seats be in black areas, and the other 50% in white and coloured areas, he said.

This meant in white and coloured areas wards would be larger than the old Parliamentary

constituencies. That provision should be scrapped.

If Cape Town gets a total of 50 seats, 30 will be ward seats and the other 20 will be elected by proportional representation, from a political party list.

Of the 30 ward seats, 15 have to be in black areas and the other 15 in white and coloured areas.

● The Demarcation Board said on Friday Tygerberg (with 454 000 voters) should have 46 seats, Southern (172 000) should have 36, Eastern (120 000) 32, Helderberg (72 000) 30, and the Northern Substructure (Greater Milnerton), with 61 000 voters, should have 26 wards.

Unions plan to hit out at privatisation

ARG 13/12/95

TYRONE SEALE
Political Staff

WESTERN Cape trade unions plan to talk tough at tomorrow's meeting of the Cosatu national executive to discuss government proposals to restructure state assets.

Deputy-President Thabo Mbeki has announced that parts of South African Airways and Telkom will be sold off, although the government will keep the controlling share.

Sun Air, Transkei Airways and Autonet will be sold in their entirety.

Metro Rail, Spoornet, Portnet and the SA Rail Commuter Corporation have been targeted for efficiency-driven restructuring.

In Cape Town yesterday the secretariat of the alliance embracing Cosatu, the SA Communist Party and the African National Congress met to discuss possible mass action to halt privatisation.

Public sector unions such as

the Police and Prisons Civil Rights Union (Popercu), the Post and Telecommunications Workers' Association (Potwa), the National Education, Health and Allied Workers' Union (Nehawu), the SA Municipal Workers' Union (Samwu) and the SA Democratic Teachers' Union (Sadtu) took part in the meeting.

Cosatu regional secretary Joseph Williams said the trade union federation was concerned about job losses that might result from privatisation.

Transport and General Workers Union (TGWU) spokesman Harald Harvey said unions were saying to their alliance partner, the ANC, that it was time the organisation asserted itself in the cabinet instead of being "led by the nose by capital".

SACP regional secretary Philip Dexter said the restructuring of state assets had to be implemented with the princi-

ples of the Reconstruction and Development Programme as guidelines.

Efficient services had to be rendered, particularly to poor South Africans, and this had to be done without job losses and without the process of reconstruction itself becoming an arena for the very corruption the government hoped it would stamp out by privatising certain institutions.

SA Railways and Harbours Workers Union (Sarhwu) spokesman Neil Newman said his union's 3 500 to 4 000 Western Cape members were considering a day of action.

Speaking for Potwa, Nathan Bowers said "the feeling on the ground" was "very militant" as at least 14 500 jobs could be lost through privatisation in so-called non-core services.

He said Potwa supported the Sarhwu day of action and was working on its own programme.

after car theft suspects beaten to death

lei, and his father William Andries Graham, 53, of Rooiwal, and Dawid Enslin, 27, of Pretoria Gardens, appeared briefly in the Pretoria North District Court yesterday in connection with two charges of murder.

No charges were put to them and they were not asked to plead.

Their appearance followed the arrest of the five men on

Monday after the bodies of two men, identified only as Jerry and Penny, were found in a biltong drying shack on Graham Senior's farm near Rooiwal.

The victims were allegedly beaten and tortured by the five suspects and left in the room overnight. Their bodies were found when the room was opened on Monday, police said.

The victims were allegedly

abducted and assaulted because they were suspected of having stolen a bakkie belonging to one of the accused.

Four of the suspects surrendered to police and a fifth was later arrested.

According to a post mortem one of the victims died as a result of a brain haemorrhage and the other due to severe blood loss.

Decision on interim name for council

Municipal Reporter (213) ARG 13/12/95
CAPE Town/Kaapstad/Ikapa — that is what the Cape Town City Council wants to be called until political changes to restructure new municipalities have been completed.

The council has appealed to provincial authorities not to rush into a decision on new names for substructures because this is "an important and highly sensitive issue".

Local government minister Peter Marais has asked councils to make suggestions for new names for the six

new municipalities in the Cape metropole by Friday.

But at yesterday's council meeting it was decided they would urge that the joint executive committees — tasked with amalgamating the 39 local authorities into six new municipalities — be allowed to grapple with the issue of a name.

Meanwhile the council has suggested that the names given to the new municipalities by the Demarcation Board be retained — namely Eastern, Northern, Southern, Tygerberg and Helderberg.

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TRAD

Huge ward sizes are rejected as 'incomprehensible'

ARG 13/12/95
(263)
Municipal Reporter

COUNCILLORS hoping to contest ward seats for the new central substructure are in for a shock if a proposal by Local Government Minister Peter Marais to restrict the size of the new council to 50 is accepted.

This was the view of Neil Ross, Democratic Party leader for the Cape Town City Council, who argued that a 50-seat council would inevitably lead to wards of 22 000 voters in coloured and white areas.

Mr Ross arrived at his figures by dividing the number of wards in the municipality between the former black local authority areas of Ikapa and the remaining coloured and white areas on a 50:50 basis as laid down by the Local Government Transition Act.

Black local authorities for the new central substructure would have in the region of 11 000 voters per ward.

Mr Ross said 22 000 per ward would be the highest number of voters per ward in the whole of South Africa — the average in Johannesburg being in the region of 12 000

It would also effectively mean only five wards for the whole of Mitchell's Plain and another five for the greater Athlone area.

"We are talking in terms of bringing local government to the people,

but no councillor can be near to the people in terms of a ward of 22 000 people."

John Muir, also of the DP, said that the proposed ward sizes were "incomprehensible".

The DP contingent also got support from Hanief Tisseker of the African National Congress who argued that a smaller council would damage the chances of smaller parties because they would need more votes to get on to the proportional representation list

"I don't think anyone wants the situation where we have two major parties contesting local elections," he said.

Llewellyn van Wyk pointed out that in the new order, ward councillors were not the only interface between people and local government. He said political parties also played a role, as did civic organisations and reconstruction and development forums.

The council has decided to ask its representatives on the joint executive committee (JEC), which will amalgamate the Cape Town City Council with Pinelands and Ikapa, to push for a council of 100.

However, the council also decided to delegate to the JEC authority to deal with all matters relating to council size and ward demarcation.

ARG 13/11/95
Premiers sign
agreement on
assets share

(263) (263A) (263B)
Labour Reporter

PREMIER of the Western Cape Hernus Kriel and his counterparts from the Eastern Cape, Northern Cape and the North West today signed an agreement on how the assets, budgets and posts of the former Cape Provincial Administration would be divided among the four new provinces.

While the signatories were unable to specify which assets would go to which province, save that the fewest assets had gone to the North West, all expressed satisfaction with the agreement which outlines a process for the division.

The assets include vehicles, land, posts and budgets.

Mr Kriel was unable to say how many of the Western Cape posts would specifically be targeted as affirmative-action placements.

Premier of the North West Popo Molefe said the agreement should result in greater equity in human and material resources.

He said a meticulous audit of assets had been started.

TRAINING OFFICIALS THE PRIORITY

Provinces club together to tap local, foreign funding

(263) (263) (263) CT 14/11/95

SIX PROVINCIAL PREMIERS

agreed yesterday to join an investment forum to be set up by the National Business Initiative.

CHRIS BATEMAN reports

SIX of the country's provincial premiers agreed yesterday to form a joint investment forum aimed at boosting their respective economies — and have asked the National Business Initiative (NBI) to convene a workshop before Christmas

In a joint announcement after a gathering hosted by Premier Mr Hernus Kriel in the city yesterday, the six — excluding Mpumalanga, Gauteng and the Free State — said they had all received international pledges for the training of councillors and local government officials. They had formed the Premiers' Local Government Investors Forum to tap the resources of the international donor community, the private sector and central government

"Only through vibrant training programmes can we empower our officials to engage with the diverse challenges and needs of our communities," the six said

The NBI would set up the forum and had been asked to convene a workshop before Christmas.



SHARING THE CAKE: Provincial premiers (from left) Mr Manne Dipico, Mr Hernus Kriel, Mr Popo Molefe, Dr Frank Mdlalose and Professor Sheperd Mayatula sign an agreement to start a joint investment forum yesterday.

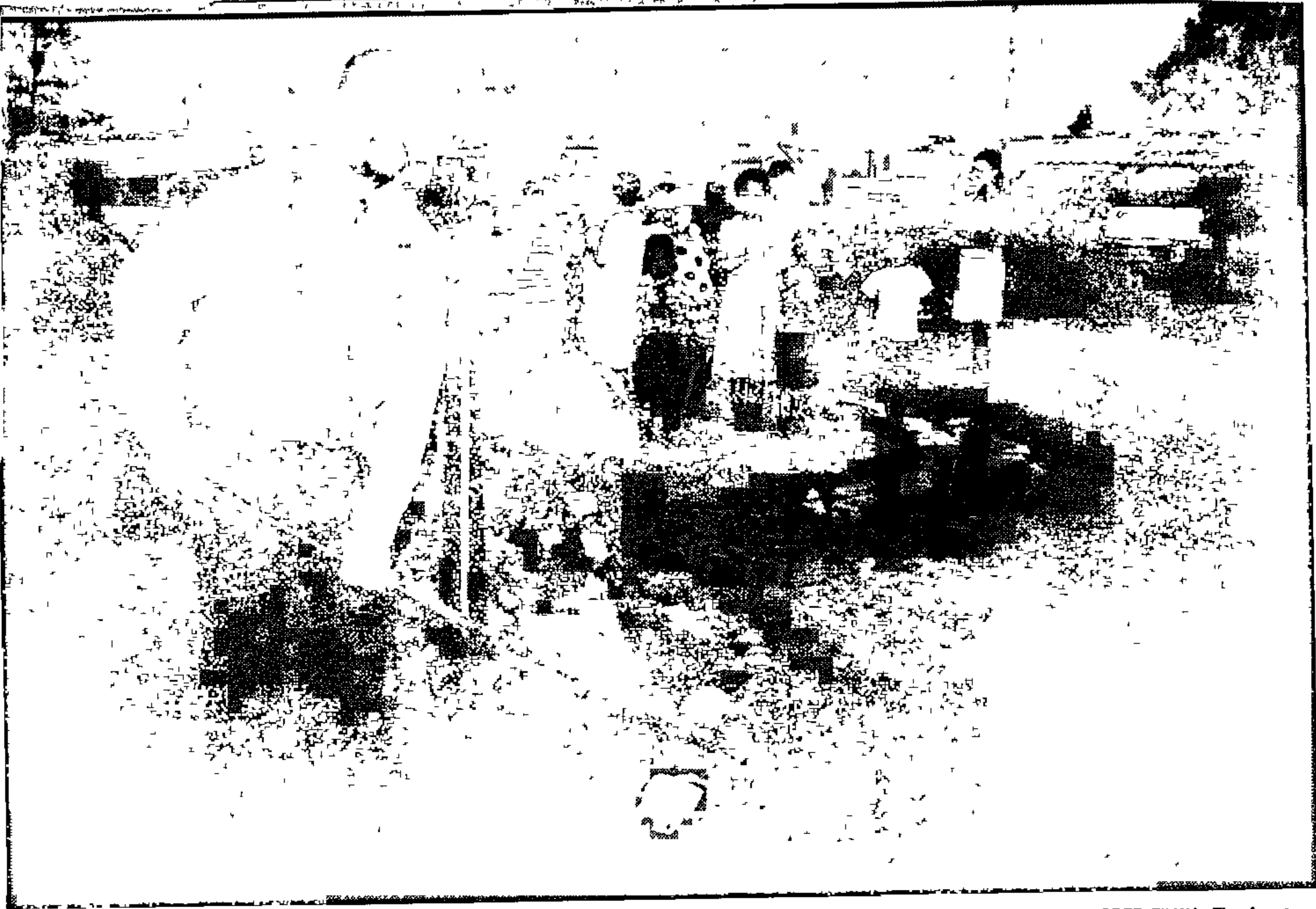
PICTURE: ANNE LAING

The six premiers are Mr Manne Dipico (Northern Cape), Mr Popo Molefe (North West Province), Mr Kriel, Dr Frank Mdlalose (KwaZulu/Natal), Mr Ngoako Ramathlodi (Northern Province) and Professor Sheperd Mayatula (acting premier, Eastern Cape). The three unrepresented premiers said "unforeseen circumstances" prevented their attendance

Yesterday also saw the four premiers

who govern what 18 months ago was the Cape Province sign a historic agreement dividing billions of rands worth of budget, assets and posts

Mr Dipico described the signing as "the culmination of a painful, protracted process", and praised the officials who made the signing possible. Mr Kriel said all had agreed upon a "verification process" to ensure equity in distribution.



Picture OBED ZILWA, The Argus

NEW BROOM: New Grabouw mayor Fanie Booysen, 36, an unemployed resident of a squatter camp, aims to improve the lot of the town's poor.

Unemployed squatter elected mayor of Grabouw

ARG 14/11/95 (263)

Staff Reporter

WITH more than half of the townsfolk living in the squalor of squatter camps and backyard shacks, newly elected mayor of Grabouw Fanie Booysen believes his appointment to be entirely fitting.

As an unemployed resident of one of the several sprawling shanty settlements surrounding Grabouw, Mr Booysen, 36, feels he is in a perfect position to

gauge the town's needs.

Immediately after his election last night Mr Booysen made it his priority to uplift living standards.

He lives in Rooi Dakke settlement where access to clean water and hygienic toilets is a daily grind: "Where I stay there are no facilities. This is one of my priorities."

Mr Booysen also aims to bring unity to Grabouw where

a dispute over a piece of serviced land has simmered, sometimes boiling over, for more than a year.

"We need to bring the people together and bring stability to Grabouw, once and for all."

He said the spirit of the meeting between former political foes at which he was elected last night was excellent: "If it carries on like that the town will prosper."

Mr Booysen, was born in King William's Town and divided his youth between the Eastern Cape and Grabouw. He settled permanently in apple country in 1980.

On the unbanning of the African National Congress in 1990, he was elected vice-chairman of the Grabouw branch and has held executive positions ever since.

He and his wife Rita have an infant son, Mbongeni.

'HOTEL AND STEEL PLANS WILL BE A BOOST'

Four percent growth predicted for W Cape

CT 15/11/95

(263) (199)

A REGIONAL GROWTH RATE that is higher than the national average is possible, Minister of Economic Affairs Mr Chris Nissen says. **ANTHONY JOHNSON** reports.

THE Western Cape could expect a growth rate of four to six percent until the turn of the century compared with a national average of three percent, the regional Minister of Economic Affairs and the RDP, Mr Chris Nissen, predicts.

"This is well within the range of the possible, especially if we include RDP- and business-linked investments that are on the cards," he told a Bureau for Economic Research conference. "Think of all those five-star hotels and casino projects." He said the R4,7-billion Saldanha Steel project and the Cape Town bid for the 2004 Olympic Games could also boost the economy.

However, he cautioned that the

Western Cape could not take a four-six percent growth rate for granted. It was also a pipe-dream to imagine that job creation would "just happen" in a free enterprise fashion. He said that three factors could seriously endanger growth prospects:

- The unequal sharing of growth and development
- Meeting the condition for rapid and stable output growth
- Meeting national and international competition.

Mr Nissen noted that 30-40% of households in the Western Cape were affected by unemployment.

More than 90% of all company directors were "lily-white" and well over 75% of middle and upper management was white, he said.



CAUTIONED: Minister of Economic Affairs and RDP Mr Chris Nissen says 30-40% of households are affected by unemployment

Marais to take on ANC over Paarl office-grabbing

(263)

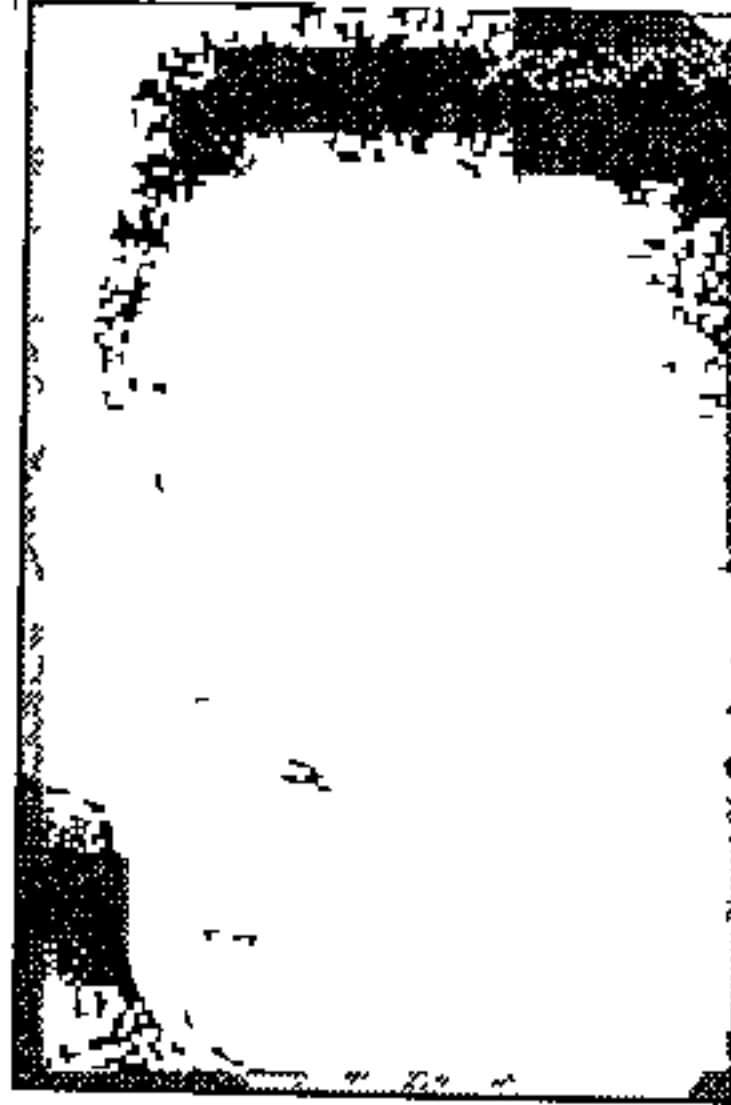
ET 15/11/98

CHRIS BATEMAN
POLITICAL STAFF

LOCAL government Minister Mr Peter Marais yesterday signalled his intention of taking the ANC head-on over the decision to put its members in all major positions on Paarl's town council

The ANC won a majority of council seats a fortnight ago — with the help of the ward system that gave stronger weight to a Mbekweni township vote than to the rest of Paarl

However, Mr Marais said yesterday that the constitution "demanded" that a system of proportional representation be applied and cited the ANC's total



HEAD-ON ACTION:
Mr Peter Marais

of 15 027 votes versus 18 477 combined NP, DP and independent votes in Paarl

His department yesterday began drafting a

proclamation that will require all local government bodies to "apply a system of proportional representation in the election of executive committee members"

Mr Marais said all transitional local councils would be required to appoint their executive committees in strict accordance with current practice at both central and provincial levels.

Although the ANC won less votes, it has filled the posts of mayor, (Mr Allen Paulse), deputy mayor and chairman of exco (Mr Mike Mgajo) and appointed party members to all five standing committees

ANC finishes off 'gevaar'

ET 16/11/95

(263)

CHRIS NISSEN AND WILLIE HOFMEYR

PERHAPS the greatest significance of the local elections was the decisive breakthrough by the ANC in the coloured and Indian minority communities who had overwhelmingly voted for the NP in the 1994 elections. One day this election may well be seen as the keypoint at which the electorate finally turned its back on those who have relied on "swart gevaar" tactics for electoral success.

This was very clear in Gauteng where, for example, in the major Indian area of Lenasia, the ANC won all the wards.

But in the Western Cape, the significance of this change has been obscured by the fact that much of the focus has been on the overall results which include a large number of conservative white voters. Little attention has been paid to the results in the coloured community.

Last year the NP managed to win the Western Cape convincingly when they used "swart gevaar" tactics effectively to scare the coloured community into voting for them.

Most survey results and analysts (eg Hermann Giliomee) agree that in 1994 the NP won about two-thirds of the votes against about 25% for the ANC. The NP claimed similar figures (eg by Pieter Marais in Die Burger of 6.11.95).

The crucial issue in the local elections was whether the NP would be able to repeat their runaway victory.

To establish this, we prepared a detailed analysis of all the wards in which coloured people are 90% or more of the population.

Huge swing

The results show that of the 155 568 voters, 68 853 or 44,3% voted ANC and 58 481 or 37,6% voted NP.

Thus, from trailing the NP by 42% the ANC now leads by 7%. This represents a huge swing of nearly 25% from the NP to the ANC. This is more than the ANC requires to beat the NP in the next provincial election.

The impact of this shift on the number of

wards won surprised even us. Of the 260 wards, the ANC won 137 or 52,7% against the 45 wards or 17,3% for the NP. The ANC won three times as many wards as the NP - a landslide victory in any terms.

But what makes it even more remarkable is that in the elections last year the ANC did not win a majority of votes in any polling station in the rural areas except in the tiny town of Saron.

Reasons

How is it that the ANC captured the coloured vote which the NP up to now claimed belonged to them?

First, the ANC has through its hard work in the community exposed the myths and propaganda of the NP - the stories that people's houses and jobs would be taken away, that pensions and subsidies would be lost, and so forth. More stories appeared, for example that "Mandela promised cars and washing machines, but did not keep his promises".

But this time the NP's "campaign of fear" was just not substantial enough to counter the ANC's "campaign of delivery". We ignored the NP *skinderstories*, and focused on people, the real issues which affect them, and how these can be solved.

Secondly, many people were also disillusioned with the NP's inability to deliver where it had control. One of the NP's biggest problems is that it is not willing to threaten the privileges of its conservative white supporters. In many ways, the Broederbond still rules in the rural areas.

Thirdly, apartheid oppression is still very much a fact of life in the rural areas. But the NP of Kriel and Marais is simply not prepared to challenge the openly racist attitudes of many of its supporters.

On the other hand, for many people, the ANC government had delivered more in 18 months than they had seen in 48 years.

Although much remains to be done, a promising start was made with the provision of basic services, health care, school feeding, etc. It convinced many that the ANC, unlike the NP, had the political will to build a better life for all.

The ANC gains in the Western Cape are a victory for the non-racial tradition of the ANC.

The hard work before the election has managed to break through the fears that many people had of the ANC - many coloured people found a comfortable home in the ANC while retaining their cultural identity and language.

Many coloured people found a comfortable home in the ANC while retaining their cultural identity and language. Besides, the ANC convinced many that, unlike the NP, it had the political will to build a better life for all.

The attempts by the NP and the much publicised ethnic coloured parties to polarise African and coloured voters failed dramatically. Coloured people did not accept Pieter Marais's invitation to "be king in the Western Cape" to the exclusion of others.

Ashes

Instead voters opted for the ANC's vision of a South Africa which we can share. The result is a

vindication of the magnificent efforts of President Mandela to build a new and united nation out of the ashes of apartheid.

Although much hard work remains, we are confident that the elections in the Cape Metro will confirm that the local elections were the beginning of the end for those who rely on the divisive "swart gevaar" politics of the past.

☐ Rev Chris Nissen is chairperson of the ANC (Western Cape), MEC for Economic Affairs and MPL for the Blue Downs area. Willie Hofmeyr is MP for the Claremont area and serves on the Justice Committee in Parliament.

Threat to Cape buildings

□ *New legislation on borrowing may prevent proper upkeep of structures* (263) ARG 16/11/75

CLIVE SAWYER

Political Correspondent

WESTERN Cape Finance Minister Kobus Merring is worried that new national legislation may not allow provinces to borrow money to maintain buildings

Mr Merring was among national and provincial MPs who attended a briefing for parliament's joint standing committee on finance on the Borrowing Powers of Provinces Bill

Leon Brand, deputy director-general of the national department of finance, told the briefing that the constitution did not allow provinces to raise loans for current expenditure

However, short-term loans could be raised for bridging finance for current expenditure

They could borrow money for capital spending provided this was according to guidelines set by parliament and the Finance and Fiscal Commission

The commission was set up by the constitution to devise rules for allocation of financial resources to the three tiers of government

Dr Brand said his department had tried to liaise with all interested parties in drafting the bill

The bill was supported by all the provinces, he said

It provided for provinces to have two statements in their books, one for capital and one for current spending

There was a strict definition for capital expenditure and everything else was to be regarded as current expenditure

There was a prohibition on the use of capital market derivatives Provincial governments, as new entrants to the capital market, would not have the expertise to handle the risks on these derivatives

The purpose was to prevent "speculative activities", Dr Brand said

A Loans Co-ordinating Committee would be set up, which apart from its co-ordinating role would act as a forum for the exchange of knowledge on developments in the capital market

Dr Brand said borrowing limits to be set for provinces would al-

low for some flexibility, but the practice of "continuous and revolving credit" would not be allowed

There would be three ways for provinces to raise loans

● From the national government,

● through existing intermediaries, for example the Development Bank, which would borrow in their own names, and

● by direct entry into the capital market

The most likely approach would be that of approaching the national government directly, because this would mean relatively easy access to the capital market

Foreign borrowing would not be allowed without the approval of the national Minister of Finance

This was to prevent undue influence on the national interest and reduce the risk of prejudice to South Africa's credit record.

Provincial governments would have to accept full responsibility for repayment of loans raised from non-national government domestic sources

Guarantees of foreign loans would be issued only according to the provisions of the to-be-revised national Exchequer Act

Mr Merring said that while the bill was clear on capital and current spending, there was a "grey area" about the maintenance of infrastructure

This could prove a costly item for provinces

"If you think of Groote Schuur Hospital — unless you spend R10 million a year on maintenance it just goes backwards"

Mr Merring said the first place most budgets were cut was on maintenance spending

"If you do that for 10 years your capital infrastructure is gone"

A province would have to borrow money for capital spending

He said another problem was the ban on bridging finance being used as a revolving fund.

Provinces were already underfunded and this rule posed a problem

"By February or March we won't be able to pay our teachers or nurses"

Dr Brand said maintenance was difficult to define There would have to be negotiations between the national government and provinces about what was meant by maintenance

On the problem of underfunding, he said a solution could be for the national government to borrow more and give this money to provinces

But it was likely there would be a reluctance to do this because of the already huge government debt.

An alternative would be to increase revenue, which would not be easy.

Finance committee chairwoman Gill Marcus predicted the committee would put forward several changes to the bill

There is a difference of opinion between the department of finance and the Finance and Fiscal Commission on the process of handling the legislation

This was to be explored further today when representatives of the commission were to give evidence to the committee.

Row in Grabouw as shebeen owner is elected new mayor

ARC 16/11/95 (263)

Staff Reporter

ANOTHER political row has broken out in Grabouw — this time over the appointment of the owner of a shanty town shebeen as mayor.

Fanie Booysen of the African National Congress — owner of The Place To Be Tavern in the Roodakke informal settlement area — was elected mayor of the Overberg town on Tuesday.

But he hadn't even finished burnishing his new chains of office when the Grabouw Community Organisation issued a statement, apparently faxed from the offices of Pan Africanist Congress MP Patricia de Lille, condemning his appointment.

The unsigned statement accused Mr Booysen's "illegal" business of fomenting crime.

"This is a low point for Grabouw and paves the way for an increase in illegal activities."

The community organisation had already written a protest letter and handed a petition to regional Minister of Local Government, Pieter Marais, in a bid to resolve the issue.

Asked why the fax was sent from her fax machine, Mrs De Lille said she had loaned it to the community organisation

for the duration of the local government election campaign and would get it back on her return to Cape Town next month.

She had no knowledge of Mr Booysen or the row following his appointment.

Calls to the community organisation's office were referred to the home of PAC councillor Dennis Marinus, the founder and chairman of Graco, who was defeated by Mr Booysen in the election for the town's mayor.

But a family member of Mr Marinus said he was ill yesterday and could not speak on the phone. In any case, he was no longer a member of the organisation, she said.

This was confirmed by the organisation's secretary, Francisca Vergotine, who said Mr Marinus had resigned after his appointment as a town councillor.

Mrs Vergotine said the town's mayor should be an example to others, and running a shebeen was hardly the example she had in mind.

An angry Mr Booysen said it did not concern him who had faxed the statement to The Argus.

"I was voted into this position by the people of Grabouw, who know exactly what I do.

"They can call it whatever they want, but as far as I'm concerned, I am unemployed and trying to make ends meet by running a small business," he said.

"If Mrs De Lille or the Grabouw Community Organisation have something they want to tell me, they must tell me personally."

Mr Booysen was particularly upset that he had been accused of fomenting crime.

He accused the community organisation and the PAC — which he said amounted to the same thing in Grabouw — of being the "very people" who had blockaded the town, shut down schools, caused violence and dirtied Grabouw's name in the national media.

● For more than a year tension has run high in Grabouw over the allocation of serviced sites on the fringe of the town.

The land set aside for serviced sites was illegally occupied several times by residents claiming allegiance to the Grabouw Community Organisation and the PAC.

NP congress to consider new name

Wyndham Hartley

CAPE TOWN — A new name for the NP is again on the agenda for its Western Cape congress to be held in Somerset West tomorrow

It is almost certain that the NP will also reflect on apparent gains made in the Western Cape by the ANC in the recent local government elections

The party's national leader, Deputy President FW de Klerk, will not be able to attend the congress as he is on official business in Europe

Constitutional Development Minister Roelf Meyer, who was at the centre of the demarcation row in the Western Cape which saw NP premier Hennis Kriel take the government of national unity to the Constitutional Court will be present at the one-day congress.

BD 17/11/95 (263) ~~263~~
On the agenda is a discussion of the devolution of power to the provinces. It was the contention of Kriel's provincial government that local government regulations intruded on the constitutional rights of the provinces

In a resolution from the Montagu branch the head council of the party was asked "to again reflect on the name of the party"

There were suggestions at the NP's recent Eastern Cape congress that a new name should be found

However, in the past these suggestions have been rejected by the leadership of the party

Also on the agenda for "in-depth discussion" is the crime situation in the country, the lack of economic growth and the NP's role in the government of national unity

Centre accuses

(263) Marais of bias

ARG 17/11/95

Municipal Reporter

THE Centre for Rural Legal Studies has accused Local Government Minister Peter Marais of one-sided consultation in the drawing up of a new model for rural local government.

The centre has written an open letter accusing Mr Marais of only meeting organised agriculture and not farm workers, and more particularly women.

Elections for rural local councils still have to be held, along with the Cape metropolitan area's local elections next year.

"Without consultation . . . the model the minister arrives at will not be acceptable to all affected parties," the centre said.

It said this would result in further delays to the election in rural areas.

Boundary dispute: Court sets date

(263)

ST (M) 19/11/95

By NORMAN WEST
Political Reporter

THE Special Electoral Court (SEC), convened to resolve the Cape metropolitan boundaries dispute, will sit in the Supreme Court in Cape Town on December 4 and 5.

The dates were confirmed on Friday by the secretary of the SEC, Isobel Lindemann.

The court will be headed by Appeal Court Judge J W Smalberger. It will hear argument on the dispute between Local Government Minister Peter Marais and his Provincial Committee on Local Government (PCLG) regarding the delimitation of inner boundaries of the Cape Transitional Metropolitan Council.

Other judges will be Mr Justice Edward King of Cape Town, Mr Justice Vuka Tshabalala of Bisho, Mr Justice M S Nafsa of Johannesburg and Mr Justice P J van der Walt of Pretoria.

PARTY NAME CHANGE WANTED

NP 'white' image under fire

THE NP will have to do some serious soul-searching after its branches in the province accused it of being lacklustre, unimaginative and out of touch. **BARRY STREEK** reports.

THE National Party's white image and even its name came under fire at its Western Cape congress in Somerset West at the weekend.

Provincial Local Government Minister Mr Peter Marais told the congress: "Our party is too white. Our packaging is still too white."

MP Mr Melt Hamman revealed that in response to a questionnaire, 133 NP branches in the province had accused the NP of being lacklustre, unimaginative and out of touch with its followers and members.

Mr Hamman said marketing

and propaganda were the Achilles heel of the NP.

"We take the right decisions and we have the right policy, but when it comes to implementing them, we fall flat."

Mr Hamman also said the party was developing a new strategy and marketing plan. This could include a change of name, which the congress endorsed unanimously.

Dr Dawie de Villiers, party leader in the Western Cape, warned, however, that it was not an instant solution and "an artificial change of name will have no value".

He also said that two years ago

et 20/11/95
when the party had changed its colours and emblem, a change of name had been rejected.

"We want people to join the NP on the basis of our values," Dr De Villiers said.

Despite the criticism, 200 observers without speaking rights and 200 delegates attended the one-day congress.

Re-elected

It was also revealed that the party had an operational budget of R2,2 million, 81 district councils, 585 branches — an increase of 74 in the past year — and 10 000 new members in the Western Cape.

Dr De Villiers, who was unanimously re-elected, also predicted the NP would make a strong show-

(263) (2011A)
ing in the elections in the Cape Metropolitan area and in the rural councils next year.

It was clear, however, that the NP did not do as well as it expected, and claimed afterwards, in the local government elections.

Mr Marais also criticised the NP for not putting up candidates in black areas and giving the seats to the ANC. "If we are not available in black areas, how are we going to market ourselves?" he asked.

Mr David Graaff, MP, said. "The NP did not perform as well as it should have."

He said a ward in one town was lost because the NP candidate forgot to register and the mayor of the same town went overseas for a month and only returned a week before the election.

n PM
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M

R170m needed for Umtata Hospital

(218) BD 20/11/95

Kathryn Strachan

UMTATA Hospital, which was described as "an affront to humanity" by a parliamentary delegation last week, needed R170m to bring it up to standard, Eastern Cape deputy permanent secretary Sipiwo Stamper said at the weekend. But the entire budget for upgrading health services in the province was only R94m.

The department would present its "master plan" for Umtata Hospital to the Eastern Cape parliament this week, and request it to seek donor funding for the five-year plan.

The parliamentary delegation said conditions at the hospital were appalling. There were broken bottles and rubbish strewn around the shed which served as a psychiatric unit, in the paediatric ward there were five babies to a cot and two babies to an incubator. The hospital lacked basic equipment.

Stamper said R12m was being spent this year on upgrading the hospital, and on building a new outpatients department.

While the delegation said terrible conditions in the hospital were a

health risk and it should be condemned and a new hospital built in its place, Stamper said his department was well aware of the appalling conditions. However, the hospital did provide a service, and it was not practical to shut down the building altogether.

There were attempts to take the pressure off Umtata Hospital by rerouting patients to better-resourced hospitals in Queenstown and East London, Stamper said.

Plans for upgrading other hospitals in the province had begun.

Health services in the former Transkei were the worst victims of apartheid, said Stamper, and these were at the top of the department's list of priorities.

However, it was impossible to redress decades of neglect in 18 months, he said in response to criticism of his department's performance.

A computer system which was installed in the Umtata medicine depot earlier this month was expected to improve the supply of medicines to former Transkei clinics, which had complained of running out of essential medicines every month.

De Villiers' no to new NP name

BD 20/11/95 (263) (218)

Wyndham Hartley

CAPE TOWN — A change of name for the NP without a rearrangement of its leadership would be purely cosmetic and is out of the question in the short-term, Western Cape NP leader Dawie de Villiers said at the weekend.

For the second time in recent weeks, an NP branch has asked at a provincial congress that serious consideration be given to a name change. It was first mooted at the NP's Eastern Cape congress and again on Saturday when the Western Cape NP gathered in Somerset West.

NP spokesman Dame du Plessis said the congress was told by De Villiers that when the NP changed its colours and logo a few years ago the whole issue of changing the name was researched and the evidence gathered showed that the party should not change its name.

It would be pointless to have a new name for the party which had all the

old faces, he said — in the future if there was a rearrangement of the party and its leadership, then a name change was a possibility.

There was considerable opposition to a name change on the basis that supporters would become confused and votes could be lost as a result.

The party leadership emerged bruised from the one-day congress. Sharp criticism from the floor of the congress said that part of the reason for the party's poor performance in the local government elections earlier this month was that the leadership was not seen enough at grassroots level.

Leaders must be seen to be involved on the ground and not purely at large public meetings, delegates told the congress. They warned that if this did not happen, it would fuel perceptions that the leadership was not interested in those they wanted to vote for them.

Doubt was also expressed about the NP's continued participation in the Government of National Unity.

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Cape will get constitution by mid-March, says NP

CLIVE SAWYER, Political Correspondent

THE Western Cape will have its own constitution by mid-March, says National Party provincial MP Cecil Herandien.

Speaking at the party's provincial congress at the weekend, he said all parties had been given until the end of the month to make submissions.

He indicated the province would take an aggressive line in drafting its constitution.

Advisers had said the Western Cape should "take whatever powers we want and it will be up to them (central government) to try to stop us".

Peter Marais, Western Cape Minister of Local Government, told the congress he would introduce a bill next year to abolish the provision in transitional local government legislation for the 50-50 share of wards between former black and white-coloured-Indian group areas.

Labelling the system "racist", he said his bill would allow the holding of one person, one vote local elections next year.

It is estimated the Cape metropole and rural areas will go to the polls no earlier than mid-year.

Mr Marais also lashed out at African National Congress proposals for the replacement of the senate by a "council of provinces" as the second house of the national parliament.

The council, which would be made up of representatives of local and provincial governments, would result in an imbalance of power between second and third tier government, he said.

"Local government will become the dog and provincial government the tail," Mr Marais said.

● The congress approved the concept of a single national lottery, but rejected the proposal in draft legislation that half of the proceeds go to the Reconstruction and Development Programme (RDP).

Premier Hennis Kriel said lotteries were a provincial competence, and provinces should get the benefits directly, without having to ask the national RDP ministry for money.

(263) ARK 20/11/95

Building co-operation

ARG 20/11/95

(263)

□ *New body aims to power RDP efforts*

ESTELLE RANDALL
Labour Reporter

A POWERFUL new body to co-ordinate and shape development in the Western Cape is being nurtured in preparation for its formal launch in March next year.

This is the Provincial Development Council (PDC) which has the stamp of approval of the provincial government, labour, business and community stakeholders — all of whom are being drawn in to drive this new engine which will help power implementation of the RDP in the Western Cape

Presently there is no single body which draws together all relevant stakeholders who could contribute to making the RDP work in the province.

The PDC will change all this

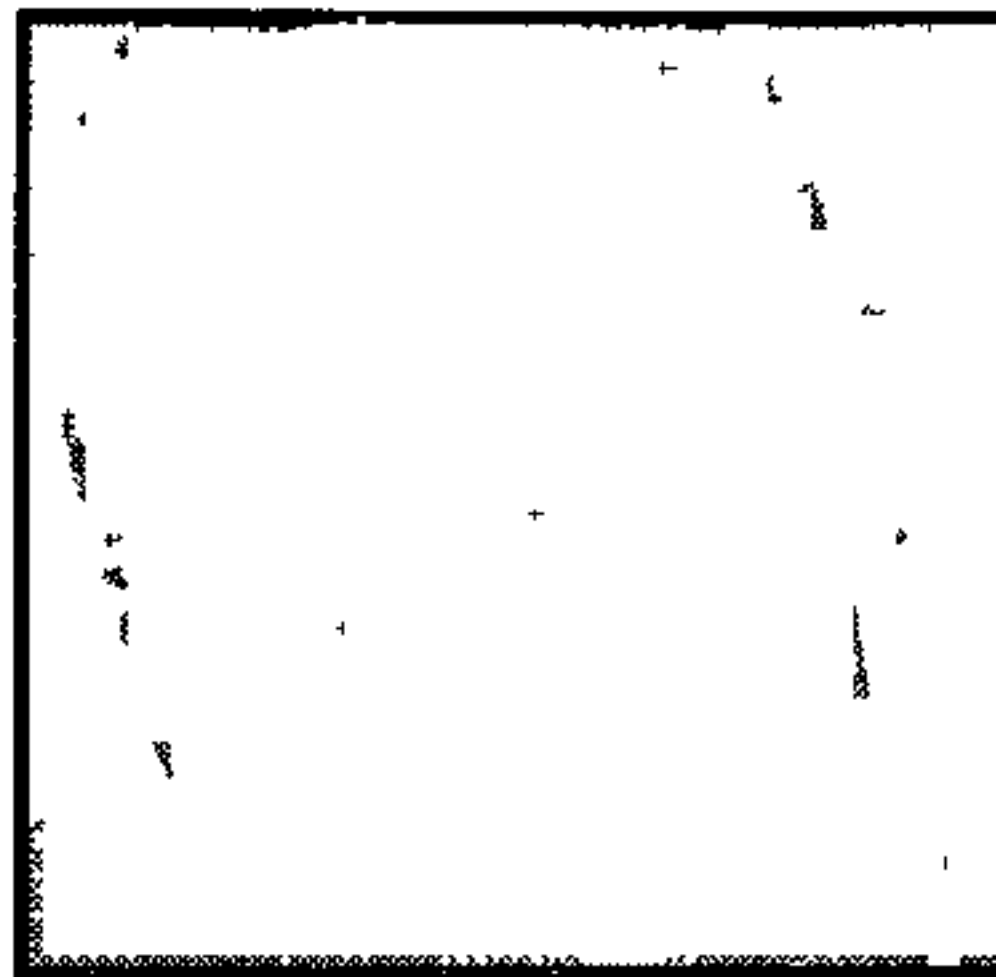
Building the blocks of co-operation which will make the PDC a reality is 35-year-old Adrian Sayers.

He's difficult to pin down as he flits between his city office, with its countless mounds of paper spread around, and appointments with the stakeholders he must win over to the PDC

"Convincing players in the different sectors is quite tricky," Mr Sayers confesses

"I have to bring together diverse groups and get them to agree to work together on the basis of decision-making by consensus

"People are bringing with them different experiences, backgrounds, styles of operating and of course different politics. It's difficult to get all these diverse groups to unite around issues that are above party politics and that will bring long-term gains to our province, and not necessarily directly enhance a particular polit-



TAKING CHARGE:
Adrian Sayers

ical party"

The PDC wants to draw together provincial government, business, labour and community groups into a consensus based provincial counterpart to the national body with the teeth to ensure the province's development is effective and sustainable.

Mr Sayers also has to strike a balance between himself remaining politically neutral and dealing with the highly politicised arena of development

However, as a former trade unionist, Mr Sayers has the benefit of cutting his teeth on internal trade union and industry negotiations on a range of issues during the 1980s and immediately after the April 1994 elections.

He was first education officer and later Western Cape regional secretary for the National Union of Metalworkers of South Africa (NUMSA) until June 1994, when he was asked to become adviser to the Western Cape MEC for Transport and Public Works, Leonard Ramatlakane

This gave him valuable insights into the inner workings of the new government

He was appointed to establish the PDC in October 1994. So far

he has met all the provincial stakeholders and has begun to establish interim regional councils on the West Coast, the Overberg and in the Boland

Draft legislation around the PDC is currently being prepared for discussion in the provincial cabinet and a bill will be released for public comment early next year.

Objectives of the council are to facilitate full employment in the province, facilitate acceptable living standards for all the province's people, embrace the RDP and to help in the formulation of a development policy which will ensure sustainable development in the Western Cape

It will do this firstly by facilitating consensus and co-ordination between the provincial government, the private sector and civil society (trade unions and community-based organisations, for example)

Secondly, it will also promote consensus and co-ordination between local development bodies and local authorities

Thirdly, it will co-ordinate rural and metropolitan interests

The council will draw in between 30 to 35 members from labour, business, community-based organisations and non-governmental organisations

The provincial council will have an economic affairs chamber, comprising specialist committees such as tourism, commerce and industry, and agriculture. It will also have a social affairs chamber which will focus on health, welfare, education and housing.

Attached to the provincial council structure will be seven regional development councils and local development forums.

City council asked to step into top positions at Ikapa

ARG 20/11/95

(263)

Municipal Reporter

THE Ikapa administration is now in such a chronic state of collapse that the Cape Town City Council has been asked to step in and take over key management functions

This is the substance of a report to the council by deputy city engineer Mike Marsden, in charge of the strategic management plan to restore services to the city's townships

In his report Mr Marsden said the situation at Ikapa had been compounded by the suspension of its acting town clerk and acting town treasurer

Mr Marsden said rapid action would have to be taken to restore the Ikapa administration because

work in a number of service delivery areas had started

Actions needed included establishing project teams to look at staff structures, placements and records, departmental procedures, resource allocation and disciplinary as well as grievance matters. Industrial relations had broken down and these also had to be addressed, Mr Marsden said

The Council's executive committee has agreed to help Ikapa, but feels their managers will have to be given the authority to act decisively. Key jobs which Cape Town is likely to take over are those of town clerk, head of administration and town treasurer

● Crime has also struck a blow to the strategic management plan, according to Mr Marsden's monthly progress report. In Crossroads, the engineer's vehicle was hijacked, in Guguletu, the driver of a cleaning-tanker was robbed, and in another incident technicians were shot and wounded by gang members

In Langa shots were fired near contractors.

A number of consultants and contractors have had to be persuaded to stay in the area after these incidents, Mr Marsden said

The management plan's good progress could only be sustained if work proceeded in a safe and secure environment

agenda

When the gambling issue is settled

Casino licences top province

□ Taxation, job creation, tourism the rewards for W Cape

WHEN the provincial legislature reconvenes in February, casino licences will be at the top of the agenda. This is because the licences offer the Western Cape the prospect of raising its own taxes directly, giving the province some independence from central government. Staff Reporter ANDREA WEISS examines the issue.

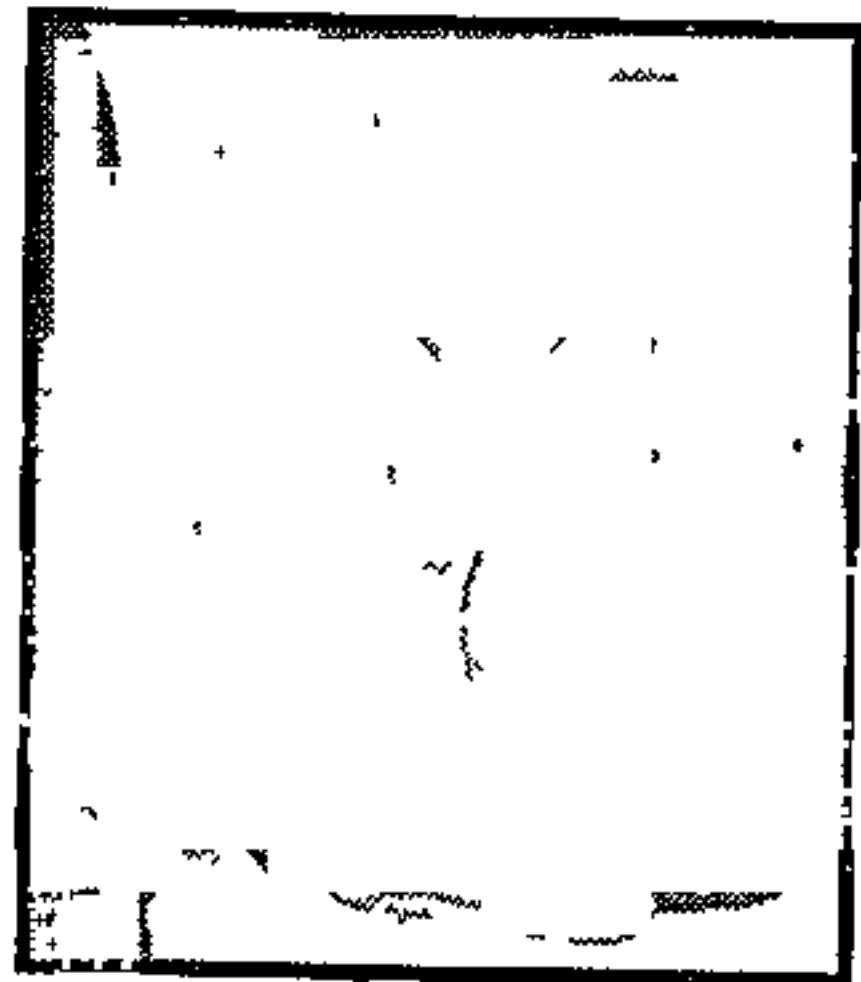
Names such as Sun International, Casinos Austria, the Hilton and Sheraton, and the Hilton and Ladbrooke have been mentioned, as have Stocks and Stocks, Southern Sun, Protea Karos, and Global Resorts.

Venues outside metropolitan Cape Town which have already been punted are Worcester, Plettenberg Bay, Hermannus, Caledon, Langebaan, George and Oudshoorn.

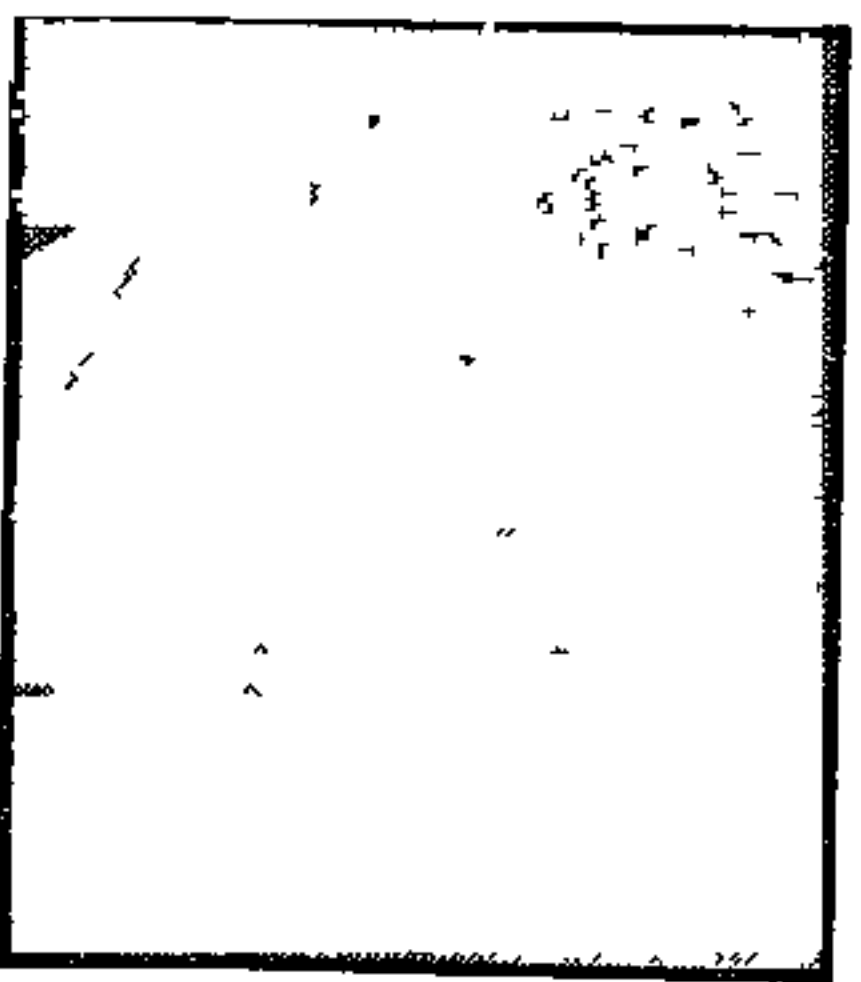
Within Cape Town, areas such as the showgrounds at Goodwood, Milnerton, Muizenberg and the Waterfront are under discussion.

For provincial government, casinos offer an additional source of income to the grants it gets from central government which contribute the bulk of the province's R7,9 billion budget.

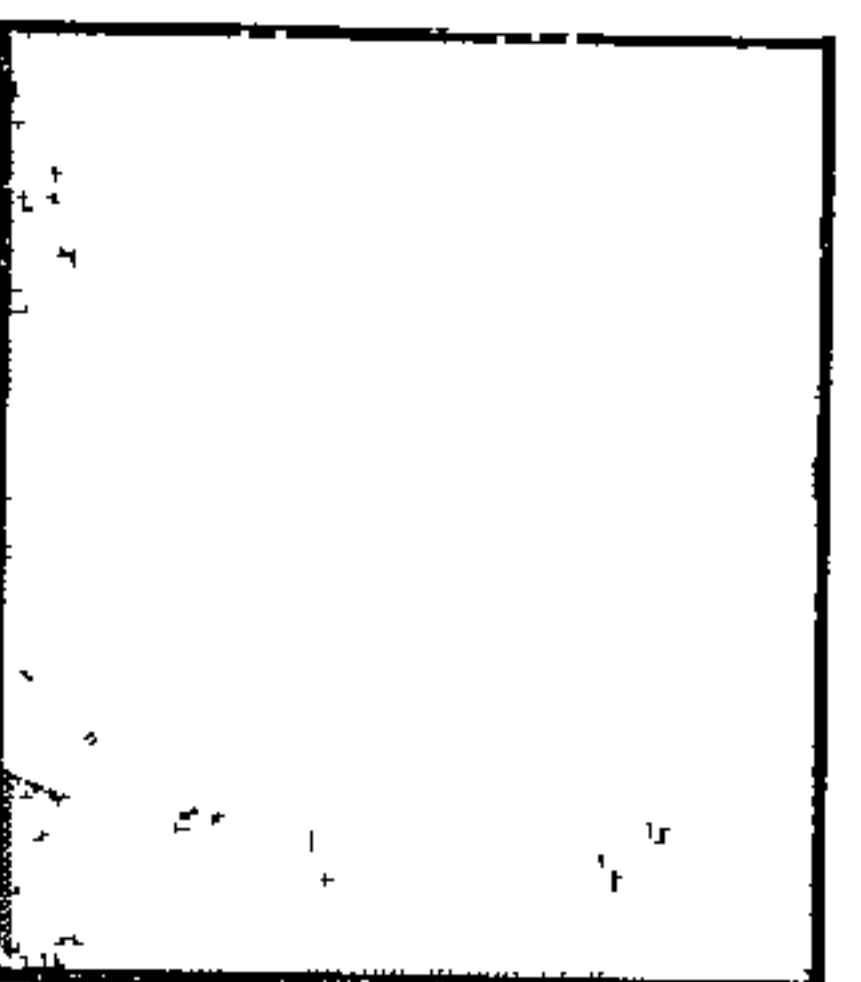
That there is money to be made in casinos is evidenced by the willingness of potential bidders to, for instance, build a



Henus Kriel.



Chris Nissen.



Kobus Meiring.

R300 million international convention centre for Cape Town on the side as a way of securing a licence.

While gambling revenue for the province will still be a relatively modest contribution to provincial coffers, it is likely to boost significantly an income derived primarily from motor vehicle licences, hospital fees and horse racing.

Provinces are expecting a cut from a national lottery, which they maintain they are constitutionally entitled to tax,

as well as direct tax out of the casino licences yet to be awarded.

In addition, the Western Cape in particular is hoping to secure major developments through the issue of its licences and in that way promote job creation and tourism for the region.

The province also expects licences to support community facilities such as exhibition centres or venues in support of the Olympic bid.

This is why Premier Hermus

Kriel has taken on the personal portfolio of gambling, within a cabinet committee of three including Chris Nissen and Kobus Meiring.

Mr Kriel's view is that the province will not be prescriptive to prospective bidders, but will invite operators to come up with ideas which fit the criteria for the granting of licences, including one which calls for the provision of community facilities.

He also believes gambling must be phased in gradually,

Already 20-odd consortiums have expressed an interest in securing casino licences in the Western Cape, many of them with international connections. Because of the capital which will have to be raised, the most likely scenario is that international companies will go into business with local groups.

With on-the-table games such as roulette, blackjack and craps, they are unlikely to be able to lay down what percentage of takings "the house" can keep.

The province will regulate what percentage pay-outs, will be laid down for slot machines, and will also insist on an on-line computer system which will be able to police this system. At this stage pay-outs in excess of 85 percent are being considered.

Another sticky issue yet to be cleared up with central government is whether gambling takings will be exempt from value added tax.

END

During the tendering process, each of the applicants will be subject to close scrutiny. The draft bill has, however, proposed that while the application will be public, discussion around the integrity of the applicants may be in private.

Mr Lötter draws heavily on the Australian example where the process of awarding licences, which all took at least two years, His department has proposed that the licences are awarded to an independent Gambling Board which would consist of seven members drawn from financial and legal circles, and publicly appointed.

Chris Lötter, provincial director of taxes, levies and duties gambling, horse racing and betting, is the man who is "walking the tightrope" to research a policy for the province. He stresses that much of what is being considered is still very much under discussion. A draft Casino Bill has just been revised and is likely to come before the provincial legislature early next year.

263
ARC.
21/1/95

No qualifications, but residents got iKapa jobs

IKAPA: Sixteen members of the Philippi Residents' Committee — with an average qualification of Std 5 — appointed themselves to senior posts in the iKapa municipality yesterday.

It was reported the municipality recently advertised 35 posts. The committee later handed it a list of the names of members it demanded be appointed.

Application forms were not filled in, interviews did not take place, and qualifications were not disclosed.

"We had an agreement with them that 35 posts would be advertised and out of the 35 posts they came back to say 16 of those

posts are not negotiable," iKapa mayor Mr Khonzile Mama said.

The posts included township manager, senior administrative clerks, administrative officers, a principal foreman and workshop superintendent. Applicants for these posts normally have tertiary qualifications.

Despite the appointments being declared invalid, the committee members have indicated they will demand their full salaries at the end of the month.

Spokesman Mr Madoda Giyose said "To be experienced you must first get a job and there is what we call in-job training. The people could be trained inside" — Sapa

263

ET 23/11/95

New coloured party will contest election

CT 23/11/95 (263)

A PARTY propagating coloured nationalism, the Coloured Freedom Movement, has been formed in the Western Cape

Its leader, Mr Michael Roman, said coloureds were not prepared to make war. The CFM would contest next year's local government elections in the Cape metropole

Meanwhile, the Kleurling Weerstandsbeweging (KWB) last night angrily denied that Mr Roman had ever been a member of the KWB

It was reported yesterday that Mr Roman had left the KWB to form the Coloured Freedom Movement to fight the local government elections

However KWB leader Mr Mervin Ross said "He has never been a member of our organisation, let alone been a member of our executive"

Mr Ross said people were trained to divide coloured people from supporting the KWB but it would continue to boycott the elections — Political Staff

Council seeks loan as cash crisis escalates

(263)

(1234)

ARG 23/11/95

ANDREA WEISS
Municipal Reporter

FOR the first time in more than 10 years, Cape Town City Council will have to borrow hundreds of millions of rands on the open capital market to make up a shortfall in its budget this financial year.

This was revealed today by city treasurer Eddie Landsberg at a meeting of the city's executive committee, when he said the city's expected shortfall for the 1995/96 budget was R250-million.

In addition, the city's reserves were already eroded by a further R100-million.

This meant Mr Landsberg would have to go to the capital market to borrow R350 million.

Apart from special project funding for the Palmiet water scheme two years ago, the council last raised general capital funds in 1982.

Mr Landsberg also revealed that the city was owed R327 million for arrears and other accounts.

Mr Landsberg's bombshell came in the middle of a debate on whether the city should put up money to secure an international athletics event at the Green Point Stadium over the next five years.

Athletics South Africa has approached the council for support for the world-class event which the International Amateur Athletics Federation has approved.

The cost to the city will be in the region of R400 000 a year over and above a further R350 000 which would be needed to upgrade Green Point Stadium to meet international requirements.

Mr Landsberg said his comments were not aimed at sport but his role was to

look at the financial business of the city of Cape Town "dispassionately".

Mr Landsberg said the spirit of the memorandum on the athletics event was related to the Olympics.

He asked whether all the costs the city was going to have to bear for Olympic-related developments should not be co-ordinated and centralised.

By doing this, Olympic spending would be transparent to the public.

Mr Landsberg said of an initial R5 million budgeted for Olympic-related projects, only R1½ million was left.

Against this, the city had given R2-million in commitments.

"The funds are not there to support what we are talking about at the moment," Mr Landsberg said.

He said Athletic South Africa was one of many sporting codes which if Cape Town was successful in its Olympic bid would be approaching the city for support over the next nine years.

Mr Landsberg said the worst thing the city could do was not to budget for these requests.

In another report to the city's executive committee, Mr Landsberg called on all standing and ad hoc committees to actively pursue a policy of financial restraint for the rest of the year.

Branch heads have also been warned that there will be no supplemental funds available if they exceed their budget.

Areas already over-spent include the administration service, ambulance service, civic amenities branch, street work, traffic, abattoir and general services, which includes work carried out for Ikapa.

Residents 'take over' municipality

(263) Sapa 23/11/95

Ikapa - Sixteen members of the Philippi Residents' Committee with an average standard five education have appointed themselves to senior posts in the Ikapa municipality on the Cape Flats - and are demanding to be paid at the end of the month.

The municipality advertised 35 posts and was handed a list with the names of members the committee demanded must be appointed. But application forms were not filled in, interviews did not take place, and qualifications were not disclosed.

"We have an agreement with them that 35 posts will be advertised and out of the 35 posts they have come back to say 16 of those posts are not negotiable," Ikapa mayor Khonzile Mama said. "Those posts are designated by themselves to the committee."

The posts include township manager, senior administrative clerks, administrative officers, a principal foreman and workshop superintendent. Applicants for these posts normally have tertiary qualifications.

Despite the appointments being declared invalid, the committee members say they will demand full salaries at the end of the month. Their spokesman Madoda Gyose said they wanted to rid the township of corruption.

"To be experienced you must first get a job and there is what we call in-job training," he said - Sapa.

ANC criticises new movement

Political Correspondent (263)

THOSE advocating "coloured" and other ethnic nationalisms are trying to drag the country back to apartheid, says the African National Congress.

The ANC was reacting to the formation of a breakaway "Coloured Liberation Movement" from the Kleurling Weerstandsbeweging.

The breakaway group reportedly intended contesting elections in the Cape Town metropole on a coloured nationalism ticket. ARG 24/11/95

"The KWB's attempt to call for a boycott of the local government elections in rural areas in the Cape failed dismally, and the ANC made great progress in these areas.

"We are convinced we will have even greater success in the election next year in the Cape metropole."

The ANC always had recognised that many cultures made up the South African nation, but those who propagated ideas of narrow ethnic nationalism "are attempting to drag us back into the apartheid past".

Local council budgets slashed

ARLT 25/11/95

(263)

CLIVE SAWYER
Political Correspondent

■ Embattled local authorities face a new financial crunch next year.

FUNDING for city and town councils country-wide faces drastic cut-backs by the government.

And the shock reduction in next year's budget for inter-governmental grants has sparked the ire of the Department of Constitutional Development. Also, the Institute of Municipal Treasurers and Accountants has criticised the government for bad timing.

News of the cutback comes after a warning that local government is going to prove costly for at least five years before the first economic benefits are felt.

And, in a further shock, a working group appointed by the Department of Constitutional Development has recommended a radical restructuring of the electricity industry, which until now has been an essential cash cow for local government.

Revelations about the state of local government emerged this week in evidence to the parliamentary committees on provincial affairs and constitu-

tional development.

Andrew Boraine of the Department of Constitutional Development said the local government transition would be costly.

"This understanding is not shared by the Department of Finance, parliamentary finance standing committee and the cabinet treasury committee."

Next year's budget for inter-governmental grants from central to local government had been cut to R800 million.

With the establishment of 300 new rural local authorities, there was less money for more bodies.

"All local authorities will receive less than they have done in the past few years," Mr Boraine said.

The working group on electricity, he said, had recommended the rationalisation of all distribution bodies into a single national company.

It had recommended the establishment of a single national system for tariffs.

Mr Boraine said a report on the future of the national electricity network was due to be put to the cabinet by February.

In past years, councils have creamed off profits from the resale of electricity and used these to subsidise other services.

Depriving them of this income could be a serious blow.

Mr Boraine said local authorities should be challenged to reduce their administrative overheads.

Some local authorities were spending more than half their budgets on staff, and this should be reduced to about 30 to 35 percent, he said.

He also criticised local authorities who had failed to effect savings by rationalisation.

In most municipalities, the reduction of non-essential services was not happening.

Eddie Landsberg, of the Institute of Municipal Treasurers and Accountants, lashed out at the timing of the cutback in inter-governmental grants.

Mr Landsberg, who is also

Cape Town's city treasurer, urged the government not to be hasty in removing electricity as a source of income for local government.

In a discussion of the Masakhane campaign, Mr Landsberg said there were parts of Cape Town where standards of payment were high, in spite of low standards of services.

Ikapa had the best record of payment for services in the whole of Cape Town, even though its services were of a lower standard than the rest of the city.

Mr Landsberg said the system of property valuation and rating was outdated.

It should be reviewed thoroughly, and replaced by something simple and easy to adapt to disadvantaged areas.

News of the cutback in inter-governmental grants has also aroused concern about the fate of local government workers in former homelands.

In the former Transkei and Ciskei, some municipal workers have reportedly not been paid for some time because of a lack of funds through the absence of inter-government grants.

VOTED TO SCRAP DEBTS WHILE OWING MONEY

Arrears: Councillors' conduct to be probed

(263) ~~(195)~~
ET 28/11/95

THE town clerk will probe whether two councillors who voted to scrap arrears while owing money to the council breached an ordinance.

TOWN clerk Mr Keith Nicol may soon have two executive committee members of the city council "on the carpet" for voting to scrap arrears while they still owed the council money.

Mr Nicol said yesterday he had initiated steps on Friday to investigate the conduct of the exco members.

It is not known how much the councillors owed at the time of the "scrap arrears" vote because they have been paying off their debts over the past few months.

Last week it was disclosed that Mr Riedewaan Isaacs, of Mitchells Plain, and Mrs Dorothy Campher-Williams, of Hanover Park, initially owed the council about R10 000 each in rent and service arrears.

Yet both had voted in favour of a motion at the November 8 exco meeting to scrap certain arrears.

Mrs Campher-Williams said yesterday her water account has been settled.

He had yet to see whether there had been any breach of section 30 of the Municipal Ordinance.

This section says that if you are a councillor who has a pecuniary (monetary) interest in a matter being discussed in a council or sub-committee meeting, and you know it, you are supposed to leave the meeting when the matter is

Water bill now settled

STAFF REPORTER

ONE of the Cape Town city councillors and executive committee members at the centre of the arrears scandal has finally paid off her water bill, although she still owes on her rent and electricity bills.

Mrs Dorothy Campher-Williams contacted the Cape Times yesterday to provide proof of settling the water bill. She would only confirm she was still in debt and would make plans to pay it off.

Last week, it was disclosed that she and fellow councillor Mr Riedewaan Isaacs, who both receive R6 225 each in monthly council allowances, still owed the council money when they voted in favour of a motion at an exco meeting to scrap certain arrears.

The committee decided this

discussed and voted on

Mr Nicol said Mr Isaacs and Mrs Campher-Williams would be called in to give their side of the story.

He said should he find after investigating the matter that the ordinance had been breached, he would be obliged to report this to the provincial secretary, Mr Herbert Beukes.

Mr Beukes would have to

was illegal and rescinded the decision.

Council spokesman Mr Ted Dorman said yesterday the matter was still being investigated and could not say what action would be taken against the two

Mr Campher-Williams said she was awaiting the ANC-Cosatu alliance council caucus meeting this week to learn whether she would be disciplined as demanded by the trade union federation, on whom ticket she had been sent to council.

Meanwhile the Scrap All Arrears Committee has denounced the exco decision to rescind the writing off of water refuse removal and sewerage arrears as a setback for disadvantaged areas. It said it would now broaden its operations from Mitchells Plain to all the Peninsula's coloured areas.

decide whether further steps should be taken.

"Even if there appears to be a breach, there may be an explanation or justification of some sort," Mr Nicol said.

He said he did not know what the penalties were for breaching the ordinance.

●Mr Isaacs is due back in the city today after a private trip to Malaysia — Municipal Reporter

DEBATE on ethnicity in the Western Cape — the vexing "coloured question" —

invariably casts up two indivisible elements. The ideal of people who see themselves as South Africans

sharing the black experience of oppression and celebrating liberation with them, and the reality of a group clinging to the apartheid "coloured" label, grappling with ill-defined sectarian interests, and often feeling left out and threatened. Political

Correspondent MICHAEL MORRIS reports on a meeting on the topic hosted this week by the Institute for Multi-Party Democracy

ETHNICITY itself is not a problem, but it could become one and "spill into something we might not be able to contain" if it is not dealt with carefully.

With these words, Thabiti Albertus, regional co-ordinator of the Institute for a Multi-Party Democracy, launched a two-hour debate at the University of the Western Cape on Tues-

Battle of belongings rages

Coloureds question access to resources amid the scourge of race labelling

day on "Ethnicity in the Western Cape Building a Rainbow Nation"

It was a mostly polite, even-handed exchange, though a passionate one

Each of the four speakers started out in a tone levelled and considered, but ended declaratively, with gestures to match

Broadly, there was agreement on two things

● A sense of identity was vital if people were to feel they were "somebody", and,

● That socio-political tension was underpinned by access to resources — resources remaining squarely and unfairly in the hands of whites

For some — speakers and members of the audience — being "coloured" was who they were, distinct culturally, politi-

cally and socially from whites and blacks, and convinced that mobilising ethnically in the political arena was the answer to ensuring their stake in the competition for resources

For others, "coloured" was a reprehensible apartheid imposition, to be rejected. This group favoured breaking out of the apartheid mind-set of splitting South Africans into coloured segments — whites, coloureds, Indians and Africans — and finding their sense of identity, as well as securing material well-being, as members of a united South Africanhood

A firm proponent of the latter view was Tammy Braam of End Racism and Sexism in Education (Erase), who put the choice in stark terms "Unity and integration, or disintegration and despair"

She argued that "coloured ethnicity" and all the tensions and fears that went with it were a product of apartheid, deliberately structured to entrench and perpetuate racism

Political parties from left to right were still exploiting it and it was having "devastating effects" in the region

The route to dignity for the so-called coloured community was not through apartheid definitions

However, Florina Serfontein, deputy mayor of Belhar and a member of the recently formed Coloured Forum, put the counter-argument

"I can tell you that among the people out there, millions of them, there is support for the idea of 'coloured people'. They are motivated by a desire to protect their language, culture, religion, and physical assets such as land

"They feel that there is still a classification taking place. There was a time when we were not white enough, and now we are not black enough. We are being discriminated against"

Ms Serfontein did not believe in mobilising the community along ethnic lines need necessarily be in conflict with reconciliation. But, it was the only way they would secure their fair-share of resources

"The coloured people are a factor, and always will be, but not if we stand divided. We must stand as one to fight for what we want," she urged

The debate should seek to give people "space" to "affirm who they are"

"If you ask an ordinary person on the street 'Who are you?', they will say 'I'm Derek, and I'm coloured'. I have no problem with that

"There are people out there who know who they are, and the debate must take place in that context"

Gavin Pieterse, affirmative action project-director at Cape Town City Council, was blunt about "real and serious" tensions in the Western Cape

One needed only to travel on a commuter train in the Peninsula to encounter "unspeakable

abuses", anger and resentment. Institutions and even night-spots of the city were "steeped in racism"

But, there was not necessarily a crisis "In spite of the gravity of the problem, and having witnessed what sound leadership and a political will can do, I believe change is possible and can be enduring"

He said what was required "dialogue" — not merely "discussion", but a sharing of thoughts and feelings, and the elimination of "assumptions" about others.

Mr Pieterse urged the community to "go back to the days of the United Democratic Front"

"Let's go back to those structures and let's begin to deal with things like entrenched white racism and entrenched

feelings of inferiority. Let's create dialogue, talk about our African-ness and celebrate it"

Debate from the floor teased out each of these points, and there appeared to be wide support for the sentiments of one member of the audience who cautioned against getting bogged down in the technicalities of the term "coloured"

"There's an active acceptance of that label out there and we'll get lost if we get stuck on that topic. We should rather be thinking about where we fit in"

If there was consensus that colonial and apartheid racism lay at the heart of social tensions in the Western Cape, there was also an intriguing reflection of the foment in the coloured community

Mervyn Ross of the Kleurlingweerstandsbeweging, billed as a speaker, did not turn up — but the meeting attracted representatives of no less than three new avowedly sectarian formations. The Cape People's Congress, Cosmopolitan United Party and Brown Democratic Party

Next year's metropolitan poll will, no doubt, test their durability

City councillors prefer 100-seat new council (263)

CT 13/12/95
MUNICIPAL REPORTER

THE Cape Town City Council said yesterday it would prefer the new council to have 100 seats — but would leave the decision to the new joint executive committee (JEC) of the central municipality.

Mr John Muir of the Democratic Party's caucus in the council said yesterday that Cape Town wards had till now each had an average of 5 000 to 6 000 voters, with two councillors for each ward.

If Cape Town had 50 seats instead of 100, there would be 22 000 votes per ward. Tygerberg, with 46 seats, would also have 22 000 voters per ward.

The greater Milnerton municipality (26 seats) would have under 4 000 voters per ward. The 36-seat Southern municipality, extending from Wetton Road and Strandfontein Road to Simon's Town, would have close to 8 000.

With 100 seats in Cape Town, the number of voters would fall to 13 000 per ward in the white and coloured areas, and 5 500 in the former black local authority areas.

Exco man ousted after move to NP

(263) CT 13/12/95

MUNICIPAL REPORTER

COUNCILLOR Mr David Statham (NP) was ejected from the Cape Town City Council's executive committee yesterday, and replaced by Mr Saleem Mowzer (ANC)

The council decided to eject Mr Statham from his position as chairman of the emergency and protective services committee, and on exco, after he had crossed the floor from the African Christian Democratic Party (ACDP) to the NP.

The ACDP had been part of the non-statutory group — those who had not taken part in local government under the apartheid regime.

Early this year, the council decided that each council committee would have two co-chairs, one from the statutory side and one from the non-statutory side. Both co-chairs would have seats on the executive committee.

Councillors had argued that Mr Statham's move affected the balance of power between the statutory and non-statutory sides. He replied that the balance had been required just to start up the council, that it had not been meant as an enduring arrangement, and that it had been disturbed from the start by other "floor-crossings".

Asked for a ruling on whether the 50-50 division of exco seats still held, City Administrator Mr Gys Hofmeyr said it did, but could be overturned by ordinary resolution if the council wished.

It was not possible to introduce such a resolution yesterday.

1000 Councillors: New battle looms

(263) ARG 14/12/95

ANDREA WEISS, Municipal Reporter

FURY has erupted over a proposal by controversial Western Cape local government minister Peter Marais that would result in Cape Town having massive municipal wards with 22 000 voters each.

A war of words has erupted between Mr Marais of the National Party and other parties over the proposed size of the new councils to be elected on May 29 next year.

Previously Cape Town City Council wards ranged from 6 000 to 10 000 voters each.

The decision will be taken next week by Mr Marais in conjunction with the provincial committee for local government.

At stake is the size of the proposed council for the central substructure, which will consist of an amalgamation of the bulk of Cape Town City Council, Ikapa and Pinelands.

Mr Marais wants Cape Town to have fewer councillors as he says a 100-seat council will cost ratepayers R10 million a year.

The NP has proposed a 50-seat council, but the Democratic Party and the African National Congress are angry because they believe this will lead to enormous wards with councillors having to represent about 22 000 voters, and populations of up to 60 000 people each.

Part of the reason for the large wards would be that half the wards would go to the former black local areas, and half to traditionally white and coloured areas, in terms of a provision in the Local Government Transition Act.

Yesterday, the new central joint executive committee (JEC) voted for a 100-seat council which would allow for wards of about 11 000 voters each, which is the case in Johannesburg.

Mr Marais has slated the demand for 100 Cape Town seats as being excessive and too expensive, saying that the Western Cape government consisted of only 42 members.

However senior DP councillor John Muir said Mr Marais was "mixing apples with pears" because the size of the provincial government was totally irrelevant — all provincial MPs are elected proportionally and do not represent seats.

"We are talking about good representation at local level," Mr Muir said.

Neil Ross, leader of the DP in the Cape Town City Council, said the number of people in each ward was absolutely critical.

"The special electoral court showed that his (Mr Marais) view of how to structure local government is totally different from the rest of the community," Mr Ross said.

If government was to be closer to the people in Cape Town it was essential to have smaller wards.

"No councillor can service 22 000 voters."

He said ward councillors were frequently approached about relatively mundane issues such as refuse removal, electricity or blocked drains which were important for their quality of life.

Ward sizes for the other five substructures would be in the region of about 5 000 voters. For Ikapa/Crossroads, the

wards would cover about 12 000 voters.

Mr Ross said a 100-member council need not be permanent as the loading of seats in the former black local authorities would fall away after this election.

Hanief Tisseker, leader of the African National Congress in the Cape Town City Council, said his party believed that to have effective local government, there needed to be adequate representation.

He argued that the burden was not just a question of voters, but also of population, and the proposed 50-seat council would see councillors serving populations of about 60 000 people which was "not good for local government".

NP debars councillors

Municipal Reporter

THE National Party has suspended two of its members in the Cape Town City Council for voting out of caucus over the dismissal from the executive council of NP member David Statham after he crossed the floor.

NP council caucus leader Leon Markovitz confirmed that Robert Dewrance and Gaffoor Ebrahim had been suspended pending an explanation of their voting.

Year ends with too many empty seats

Municipal Reporter

THE Cape Town City Council ended its official year today on an inauspicious note when it failed to achieve a quorum to finish its agenda for December.

The 98-member council was to have met today to complete its monthly agenda which it had not finished on Tuesday. ARG 14/12/95

Items which were to have been decided today included a request for financial help for an athletics meeting in Green Point and for the South African Hockey Association, which had a shortfall on the Hartleyvale Olympic qualifying tournament.

Several motions put forward by councillors, among them calls for the banning of fireworks, and calls for a municipal police service, also had to be abandoned.

When the council tried to hold its meeting this morning, there was no quorum. Councillors waited for 15 minutes and then had a roll call, but to no avail.

Democratic Party councillor Chris Joubert said the situation was embarrassing.

Pact on municipal disputes

ET 14/12/95

(102)

(250)

(263)

MUNICIPAL REPORTER

A GROUND-BREAKING labour agreement — which should avert municipal strikes in the Cape Town metropolitan area in the foreseeable future — was signed by employer and employee organisations in the Cape Town Civic Centre yesterday

The agreement has been two years in the making, said city councillor Mr Neil Ross, who played a central role in securing the agreement to set up a new 13-a-side bargaining forum for municipal labour on the one side and employers on the other side.

The parties to the agreement are the Cape Town City Council, the Cape Metropolitan Council, the Cape Local Authorities Employers' Organisation, SA Municipal Workers' Union, SA Association of Municipal Employees, Cape Town's municipal Professional Staff Association and the SA Local Authorities and Allied



SIGNING UP: Mr Neil Ross gives a "thumbs up" as Cosatu's Mr Xolile Nxu signs the bargaining forum agreement. Looking on (right) are Ms Judy Sibisi and Mr Hennie van Wyk

PICTURE: PETER DENNEHY

Workers' Union.

Should these groups reach deadlock in wage negotiations, the agreement provides that the dispute must be referred to mediation

If mediation fails after five days — or up to 21 days if both sides agree to the extension — then it

goes on to arbitration. The arbitrator's decision "shall be final and binding upon all parties".

The parties must agree to a panel of at least six arbitrators, acceptable to all of them. In any specific dispute, one arbitrator will be selected on a rotational basis

'WE CANNOT AFFORD 100 SEATS'

COUNCILLORS IN R10M ROW

ET 14/12/95 (263)

MINISTER of Local Government Mr Peter Marais has slammed the Cape Town City Council's decision that the new council should have 100 seats, saying the financial demands could cripple the city. **PETER DENNEHY** reports.

THE Joint Executive Committee of the new Cape Town City Council voted yesterday that the city should have 100 councillors — a move which will cost ratepayers R10 million a year and form the largest city council in South Africa.

Reacting to the vote, Western Cape Minister of Local Government Mr Peter Marais accused the councillors of climbing aboard the gravy train.

"We cannot afford this," he said. "People must temper their demands. If we give in... we could see the city go bankrupt and depend on handouts from central government."

Mr Marais pointed out that the Western Cape government consists of just 42 people.

A 100-seat council would be the largest municipal council in the country, unless some council in Natal opts for something even bigger. The largest new municipalities — Johannesburg and Pretoria — each have 70 seats.

Mr Marais, who is pushing for a 50-seat council, said Cape Town wanted to depart from a sliding scale according to which the number of seats had been decided for the 95 councils in the rest of the Western Cape.

This was because its nominated councillors, who are earning "nice allowances", want a greater chance of being on the council for the next five years.

Ordinary councillors of Cape Town get R2 011 a month, while exco members get an extra R4 214 — a total of R6 225. Some also

serve on the Metro Council, which gives separate allowances of a similar order. The estimated allowance cost of a 100-seat council will be R3,7m annually, compared to just under R2m for a council half that size, according to City Council figures.

There are office accommodation, secretarial, printing and stationery costs, which bring the total up to over R10m a year, according to council treasury staff.

"Some people are still boycotting service charges, some are demanding arrears write-offs, central government is cutting its allocation of finances to provinces and Cape Town wants a 100-seat council. The demands must be financed by somebody," Mr Marais said.

First meeting

The Central Substructure's (Cape Town's) Joint Executive Committee decided it wanted a 100-seat council at its first official meeting yesterday.

Deputy city planner Mr Japie Hugo and urban studies officer Mr Keith Smith said if there were 50 seats on the council, there would be over 20 000 voters per ward in the white and coloured areas. All the Atlantic suburbs (Sea Point, Camps Bay and others) would make up only one ward, with one councillor.

● The recommendation now goes to Mr Marais, who, with the Provincial Committee, will have to agree on the number of seats. Any deadlock may delay the elections, now scheduled for May 29.

QUESTIONS RAISED ON 100-SEAT BODY

49 city councillors absent

THE PROPOSAL to have a 100-seat council for Cape Town was "sheer madness", councillor Mr Clive Keegan said at yesterday's year-end meeting of the City Council.

THE Cape Town City Council ended its year yesterday without being able to vote on a single item on the agenda as at least 49 of the 98 councillors were missing.

This raises questions over the efficiency and practicality of a mammoth 100-seat council voted for by the Joint Executive Committee this week.

The bill for the new 100-seat council would amount to R10 million a year, and councillors and ratepayers' associations have also questioned whether such an unwieldy body could serve the city efficiently.

The vote by the JEC for 100 seats also flies in the face of the Demarcation Board, which recommended 50 seats for Cape

Town

Councillor Mr Arthur Wienburg yesterday called the 100-seat proposal "shocking and scandalous". He said the present situation with the council consisting of 98 nominated councillors was a disaster.

Council meetings were being poorly attended he said, pointing out that at yesterday's meeting to complete its monthly agenda there were not enough members to reach a quorum.

Another councillor, Mr Clive Keegan, also criticised the proposal, saying a 100-seat council was "sheer madness".

"Previous experience has shown us that a large council is expensive, unwieldy and incapable of making informed deci-

sions," he said.

He slated many of the current crop of councillors, saying they were nothing more than "voting fodder who took no part in debates and decision-making".

Although he acknowledged that the size of the present wards proved problematic, he said he was still in favour of a smaller council as there was a far greater chance of reaching quorums at council meetings.

Warning

Mr Wienburg said a smaller council would mean much larger wards, but councillors would just have to work harder.

He also had a word of caution to would-be councillors "If you aren't prepared to work hard then don't stand".

Councillor and Democratic party spokesman Mr Ian Iversen, however, supported a 100-seat

council.

Councillors needed to be easily contactable he said and large wards would prevent them from doing their job properly.

Mr Gordon Merrington, leader of the Good Hope Alliance, an umbrella group of ratepayers' organisations covering the southern and Atlantic suburbs and the Cape Flats, said a 100-seat council would be excessive.

"On the other hand, access to the councillors should be reasonable." The nearer to 50 the better, he said.

There might have to be some compromise. Once wards had been drawn up "there might have to be some juggling" to lessen the disparity between the low number of voters per ward in black areas, and the high number in white and coloured areas.

— Staff Reporters

● See Page 10

ET 15/12/95 (263)

FRIDAY
DECEMBER 15, 1995

New exco faces iKapa jobs row

(263)

MUNICIPAL REPORTER

CT 15/12/95

CAPE TOWN'S new joint exco was less than an hour old when it was pitched into a controversy over jobs, between the "Brown's Farm community" and the iKapa Town Council which are merging into Cape Town.

The new exco will serve the whole of Cape Town, as defined by its new boundaries promulgated yesterday, which includes Pinelands, iKapa (Langa, Guguletu, Nyanga), Crossroads and Brown's Farm.

The new exco is supposed to concern itself mainly with preparations for next year's local election and merging the separate councils.

A Brown's Farm spokesman said the iKapa town council had advertised for 35 posts to be filled several months ago.

Residents of Brown's Farm — which was administered by iKapa — have reservations about how people are chosen for jobs, the criteria used, and the legitimacy of the iKapa council as an authority over Brown's Farm.

Size of council slammed

(263) CT 15/12/95

A 100-SEAT council for Cape Town was "madness" — with many of the 98 councillors nothing more than "voting fodder who took no part in debates and decision-making", former exco chief Mr Clive Keegan charged yesterday.

Mr Keegan was one of many who came out strongly against a vote by the Joint Executive Committee that there should be 100 councillors, a move that could cost R10 million a year.

Local Government Minister Mr Peter Marais says the huge council could bankrupt the city.

● See Page 8

Rural government form finalised

Municipal Reporter

ARG 16/12/95 (263)

THE Western Cape's new form of rural local government has been approved by the provincial committee and Local Government Minister Peter Marais

The new model, which includes district councils with members drawn from local councils in the towns as well as rural councils outside of the towns, will be applied to the seven regional services council areas in the Western Cape

A district council will retain the power to levy charges, and will fix fees, tariffs or charges for services it renders

The demarcation board has also been charged with making recommendations on what the areas of jurisdiction of the rural councils outside of the towns should be.

Hearings are to take place in Moorreesburg (January 8), George (January 8), Worcester (January 10), Stellenbosch (January 12), Beaufort West (January 15), Oudtshoorn (January 16) and Bredasdorp (January 18).

The district councils will consist of 40 percent proportional representation seats and 60 percent nominees

Half the representatives will be nominated by farm workers and the other half by farmers.

SA a member of African Development Bank

JOHANNESBURG - South Africa has become an official member of the African Development Bank after paying R8,7 million into the bank's account in New York

South Africa's instrument of accession was deposited yesterday at the United Nations headquarters, the the Ministry of Finance said

The AfDB voted to admit South Africa as its 77th member this week

South Africa - barred from membership under white minority rule - was the only African state not belonging to the bank

But the bank had been keen to attract South Africa - creditworthy and with a strong economy

Although South Africa is taking only an initial one percent of voting shares, the move is seen as a gesture of confidence in the bank, which is undertaking major reforms of its structure and loans portfolio.

Admission means South African private companies will now be able to bid for projects financed by the AfDB and will be eligible for loans on preferential terms - Reuter.

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Row over demand for 100 councillors threatens polls

ST(M) 17/12/95 (263)

By NORMAN WEST
Political Reporter

AN ACRIMONIOUS dispute between the ANC and the National Party over the number of ward seats for the Central substructure could jeopardise the May 29 local elections in the Western Cape.

This new election hurdle comes a week after a Special Electoral Court overruled attempts by Local Government Minister Peter Marais to exclude Khayelitsha from the Tygerberg substructure.

Ironically, Mr Marais and the NP now support the Western Cape Demarcation Board's recommendation that the Cape Metropolitan Council should have only 50 councillors, while the ANC wants 100.

Professor Fanie Cloete, chairman of the board, warned that any delays would result in "grave complications."

His board would have to deal with a "terrible time schedule" to meet various pre-election deadlines

It was essential that hearings on ward delimitation be held in January if polls were to be held on May 29, Prof Cloete said

Mr Marais said he would resist ANC demands for 100 ward councillors and would refer the matter to the Special Electoral Court if necessary.

In another significant development, it emerged on Friday that only three of the six metropolitan substructures in which elections are to be held will be affected by an agreement which automatically allocates black areas 50 percent of contested ward seats.

Prof Cloete said the 50/50 principle — which he admitted had a tendency to "distort" results — would affect only the Central

(Cape Town), Tygerberg and Helderberg substructures.

He said the Northern, Southern and Eastern substructures would not be affected.

This was because the Local Government Transition Act referred only to "formal" Black Local Authorities established in terms of the Black Local Authorities Act.

The 50/50 principle did not affect areas where "informal settlements" had sprung up in recent times — such as Marconi Beam and Du Noon in Milnerton in the Northern substructure.

ANC media officer Brent Simon yesterday called Mr Marais' opposition to a 100-member Metropolitan Council a "stunt" and accused him of spreading "misinformation and half-truths".

Mr Marais will proclaim the proposed boundaries for the six substructures in the Provincial Gazette on Tuesday

Cape plans to aid depressed areas

By HERMAN WASSERMAN

263

CP 17/12/95

A FINAL draft plan for the development of Cape Town's poorest black and coloured areas should be completed by June next year, consultants for the project said this week.

The plan, called the Metro South East Plan (MSEP) and facilitated by the Cape Metropolitan Council, is aimed at uplifting the poorest areas on the outskirts of the Metro and integrating them with the rest of the Metro.

The south eastern Metro is regarded as the poorest area in the Cape Metropole, and includes areas like Khayelitsha, Mitchell's Plain, Guguletu, Nyanga, Philippi, Crossroads, Mfuleni, Belhar and Delft.

Planning for the MSEP started three years ago, and is nearing its final phases.

It is a sub-regional plan that aims to provide guidelines for future development in the region, and linking the area by road and rail links to the

rest of the Metro - from which it had been segregated from under the previous government.

According to the MSEP, development nodes will be started in each of the sixteen substructures involved in the plan, of which the main node will be situated in Philippi.

These nodes will then be connected to each other and to the rest of the metropole by transport links that are to be established.

Along these new roads and rail system commercial development will also be stimulated.

These links are very important for the development of the Metro South East.

Housing

At the moment the area is used mostly for housing and there are very few places where people can find jobs, start businesses or take part in leisure activities.

The MSEP will suggest ways of dealing with the problems that have arisen in the communities as a result of their isolation and deprivation of busi-

ness opportunities.

These problems include housing shortages, poor public transport, lack of jobs, the need for more and better services, lack of community facilities, violence, conflict and crime.

The MSEP will also coordinate closely with the RDP projects by showing how land can be used to promote reconstruction and development that is necessary to revitalise these depressed areas.

In a recent weekend workshop held in Goudini, it was decided that a task force consisting of representatives from local authorities, community organisations, environmentalists, transport planners and the Olympic Bid company will meet in February for further discussion of inputs made at the workshop.

The final draft plan will then be completed along the lines of the suggestions made by all these stakeholders, and it is expected to be handed to the Western Cape premier Hernus Kriel for approval by June.

MANDELA, DE KLERK TO HIT CAMPAIGN TRAIL

ANC, NP to pull out all stops in poll battle

ET 18/12/95

(263)

PRESIDENT NELSON MANDELA believes the ANC's message of non-racialism will win the day, while the NP is convinced it can hold its ground. **ANTHONY JOHNSON** reports.

THE battle for the hearts and minds of the Cape metropole's 1,5-million voters has begun — with more than five months to go to polling on May 29

The ANC and the National Party say they intend to pull out all stops in their bid to win control of the Greater Cape Town area. Party leaders Mr Nelson Mandela and Mr F W de Klerk are to campaign intensively

During a whistle-stop tour of the West Coast on Saturday to thank towns that elected ANC councils on November 1, Mr Mandela paid special tribute to coloured voters who had turned their backs on racial intolerance.

He predicted that the ANC's message of non-racialism would

carry the day in the Cape metropole elections.

During its post-mortem of the November 1 poll, the ANC's national executive committee had resolved last weekend to leave no stone unturned in ensuring an ANC victory in Cape Town and kwaZulu/Natal, ANC spokesman Mr Ronnie Mamoepa said.

Inroads

"The ANC ... will deploy all its leaders — including President Mandela — as far as possible"

The ANC had made inroads into the support bases of other parties, particularly the NP, and would pull out all stops to consolidate these gains in Cape Town, Mr Mamoepa said

The NP is also planning an intensive and elaborate campaign for Cape Town, but is worried about peaking too early.

Its Western Cape secretary, Mr Karel Greyling, insists that the rash of posters — bearing party leader Mr De Klerk's face and put up in central Cape Town recently — are normal seasonal greetings posters.

Observers, however, see them as part of a multi-pronged campaign that will build to fever pitch.

The NP is planning rallies, roadshows and public meetings in which Mr De Klerk, credited with the NP's strong showing in the April 1994 poll, is to play a prominent part

However, it will rely again mainly on the tried-and-trusted formula of door-to-door canvassing

Mr Greyling expects the NP's campaign to pick up momentum in late January and early February

Marais backtracks on 50-seat council

CT 19/12/95

(263)

PETER DENNEHY

MINISTER of Local Government Mr Peter Marais has backtracked on his insistence on a 50-seat central substructure — as opposed to the 100-seat council recommended by the Joint Executive Committee — and has proposed a 70-seat substructure as a compromise.

After an inconclusive all-day meeting of the Provincial Committee, Mr Marais said he still believed a 50-seater for Cape Town and a 46-seat council for Tygerberg would suffice.

His new proposal brings the Western Cape's allocation of wards in line with the largest Gauteng municipalities. Johannesburg, South and Central Pretoria have 70 seats each.

Tygerberg will have the lowest number of voters per seat among these "big four" councils, should Mr Marais' proposals succeed.

The Provincial Committee — a multi-party group established to oversee Mr Marais' decisions dur-

ing the run-up to elections — had not reached agreement on his new proposals by late yesterday.

By law, four out of the six committee members and Mr Marais must agree, or the deadlock must be referred to the Electoral Court. Going to court over ward boundaries would be likely to delay the local elections beyond May 29.

Better ratio

A provincial spokesman said yesterday it was not yet clear whether the meeting would resume today. The matter had not yet been referred to the court.

The four members who met Mr Marais yesterday were Dr Wynand Malan, Mr Cecil Herandien, Mr Kam Chetty and Mr John Neels. Ms Hilda Ndude and Mr Leon Markovitz were out of town.

Mr Marais said that according to his new scheme, the Cape Town metropole would have a better voter/councillor ratio than the largest metropole (Gauteng).

Southern wards thrashed out

□ *Consensus soon on remaining 13 boundaries*

ARC 20/12/95

(263)

PETER GOOSEN
Staff Reporter

THE boundaries of nine of the southern substructure's 22 wards have been thrashed out at a meeting of the new Joint Executive Committee for the area.

Consensus on the remaining 13 is likely to be reached this week

The biggest of the new wards so far accepted by the committee is Hout Bay/Llandudno, which will have about 9 000 voters. Constantia will be divided into two wards, one with Diep River and Meadowridge — which will have 6 700 voters — and the other with Tokai, representing a

further 6 700 voters.

Included among the other wards accepted by the committee were — Muizenberg, Fish Hoek/Clovelly and Kommetjie/Ocean View. The Simon's Town ward includes Red Hill, Cape Point and Scarborough.

Members of the committee — at their first official meeting — looked at ward boundaries drawn up by their own ward demarcation working group.

Steered by the newly-appointed co-chairs, Andy Ross-Munro of Constantia and Peter Gabriel of Grassy Park, the committee quickly accepted the first nine ward boundaries before debating an

alternative proposal for the other 13 put forward by Cape Town representative Joye Gibbs of Muizenberg.

The 13 wards are those falling "below the line". Mrs Gibbs said her proposal was far more practical and would mean that each ward would have more or less the same number of voters — about 6 000.

The working group's proposal had two wards with more than 8 000 voters. There was also an anomaly in that the Vrygrond informal settlement had been excised from Muizenberg and joined to another to increase that ward's voting numbers.

When the debate showed that there was support for Mrs Gibbs' proposal, Mr Ross-Munro suggested that the working group and other councillors who were interested sit down and reach consensus on the 13 wards which would then be accepted by the committee as a whole.

The committee's demarcation proposals must be with the Demarcation Board by January 4. Public hearings will take place on Wednesday, January 10 at the Wittebome Hall in the morning and at Fish Hoek in the afternoon.

Deputy chairs elected on Monday were Mansoor Jaffer, Cape Town, and Vic Kabalin of Fish Hoek.

Chamber urges members to stand in municipal elections

By AUDREY D'ANGELO

Cape Town — The Cape Town Chamber of Commerce and Industry has urged its members to stand for election to municipal councils to ensure that business interests are looked after.

The chamber's director, Alan Lighton, points out in this week's newsletter that the corporate vote has been abolished "and there will no longer be business wards Busi-

ness areas such as Epping and the Cape Town central business district, which elected their own councillors in the past, will not do so again."

Lighton said the merging of local authorities into six big municipalities would mean that "business management skills are going to be required more than ever before to ensure that greater effectiveness and efficiency is achieved in local government administration."

"The restructuring of local auth-

orities that is getting under way in the Cape metropolitan area is a once in a lifetime chance to put local government on a more efficient and effective footing, and it is vitally important that business people play their part in this process.

"Regions are in competition with each other and the Cape metropole is starting with a disadvantage in that business rates in this area are already way above those in other metropolitan centres."

Lighton said discussions with the main political parties made it clear that business people should get involved in the political process.

"Forty percent of the seats in municipal substructures will be awarded on the basis of proportional representation," he explained, "and the political parties will select candidates from their lists."

However, Lighton said, "it is interesting to note the experience in the recent elections, where indepen-

dent candidates were often selected ahead of party candidates."

Meanwhile, the chamber was seeking regular meetings with the executive committees of the Cape Metropolitan Council and the Cape Town City Council.

When the province rewrote the legislation for local government after the elections, the chamber would try to persuade the province to re-introduce the corporate vote and business wards.

(263) ET (BR) 20/12/95

Day-long talks fail to end wards clash

MUNICIPAL REPORTER

AGREEMENT on the number of councillors to be elected in each of the six Cape Town municipalities remained out of reach of the Provincial Committee yesterday, in spite of day-long telephone negotiations among its members.

Its acting chairman, Dr Wynand Malan, tried throughout the day to achieve a breakthrough agreement.

Negotiations are likely to continue today.

The Provincial Committee is supposed to concur with Minister of Local Government Mr. Peter Marais on the number of councillors. This will determine the number of wards and their sizes.

If the Provincial Committee fails to agree with Mr Marais, the issue will have to go to the Electoral Court for resolution. This is likely to delay the local elections, now due at the end of May.

Mr Marais has offered to com-

promise to accommodate requests for larger councils. He had wanted a 46-seat council for Tygerberg and a 50-seater for Cape Town, but said this week he would accept 70-seat councils for each. The joint executive committees of all except the southern municipality have asked for more seats.

Draft

Mr Marais has said he is willing to allow the northern municipality 30 seats instead of 26, Helderberg 32 instead of 30, and the Eastern 40 instead of 32.

Although the Provincial Committee has not agreed to these proposals, it has no problem with the proposal that the southern substructure should have 36 seats, 24 of them ward seats.

The southern wards are still being drawn up by officials. A first draft was rejected on Monday evening by the southern substructure's joint executive committee.

CT 20/12/95

(263)

Start made on setting Cape ward boundaries

ARG 21/12/95 (263)

Municipal Reporter

WARD delimitation begins in earnest today following agreement over the size of the new councils.

Cape Town Central will have 74 seats, Tygerberg — 72 seats, Southern — 36, Eastern — 40, Northern — 30 and Helderberg — 32

Sixty percent of these seats will be available for wards, while 40 percent are set aside for proportional representation.

ANC and National Party representatives on the provincial committee have agreed to these numbers which were proposed by local government member Peter Marais

Today, the central joint executive committee, which consists of representatives from Pinelands, Capé Town and Ikapa which are being merged into one municipality, will

deliberate proposed ward boundaries

They will be looking at maps showing various suburbs and the numbers of registered voters, as well as a schedule reflecting details for consideration of ward boundaries

The meeting will also look at proposed names for the new municipalities.

Mr Marais has suggested that Central be known as Tafelberg, Northern be called Blaauwberg, Southern be called Constantiaberg, Eastern be called Kuilsriver

Helderberg and Tygerberg would remain the same

The six JECs are having to meet over the festive season to meet a deadline of January 4 for ward delimitation proposals.

ANC SEEKS ANOTHER MEETING

New city council is to have 74 seats

ET 21/12/95

A COMPROMISE ON the number seats in the new city council has been agreed to by the ANC and Local Government Minister Mr Peter Marais. **PETER DENNEHY** reports

THE ANC has agreed there should be 74 seats in the new Cape Town City Council, and 72 for Tygerberg, says Western Cape ANC leader Mr Chris Nissen. The ANC's negotiating team on the Provincial Committee had been persuaded to accept that, Mr Nissen said yesterday. They had not yet sent in their written acceptance of the deal because they wanted another meeting to discuss amending the elections model for rural councils. Dr Wynand Malan, acting chairman of the Provincial Committee, said the ANC wanted to

accept the number of seats for Cape Town councils only on condition a proclamation on rural councils, which has already been made, is withdrawn.

"We are not going to do that. We are not even going to have another meeting. If they don't give in we will take it to court. That is the final story," Dr Malan said.

Mr Fritz Marks, assistant to Western Cape Local Government Minister Mr Peter Marais, confirmed that Mr Nissen had faxed him yesterday agreeing to the new compromise.

"The ANC wanted 100 seats

(for Cape Town), and the minister wanted 50," Mr Marks said. "Mr Marais shifted to 70, the ANC shifted to 76, and they settled on 74. Tygerberg will have 72, the ANC accepts that," he said.

The Local Government Transition Act says 60% of seats on each council will be ward seats, and the rest proportional representation seats allocated to parties. This means 44 of Cape Town's 74 seats will be ward seats.

Cape Town used to have 17 wards, but that was when coloured people could only vote for management committees and black townships were outside the boundaries of all municipalities.

There used to be two councillors to a ward, but now there will be only one.

(263)

Demarcation of wards: Call to reverse apartheid

□ *Van Wyk says new boundaries should be used*

(263)
ARG 22/12/95

JOSEPH ARANES
Municipal Staff

WARD demarcation in the central sub-structure should be used to reverse some of the legacies of apartheid planning.

This was the view of independent Cape Town city councillor Llewellyn van Wyk at a meeting of the joint executive committee for the new Central municipality

Speaking during a debate on ward demarcation, Mr Van Wyk said instead of using the railway lines and roads built by the previous government to separate communities, new boundaries should be used

"We must not perpetuate the enforced separation that divided our communities for so long, instead we should use this opportunity to unite our society," Mr Van Wyk said

Assistant town planner Japie Hugo said his department had used voter figures from the voters' roll to cut up the municipality because nobody knew where to start the process.

"We started on the basis that the local government provincial committee will accept the ANC's compromise proposal that there should be 74 seats in the sub-structure"

He passed around maps out-

lining his proposals for the ward demarcation and the number of registered voters in each ward

In terms of this proposal, each ward on average would have about 13 000 voters

Mr Hugo said "At the moment the lines on the map mean nothing. It must be a political decision to demarcate the wards"

He warned the meeting that they needed to resolve all areas of concern and would have to reach consensus by December 28 to give his department enough time to submit the proposed ward structures to the demarcation board by the cut-off date of January 4

Failure to do this would mean that the community elections in the metro could be postponed again

Most of the councillors at the meeting were not too happy with this arrangement as they felt they needed more time to consult local communities and other interested groups

Mr Van Wyk said they were undertaking the least transparent process since the 1994 elections

"We need to record our objections to the manner in which this process is unfolding and must make it clear that is not the way we would like to

handle this process"

He said that the number of wards should be equitably split so that most wards had more or less the same amount of voters, preferably 13 000, as the local government regulations prescribed

Ian Iversen agreed and felt that one of the nine wards given to Mitchell's Plain should be removed as the area would then have a ward/voter ratio of only 11 000 while some other wards had 16 500 and 15 700 voters

The committee also elected advocate Norman Arendse to chair the election committee with Pinelands attorney, N G McDougall, as his alternate

Cape Town city town clerk Keith Nicol was elected returning officer for the sub-structure and Brent Gerber, the voters' roll officer

Put Atlantic suburbs in Central City ward?

(263)
MUNICIPAL REPORTER

CT 22/12/95

THE Atlantic suburbs from Clifton to Granger Bay should be in the same ward as the central city, District Six, Woodstock and Salt River, according to draft ward proposals for Cape Town, tabled at a central Joint Executive Committee (JEC) meeting yesterday.

Camps Bay, on the other hand, is in the same ward as most of the city bowl — Tamboerskloof, Oranjezicht, Vredehoek and the Bo-Kaap.

This might change, city administrator Mr Gys Hofmeyr said, because some councillors felt Camps Bay fitted in better with the rest of the Atlantic seaboard than with the city bowl.

Councillors did not reach a conclusion yesterday on whether they wanted wards to be as homogeneous as possible, or whether dissimilar communities should be thrown together in a single ward.

Mitchells Plain has eight wards, though this may change to seven. Strandfontein is, on its own, with the Philippi farmlands.

Some of the other proposed wards are Kensington; Pinelands/Thornton/Ndabeni; Observatory/Rondebosch, Rondebosch East/Lansdowne/Lower Kenilworth; Bishopscourt/Newlands, Bridgetown/Silvertown in Athlone, Belgravia; Gatesville; Marienberg, Heideveld; and Hanover Park.

At Provincial Committee level, formal agreement has not yet been reached on how many wards Cape Town should have. But it seems fairly certain there will be 74 seats on Cape Town municipality, as the ANC and the NP have agreed on this — and they are now still fighting about the elections format for rural councils.

At short notice, officials drew up a ward map in accordance with the 74-seat proposal. Sixty percent of the seats must be ward seats, which means there must be 44

wards in Cape Town, and the rest of the seats filled by proportional representation.

The 44 wards are in turn divided into 22 in the white and coloured areas and 22 in the black townships of Langa, Guguletu, Nyanga, Crossroads and Brown's Farm.

The number of registered voters in Cape Town municipality's black townships, at the middle of this month, was 210 611, the JEC was told. The number of registered voters in the rest of the municipality was 321 428.

Thus black wards have an average number of 9 570 voters, while white and coloured wards have an average of 14 610 per ward.

Early in the meeting, deputy city planner Mr Japie Hugo handed over responsibility for the boundaries to the councillors in dramatic fashion, tearing up a copy of his own department's work.

Officials like himself had just drawn up wards as a starting point, he said. All the boundaries that were supposed to be drawn up by politicians could be changed.

Planners had just done a number-crunching exercise, to see how many voters should be in each ward. Then they started at one side of the map, adding up little blocks of voters until they got to roughly the right number, then they looked for a boundary like a major road or a railway line, he said.

JEC co-chairs Ms Nomaindia Mfeketo and Mr Brian Watkyns said the JEC would meet again on December 28 and probably also on January 3 to try to reach agreement on ward boundaries before the January 4 deadline for their submissions. They would like the public to make contributions.

● The Demarcation Board is to hold public hearings from January 8 to January 19. Anyone wanting to make submissions at such hearings should notify Mr M.P. Randall of the Demarcation Board at Room 4-24, 27 Wale Street, by January 4.



WARD CHANGES?: City administrator Mr Gys Hofmeyr

Deal puts poll back on track

ST(m) 24/12/95 (263)

THE nightmare possibility of another postponement of local government elections in the Cape Metropole loomed large this week.

It was averted by a last-minute compromise between the African National Congress and National Party on the number of seats in the six new city councils

However, the next step in the build-up to the May 29 polls — the delimitation of wards — may prove as controversial as defining the boundaries of the councils has been

"There is still a possibility that the elections may be delayed," said Fritz Marx, private secretary to Local Government Minister Peter Marais.

"It is always a possibility."

The joint executive committee for the proposed central Cape Town council met this week to start mapping out proposals for ward boundaries. It has to submit

By **BEN MACLENNAN**

these to the Demarcation Board by January 4

The board is to hold public hearings from January 8. Its recommendations go first to Mr Marais then the Provincial Committee for approval.

Delimitation

The executive committee said in a statement after its meeting that ward delimitation should be transparent and that it should be given the chance to get public comment before making its submission.

"There is clearly not enough time for this," it said. It faced a "very difficult and politically sensitive task."

At the meeting, independent city councillor Llewellyn van Wyk said ward demarcation should be used to reverse some of

the legacies of apartheid planning.

"We must not perpetuate the enforced separation that divided our communities for so long," he said.

After weeks of wrangling, the Provincial Committee agreed on Friday that there should be 74 seats in the Cape Town council and 72 in Tygerberg. The ANC had demanded 100 seats for Cape Town while Mr Marais suggested 50.

The committee is a multi-party group established to oversee Mr Marais's decisions in the run-up to the elections. Any deadlock in the committee has to be referred to the electoral court.

Last month the court was asked to resolve a dispute on substructure boundaries.

Mr Marx said the ANC had dropped a demand that Mr Marais review election models for rural councils before the election went ahead. — Sapa

Tough contest for Cape Town votes

COLIN DOUGLAS

Staff Reporter

AN explosive three-way election battle looms in Cape Town as the African National Congress, National Party and Democratic Party vie for power in the Cape Metropole's biggest council.

The Joint Executive Committee (JEC) of the Central Substructure, which takes in much of Cape Town and extends as far as Mitchell's Plain, finalised its proposal for voting wards yesterday.

The ward boundaries give the ANC and the NP each a real chance of controlling the Council after the elections on May 29 next year, with the DP having an equally good chance of depriving either of the big

parties of a majority.

The election campaign has already begun in earnest in some wards, even though the ward boundaries are yet to be finalised by Local Government Minister Peter Marais, after public hearings.

There are 44 ward seats up for election and a further 30 seats which have to be filled through proportional representation. To control the council, a party would have to win a minimum of 38 seats.

The ANC is virtually guaranteed of winning the 22 ward seats, reserved for black areas, plus close to 40 percent of the proportional vote, giving it a head start of around 34 seats.

If the ANC is to gain overall con-

rol of the council, it must win significant numbers of coloured voters from the NP to capture a handful of wards in coloured areas.

ANC sources said they were confident of winning the largely middle-class wards of Crawford, Rylands and Kensington, but would also put up a strong fight in other areas.

While the NP defends these areas against the ANC, which won decisive coloured support in towns like Worcester and Paarl in the November municipal elections, it will face a battle with the DP in other parts of the city.

The DP won back support from the NP in its old strongholds in Johannesburg and Port Elizabeth in November, and is confident it will

repeat its performance in Cape Town, winning six or seven wards in the city bowl, Atlantic seaboard and southern suburbs.

The wild cards in the election are the independents, who include former mayor Clive Keegan. Mr Keegan said he would probably stand in the Kenilworth ward as part of an "Independent Civic Alliance" that was to be launched soon.

Arthur Wienburg, who once led the DP in the Cape Town council but now faces expulsion from the party, vowed to stand in the Rondebosch ward, come what may.

The big names in each of the parties are already preparing for the fight.

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Mayor to stand for NP
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Cape Town mayor William Bantom, who said he planned to contest the Strandfontein ward for the NP, could be a vote-winner for the party in Mitchell's Plain.

Nomandiya Mfeketo, chairman of the JEC, said she would stand only for a proportional seat and not for a ward, so she could campaign "everywhere" for the ANC. Her vice-chairman, Brian Watkyns, will stand for the DP in Pinelands.

The fight to watch could be in the city centre ward, which includes Green Point, Woodstock and Salt River. The ANC, NP and DP will all vie for victory there in an election where every ward counts.

University of Cape Town political scientist David Welsh said he expected a "messy" result, and said there was a good chance that no party would win overall control.

Professor Welsh said the NP was likely to remain the top party in coloured areas. "The ANC has probably crowded prematurely about the coloured vote," he said.

He forecast a good showing for the DP, "given the DP's tradition of doing better locally than nationally".