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PORTFOLIO COMMITTEE ON PROVINCIAL AND LOCAL GOVERNMENT

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OVERSIGHT REPORT

OUTDSHOORN LOCAL MUNICIPALITY

THURSDAY, 14 SEPTEMBER 2006

A. Introduction

1. During the Peoples Assembly 2006 held in Oudtshoorn from 14 – 15 September 2006, Committees were requested to do oversight visits with relevant bodies. A delegation from the Portfolio Committee on Provincial and Local Government, the Select Committee on Local Government and Administration and the Select Committee on Finance undertook an oversight visit to the Oudtshoorn Local Municipality on Thursday, 14 September 2006. The aim of the oversight visit was to interact with the Mayor, Deputy Mayor, Municipal Manager, Councilors and Senior Managers of the municipality and interaction with the Women's Empowerment Project in Oudtshoorn.
2. The People's Assembly 2006 took place under the theme "All Shall Have Equal Rights." Part of the mandate of the People's Assembly 2006 was as follows:
 - Rural Women's participation in the economy.
 - The impact of legislation dealing with unlawful discrimination against people with disabilities: How far have we come?
 - The rights of the child: Child labour with a specific focus of children on farms.

The main objective of the People's Assembly 2006 was:

- To mark the tenth anniversary of the Constitution.
 - To take stock of Parliament's constitutional role of passing laws that seeks to address and redress issues of inequalities.
 - To provide a vehicle for peoples' voices to be heard on issues affecting them.
3. However, for the Committee, the main focus of the interaction was to understand the functioning of the municipality in respect of all relevant legislation, the functioning of the ward committees and impact of the projects on the community, resource utilization and assistance from the municipality and the private sector.
 4. The delegation from the Portfolio Committee on Provincial and Local Government comprised of Mr S Mshudulu, Mr I Mogase, Mrs M Gumede, Mr G Phadagi, Mr W Doman and Mr M Swathe. Mr S Shiceka and Mr E Sogoni represented the Select Committee on Local Government and Administration and the Select Committee on Finance respectively.

B. Interaction with the Oudtshoorn Local Municipality

1. The meeting was convened in the Municipal Chambers of the Oudtshoorn Local Municipality and was attended by the following: Ministry for Provincial and Local Government - Deputy-Minister N Hangana; Portfolio Committee on Provincial and Local Government - Mr S Mshudulu, Mr I Mogase, Mrs M Gumede, Mr G Phadagi, Mr W Doman and Mr M Swathe; Select Committee on Local Government and Administration - Mr S Shiceka and Select Committee on Finance - Mr E Sogoni

Members of the Oudtshoorn Local Municipality - Mr J Swartbooi: Executive Mayor, Mr J Swiggelaar: Deputy Executive Mayor, Mr P Nel: Speaker, Councillor Ms R Le Kay, Councillor C Stemmet, Councillor G April, Councillor E Fortune, Councillor J Coetzee, Councillor D De Jager, Councillor N Gunguluza, Councillor M May, Councillor B Pannas, Councillor G Phillips, Councillor K Witon, Councillor J Harmse, Councillor N Soman, Councillor B Blaauw, Councillor E Ngalo, Councillor S Billy, Councillor C Ngalo, Councillor L Lamprecht, Councillor J Olivier, Councillor S Biljohn, Mr B Vermaak, Mr K Lubbe, Ms E September, Mr C Ceaser, Mr R Jullies and Mr N Oosthuizen.

2. The Deputy Minister thanked the Mayor for hosting the meeting and explained that the delegation was there to interact with officials from the Oudtshoorn Municipality – to understand the difficulties and challenges being faced by the municipality and how the committees could be of assistance in any way.
3. The Municipal Manager gave the Committee a broad background to the municipality, a profile of all wards, the challenges in respect of unemployment, poverty alleviation, training, the impact of ostrich farming in the area and the budget. The Municipal Manager also touched on the various initiatives being undertaken by the municipality. The housing project was well underway and about 600 units had already been completed. He explained the long delay in obtaining the Environmental Impact Assessment Report for the country estate and golf course development and appealed to the Committee for assistance in this regard. The country estate would give the community a boost in terms of job creation and other positive spin-offs. He also indicated that the recent flooding had put a heavy strain on the municipal infrastructure and the area was declared a disaster area. The municipality desperately needed more funds to address this issue. The municipality had its audit committee and necessary procurement policies in place.
4. Members questions centred on the following:
 - service delivery i.r.o water and sanitation
 - debts collection
 - the impact of ostrich farming in the community
 - training and empowerment
 - staff appointments, demographics and performance contracts
 - valuation of properties i.r.o the Property Rates Act
 - the status of the housing challenges in Dyseldorp

5. The Municipal Manager explained that they had completed a capacity questionnaire to assess capacity of municipalities. They worked closely with the District Municipality and received valuable support from the district. All documentation was electronic with an electronic filing system also in place. The restructuring process in the municipality was completed with issues relating to women, youth and disabled being addressed by the social directorate. Mention was made of the Aids Rehabilitation Centre being managed by an NGO on behalf of the municipality. A document was in place to deal with the indigent and the issue of powers and functions. A water tariff structure was also in place with special focus on the indigent. The revenue collection rate currently stood at 92% for the municipality. The municipality had received money from the provincial department of housing to address the housing problems in Dyseldorp and the councils had secured money in their budgets to alleviate the ablution problem. The new valuation role was to be implemented in July 2008 and a transport plan had been adopted by the District Municipality for implementation. There were many old bylaws that needed to be addressed.

C. Interaction with the Oudtshoorn Community

1. Because the previous meeting ended late and there were logistical problems in getting to the next meeting, the delegation held a community meeting at the Bridgeton Community Hall with members of the community of Oudtshoorn. At the gathering, members of the community were given a chance to highlight problems and challenges they were facing with the municipality and councillors of the area. Most of the issues centred on the following:
 - irregularities and the perceived discrimination in the awarding of contracts and the tender process
 - policies in respect of women, youth and persons with disabilities
 - monies made available for projects was taking too long to reach the intended beneficiaries
 - policies in respect of the indigent
 - inaccessibility of councillors
 - the language policy of the municipality
 - nepotism with appointments to vacant posts
 - housing problems Dyseldorp and filthiness of townships
 - poverty and unemployment
2. A member of the delegation explained that they were informed that all was well and functioning and challenges were being addressed by the municipality. After hearing from the community - this did not seem to be the case. The delegation promised the community that they would secure an urgent meeting with the Mayor's Office immediately to seek answers on the issues raised. The delegation thanked the community for their time and effort.

D. Follow-up Interaction with the Oudtshoorn Local Municipality

1. Present at the meeting were the following: Portfolio Committee on Provincial and Local Government - Mr S Mshudulu, Mr I Mogase, Mrs M Gumede, Mr G Phadagi, Mr W

Doman and Mr M Swathe; Select Committee on Local Government and Administration - Mr S Shiceka and Select Committee on Finance - Mr E Sogoni

Members of the Oudtshoorn Local Municipality - Mr J Swartbooi: Executive Mayor, Mr J Swiggelaar: Deputy Executive Mayor, Mr P Nel: Speaker, Councillor Ms R Le Kay, Councillor C Stemmet, Councillor G April, Councillor E Fortune, Councillor J Coetzee, Councillor D De Jager, Councillor N Gunguluza, Councillor M May, Councillor B Pannas, Councillor G Phillips, Councillor K Witon, Councillor J Harmse, Councillor N Soman, Councillor B Blaauw, Councillor E Ngalo, Councillor S Billy, Councillor C Ngalo, Councillor L Lamprecht, Councillor J Olivier, Councillor S Biljohn, Mr B Vermaak, Mr K Lubbe, Ms E September, Mr C Ceaser, Mr R Jullies and Mr N Oosthuizen.

2. The meeting started at 16:00 pm and was opened by the Speaker. Members thanked the council for the last minute arrangement and convening of the meeting and thanked them for their time. The reason for the meeting was to give the council some feedback on the meeting held with the community earlier in the day. It was mentioned that there was a host of concerns raised at the community meeting and Members felt it important to share these with the council with a view of trying to resolve some of the issues raised.
3. The Chairperson proposed that the Committee work through the list of concerns raised and find a way forward in dealing with them.
4. Language Policy of the Municipality:

It was brought to the attention of the Committee that all correspondence from the municipality was only in Afrikaans. This resulted in communication problems for those councilors who did not understand Afrikaans or who preferred correspondence in at least one other language, preferably English. It was mentioned by a councilor that the translation facilities of the District Municipality had been offered to the municipality but was not acted on. The Speaker and some councilors claimed there was no problems i.r.o language policies while others insisted that the problem did exist.

The Chairperson was of the view that the municipality may have a language policy, but that it was not being implemented. To resolve the issue, the Chairperson ruled that they be supplied with the evidence that the municipal hansard, notices and other correspondence did, in fact, cater for other language groups. If not, the Chairperson requested that correspondence be communicated in English as well. The Chairperson closed on the subject.

5. In view of the last minute request for the meeting and the fact that the Mayor and other dignitaries needed to prepare for another engagement, there was a motion that the Committee reconvene the following day to continue the discussion on all other issues not dealt with. The motion was agreed to. Unfortunately, due to time-constraints and the People's Assembly Plenary the following day, the meeting could not be convened. It was resolved that the Committee would convene a meeting in the near future to discuss any outstanding issues.