



MEDIA RELEASE

3 JULY 2015

RE-DETERMINATION OF MUNICIPAL BOUNDARIES

NOTICE IN TERMS OF SECTION 21 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATON ACT, 1998

MEDIA STATEMENT BY MS JANE THUPANA, CHAIRPERSON OF THE MUNICIPAL DEMARCATION BOARD: OUTCOME ON REQUESTS RECEIVED FROM MR. PRAVIN GORDHAN, MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS TO REDETERMINE THE BOUNDARIES OF CERTAIN MUNICIPALITIES.

The Municipal Demarcation Board (Board) is a constitutional institution whose mandate is informed by the Constitution of the Republic of South Africa (section 155(3)(b)), the Local Government: Municipal Demarcation Act, Act No. 27 of 1998 and the Local Government: Municipal Structures Act, Act No, 117 of 1998. The Board is a juristic person that is independent and carries out its function without any fear, favour or prejudice. The Board has the responsibility and power amongst others to determine and re-determine municipal boundaries throughout the territory of the Republic of South Africa, with the most recent boundary re-determination cycle having been concluded in October 2013.

In January, February and April 2015, Board received proposals from the Minister of Cooperative Governance and Traditional Affairs, Mr. Pravin Gordhan (in terms of section 22(2) of the Municipal Demarcation Act, Act No. 27 of 1998) requesting us to consider the re-configuration of boundaries of certain municipalities (constituting 34 cases) before the 2016 local elections. This was the first time a Minister had invoked section 22(2) since the Act was promulgated seventeen years ago.

The proposals followed an analysis in terms of the government's Back to Basics program which revealed that a number of municipalities were not able to fulfil their constitutional obligations. Alongside other strategies that were said to have been put in place to address the challenge, it was suggested in some instances that the challenges were more structural and might be resolved through the re-determination of boundaries; hence the proposed re-determination of some municipal boundaries in the Eastern Cape, North West, KZN, Limpopo, Northern Cape, Mpumalanga, Free State and Gauteng.

Process followed

(See *fact sheet 1* for full redetermination process)

Section 26, 27 & 28 of the Local Government: Municipal Demarcation Act, 1998.

After the request received by the Minister, the Board had to test public opinion and published section 26 notices in the media to invite written views, representations as well as suggestions from the public and stakeholders. All views and representations were analyzed and the Board **could in terms of section 27 take decisions or make re-determinations at this point.** Due to various reasons, including insufficient time available to deal with cases that required more detailed studies and cases that could not be linked to the Back to Basics program, the Board decided during March 2015, not to proceed with 12 of the cases before the 2016 elections (refer to *fact sheet 2*).

The Board further opted to broaden public participation and obtaining further views and representations through public meetings while investigations were conducted to gather more information. Notices were given (in terms of section 28) of the decision of the MDB to hold meetings on the proposed determination or redetermination of municipal boundaries. These notices with the time, date and place of each public meeting were published and broadcasted. During the meetings, the Board explained in details the issues that the Board had to consider, including any options open to the Board. Members of the public shared their views while additional written submissions, representations and views were received.

Section 21 process

All cases were evaluated in terms of the demarcation objectives and criteria (**Fact sheet 3**) and the Board decided on 23 June 2015, to determine and re-determine municipal boundaries reflected in **Table 1** below.

Table 1. Determined and re-determined Municipal Boundaries

Municipalities
Eastern Cape
Gariep and Maletswai local municipalities will be amalgamated into one municipal area.
Nxuba and Nkonkobe local municipalities will be amalgamated into one municipal area.
A portion of Tsolwana to be included into the boundaries of Inxuba Yethemba and the remainder amalgamated with Lukhanji and Inkwanca municipalities.
Limpopo
Mutale will be disestablished and its portions incorporated into the areas of Thulamela and Musina municipalities.
A new municipality will be established comprising of portions of the municipal areas of Makhado and Thulamela municipalities.
Aganang municipality will be disestablished and its portions incorporated into the areas of Polokwane and Blouberg municipalities.
Fetakgomo and Greater Tubatse local municipalities will be amalgamated into one municipal area.
Modimolle and Mookgopong local municipalities will be amalgamated into one municipal area.
Mpumalanga
Mbombela and Umjindi local municipalities will be amalgamated into one municipal area.
Northern Cape
Mier and //Khara Hais local municipalities will be amalgamated into one municipal area.
Free State
Naledi local municipalities will be included into the Mangaung municipal area.

North West
Tlokwe and Ventersdorp local municipalities will be amalgamated into one municipal area.

Municipalities in the Eastern Cape will thus be reduced by 4, Limpopo by 3, while Mpumalanga Northern Cape, Free State and North West by 1 each.

Objections

Within the next few days, the Municipal Demarcation Board (MDB) will publish its determination or re-determination of the municipal boundaries in the relevant Provincial Gazettes. The public is once more invited, this time to submit written objections (if any) on the determinations and re-determinations. The objections should reach the Board within 30 days of publication of the notice in the relevant Provincial Gazette. A copy of the notice and maps can be downloaded from the MDB website www.demarcation.org.za.

After the **30 days objection period** the MDB will consider all objections; will either confirm, vary or withdraw its determination; and will publish its final decision in the relevant Provincial Gazette.

Redetermination of the West Rand into a category A municipality

On 16 April 2015, the MDB received a request from the Minister of Cooperative Governance and Traditional Affairs to consider the redetermination of the West Rand District Municipality into a Category A (Metropolitan) Municipality prior to the 2016 local government elections. A section 26 notice inviting views and representations was published on 15 May 2015 and the closing date for submissions was 05 June 2015.

The MDB will proceed with public meetings during July 2015 in all constituent municipalities of the West Rand District Municipality. The Board will then consider the matter and a decision arrived at not later than August 2015.

Ward delimitation process (Schedule 1 of the Municipal Structures Act)

Ward delimitation in areas that were not affected by the Minister's proposal is at an advanced stage. Those will be published in provincial gazettes in July 2015, allowing for objections within 14 days. Thereafter objections will be considered and wards will be finalized and handed over to the IEC in August 2015.

Ward delimitation process in municipalities included in the Minister's proposal but whose boundaries have not been re-determined, will start within the next two weeks while ward delimitations in municipalities whose boundaries are re-determined will start in August 2015 (after the conclusion of the redetermination process).

Any person aggrieved by a determination or re-determination may submit objections in writing to:

The Municipal Demarcation Board
Private Bag X 123,
CENTURION 0046
Fax: 086 524 8643
E-mail: fazel@demarcation.org.za

For further information, kindly contact:

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