BRIEFING ON DEMARCATION PROCESS AND CHALLENGES

SELECT COMMITTEE ON CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

07 MAY 2013

DELEGATION
Chairperson: Mr Landiwe Mahlangu
Deputy Chairperson: Ms N Gwayi
Chief Executive Officer: Ms G Gumbi Masilela
OUTLINE

• To introduce the Board

• The Role and mandate of the Board

To provide an overview of the current status of the redetermination process

• To explain the process to finalise the project in 2013

• Conclusion
MEMBERS OF MDB

- Board members have a term of 5 years.
- The first Board comprising of 10 members was appointed by the President on 1 Feb 1999, the second one on 1 Feb 2004 and the present one on 20 Feb 2009.
- The third and current Board comprise of the following members:
  - Mr. Landiwe Mahlangu (Chairperson)
  - Ms. Nondumiso Gwayi (Deputy Chair)
  - Khosi Tshililo Jeffrey Ramovha
  - Prof. Nico Steytler
  - Me. Wendy Ovens
  - Mr. Ashraf Adam
  - Mr. LD Tsotetsi
- Only the Chairperson is full time and other members are part time (making it a challenge to focus fully on the Board Tasks)
- Two Board members resigned for personal reasons
- One member (Ms Grace Castle) passed away a week ago
ROLE AND MANDATE OF MDB

Mandate and Status

- Established in 1999 as independent constitutional body, in terms of Chapter Seven of the Constitution
- Juristic Person
- Perform its function without fear, favour or prejudice
- Funded by Parliament via a Government Department (COGTA)

Selection and Accountability

- Members are selected by an independent Panel Headed by two Judges, and appointed by the President
- Currently comprise of between 7-10 members of which only the Chairperson is full time,
- Administration Headed by CEO and staff of 25
- Answerable directly to Parliament by way of annual reports and meetings.
- Members are expected to have knowledge; experience; and qualification: in local government generally and in the following discipline; Development economics; Integrated development planning; Municipal finance and administration; GIS; Transport planning etc.
Key Functions of the Board

Municipal Boundaries
- Determination / redetermination Outer Boundaries
- Delimitation of Inner or Ward Boundaries
- Technical Adjustment / Alignment
- Categorisation of Municipalities (Section 2 Structures Act)
- Declaration/Withdrawal of declaration of DMA

Capacity Assessment
- Annual Assessment of Municipal Capacity to perform functions as laid out in Schedule 4 b and 5 b of Constitution
- Recommends allocations and adjustment between Category B and C Municipalities. Section 84 and 85 of Structures Act.

Advisory Work and Function
- Alignment of service delivery boundaries
- Study to determine the abolishment of cross boundary municipalities
  - Studies on municipal size and Viability
  - Studies on the efficiency of the Metros
BOUNDARIES WORK OF MDB

Municipal Outer Boundary Determination

- Guided by Section 22 of the MDA requests by the Minister/MEC/Municipality or public
- Minor/technical adjustment maintain boundary integrity and accuracy
- Amalgamation and/ resizing of municipalities
- Categorisation or re-categorization of municipalities
- Comply with MDA Sect 24 and 25 and MSA Sect..2

Inner/ Ward Boundaries

- Undertaken every five years for purposes of Municipal Elections
- Undertaken occasionally when there is a change in outer boundaries
- Must meet the Criteria Schedule 1 Structures Act.
Key Milestones

Integration of municipalities

• During the period 1999/2000 the Board successfully rationalized the total number of municipalities from 843 to 284. Six metropolitan municipalities, 47 district municipalities and 231 local municipalities were demarcated within a period of 15 months.

Ward delimitation

Successful local elections were held in 2000, 2006 and 2011 within ward delimited by the Board. For the 2000 elections 3754 wards were delimited, for the 2006 elections 3895 and for the 2011 the wards grew to 4277

Capacity assessments

• Annual capacity assessments by the Board empowers the MECs responsible for local government to adjust powers and functions between district and local municipalities to enhance service delivery.

District management areas

The Board was instrumental in cleaning up local government structures by the withdrawal of all declarations of district management areas over the period 2005 – 2008.

Ending the era of cross-boundary municipalities

• As a result of the disestablishment of cross-boundary municipalities, the number of district municipalities was reduced from 47 to 46 in 2005, with the finalization of the cross boundary process currently there are now 44 district

Creating more metropolitan municipalities

• Special investigations were conducted in 2008 which led to the re-categorization of 2 category B municipalities into Category A municipalities. After the 2011 local government elections South Africa had 2 additional metropolitan municipalities namely Mangaung in the Free State and Buffalo City in the Eastern Cape.

Creating credible boundaries for traditional areas

• The Board initiated, in conjunction with the Department of Land Affairs, the Department of Water Affairs and the Department of Cooperative Governance and Traditional affairs, a process to create credible TA boundaries. This project is at an advanced stage.
HISTORICAL BACKGROUND: FROM APARTHEID TO DEMOCRATIC LOCAL GOVERNMENT

- Apartheid legislation led to the creation of the 1,262 different local government structures, including:
  - **R293 Black** townships with their own administrations but with no powers;
  - **Coloured and Indian Management Committees** which were advisory to White municipalities;
  - **Black Administration Boards** which removed the responsibility for townships from White local authorities;
  - **Community Councils** with elected members but without meaningful powers and resources; and later,
  - Tribal councils
HISTORICAL BACKGROUND: FROM APARTHEID TO DEMOCRATIC LOCAL GOVERNMENT

- In 1993 a Local Government Negotiation Forum (LGNF) was formed to give impetus to the democratisation of local government.
- LGNF had 60 members: 30 were nominated by local government bodies and 30 by Non Statutory bodies with interest in Local government.
- Local government was formally democratised through the Interim Constitution which came into effect in February 1994 in terms of which three phases of democratisation were established:
  - **Pre Interim phase**: Passing of Local Government Transition Act; Appointed Councillors
  - **Interim Phase**: First Local Government election
  - **Final Phase**: came after the finalisation of final constitution
Key Fundamentals

• Reverse apartheid geography (separate development and Bantustan's);
• Contribute Spatial transformation and spatial justice for all communities;
• Advance Integration: Wall-to-wall municipalities as well as to achieve the integration of communities to achieve balance and efficiency;
• Deepen Democracy- Upholding electoral equality;
• Enable gradual realisation of developmental local government.
Municipalities of South Africa

Legend
- Eastern Cape
- Free State
- Gauteng
- KwaZulu-Natal
- Limpopo
- Mpumalanga
- North West
- Northern Cape
- Western Cape
Municipal Boundary Redetermination and Review

LOCAL GOVERNMENT ELECTIONS

- New Boundaries change take effect
- MEC’S establish municipalities in terms of section 12 MSA

Municipal Territory Boundary Review:
- Outcome possibilities
  - Re-alignment and adjustment
  - Consolidation and Annexation
  - Amalgamation and recategorization
- Reviewed Munic boundaries handed to IEC
- IEC delimit voting districts and register voters
- National common voters roll divided into municipal segments by IEC
- National and Provincial Elections takes place
- The term of Board end

- Minister determines the formula for the wards
- MEC determines No. of councillors
- MDB delimits wards: Norm is used and 15% deviation is allowed.
- Final wards to IEC to prepare voters roll and VD’s for local election.
BROAD PROCESS AND TIMEFRAMES
WITHIN CURRENT LEGAL FRAMEWORK: 2011 - 2016

CONSULTATION & LEGAL
JUN 2011 – AUG 2013
Re-determine municipal boundaries

CONSULTATION & LEGAL
NOV 2013 – JUN 2015
Delimit wards

IEC
JUL 2015 - APR 2016
Prepare for local elections

Key periods for public participation

MDB provides information

Meetings per district area

Publish Section 26 notices

Sec 28 Public hearings where necessary

Publish Section 21 notices

Objections and final decisions

Section 23 notices

May-Jun 2012

Oct - Nov 2012

Feb-May 2013

June 2013

July 2013

Aug - Sept 2013

Municipalities consult affected communities, and encourage participation

This re-determination entails a small scale boundary adjustment and/or alignment with:

- A minor impact on the geographic area
- A negligible or no impact on the number of voters
- No impact on the capacity of the affected municipalities
The outcome of this redetermination is the correction and/or alignment of a municipal boundary with physical or natural features such as:

- Roads
- Rivers & Mountains
- Cadastral Boundaries
ALIGNMENT TO CADASTRE

may be necessary where, for purposes of property valuations and rates, a property has to be under the jurisdiction of one municipality rather than being split between two or more municipal areas.
TECHNICAL & MINOR RE-DETERMINATION

Proposed Municipal Boundary

Present Municipal Boundary
This is a medium scale re-determination that may impact on:

A SIZABLE GEOGRAPHIC AREA

and

NUMBER OF VOTERS

IN ONE OR ALL THE MUNICIPALITIES AFFECTED
This type of determination may impact on ward arrangements but will not, or will not materially, impact on the capacities of the affected municipalities to deliver services.

The outcome of this type of boundary adjustment is the correction of boundary anomalies that affect service delivery, and to promote integrated communities and economies.
Type B – Consolidation and Annexations

Proposed technical alignment of the municipal boundary affecting portions of farms Klipspruit 863 of Greater Marble Hall Local Municipality (LIM471) and Elias Motsoaledi Local Municipality (LIM472) to follow a river on CSIR Spot5.
This type of re-determination entails a major and large scale municipal boundary re-determination which will have a significant impact on the geographic areas, the number of voters, and the capacities of the affected municipalities.

The re-determination includes the merging of adjacent municipalities or the splitting of municipal areas to create municipal areas.
AMALGAMATION & CATEGORISATION

Proposed Amalgamation

new municipal area
PROPOSALS AFFECTING THE CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY

Proposals to be published in terms of Section 26 of the MDA
PROGRESS:

• At the start of the cycle MDB in July 2011 had more than 500 proposal for boundary changes, mostly left overs from the previous cycle;

• Municipalities were visited from Aug 2011 to address the proposed re-determinations in Circular 1/2011;

• Stakeholders submitted additional requests for boundary changes. At closing date, of 20 January 2012 over 1028 proposal were received;

• These proposals were reviewed by teams made up of Board members and Staff over two weeks to look at each proposal from all angles per province;

• Some of the proposals did not meet the requirements and were rejected without being published i.t.o section 26 of the MDA;

• Of the total number of proposals 204 were published in terms of Section 26 to test public opinion, during what is termed the legal process during November - December 2012.

• Taking into account the criteria, and the comments received from stakeholders, the MDB decided to further reject some proposals, but they may again be considered during the MDB’s next boundary assessment process.
PROGRESS OF CONSULTATIVE PROCESS ON THE PROPOSALS

- Despite its limited capacity the Board spread itself by allocating each member to a province for purposes of engagement with stakeholders on the proposals on the table.

  - Visited and addressed all Provincial Houses of Traditional Leaders and one local house
  - Met with the Minister of Cooperative Governance and Traditional Affairs
  - Briefed the Portfolio Committee of Cogta
  - Visited all the Executive Mayors of Metros
  - Addressed all district families of municipalities
  - Continued to receive representations from individual stakeholders requests for dedicated meetings
## PROPOSED REDETERMINATIONS PER PROVINCE BY DEM TYPE

<table>
<thead>
<tr>
<th>Province</th>
<th>Total Number of DEMs</th>
<th>TYPE A</th>
<th>TYPE B</th>
<th>TYPE C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Cape</td>
<td>225</td>
<td>135</td>
<td>83</td>
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<tr>
<td>Free State</td>
<td>86</td>
<td>54</td>
<td>26</td>
<td>6</td>
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<tr>
<td>Gauteng</td>
<td>85</td>
<td>61</td>
<td>9</td>
<td>15</td>
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<tr>
<td>KwaZulu-Natal</td>
<td>276</td>
<td>150</td>
<td>91</td>
<td>35</td>
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<tr>
<td>Limpopo</td>
<td>99</td>
<td>47</td>
<td>49</td>
<td>3</td>
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<tr>
<td>Mpumalanga</td>
<td>74</td>
<td>55</td>
<td>15</td>
<td>4</td>
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<tr>
<td>North West</td>
<td>63</td>
<td>54</td>
<td>7</td>
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<td>Northern Cape</td>
<td>39</td>
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<tr>
<td>Western Cape</td>
<td>81</td>
<td>78</td>
<td>2</td>
<td>1</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1028</strong></td>
<td><strong>669</strong></td>
<td><strong>285</strong></td>
<td><strong>74</strong></td>
</tr>
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</table>
NATIONAL SPREAD OF DEMS BY TYPE

- TYPE A: 65%
- TYPE B: 28%
- TYPE C: 7%
### DEMS TO BE PUBLISHED IN TERMS OF SECTION 26 OF THE MDA BY DEM TYPE

<table>
<thead>
<tr>
<th>Province</th>
<th>Total Number of DEMs</th>
<th>TYPE A</th>
<th>TYPE B</th>
<th>TYPE C</th>
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<tr>
<td>Eastern Cape</td>
<td>35</td>
<td>14</td>
<td>19</td>
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<td>10</td>
<td>3</td>
<td>4</td>
<td>3</td>
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<tr>
<td>Gauteng</td>
<td>4</td>
<td>2</td>
<td></td>
<td>2</td>
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<td>KwaZulu-Natal</td>
<td>51</td>
<td>12</td>
<td>28</td>
<td>11</td>
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<tr>
<td>Limpopo</td>
<td>13</td>
<td>4</td>
<td>9</td>
<td>0</td>
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<tr>
<td>Mpumalanga</td>
<td>6</td>
<td>2</td>
<td>3</td>
<td>1</td>
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<tr>
<td>North West</td>
<td>25</td>
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<td>Western Cape</td>
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<td><strong>TOTAL</strong></td>
<td><strong>204</strong></td>
<td><strong>113</strong></td>
<td><strong>72</strong></td>
<td><strong>19</strong></td>
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DEMS to be published in terms of Section 26 of the MDA by DEM Type

- **TYPE A, 113**
- **TYPE B, 72**
- **TYPE C, 19**
## DEMS REJECTED BY DEM TYPE

<table>
<thead>
<tr>
<th>Province</th>
<th>Total Number of DEMs</th>
<th>TYPE A</th>
<th>TYPE B</th>
<th>TYPE C</th>
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<td>76</td>
<td>51</td>
<td>22</td>
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<td>Gauteng</td>
<td>81</td>
<td>59</td>
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<td>KwaZulu-Natal</td>
<td>225</td>
<td>138</td>
<td>63</td>
<td>24</td>
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<tr>
<td>Limpopo</td>
<td>86</td>
<td>43</td>
<td>40</td>
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<td>Mpumalanga</td>
<td>68</td>
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<td>North West</td>
<td>38</td>
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<td>Northern Cape</td>
<td>18</td>
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<td>Western Cape</td>
<td>42</td>
<td>41</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>824</strong></td>
<td><strong>556</strong></td>
<td><strong>213</strong></td>
<td><strong>55</strong></td>
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### Circular 1

<table>
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<tr>
<th>Province</th>
<th>Visits</th>
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<tbody>
<tr>
<td>Eastern Cape</td>
<td>18</td>
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<tr>
<td>Free State</td>
<td>9</td>
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<tr>
<td>Gauteng</td>
<td>10</td>
</tr>
<tr>
<td>Kwa-Zulu Natal</td>
<td>32</td>
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<td>Limpopo</td>
<td>9</td>
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<tr>
<td>Mpumalanga</td>
<td>11</td>
</tr>
<tr>
<td>North West</td>
<td>6</td>
</tr>
<tr>
<td>Northern Cape</td>
<td>12</td>
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<tr>
<td>Western Cape</td>
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### Circular 2

<table>
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<th>Province</th>
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<td>Limpopo</td>
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<td>Mpumalanga</td>
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<tr>
<td>North West</td>
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<tr>
<td>Northern Cape</td>
<td>5</td>
</tr>
<tr>
<td>Western Cape</td>
<td>4</td>
</tr>
</tbody>
</table>

**TOTAL NUMBER OF VISITS = 166**
THE LEGAL PROCESS

FIRST STEP: SECTION 26

• Section 26 of the Local Government: Municipal Demarcation Act, 1998, requires that the MDB publishes a notice in the media, and that certain functionaries be informed of the contents of the notice.
• No decisions on the redeterminations have been taken when the section 26 notices are published in the media. Section 26 notices merely reflect the MDB’s intention to consider the proposed boundary changes.
• The contents of section 26 notices will be conveyed to the Section 26 stakeholders (MECs, municipalities, Houses of Traditional Leaders and Magistrates) and other stakeholders by circular and other means of communication.
• Stakeholders will be allowed at least 21 days to submit written views and representation to the MDB. (in the current cycle 30 days were allocate)
• Comments on the proposed re-determinations should be motivated taking into account section 24 and 25 of the Demarcation Act, 1998, and in the case of metropolitan areas, also to Section 2 of the Structures Act, 1998.

SECOND STEP: SECTION 27

• When the period for written representations and views in terms of section 26 has expired, the MDB-
  • must consider all representations and views submitted to it; and
  • may take a decision on the determination or, before it takes such a decision-
    • hold a public meeting;
    • conduct a formal investigation; or
    • do both.
• MDB not obliged to hold public meetings and conduct formal investigations.
• However, should it decide to do so sections 28, 29 and 30 would apply.
THE LEGAL PROCESS CONT ....

THIRD STEP: SECTION 21

• Should the MDB take a decision on the re-determination into Sec 27, Section 21 should be complied with.
• The determination or re-determination will be published in the relevant Provincial Gazette.
• The onus is on any aggrieved person to submit written objections to the MDB within a period of 30 days. No extension of this period is legally possible, and any objection received after the closing date will be rejected.
• All objections received within 30 days will be considered by the MDB.
• The MDB may either confirm, vary or withdraw its determination or re-determination, and must publish its decision in the relevant Provincial Gazette.

FOURTH STEP: SECTION 23

• The MDB must provide particulars of its re-determinations to the IEC.
• The IEC must publish its views in the Provincial Gazette.
• If the redetermination affects the representation of voters in any of the affected municipal councils, the redetermination takes effect on the date of next election.
• If the redetermination does not affect the representation of voters in any of the affected municipal councils, the redetermination takes effect on the commencement date of the municipal financial year following the date of publication of the notice effecting such re-determination.
• The Minister of Finance of must be informed of the redetermination 6 months before the commencement date of the financial year, and the MEC must publish the date in the Provincial Gazette.
<table>
<thead>
<tr>
<th>DATE</th>
<th>DEMDE NO.</th>
<th>MAJOR</th>
<th>PROVINCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>08 April 2013</td>
<td>DEM4154/DEM4176</td>
<td>Major</td>
<td>KwaZulu Natal</td>
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<tr>
<td>09 April 2013</td>
<td>DEM4059_3</td>
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<td>Gauteng</td>
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<td>10 April 2013</td>
<td>DEM4097</td>
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<td>KwaZulu Natal</td>
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<tr>
<td>10 April 2013</td>
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<td>10 April 2013</td>
<td>DEM4058_2</td>
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<td>11 April 2013</td>
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<tr>
<td>12 April 2013</td>
<td>DEM4143/DEM4145/DEM2352</td>
<td>Major</td>
<td>KwaZulu Natal</td>
</tr>
<tr>
<td>15 April 2013</td>
<td>DEM4150</td>
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<td>23 April 2013</td>
<td>DEM4141/DEM4298/DEM4295</td>
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<td>25 April 2013</td>
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<td>Free State</td>
</tr>
<tr>
<td>07 May 2013</td>
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<td>09 May 2013</td>
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<td>KwaZulu Natal</td>
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### INDICATIVE TIMEFRAMES FOR LEGAL PROCESS

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 June 2013</td>
<td>Publication of Section 21 Notices and Maps</td>
</tr>
<tr>
<td><strong>14 July 2013</strong></td>
<td><strong>Closing date for Sec 21 objections.</strong></td>
</tr>
<tr>
<td>17 August 2013</td>
<td>MDB Administration process and submits received objections, maps and supporting documents to the Board for consideration.</td>
</tr>
</tbody>
</table>
| 21 Aug 2013     | Board meet to consider Sec 21 objections:  
|                 | • May confirm, vary, or withdraw its re-determinations.                  |
| 28 Aug 2013     | • Sec 21(5) notices published in Provincial Gazettes. To indicate whether the MDB has confirmed, varied or withdrawn its redetermination of municipal boundaries.  
|                 | • Sec 21 and 21(5) notices send to IEC and MECs for section 23 process  |
| 7 Sept 2013     | • IEC Sec 23 notices published.  
|                 | • MEC s Sec 23 an Sec 12 (MSA) notices published  
|                 | • Outer Boundary redetermination is completed                           |
| Sept 2013 – Jan 2014 | Electoral process for national and provincial elections commences IEC segment the voters roll into municipal segments |
### INDICATIVE TIMEFRAMES FOR LEGAL PROCESS

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb 2014</td>
<td>Preparations for ward delimitation for local elections in 2016 commence.</td>
</tr>
<tr>
<td>April 2014</td>
<td>National and Provincial Elections.</td>
</tr>
<tr>
<td>June 2015</td>
<td>Finalise ward delimitation for 2016 local elections</td>
</tr>
<tr>
<td>May 2016</td>
<td>Local elections.</td>
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</tbody>
</table>
When the Board determines a municipal boundary its objective must be to establish an area that would-

• *(a) enable the municipality for that area to fulfil its constitutional obligations, including-*
  – (i) the provision of democratic and accountable government for the local communities;
  – (ii) the provision of services to the communities in an equitable and sustainable manner;
  – (iii) the promotion of social and economic development; and
  – (iv) the promotion of a safe and healthy environment;

• *(b) enable effective local governance;*

• *(c) enable integrated development; and*

• *(d) have a tax base as inclusive as possible of users of municipal services in the municipality.*
CRITERIA: FACTORS TO BE CONSIDERED

(a) the interdependence of people, communities and economies as indicated by-

(i) existing and expected patterns of human settlement and migration;
(ii) employment;
(iii) commuting and dominant transport movements;
(iv) spending;
(v) the use of amenities, recreational facilities and infrastructure; and
(vi) commercial and industrial linkages;

(b) the need for cohesive, integrated and unfragmented areas, including metropolitan areas;

(c) the financial viability and administrative capacity of the municipality to perform municipal functions efficiently and effectively;

(d) the need to share and redistribute financial and administrative resources;

(e) provincial and municipal boundaries;
CRITERIA (Cont.)

(f) areas of traditional communities;
(g) existing and proposed functional boundaries, including magisterial districts, voting districts, health, transport, police and census enumerator boundaries;
(h) existing and expected land use, social, economic and transport planning;
(i) the need for coordinated municipal, provincial and national programmes and services, including the needs for the administration of justice and health care;
(j) topographical, environmental and physical characteristics of the area;
(k) the administrative consequences of its boundary determination on-
    (i) municipal creditworthiness;
    (ii) existing municipalities, their council members and staff; and
    (iii) any other relevant matter; and
(l) the need to rationalise the total number of municipalities within different categories and of different types to achieve the objectives of effective and sustainable service delivery, financial viability and macro-economic stability.
CRITERIA FOR METROPOLITAN MUNICIPALITIES

Section 2 of the Structures Act, 1998:

- An area must have a single category A municipality if that area can reasonably be regarded as-
  
  (a) a conurbation featuring-

  (i) areas of high population density;
  (ii) an intense movement of people, goods, and services;
  (iii) extensive development; and
  (iv) multiple business districts and industrial areas;

  (b) a centre of economic activity with a complex and diverse economy;

  (c) a single area for which integrated development planning is desirable; and

  (d) having strong interdependent social and economic linkages between its constituent units.

Demarcation criteria in section 24 & 25 of the Demarcation Act, 1998 also to be taken into account when boundaries are re-determined.
ANALYSIS OF CRITERIA

b) the need for cohesive, integrated and unfragmented areas, including metropolitan areas;
d) the need to share and redistribute financial and administrative resources;
i) the need for coordinated municipal, provincial and national programmes and services, including the needs for the administration of justice and health care;
(f) the need to rationalize the total number of municipalities within different categories and of different types to achieve the objectives of effective and sustainable service delivery, financial viability and macro-economic stability.
FUNCTIONALITY AND PLANNING MATTERS

(a) the interdependence of people, communities and economies as indicated by-

(i) existing and expected patterns of human settlement and migration;
(ii) employment;
(iii) commuting and dominant transport movements;
(iv) spending;
(v) the use of amenities, recreational facilities and infrastructure; and
(vi) commercial and industrial linkages;

f) areas of traditional communities;
(g) existing and proposed functional boundaries, including magisterial districts, voting districts, health, transport, police and census enumerator boundaries;
(h) existing and expected land use, social, economic and transport planning;
(j) topographical, environmental and physical characteristics of the area;
CAPACITY AND VIABILITY

(c) the financial viability and administrative capacity of the municipality to perform municipal functions efficiently and effectively;

(k) the administrative consequences of its boundary determination on-
   (i) municipal creditworthiness;
   (ii) existing municipalities, their council members and staff;
   and
   (iii) any other relevant matter; and
KEY ISSUES FOR MDB

- Spatial Transformation
- Wall to wall Municipalities principle
- Exclusion of less resources stakeholders
- Non performance of the ministry - Formula
- Frequency of wards delimitation
- Two tier local government
CHALLENGES (1)

- A growing trend to re-fragment municipalities
- Provincial Boundaries are becoming constraints
- Municipalities role and support mixed on re-demarcation.
- The need for role clarification between Executive and MDB
- Public awareness still a challenge
CHALLENGES (2)

• Inadequate capacity of the staff in the context of doing things differently
  ✓ Only 1 full-time Board member, other part time and therefore cannot dedicate sufficient time to the functions of the Board;
  ✓ The lack of research capacity and funding undermines the efficiency of the Board to discharge its mandate;
  ✓ Limited stakeholder management and public participation were undertaken during the last two years because of capacity challenges.

• The institution’s dependence on consultants for strategic projects will continue as long as there’s inadequate capacity internally
• Mismatch of Board Work program and budgeting cycle
• Proposals of boundary changes outside of the Board’s mandate
CONCLUDING REMARKS

- The Board recognises the need to maintain and improve public participation, to this end the Board is committed to face to face engagement in each province with key stakeholder including Premiers, MEC, Mayors etc.

- For the Board to function properly, the current budgetary resources will not sustain the Board’s mandate beyond the MTEF. It is imperative that the Board is allocated its resources directly by Parliament;

- Awareness creation among the communities of the roles and responsibilities of the MDB;

- Extend the net of the stakeholder much wider than just the municipalities and communities to include interest groups
Way Forward

The continues to lobby for additional resources and capacity to fully discharge on its mandate

- Scaling up Public participation to ensure that it reaches as many stakeholders as possible;
- Establishing a stakeholder management unit to profile the function of the board among various stakeholders and create broader awareness;
- Process report capturing the process undertaken during this term of office of the current board for the record of the activities of the MDB;
- Establish a research unit to ensure that the decision of the board a informed and supported by empirical evidence and facts;
- Enhance capacity to perform capacity assessment internally within the MDB to enhance organizational memory;
- **CLOSE THE GAP BETWEEN MANDATE AND RESOURCES**
CONCLUDING THOUGHTS

“When all is said and done, more is said than done”