



## **MEDIA STATEMENT**

Pretoria; Wednesday 23 January 2013

for Immediate Release

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### **PROPOSED AMALGAMATION OF NGWATHE AND METSIMAHOLO**

The Municipal Demarcation Board is currently in the process of reviewing public comments on the 204 demarcation proposals which were published for submission of views and representations from the public. The section 26 notices, which indicate the Board's intention to consider the proposals received between June 2011 and January 2012, were published in most of the national and regional newspapers circulating in the areas affected by the proposed boundary changes. Communities and municipalities were requested to submit their comments and views on the proposed redeterminations by the 10<sup>th</sup> December 2012 in terms of the Section 26 of the Local Government: Municipal Demarcation Act 27, 1998.

The Board is yet to convene a meeting on 24 January 2013 to consider all views and representations submitted by members of the public and map the next phase of the redetermination process, as outlined in Sections 21 and 27 of the Municipal Demarcation Act no 27 1998, before taking a decisions on the determination of municipal boundaries. In addition, the decision may also involve approval for public hearings and investigations (or both), where applicable, for all major cases, including amalgamations and requests for the establishment of metropolitan areas etc.

The community unrest in Metsimaholo is unfortunate and the Board fully regret recent developments in the area. The Board has not made a decision on this matter nor did the community submit its view to the Board timeously. However, the Board calls for calm in the area and also wish to draw attention to members of the public to the fact that the legal process is still at the early stages of the legal phase, no decisions have been taken on the matter as yet. Nonetheless, our plea to members of the public in the area is that they must allow the Board space to continue with the processes and also note that opportunities, as per legal provision, will be made available for further engagements with the public before the finalisation of this matter.

Board committees will be appointed to investigate major cases such as these, and where applicable, public hearings will be held in the affected area to give members of the public opportunities to air views on this matter. Furthermore, in April 2013 the Municipal Demarcation Board will enter the second phase of the legal process and will be soliciting further public comments on all cases to be published after the investigations and public hearing processes.



## **PROPOSED AMALGAMATION OF NGWATHE AND METSIMAHOLO**

### **Nature of proposal**

Proposed redetermination of the municipal boundaries of Ngwathe Local Municipality (FS203) and Metsimaholo Local Municipality (FS204), by amalgamating both Metsimaholo Local Municipality and Ngwathe Local Municipality excluding Edenville from Ngwathe Local Municipality and include Edenville town, into Moqhaka Local Municipality (DEM4034).

The proposed redetermination affects the following municipalities: Ngwathe Local Municipality, Metsimaholo Local Municipality, Moqhaka Local Municipality and Fezile Dabi District Municipality.

The proposal was received by the Board on 15 December 2011. This was submitted and supported by several of organs of state. The Board considered the merits of the proposal in terms of the Demarcation criteria as set out on sections 24 and 25 of the Local Government: Municipal Demarcation Act of 1998.

The rationale for the proposal is as follows:

- Need to promote economic growth and economic advantage along Vaal River has necessitated the need to create a single municipality.
- Ngwathe and Metsimaholo Local Municipalities compete strongly with municipalities along Vaal River. The amalgamation will enhance the competitiveness of this area economically.
- The amalgamation is also aimed at resolving the impasse around the Heilbron community who have always insisted that their town be excluded from Ngwathe Local Municipality incorporated into Metsimaholo Local Municipality

### **Consultation process to date.**

On 28 June 2011 the Board issued Circular 1/2011 to all affected municipalities, Members of provincial executive committees responsible for local government and other stakeholders to, amongst others, inform them of the proposed re-determination and request them to assist the Board contents of the circulars to local stakeholders (copy of circular 1/2011 is obtainable from our website). Subsequently, the Board issued the following circulars which outlined further processes and requirements in the review process: Circular 2/2011 issued on 09 November 2011, and Circular 1/2012 on 05 April 2012 (copies of these circulars are obtainable from the Board website).

The Board held meetings with a number of stakeholders regarding this proposal, which were held as follows; 13 September 2011 (Fezile Dabi District Offices – Sasolburg), 16 November 2011 (Hotel Le Grand Chateau, Parys), 9 May 2012 - (Fezile Dabi District Offices – Sasolburg); 25 June 2012 - (Fezile Dabi District Offices – Sasolburg).



In October, 2012 the MDB issued notice as requested by Section 26 of the Local Government: Municipal Demarcation Act, 1998, in term of which the Board formally communicated its intention to redetermine boundaries and invited representation and views from stakeholder.

The notices where published in newspapers as follows:

- Daily Sun - 09 Nov 2012
- Sowetan - 09 Nov 2012
- Beeld - 16 Nov 2012
- Volksblad - 16 Nov 2012

In complying further with such provisions the Board prepared and sent section 26 Notices with cover letters out to affected municipalities, to the MEC, Mayors, Speakers, Municipal Managers affected by this proposal.

The closing date for all public views and representations in terms of section 26 were 10 December 2012. A total of 28 submissions were received mainly from local residents of Metsimaholo local municipality.

Way forward

The Board as indicated earlier in the paragraph is going to meet on the 24 January 2013, to consider the views and representation received in terms of section 26. The Board will then decide on each case, whether to undertake a formal investigation to examine the feasibility of the proposal; conduct public hearing or do both before it take a decision. This phase will basically take no less than 6 weeks and the final determination of boundaries will only be made in August 2013 see the timeframes.

#### **Timeframes for the Boundary Redetermination Legal Process**

<b>DATE</b>	<b>ACTIVITY</b>
9 to 14 November 2012	Section 26 Notices is sent out
10 December 2012	Closing Date for Section 26 Notice Submissions
11- 20 Dec	<ul style="list-style-type: none"> <li>• Process Section 26 Representations and Views</li> <li>• Draft ToR of Formal investigations and Studies</li> <li>• Develop Public Hearing programme</li> </ul>
24 Jan 2013	Board Meeting to Consider <ul style="list-style-type: none"> <li>• Consider Section 26 Submissions</li> <li>• Approve Section 21 Notices (where applicable)</li> <li>• Approve TOR of investigations and studies</li> <li>• Approve Notices for Public Meeting (if necessary)</li> </ul>



28 Jan 2013	<ul style="list-style-type: none"> <li>• Formal Investigation Commences</li> <li>• Public Meetings notices is published</li> </ul>
22 March 2012	Investigations and public meetings completed
28- 29 March 2013	Board Meeting to consider: <ul style="list-style-type: none"> <li>• Reports from studies and investigations</li> <li>• Outcome of Public Meetings</li> <li>• Approve publication of Section 21 Notices</li> </ul>
5 April	Publication of Section 21 Notices and Maps
<b>6 May 2013</b>	<b>Closing date for Sec 21 objections.</b>
7 - 20 May 2013	MDB Administration process and submits received objections, maps and supporting documents to the Board for consideration.
30 May 2013	Board Meeting to consider: <ul style="list-style-type: none"> <li>• Section 21 objections</li> <li>• May confirm, vary or withdraw its determinations</li> </ul>
7 June 2013	<ul style="list-style-type: none"> <li>• Section 21 (5) notices published in provincial Gazettes. To indicate whether the MDB has confirmed, varied or withdrawn its determination of municipal boundaries</li> <li>• Section 21 and 21 (5) MSA notices send to IEC and MECs for section 23 process</li> </ul>
Aug 2013 and Jan 2013	<ul style="list-style-type: none"> <li>• Electoral process for national and provincial election commences</li> <li>• IEC segment the voters roll into municipal segments</li> </ul>
Feb 2014	Preparation of ward delimitation for local elections in 2016 commences
April 2014	National and provincial elections
June 2015	Finalise ward delimitation for 2016 local elections

Ends

**The Municipal Demarcation Board**



The Municipal Demarcation Board is a constitutional institution that was established in terms of the Constitution of the Republic of South Africa, 1996 ("the Constitution"), and the Local Government: Municipal Demarcation Act, 1998 ("the Demarcation Act"). It is accountable to Parliament.

In addition to the determinations and re-determinations of municipal boundaries, the Board is also mandated by legislation to declare the district management areas; to delimit wards for local elections; and to assess the capacity of municipalities to perform their functions.

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Issued on behalf of:

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## DEM4034 FACT SHEET

Proposed redetermination of the municipal boundaries of Ngwathe Local Municipality (FS203) and Metsimaholo Local Municipality (FS204), by amalgamating both Metsimaholo Local Municipality and Ngwathe Local Municipality excluding farms as per attached schedule (Edenville) into a new municipality.

<b>Date Received</b>	15 December 2011
<b>Nature of Request</b>	<p>Proposed redetermination of the municipal boundaries of Ngwathe Local Municipality (FS203) and Metsimaholo Local Municipality (FS204), by amalgamating both Metsimaholo Local Municipality and Ngwathe Local Municipality excluding farms as per attached schedule (Edenville) into a new municipality.</p> <p>Further propose to include Edenville town, presently in Ngwathe, into Moqhaka Local Municipality</p>
<b>Motivation for request</b>	<ul style="list-style-type: none"> <li>• Need to promote economic growth and economic advantage along Vaal River has necessitated the need to create a single municipality</li> <li>• Ngwathe and Metsimaholo compete strongly with municipalities along Vaal River. The amalgamation will enhance the competitiveness of this area economically</li> <li>• The amalgamation is also aimed at resolving the impasse around the Heilbron community who have always insisted that</li> </ul>



	their town be incorporated into Metsimaholo
<b>Municipalities affected</b>	Ngwathe Local Municipality (FS203), Metsimaholo Local Municipality (FS204) and Fezile Dabi District Municipality (DC20)
<b>MDB Communication regarding the process</b>	<p>Circulars</p> <ul style="list-style-type: none"> <li>• Circular 1/2011 – 28 June 2011</li> <li>• Circular 2/2011 – 9 November 2011</li> <li>• Circular 1/2012 – 5 April 2012</li> </ul> <p>Letters</p> <p>Sec26 Notices with cover letters were sent out to affected municipalities, to the MEC, Mayors, Speakers, Municipal Managers affected by DEM4034</p>
<b>MDB Visits to municipalities</b>	<ul style="list-style-type: none"> <li>• 13 September 2011 (Fezile Dabi District Offices – Sasolburg)</li> <li>• 16 November 2011 - Fezile Dabi ANC District Lekgotla held in Parys</li> <li>• 9 May 2012 - (Fezile Dabi District Offices – Sasolburg)</li> <li>• 25 June 2012 - (Fezile Dabi District Offices – Sasolburg) – meeting did not materialise due to unavailability of representatives from the District and local municipalities</li> </ul>
<b>Section 26 Publication</b>	<p>The relevant notice was published in the ff newspapers:</p> <p>Daily Sun - 09 Nov 2012  Sowetan - 09 Nov 2012  Beeld - 16 Nov 2012  Volksblad - 16 Nov 2012</p>
<b>Closing date for submission in</b>	10 December 2012



<b>terms of Section 26</b>	
<b>Total submission received</b>	Less than 30 submissions received mainly from local residents of Metsimaholo
<b>Local Support for Proposal</b>	<ol style="list-style-type: none"> <li>1. Fezile Dabi District municipality indicated support in its submission received on 15 December 2011</li> <li>2. Ngwathe Municipality indicated support for the proposal in its submission received on 2 May 2012</li> <li>3. No input has been received from Metsimaholo Local Municipality</li> <li>4. Not supported by the DA (Metsimaholo region), VF Plus Ngwathe Region</li> <li>5. Approximately 28 submissions against the proposal were received by the MDB as part of feedback on the published notice</li> <li>6. No views received from the current MEC for Cooperative Governance and Housing in Free State</li> </ol>
<b>Status of case and way forward</b>	<ul style="list-style-type: none"> <li>• On 24 January 2013, Board meeting to consider all views and representations received</li> <li>• MDB decision in terms of Section 27 (Public hearing or Investigation or Both)</li> <li>• Appointment of consultants on 28 June, if necessary, to investigate the matter</li> <li>• Deadline for investigations is 22 March 2013</li> <li>• Investigation outcomes will inform the decision of the Board to either, confirm,</li> </ul>





	<p>withdraw or vary boundary change</p> <ul style="list-style-type: none"> <li>• If considered for Section 21 process, the Board will publish DEM for redetermination in the Free State Provincial Gazette</li> <li>• A period of 30 days will be allowed for any aggrieved person to Object</li> <li>• Board must consider all objections received and confirm boundary change in the FS Provincial gazette</li> <li>• This determination must be forwarded to the IEC for views and determination of date of effect</li> </ul>
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**Ngwathe** - wards: 20 (39 councillors)  
21 (42 councillors)

**Metsimaholo** wards:

<i><b>Municipality</b></i>	<i><b>Municipal Category</b></i>	<i><b>Households</b></i>	<i><b>population</b></i>	<i><b>GDP per capita</b></i>
Ngwathe	B3	32 871	95 188	13 957
Metsimaholo	B2	37 319	154 658	37 909
<b>Fezile Dabi</b>	<b>C1</b>	<b>149 094</b>	<b>474 092</b>	<b>23 525</b>

