

# **A critical analysis of local municipal capacity towards fulfilling their basic municipal services mandate**

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## **ABSTRACT**

According to the Local Government: Municipal Systems Act (32 of 2000) (Systems Act) a basic municipal service is defined as “*a municipal service that is necessary to ensure an acceptable and reasonable quality of life [which], if not provided, would endanger public health or safety or the environment*”. Failures in service delivery have led to municipalities becoming significant contributors to environmental pollution in South Africa. In light of these failures, this research investigates the capacity of local municipalities to fulfil their basic services mandate. Sufficient capacity can be defined as the ability of a local municipality to continually provide basic services to consumers, the provision of a sound policy and legislative context for service delivery, and the ability to maintain institutional capacity.

A multiple case study approach was used to evaluate the service delivery capacity of six local municipalities in the North West Province of South Africa. The primary data sources used were municipal institutional data obtained from municipalities, data available in the public domain and data available from national databases. The legal mandate of local municipalities was used as a basis for determining a set of capacity review criteria that were applied across the six cases. The results show that although local municipalities are mandated to provide basic municipal services, they lack sufficient capacity to effectively deliver on this mandate.

**Key words:** basic services provision, basic municipal services mandate, local municipal capacity.

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## CHAPTER 1: INTRODUCTION

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### 1.1 INTRODUCTION AND PROBLEM STATEMENT

Understanding the duties and responsibilities of local municipalities in South Africa is a daunting task as the mandate of local municipalities are described in a myriad of policies and acts. According to section 152 of the Constitution of the Republic of South Africa, 1996 (the Constitution) the duty “to promote a safe and healthy environment” is explicitly assigned to local municipalities. To achieve the aforementioned, all municipalities have to balance a number of key functions ranging from the provision of basic municipal services to the drafting of policies and plans aimed at stimulating economic development. Over time the ability of municipalities to govern effectively and deliver on their developmental and basic service delivery mandates has been questioned – especially in relation to the delivery of basic municipal services (Du Plessis, 2015). For example, the poor performance by municipalities in terms of water and waste water services – as reflected by the Blue and Green Drop reports – suggests that significant challenges are faced by municipalities in delivering these basic services and subsequently improving quality of life and contributing to environmental protection (DWA, 2012). Moreover, audit reports on the state of waste management suggest that many municipalities operate unlicensed and poorly managed waste management facilities – again impacting on the quality of life of citizens as well as the state of the environment (AGSA, 2014a). The findings from these reports suggest that local municipalities are generally struggling to fulfil their basic services mandate.

According to the Systems Act a ‘basic municipal service’ can be defined as “a municipal service that is necessary to ensure an acceptable and reasonable quality of life [which], if not provided, would endanger public health or safety or the environment”. These basic municipal services include water services, waste water services and solid waste services which are the focus of this study. These three basic services were selected based on the detrimental effect that their mismanagement could have on the environment. One of the many drivers (AGSA, 2014a) affecting the ability of local

municipalities to successfully deliver these services is the availability of institutional capacity. This study will evaluate the extent to which local municipalities have the capacity to deliver these three services and subsequently fulfil their legal mandate.

## **1.2 RESEARCH AIM AND QUESTIONS**

In view of the problem statement above the **aim** of this research is to:

Determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.

In order to address the research aim the following **research questions** needs to be answered:

1. What is the basic services mandate of local municipalities, as described in relevant policy and legislation?
2. What is the existing capacity of local municipalities in relation to water, waste water and solid waste services?

## **1.3 STRUCTURE OF DISSERTATION**

This research is structured into five chapters as shown in Table 1. The table illustrates the relationship between the chapter content and the research questions and assists the reader in navigating the text.

**Table 1: Structure of dissertation**

Chapters	Summarized description	Research aim/question
Chapter 1	Provides a problem statement, research aim and research questions. It also describes the structure of the dissertation.	
Chapter 2	Formulates the literature review focusing on two main themes related to the two research questions namely, a) the basic services mandate of local municipalities, and b) the existing capacity of local municipalities.	<p>The literature review addresses research question 1 and partially addresses research question 2.</p> <p><u>Research question 1:</u> What is the basic services mandate of local municipalities, as described in relevant policy and legislation?</p> <p><u>Research question 2:</u> What is the existing capacity of local municipalities in South Africa in relation to water, waste water and solid waste services?</p>
Chapter 3	Describes the research design and methodology.	<p>The methodology section relates to both the research aim and the two research questions.</p> <p><u>Research aim:</u> To determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.</p> <p><u>Research question 1:</u> What is the basic services mandate of local municipalities, as described in relevant policy and legislation?</p> <p><u>Research question 2:</u> What is the existing capacity of local municipalities in relation to water, waste water and solid waste services?</p>
Chapter 4	Analysis of the existing local	The analysis is aimed at addressing the overall

Chapters	Summarized description	Research aim/question
	municipal capacity through the application of capacity review criteria.	<p>research aim.</p> <p><u>Research aim:</u></p> <p>Determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.</p>
Chapter 5	Provides a summary of the main findings and results of the research and also includes recommendations.	<p>Synthesises and concludes the research findings in relation to the overall research aim.</p> <p><u>Main research aim:</u></p> <p>Determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.</p>

## **CHAPTER 2: LITERATURE REVIEW**

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### **2.1 INTRODUCTION**

This chapter addresses research question one and partially addresses research question two (as described in section 1.2) through the application of a literature review approach. The findings from the chapter are used to inform the design of the capacity review criteria described in Chapter 3.

### **2.2 LOCAL MUNICIPALITIES IN THE SOUTH AFRICAN GOVERNMENT CONTEXT**

A proper understanding of the basic service delivery function of local municipalities in South Africa necessitates a discussion of the broader structure of the South African government. The Constitution makes a distinction between national, provincial and local spheres of government – all of which are distinctive, interdependent but also interrelated. Local municipalities fall within the local sphere of government along with district- and metropolitan municipalities as set out in chapter 7 of the Constitution. According to section 151 of the Constitution, municipalities have a right to govern over local government affairs as they see fit, but are still subject to national and provincial legislative provisions and monitoring / supervision. The Constitution further states that these municipalities have exclusive and legislative authority in their areas of jurisdiction. This study will only focus on local municipalities that form part of the local sphere of government – i.e. on Category B municipalities.

Section 2 of the Systems Act defines a municipality as 1) an organ of state (within the local sphere of government) exercising legislative and executive authority 2) in accordance with its community- and political- and administration structures and 3) has a separate legal personality which excludes liability.

The objectives of local government in terms of service delivery, as set out in section 151 of the Constitution include, amongst others, the provision of sustainable services to

communities and the promotion of a safe and healthy environment. These objectives and duties of local government must be understood against the background that municipalities have legislative and executive powers (refer to section 151 of the Constitution; section 11 of the Systems Act – in other words, they can make bylaws and can adopt, develop and implement policies, programmes, plans etc.

Furthermore local municipalities have the right to govern on their own initiative subject to national and provincial legislation, as stipulated in section 151 of the Constitution. National and provincial government may thus not interfere or obstruct a local municipality to exercise its powers or execute its functions (Du Plessis, 2015:24). However, some municipal procedures are governed by national and provincial laws and policies and Schedules 4A and 5A of the Constitution provide for some areas of shared governance competence.

An extensive variety of powers, functions and roles allocated to the three spheres of government (and the division of functions and powers between the three different categories of municipalities in the local sphere) contributes to the complexity of basic service delivery in general (Du Plessis, 2015:24). This complexity is relevant in a country devoted to the constitutional protection of the natural resource base (section 24 of the Constitution) as is further discussed below.

The areas of competence of local municipalities and the types of services for which they are responsible, are listed in Schedules 4B and 5B of the Constitution. This list, however, can be extended by other functions delegated and assigned to municipalities (Du Plessis, 2015:24). The general service delivery mandate of local municipalities in South Africa is discussed below.

### **2.3 THE GENERAL MANDATE OF LOCAL MUNICIPALITIES**

The general mandate of local government, as per the White Paper on Local Government (1998), is to be 'developmental'. This mandate has many dimensions, one

of which is the duty of local government to provide basic municipal services. This duty cannot be separated from the powers of local government as set out in section 11(3) of the Systems Act which is:

- *To implement policies, plans, programs and strategies within the area of jurisdiction,*
- *To provide municipal services to the local community,*
- *To monitor and regulate municipal services,*
- *To monitor the impact and effectiveness of services, and*
- *To promote a safe and healthy environment.*

Van der Waldt (2007) and Du Plessis (2015) state that local-, district- and metropolitan municipalities together form the sphere of government (i.e. local sphere) that directly serves the needs of communities and developers at the grassroots level through the provision of basic services. This view is confirmed by the legal mandate of local government Systems Act, the Constitution, the Local Government: Municipal Structures Act (117 of 1998) (Structures Act), the White Paper on Local Government (South Africa, 1998e) and others. It is from the outset also important to note that in terms of sections 24 and 7(2) of the Constitution, every municipality has the duty to respect, protect, promote and fulfil the right of everyone in South Africa to an environment that is not detrimental to his or her health or well-being.

Against the background of the above and as explained in Chapter 1, this study investigates the basic service delivery mandate of local government with specific reference to the provision of 1) water services 2) waste water services and 3) solid waste services. The following section outlines and explains the overall 'basic service delivery' mandate of local government and considers the relevant provisions in the legal and policy framework applicable to the three basic services mentioned above.

## **2.4 THE BASIC SERVICE DELIVERY MANDATE OF LOCAL MUNICIPALITIES**

Municipalities in South Africa are responsible for the provision of basic services to the communities within their areas of jurisdictions. In its provision of services the municipality should also adhere to environmental requirements as guided and informed by environmental law (Du Plessis, 2015). One of the broad-based duties of municipalities is to act as a custodian of natural, social and infrastructure assets. The right to execute this duty has recently been confirmed by the courts in the case of *Le Sueur and another v eThekweni Municipality* (2013).

### **2.4.1 THE LEGAL DEFINITION OF ‘BASIC MUNICIPAL SERVICE’**

The Systems Act defines ‘basic municipal services’ as the provision of municipal services that is an essential measure to assure quality of life, public health and safety while also preventing harm to the environment. From this definition it may be discerned that the provision of basic municipal services cannot be separated from natural resource dependence and that these services may have an impact on the quality and availability of natural resources such as water and soil. The protection and management of these and other natural resources are regulated in terms of an extensive environmental law and policy framework which includes, but is not limited to, the National Environmental Management Act (108 of 1997) (NEMA), the National Environmental Management: Waste Act (59 of 2008) (NEM:WA) the National Environmental Management: Biodiversity Act (10 of 2004) (NEM:BA), the National Water Act (36 of 1998) (Water Act) and the Water Services Act (108 of 1997) (Water Services Act).

Due to the broad remit of ‘basic municipal services’ it was decided to focus on the service delivery mandates related to water and waste. Water services, waste water services and solid waste services all form part of the ‘basic municipal services’ and are discussed in more detail in section 2.5.

## **2.4.2 FRAMEWORK ENVIRONMENTAL LAW**

The purpose of framework environmental law is to enrich environmental governance by entailing the principles of sectoral specific legislation (Nel & Du Plessis, 2001). In addition framework environmental law provides the baseline for 1) the introduction of new environmental legislation, 2) the maintenance of existing environmental legislation, and 3) the improvement of existing environmental legislation (Nel & Du Plessis, 2001). Since basic municipal services are dependent on and directly impacting on natural resources, the Constitution and NEMA are considered to be main framework environmental law guiding the provision of basic municipal services.

Section 24 of the Constitution, read along with section 7(2) authorises local government (i.e. local municipalities) to “respect, protect, promote and fulfil the right of everyone to an environment that is not harmful to human health or well-being and to have the environment protected”. The objectives of local government, in terms of section 152 of the Constitution, stipulate that local municipalities “must strive, within its capacity, to provide services in a sustainable manner and to promote a safe and healthy environment”.

The NEMA states that: “everyone has the right to an environment that is not harmful to his or her health or well-being” and that “the State must respect, protect, promote and fulfil the social, economic and environmental rights of everyone and strive to meet the basic needs of previously disadvantaged communities”. This point is further elaborated on in section 2(4)(d) of the NEMA which states that “access to environmental resources, benefits and services” should be available to every person. The Act further states that disadvantaged communities should receive access to the above by means of special measures. The provision of basic municipal services should reflect all principles stipulated in Section 2 of NEMA (i.e. environmental justice, intergovernmental relations, etc.).

Therefore, in light of the mandate of local municipalities, it is understood that local municipalities are responsible to provide communities with basic services in a manner that is also not detrimental to the environment.

### **2.4.3 SECTOR SPECIFIC ENVIRONMENTAL LAWS APPLICABLE TO THE RENDERING OF BASIC MUNICIPAL SERVICES**

The mandate of local municipalities, as stated in the Constitution and NEMA, is reiterated in the Systems Act and the White Paper on Local Government. Sections 1, 4(2)(d) and 73(2)(d) of the Systems Act further states that municipal services should be provided to ensure that: “a) the risk of harm to the environment and human health and safety is minimized, b) the environmental and human health and safety benefits are maximized, and c) that the legislation intended to protect the environment and human health and safety is complied with” (Du Plessis, 2015:10). Municipalities are therefore liable to protect the environment for the benefit of present and future generations as specified in section 4(2) (j) of the Systems Act when read in conjunction with section 24(b) of the Constitution.

The code of conduct, as described in the preamble of the Structures Act, states that councilors (of a local municipality) are representatives of local communities and are therefore accountable to ensure that the “priority needs” of communities are satisfied by ensuring equitable, effective and sustainable services provision. It is also stipulated in section 44 (3)(e) of the Structures Act that the executive committee of a municipality is responsible to ensure service provision to the municipal communities “in a sustainable manner”. The legal mandate in relation to municipal water services, waste water services and solid waste services are discussed below.

### **2.4.3.1 WATER SERVICES**

For the purpose of this study the term 'water services' refers to the abstraction, conveyance, treatment and distribution of a sufficient quantity of acceptable quality potable water to a community within a municipality's area of jurisdiction (Water Services Act, 1997).

Section 27(1) (b) of the Constitution stipulates that every citizen has the right of access to sufficient water. To achieve this, section 27(2) of the Constitution indicates that the State must implement reasonable laws and other measures within its available resources to ensure that all citizens enjoy this right. The sphere of government responsible for the duty of water services is indicated in part B of Schedule 4 of the Constitution as local government, i.e. local municipalities should supply and manage potable water systems.

The Water Act, which serves as the foundation of water resource management in South Africa, ensures that the basic human need is met for both present and future generations by promoting equitable access to water for all. Furthermore the act provides guidance for the protection, use, development, conservation, management and control of all water resources in South Africa.

According to section 11(1) of the Water Services Act , the duties of a local municipality, amongst others, are to ensure that water services are provided in an efficient, affordable and sustainable manner to all consumers within the local municipality's area of jurisdiction. It is also stated in section 11 (4) of the Water Services Act that a municipality may not forbid any consumer (or potential consumer) access to water services. In addition, the Water Services Act regulations states that water services may not be terminated and provides a basic minimum standard for the amount of water per household per day. The main rationale behind the provision of water services as set out in the Water Services Act is to provide for:

- *“The rights of access to basic water supply,*
- *Provision of national norms for basic water services,*
- *The development of water services developmental plans,*
- *A regulatory framework for water services providers,*
- *The establishing of water boards and water services committees,*
- *The monitoring of water supply, and*
- *The promotion of effective water resource management and conservation.”*

Therefore the Water Services Act aims to ensure that all citizens have access to safe, clean, and good quality drinking water. From the above it is evident that local municipalities are mandated to provide sustainable and equitable water to all citizens in its jurisdiction.

#### **2.4.3.2 WASTE WATER MANAGEMENT SERVICES**

For the purpose of this study, ‘waste water services’ are defined as the provision of services entailing the collection, removal, disposal and purification of waste-water, sewage and effluent (Water Services Act).

Part B of Schedule 4 of the Constitution states that local government should supply domestic waste water and sewage disposal services to its communities. The Water Services Act was adopted to provide for the rights of access to sanitation services and the monitoring of sanitation services. Section 3(1) of the Water Services Act describes the right of access to basic sanitation while the Act also defines the sanitation function of local municipalities. Section 9 of the Water Services Act mandates the minister to implement ‘Compulsory National Standards’ for basic sanitation provision. Amongst others the fundamental principle of the NEM:WA is to regulate, ensure and promote the delivery of sufficient waste water services in South Africa in a manner that is not harmful to the environment. The National Waste Management Strategy (NWMS) is set out to achieve the objectives of NEM:WA, the relevant goals of the NWMS on local

municipalities (as waste service providers) include, 1) the assurance of the effective delivery of waste management services, 2) to ensure that citizens are aware of the impact of waste on the environment, and 3) to create a platform for compliance to NEM:WA.

From the above mentioned it is clear that waste water treatment is the responsibility of local municipalities. Furthermore, local municipalities have to provide these services while ensuring the protection of the environment.

#### **2.4.3.3 SOLID WASTE SERVICES**

For the purpose of this study the definition of 'solid waste services' is the provision of services to the community involving the collection, management, treatment and disposal of domestic solid waste.

Solid waste, as a basic municipal service, is jurisdictioned to local government through Part B of Schedule 5 of the Constitution, and assigns exclusive legislative competence to local government for matters of *refuse removal, refuse dumps and solid waste disposal*. The NEM:WA, as a sectoral environmental law, assigns different roles and responsibilities to local government. For instance, section 4(a) of NEM:WA states that each municipality should prepare and submit an Integrated Waste Management Plan (IWMP) to be approved by the provincial MEC (RSA, 2008). The aim and purpose of IWMP's is to integrate and improve municipal waste management services, subsequently improving the quality of life of citizens while reducing environmental impacts and financial costs (DEAT, 2000).

NEM:WA is structured around the steps of the waste management hierarchy, which informs South Africa's waste management. The steps of the waste management hierarchy includes: waste avoidance and reduction, re-use and recycling, recovery, and treatment and disposal as the last resort (South Africa, 2011b). The waste management

hierarchy should be implemented by local government. Various Regulations and Norms and Standards in terms of the NEM:WA is further legislative measures promulgated to give effect to the objectives of NEM:WA and ensure that local municipalities implement and adhere to the NEM:WA principles.

Another legislative requirement of NEM:WA is the National Waste Management Strategy (NWMS) which addresses municipal waste management challenges in South Africa. NWMS is a legislative requirement of NEM:WA which is structured around a framework of goals which aims to ensure the effective and efficient delivery of waste services. The strategy further promotes the raising of awareness around the negative impacts that waste has on the environment, and subsequently promote integrated waste management planning at local municipal level.

From the discussion it is clear that local municipalities are mandated to address all solid waste matters as a basic municipal service. In light of the total mandate to provide municipal services as described above, the next section will reflect on the existing capacity of local municipalities in South Africa in general. The basis for the discussion is the existing capacity of local municipalities to provide basic services.

## **2.5 CAPACITY OF LOCAL MUNICIPALITIES TO PROVIDE BASIC SERVICES**

The understanding of 'sufficient capacity' of local municipalities in terms of basic services delivery is a contested concept with many definitions and interpretations (Du Plessis, 2015). The National Capacity Building Framework for Local Government (South Africa, 2008a) developed a general broad definition for capacity as being "the potential for something to happen". However in formulating a definition for 'sufficient capacity' the duties and functions of local municipalities, as per the Constitution, should be considered therefore in terms of the basic services delivery mandate of local municipalities described in the previous section, it is suggested that the following three components underpin the notion of 'sufficient capacity', namely:

- Provision of basic services capacity,
- Policy and legislative capacity, and
- Institutional capacity.

In the following sections these components of 'sufficient capacity' will be discussed in more detail in order to inform the capacity review criteria that will be presented and discussed in Chapter 3.

### **2.5.1 PROVISION OF BASIC SERVICES**

South African municipalities are a long way from defining themselves as functional and sustainable (Peters & Van Nieuwenhuyzen, 2013) due to facing countless capacity challenges in delivering effective and sustainable basic municipal services, as per their mandate (Du Plessis, 2015). The transformation process of South African municipalities over the years significantly contributed to municipal capacity constraints and performance failures (Peters & Van Nieuwenhuyzen, 2013). Over the years questions have been raised about the large number of municipalities, the continual alteration of municipal powers and functions, the confusion about roles and responsibilities, scares municipal skills and service delivery protests (Peters & Van Nieuwenhuyzen, 2013). Although some local municipalities have made progress in terms of service delivery, there are still many municipalities that are not living up to expectations and South Africa therefore still has a long way to go before all municipalities in the country can be considered fully responsive, functional, efficient, effective, and sustainable (South Africa, 2009).

A typical municipal area in South Africa is characterised by a formally built-up area, informal built-up area and rural areas, of which the built-up areas in many cases compare well with towns and cities in developed countries with adequate service infrastructure (ETU, 2013). The informally developed areas, typically referred to as townships, have a lower level of development and are associated with poor service

infrastructure (ETU, 2013). The existing service backlogs are even more hindered by the growth of informal settlements whereas problems related to underdeveloped service infrastructure are mostly linked to high population growth rates in South Africa (ETU, 2013).

The provision of infrastructure and services by local municipalities is a significant political challenge (Infrastructure Dialogs, 2012). The problem is particularly visible in rural municipalities where little revenue is obtained through rates and service charges due to a large proportion of poor communities with a limited ability to pay for services. Moreover, rural municipalities are unable to maintain and extend infrastructure (Infrastructure Dialogs, 2012:5). In the CSIR (2006) 'State of municipal infrastructure report', the concerning statement is made that, "*... the operational debt of some municipalities within South Africa is so severe that, even if no further infrastructure were acquired, it could still be impossible for them, without innovative external assistance, to catch up with existing maintenance backlogs and restore sustainable operations*" (CSIR, 2006:10).

The main challenge for infrastructure maintenance backlogs are that the cost to repair infrastructure is higher than what the costs would have been if the maintenance had been undertaken as scheduled (South Africa, 2007). Maintenance is cheaper than construction. In addition, the lifespan of service infrastructure is shortened when not maintained (South Africa, 2007). Since municipal infrastructure construction peaked in the 1960s and 1970s, most of the infrastructure are reaching the end of its lifespan and will have to be refurbished or replaced in the short to medium term (South Africa, 2007).

According to the report on trends in intergovernmental finances: 2010/11 issued by the National Treasury (2011), local municipalities spend approximately 24,9% of their budgets on infrastructure capacity projects whereas immense smaller amounts are spend on infrastructure operations. Meaning that local municipalities spend comparatively more to obtain infrastructure than to management and operate infrastructure (Van der Waldt, 2014).

As per the State of the Nation Address (Zuma, 2014), 5 % of people in South Africa are still without potable water and 11% of households are still without waste water services, while 26% of households countrywide have waste water services which does not adhere to required standards (South African Human Rights Commission, 2014). According to the Consolidated Audit Report of 2013/13 (AGSA, 2014) the backlog in basic municipal services provision is blamed on deteriorated infrastructure caused by a lack of maintenance, a lack of technical skills, timeous upgrading and refurbishment, and insufficient water resources.

## **2.5.2 POLICY AND LEGISLATIVE CAPACITY**

Local municipalities should have a sound understanding of the policy and legislative framework concerning the provision of basic municipal services. Policy and legislative capacity is the ability of a municipality to develop and implement law and policy in order to regulate and ensure municipal service delivery. The policy and legislative capacity of local municipalities are structured under the following categories:

- *General policy and legislative capacity,*
- *Policy and legislative capacity for water services,*
- *Policy and legislative capacity for waste water services, and*
- *Policy and legislative capacity for solid waste services.*

### **2.5.2.1 GENERAL POLICY AND LEGISLATIVE CAPACITY**

Since the capacity of local municipalities to provide basic municipal services in South Africa is under significant pressure, the question of whether these basic services should be outsourced has been raised. When services are not outsourced some general municipal policy and legislative documentation have to be in place in order to provide for basic services.

## **Outsourcing of basic municipal services**

As per the Constitution (South Africa, 1996), local government, of which local municipalities forms part, is mandated to provide basic municipal services and ensure that all citizens receive a minimum level of basic services. In some cases local municipalities choose to outsource basic municipal services to outside companies and these companies are then responsible to provide services on behalf of the local municipality (Ndifuna Ukwazi, 2012). Local municipalities often consider outsourcing basic municipal services when there is a gap in 'in-house capacity' that can be breached by the private sectors' skills and experience in providing these services (Ndifuna Ukwazi, 2012). Chapter 8 of the Systems Act directs municipalities in the outsourcing of municipal services by providing mechanisms for outsourcing.

The non-financial census of municipalities report 2012/13 (StatsSA, 2014) recorded the outsourcing of basic municipal services for the year 2013 and of the 278 participating municipalities nation-wide 11 municipalities outsourced water services while 7 municipalities outsourced waste water services and 8 municipalities outsourced solid waste services. Although very few municipalities were recorded to outsource basic services to the private sector, the report suggested a slight increase in the number of municipalities relying on the private sector to provide these services (StatsSA, 2014).

## **Integrated Development Plans**

The Integrated Development Plan (IDP) is a principal strategic planning instrument that defines the requirements for service delivery, the White Paper on Local Government (1998) considers IDPs as a significant instrument to plan and improve basic municipal services (Joseph, 2002). Furthermore the IDP can be seen as a service delivery strategy plan defining municipal services provision, the means in which resources will be mobilised and specifying mechanisms for the transformation of basic service delivery (Joseph, 2002). The Systems Act requires all municipalities to conduct an IDP process and therefore municipalities are legally obligated to implement an IDP (South Africa,

2000). Furthermore the Systems Act requires a municipal council to adopt and approve an IDP plan for the municipality whereas chapter 5 of the Systems Act makes provision for the content of an IDP document (South Africa, 2000).

According to StatsSA (2014), 201 local municipalities (of 226) nation-wide submitted IDP documents for approval for the year 2012, this amount increased to 214 in 2013. From the above it is evident that IDP documentation plays an increasing important role in service delivery of local municipalities.

### **2.5.2.2 POLICY AND LEGISLATIVE CAPACITY FOR WATER SERVICES**

Section 12 (1) of the Water Services Act makes it mandatory for all water services authorities to prepare and submit a Water Services Development Plan (WSDP). The WSDP should be subjected to a public participation process before being submitted to the Minister of Water Affairs and the Provincial Minister for approval (South Africa 1997). In 2012 a total of 113 local municipalities (of 226 local municipalities' nation-wide) had approved WSDPs, while 122 local municipalities had approved WSDPs for the year 2013 (StatsSA, 2014) – an increase of 4%.

During 2008 the Department of Water Affairs implemented the Blue Drop water quality regulations strategy, an incentive based governing programme to evaluate Water Services Authorities (WSAs) of which local municipalities forms part (SAICE, 2011). The Blue Drop programme certifies the provision of water quality through compliance monitoring and evaluation of the overall water provision system (Municipal Demarcation Board, 2012). Blue Drop status is awarded when a score of 95% or higher is awarded against the requirements (SAICE, 2011). During the Municipal Capacity Assessment (Municipal Demarcation Board, 2012) 11% of participating municipalities nation-wide achieved Blue Drop status (scored 95% or more), whereas 44% of participating municipalities did not perform to expectations (scored below 50%) and did not receive Blue Drop status (Municipal Demarcation Board, 2012).

The monitoring of water quality in South Africa is governed by the following legislation:

- *The Constitution that protects the rights of all citizens,*
- *Water Act (and its regulations) that is the framework environmental legislation governing water in South Africa,*
- *Water Service Act (and its regulations) is also a framework environmental legislation governing water in South Africa, and*
- *NEMA (and specific the NEMA principles) that includes environmental rights and the provision of co-operative governance.*

According to StatsSA (2014) a total number of 139 local municipalities (of 226 local municipalities' nation-wide) reported to monitor water quality for the year 2012 while a slight increase to 144 local municipalities reported to monitor water quality for the year 2013 (StatsSA, 2014). Therefore the awareness of water services policy and legislations at local municipal level is slowly but surely improving.

### **2.5.2.3 POLICY AND LEGISLATIVE CAPACITY FOR WASTE WATER SERVICES**

Along with the Blue Drop certificate programme, the Department of Water Affairs also initiated the Green Drop certificate programme as a waste water regulations strategy for municipalities (Municipal Demarcation Board, 2012). According to the Green Drop Progress Report of 2012, the Department of Water Affairs assessed 153 local municipalities and 831 waste water plants for the recorded year (DWA, 2012), the department noted an overall improvement in waste water management nation-wide (DWA, 2012). The overall improved management is ascribed to the 440 waste water treatment plants with lower risk positioning and 68 plants maintaining their 2011 status during the 2012 assessment (DWA, 2012). Further evidence of improved national management is that approximately 241 (the majority of plants assessed) are at moderate pollution risk, with 225 plants at low risk of pollution as per the assessment (DWA, 2012).

#### **2.5.2.4 POLICY AND LEGISLATIVE CAPACITY FOR SOLID WASTE SERVICES**

According to section 156(1)(a) and Schedule 5 of the Constitution local government (of which local municipalities form part) is responsible for solid waste management in South Africa while the NEM:WA sets out the duties for waste management. Since the promulgation of section 20 of the Environment Conservation Act (73 of 1989), landfill sites are required to apply for licensing. Since then the Department of Water Affairs issued approximately 400 permits (52% of all sites nation-wide) for domestic waste disposal sites nation-wide (DWA, n.d.).

#### **2.5.3 INSTITUTIONAL CAPACITY**

In terms of municipal service delivery the definition for institutional capacity is borrowed from Peters & Van Nieuwenhuyzen (2013) stating that institutional capacity is the capability or potential (or a lack thereof) of organisations (in this case local municipalities) to perform their function (South Africa, 2011a). Institutional capacity therefore includes human resource, strategic leadership, partnerships, powers and functions and resources and support (Peters & Van Nieuwenhuyzen, 2013). Great contrast in municipal duty and function performance exist, municipal performances vary from being highly successful governments to governments that fail to accomplish constitutional duties and functions (Peters & Van Nieuwenhuyzen, 2013).

During the State of the Nation address in 2014 it was stated that prioritized matters include that qualified and experienced personnel should be deployed in municipalities (Zuma, 2014). In the foreword of the Consolidated General Report on the Provincial Audit outcomes of 2009 – 10 (Auditor General 2010), it is stated that 71% of departments on local municipal level do not have the required capacity of human resource management, financial management and law compliance.

According to the Municipal Capacity Assessment 2010/2011 (Municipal Demarcation Board, 2012) the national average of municipal positions filled is 72%, which means that

an average of 28% of positions were vacant nationally for the financial year 2010/11 (Municipal Demarcation Board, 2012:13). This implies that one in every four municipal positions were vacant during this period (Municipal Demarcation Board, 2012). In some cases municipal positions cannot be filled due to financial constraints, however in various cases positions are not filled even when sufficient funding is available (Municipal Demarcation Board, 2012). A concerning 32.5% of funded positions, where sufficient funds were allocated, remained vacant (Municipal Demarcation Board, 2012).

In 2007 the South African Institution of Civil Engineering (SAICE) conducted a comprehensive skills survey amongst 283 municipalities' nation-wide, 83 of the surveyed municipalities did not have civil engineers, technologists or technicians appointed in their basic services departments (SAICE, 2011). Furthermore, 48 municipalities only had one civil technician appointed for all of their basic services departments whereas 35% vacancies (more than 1, 000 positions) were recorded for municipalities with civil engineering staff (SAICE, 2011).

From the above it is evident that the institutional capacity of local municipalities is of great concern, affecting the delivery of basic municipal services. An overview of the institutional capacity in South African local municipalities will further be discussed under the following sub-categories:

- *Institutional capacity in terms of managerial capacity,*
- *Institutional capacity in water services departments,*
- *Institutional capacity in waste water services departments, and*
- *Institutional capacity in solid waste services departments.*

### **2.5.3.1 INSTITUTIONAL CAPACITY IN TERMS OF MANAGERIAL CAPACITY**

The functionality and performance of a municipality is affected by its entire management and administrative functionality as reflected in the municipal organogram. Vacant managerial positions that are not filled for long periods of time are expected to have a

negative impact on the institutional stability and service delivery of a municipality (Municipal Demarcation Board, 2012). Therefore, vacant managerial positions should be minimised by aiming to fill these positions as soon as possible once they are vacated (Municipal Demarcation Board, 2012). However, a municipal capacity assessment conducted by the Municipal Demarcation Board (2012) for the financial year 2010/2011 reported that managerial positions are often filled with interim appointments for an average of 3.34 years before a permanent replacement is appointed (Municipal Demarcation Board, 2012). On the positive side, however, it was observed that municipal managers (MM) (the key managerial position in a local municipality) nationwide had an average of 10.58 years of relevant work experience and were highly qualified with 50% of MMs having post-graduate degrees and one in every three MMs having obtained Masters' or PhD degrees (Municipal Demarcation Board, 2012).

Section 57 managers refer to managers within a municipality that are directly accountable to the MM as stipulated in section 57 of the Systems Act. Section 57 managers directly formulate the management function and structure of a municipality. It was recorded that only 75% of section 57 managerial positions nationwide were filled for the financial year 2010/11 meaning that 25% of section 57 managerial positions (one in four positions) were vacant for the recorded financial year (Municipal Demarcation Board, 2012). From the above it is evident that managerial capacity of municipalities in South Africa needs to be better capacitated.

### **2.5.3.2 INSTITUTIONAL CAPACITY IN WATER SERVICES DEPARTMENTS**

Although local municipalities are mandated to deliver basic services, the national and provincial spheres of government have to support local municipalities in fulfilment of these obligations as stipulated in both the Constitution and Structures Act. The support from other spheres of government with regard to water is largely demonstrated in the management of the Water Service Authorities (WSAs). The Water Services Act prescribes the legislative duty of municipalities (as WSAs) to provide water supply and sanitation according to national norms and standards. However, the then Department of

Water Affairs and Forestry (DWAFF) reported in 2007 that many WSAs struggle to fulfil the obligation of basic service delivery, due to vast differences in the ability and capacity of weaker municipalities and the predominant self-sustaining municipalities (South Africa, 2009). Therefore, the Department of Water Affairs and Forestry requested control over the determination of municipalities responsible for water services provision in order to take the necessary steps to regulate the sector more effectively (South Africa, 2009).

Since the scale of water service delivery fluctuates across institutions throughout South Africa where some municipalities are considered to be WSAs and some are not, it is difficult to assess the institutional capacity in terms of water services of local municipalities on a national level (Municipal Demarcation Board, 2012). However for those municipalities that functions as WSAs, the institutional arrangements of water services occupies approximately 10-20% of the entire municipal organogram (Municipal Demarcation Board, 2012). The Municipal Capacity Assessment (Municipal Demarcation Board, 2012) further recorded a great shortage in engineering capacity in municipal water services departments' nation-wide (Municipal Demarcation Board, 2012).

### **2.5.3.3 INSTITUTIONAL CAPACITY IN WASTE WATER SERVICES DEPARTMENTS**

The provision of waste water services in South Africa improved significantly since 1994, the provision of waste water services increased from 49% of households that received services before 1994 to 67% of households receiving waste water services after 1994 (SAICE, 2011). It was recorded in the SAICE 2006 Report Card that an additional 3.3 million citizens gained access to waste water services since 1994 (SAICE, 2011).

Although the provision of waste water services has rapidly improved over the past few years, there are still approximately 11% (1.4 million) of households in South Africa that does not receive waste water services. In addition, almost 26% of households'

sanitation services are not up to standard, due to the infrastructure deterioration caused by a lack of technical capacity. Therefore, a lack in the capacity to monitor effective operation, maintenance and upgrading, is hindering municipal capacity to provide basic waste water services (Infrastructure Dialogs, 2012).

With regard to municipal waste water treatment works, 90% of all municipalities are non-compliant to law (Infrastructure Dialogs, 2012). Furthermore only thirty six municipalities (15%) in South Africa were found not to have any sanitation backlogs (South Africa, 2009).

#### **2.5.3.4 INSTITUTIONAL CAPACITY IN SOLID WASTE SERVICES DEPARTMENTS**

South Africa is facing a great number of challenges in terms of solid waste management and many households in the country still do not have access to solid waste services (South Africa, 2010). In some instances, households cannot afford the cost of solid waste removal services due to financial circumstances (South Africa, 2010).

Only 60% of households in South Africa have access to adequate solid waste removal services, while 80% of households in urban areas are serviced and only 20% of households in rural areas receive waste removal services (SAICE, 2011). As per SAICE the primary cause of insufficient waste removal services in municipalities is the lack of dedicated employees as confirmed by the fact that 87% of municipalities nation-wide do not have institutional capacity to implement the waste minimisation strategy (SAICE, 2011). The collection of solid waste by municipalities' nation-wide has only improved by 2.7% from 1996 to 2001 (Fiehn & Ball, 2005).

Most municipalities still have landfill sites that do not comply with legal requirements, are unregistered and inadequately managed. According to Oelofse and Godfrey (2008) only 44% of landfill sites in South Africa were duly authorised through permits for the

year 2008 whereby the permitted landfill sites were seldom audited (Oelofse & Godfrey, 2008).

## **2.6 CONCLUSION**

Based on the above discussion it can be argued that local municipalities should be able to:

- *Fulfil their basic service delivery mandate by continually providing basic services to consumers,*
- *Adhere to the legal requirements through the establishment of a sound policy and legislative context for service delivery, and*
- *Develop and maintain sufficient capacity for providing basic services.*

Building on the understandings gained from this chapter, Chapter 3 explains the research design and methodology used for the remainder of this research.

## CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY

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### 3.1 INTRODUCTION

This chapter explains the research design and methodology that will be applied to address the research questions described in Chapter 1. The research design and methodology is firstly discussed with reference to the overall research approach and process after which the case study selection is justified. This is followed by a description of the data collection and analysis processes followed by a brief reflection on the constraints and limitations applicable to the research.

### 3.2 RESEARCH APPROACH

The research approach entails the development of review criteria aimed at evaluating the basic service delivery mandate of local municipalities as discussed in the Chapter 2. To achieve the overall research aim the review criteria had to be applied to a number of cases (local municipalities) to evaluate their service delivery capacity. To achieve this, a multiple case study method was selected and applied in order to retain a realistic and real-world perspective of local municipalities' capacity to fulfil their basic municipal mandate and to allow for contextual generalizability in line with so-called 'replication logic' described by Yin (2014). According to Herriott & Firestone (1983) a multiple case study approach deems to be more accurate providing a stronger research outcome (Yin, 2014). Therefore a multiple case study research approach, allowing for the evaluation of numerous cases, is followed in this study which includes single and cross-case analyses.

According to Eisenhardt (1989) the recommended number of case studies to include in research varies between four and ten. The examination of more than ten case studies leads to data complexities and should be avoided whereas the examination of less than four case studies leads to unconvincing outcomes (Eisenhardt, 1989). Therefore six

case study municipalities (out of 19 municipalities in North West) were selected to ensure a reliable and valid sample.

### 3.3 RESEARCH PROCESS

The research process involves the steps that were followed to answer the research questions, as illustrated in Figure 1. Step 1 entailed the literature review where the clarification of the mandate of local municipalities to provide basic municipal services, and existing municipal capacity in general, were discussed. The research methodology and design are explained as part of Step 2 and entails the development of the capacity review criteria where after the multiple case studies are conducted – these measured and analysed against the review criteria (Steps 3 and 4).

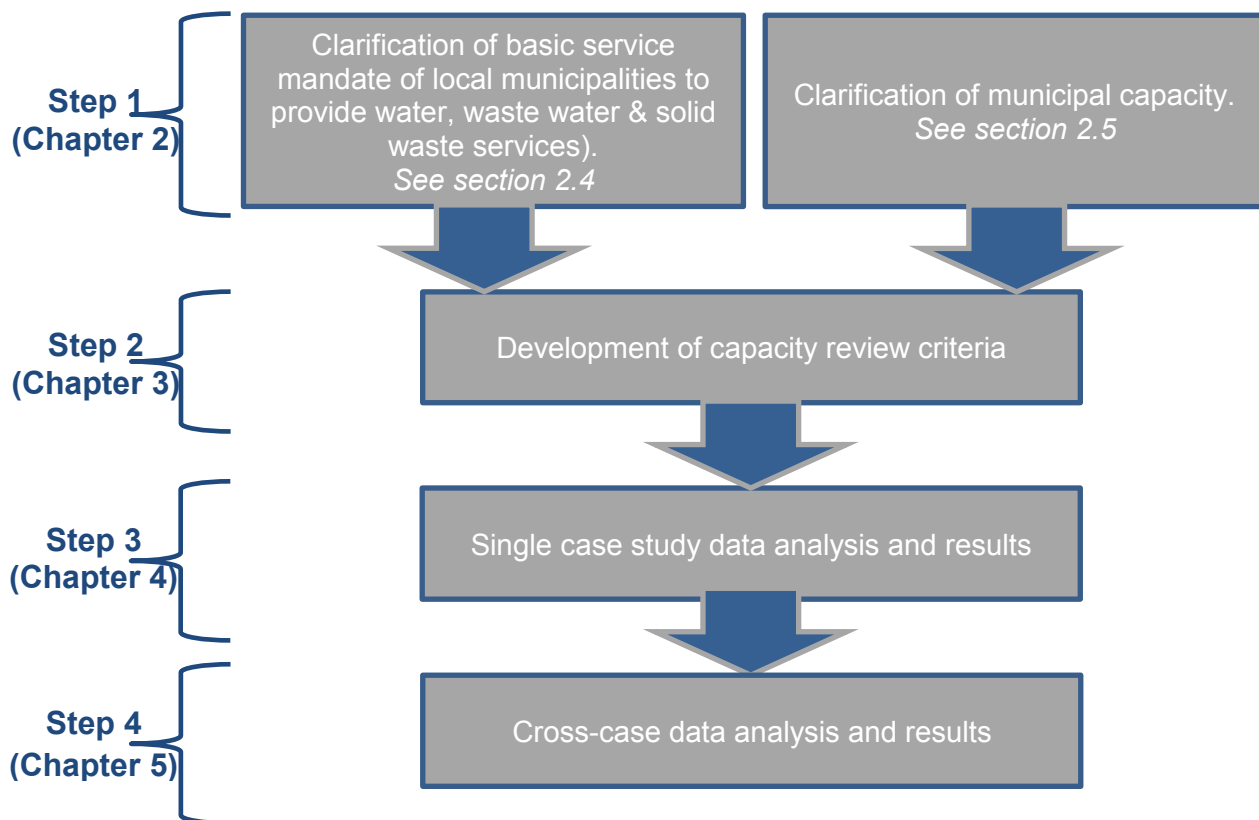


Figure 1: Research process

### 3.4 CASE STUDY SELECTION

As stated earlier a multiple case study approach was applied in this research. Due to familiarity with the area and ease of accessibility, the study only focused on municipalities within the North West Province of South Africa. The 19 municipalities in the North West Province were classified into three categories based on their population size, average household income, and their overall level of municipal service provision (including water services, waste water services and solid waste services). The three categories of local municipalities were arranged from the best performing to the weakest performing (also see Table 2):

- Category A: best performing municipalities,
- Category B: average performing municipalities, and
- Category C: weakest performing municipalities.

Two case studies were selected for each of the three categories based on the following considerations:

- Accessibility and availability of data such as municipal documentation, and
- The character of the municipality as the selection had to represent the spectrum of municipalities found in South Africa ranging from municipalities with large build-up urban areas to municipalities characterised by rural areas with mostly communal land and no large settlements.

The focus of the case study selection on the North West Province ensured some consistency in terms of governance at provincial level and further represented a diverse province with various different municipal contexts – typically representative of the larger South African context. The profile and overview of the six municipalities (Table 3) that were selected as cases are discussed in Chapter 4.

**Table 2: Municipal categorization**  
(Source: StatsSA, 2011)

CATEGORY	LOCAL MUNICIPALITY	POPULATION	AVERAGE HOUSEHOLD INCOME	SERVICE PROVISION	TOTAL
Category A (Best performed)	Lekwa-Teemane Local Municipality	A	A	A	A
	Madibeng Local Municipality	A	A	A	A
	Rustenburg Local Municipality	A	A	A	A
	Tlokwe City Local Municipality	B	A	A	A
	Mafikeng Local Municipality	A	A	B	A
	Moses Kontane Local Municipality	A	C	A	A
	Moretele Local Municipality	A	C	A	A
Category B (Second best performed)	Ramotshere Moiloa Local Municipality	B	B	B	B
	Naledi Local Municipality	C	A	B	B
	Greater Taung Local Municipality	B	C	B	B
	Kgetlengrivier Local Municipality	C	B	B	B
	Lekwa-Teemane (Local Municipality)	C	B	B	B
	Maquassi Hills Local Municipality	C	B	B	B
	Ditsobotla Local Municipality	B	B	C	B
	Tswaing Local Municipality	B	B	C	B
Category C (Poorest Performed)	Kagisano/Molopo Local Municipality	B	C	C	C
	Mamusa Local Municipality	C	B	C	C
	Ratlou Local Municipality	B	C	C	C
	Ventersdorp Local Municipality	C	C	C	C

**Table 3: Selected case studies***(Source: StatsSA, 2011)*

CATEGORY	LOCAL MUNICIPALITY	POPULATION	AVERAGE HOUSEHOLD INCOME	SERVICE PROVISION	TOTAL
Category A (Best performed)	Rustenburg	A	A	A	A
	Tlokwe City Council	B	A	A	A
Category B (Second best performed)	Naledi (Vryburg)	C	A	B	B
	Lekwa Teemane (Christiana)	C	B	B	B
Category C (Poorest Performed)	Ratlou	B	C	C	C
	Ventersdorp	C	C	C	C

### 3.5 REVIEW CRITERIA, DATA COLLECTION AND ANALYSIS

The review criteria were informed by the findings from the literature review presented in Chapter 2 and is presented in Table 4. The review criteria consist of three (3) main criteria informed by twenty two (22) sub-criteria. The review criteria guided the collection of data through a multiple case study approach. To inform the review criteria, data from a variety of sources were used. These data included official statistical data from national data custodians as well as data obtained from official municipal reports and plans such as:

- Integrated Development Plans (IDPs),
- Spatial Development Frameworks (SDFs),
- Annual Performance Reports, and

- Audit Reports.

**Table 4: Capacity review criteria**

<b>Criteria</b>	
<b>Criterion 1: The ability to continually provide basic municipal services to consumers</b>	
1.1	The municipality has the capacity to provide and increase the provision of water services over time.
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery</b>	
<u>General policy and legislation:</u>	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.
2.2	The municipality is mandated to provide basic municipal services over time.
2.3	Basic municipal services are provided in-house (no outsourcing).
<u>Water policy and legislation:</u>	
2.4	The municipality has a WSDP in place for each recorded year.
2.5	The municipality has a water quality monitoring system in place for each recorded year.
2.6	The municipality participated in the Blue Drop status analysis over time.
<u>Waste water policy and legislation:</u>	
2.7	The municipality participated in the Green Drop status analysis over time.
<u>Solid waste policy and legislation:</u>	
2.8	The municipal landfill site was licensed each recorded year.
<b>Criterion 3: The state of institutional capacity to provide basic municipal services</b>	
<u>Managerial capacity:</u>	
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.
3.2	The municipality has occupied vacant section 57 managerial positions over time.
3.3	The municipality has the capacity to maintain and increase full time Organogram managerial positions over time.
3.4	The municipality has occupied vacant Organogram managerial positions over time.

<b>Criteria</b>	
<u>Water services capacity:</u>	
3.5	The municipality is fully capacitated with all positions filled over time.
3.6	The municipality has occupied vacant positions over time.
<u>Waste water services capacity:</u>	
3.7	The municipality is fully capacitated with all positions filled over time.
3.8	The municipality has occupied vacant positions over time.
<u>Solid waste services capacity:</u>	
3.9	The municipality is fully capacitated with all positions filled over time.
3.10	The municipality has occupied vacant positions over time.

Each of the selected municipalities were analysed against the review criteria, whereby a criteria rating was allocated to each section. The criteria rating have four rating values as indicated in Table 5.

**Table 5: Criteria rating values**

<b>A</b>	Conformed to expectation
<b>B</b>	Partially conformed to expectation
<b>C</b>	Did not conformed to expectation
<b>NA</b>	Not applicable

### **3.6 CONSTRAINTS AND LIMITATIONS**

The research was subject to the following constraints and limitations:

- Understanding and formulating the duties and responsibilities of local municipalities in South Africa is a daunting task since the mandate of local municipalities are stipulated in a vast number of different pieces of policy and legislation. To ensure that these duties and responsibilities were correctly interpreted, a co-supervisor was appointed, namely Prof Anel du Plessis from the NWU Faculty of Law.

- Some difficulties were experienced in retrieving the relevant institutional data for the specific basic services departments from the selected case study municipalities. The institutional structures of municipalities differ and therefore the description of different roles and function are not easily comparable. For example, in some cases the relevant departments formed a sub-department in the municipal structure whereas only data of the larger department were available. This was overcome by using multiple sources and by cross referencing and triangulating of results.

### **3.7 CONCLUSION**

This chapter described the research design and methodology, which is a multiple case study approach used to evaluate the capacity of local municipalities to fulfil their basic municipal services mandate. Capacity review criteria were developed according to the mandate of local municipalities to provide basic municipal services (discussed in Chapter 2, the literature review). Data for six local municipalities were obtained from various sources, verified and evaluated against the review criteria. The case study analysis results are discussed in Chapter 4.

## CHAPTER 4: CASE STUDY ANALYSIS AND RESULTS

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### 4.1 INTRODUCTION

This chapter presents the findings of the case study analysis for the six selected cases. For each case study sufficient capacity in relation to basic services delivery is discussed against the following criteria (also see Table 4 in the previous chapter):

- The ability to continually provide basic municipal services to consumers,
- The provision of a sound policy and legislative context for basic municipal service delivery, and
- The state of institutional capacity to provide basic municipal services.

Finally a summary is provided where the capacity for each individual case study is presented against the capacity review criteria. The six cases will now be discussed.

### 4.2 TLOKWE CITY COUNCIL LOCAL MUNICIPALITY

Tlokwe City Council Local Municipality (hereafter referred to as Tlokwe LM) is one of four local municipalities that are located within the Dr. Kenneth Kaunda District Municipality. The municipality is located in the south-eastern corner of the North West Province and covers approximately 2, 600 km<sup>2</sup>. Potchefstroom is the only built-up area in the municipality (The Local Government Handbook, 2014). According to Census 2011, the municipal area has a total population of 162, 762 people with a population growth rate of 2.38% per annum (StatsSA, 2011). In terms of basic municipal services for the year 2011, 80.6% of the population has flush toilets connected to a sewerage system, 62.9 % receives weekly solid waste removal services and 56.9% has piped water inside their dwellings (StatsSA, 2011).

In order for the municipality to perform its legislative mandate, all functions are delegated to the municipal manager and seven departments to assist in the execution of

duties. The Annual Budget Report, 2011/12 to 2013/14 provides for a total number of 1 250 employees in the municipality (Tlokwe City Council LM, 2011).

#### 4.2.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 6 illustrates the ability of Tlokwe LM to provide basic services for the periods 2013 and 2014 (StatsSA, 2011) that specifically speaks to criteria 1.1 to 1.3. An increase in service provision for all basic services for the two year period suggests that the ability of the LM to provide services have improved over the short term. Therefore a criteria rating of 'A' (conformed to expectations) was awarded. Unfortunately no long term data was available for the number of consumers receiving services.

**Table 6: Tlokwe LMs ability to provide basic services**  
(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	43 643	48 960	A
1.2	Provision of waste water services to consumers	43 643	49 570	A
1.3	Provision of solid waste services to consumers	30 012	49 560	A

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criterion 1.4 as shown in Table 7. According to the data Tlokwe LM has sufficient infrastructure capacity (since 2011) to provide basic municipal services and therefore a criteria rating 'A' (conformed to expectations) was awarded to the LM.

**Table 7: Tlokwe LM infrastructure capacity**  
(Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				A
	The municipality has infrastructure capacity to provide water services over time.	Yes	Yes	Yes	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	Yes	Yes	Yes	
	<b>Solid Waste</b>				
	The municipality has infrastructure capacity to provide solid waste services over time.	Yes	Yes	Yes	

#### **4.2.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY**

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, as well as water, waste water and solid waste policy and legislation.

##### **4.2.2.1 GENERAL POLICY AND LEGISLATION**

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 8 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. The importance of an IDP document is that it is the five year principal strategic instrument for the municipality setting out, amongst others, the priorities in terms of services development and provision (Pillay, 2006). Therefore the IDP document can indicate and influence the provision of basic municipal services. The IDP documentation were submitted for each recorded year and since the mandate to provide basic municipal services is vested in the LM, and no basic municipal services are outsourced to the private sector, it can be concluded that Tlokwe LM has sufficient general policy and legislative capacity. Therefore a criteria rating 'A' was awarded to the case study for conforming to expectations.

**Table 8: Tlokwe LM general policy and legislative capacity***(Source: The Local Government Handbook, 2014)*

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.2	The municipality is mandated to provide basic municipal services over time.	Yes	Yes	Yes	Yes	Yes	A
2.3	Basic municipal services are provided in-house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

**4.2.2.2 WATER POLICY AND LEGISLATION**

Clause 12 (1) of the Water Services Act requires all water services authorities to prepare a water services development plan in order to monitor and ensure the delivery of sufficient potable water to the community. Table 9 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The Tlokwe LM partially conformed to expectations by maintaining a WSDP for three of the recorded five years; therefore a 'B' rating (partially conformed to expectations) was awarded. Water quality monitoring systems are implemented to ensure the management and quality monitoring of potable water provided by municipalities to the community. Tlokwe LM conformed to expectations by implementing a water quality monitoring system since 2010 and therefore an 'A' rating was awarded. With regard to the participation in the Blue Drop analysis, Tlokwe LM only participated since 2013 and therefore a 'B' rating was awarded for only partially conforming to expectations.

**Table 9: Tlokwe LM water policy and legislation***(Source: The Local Government Handbook, 2014)*

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.4	The municipality has a WSDP in place for each recorded year.	No	No	Yes	Yes	Yes	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	Yes	Yes	Yes	Yes	Yes	A

2.6	The municipality participated in the Blue Drop status analysis over time.	No	No	No	Yes	Yes	B
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#### 4.2.2.3 WASTE WATER POLICY AND LEGISLATION

The Annual performance report of 2013/14 (2014:73) stated that Tlokwe LM provides sanitation services to industries, commercial users and domestic users through the Waste Water Treatment Works and sewerage reticulation network of the municipality. Table 10 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion number 2.7. The municipality participated in the Green Drop analysis for four of the recorded five years. Therefore a 'B' rating was awarded to the LM for partially conforming to expectations.

**Table 10: Tlokwe LM waste water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	Yes	Yes	Yes	Yes	B

#### 4.2.2.4 SOLID WASTE POLICY AND LEGISLATION

Solid waste services provided by Tlokwe LM include a) collection, transportation and disposal of solid waste, b) operation and maintenance of landfill sites, c) sweeping of streets in the CBD, and d) removal of solid waste from public bins (Tlokwe LM, 2014). Table 11 is based on data from the municipal Annual Performance Reports (Tlokwe LM, 2012 & 2014) that specifically speaks to criterion number 2.8.

The municipal landfill site was only licensed for one of the recorded five years. Therefore a 'B' rating was awarded to the case study LM for only partially conforming to expectations.

**Table 11: Tlokwe LM solid waste policy and legislation**  
(Source: Tlokwe LM, 2012 & 2014)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.8	The municipal landfill site was licensed each recorded year.	No	No	No	Yes	Yes	B

### 4.2.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

#### 4.2.3.1 MANAGERIAL CAPACITY

Table 12 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 3.1 to 3.4. Managerial capacity is separated according to the following divisions (for a detailed explanation see section 2.5.3 of the literature review):

- a) Section 57 of the Systems Act, and
- b) Organograms divided in full-time, part time and vacant positions for the year 2010 to 2014.

A general increase in full-time section 57 managerial positions for Tlokwe LM is reflected. Therefore an 'A' rating is awarded to the LM for successfully increasing full time managerial positions over time. However the ability of the LM to occupy vacant section 57 managerial positions over time was awarded a 'B' rating for only partially conforming to expectations.

From Table 12 it is evident that the case study does not have the capacity to maintain and increase full time organogram managerial positions, therefore a 'C' rating was awarded to the LM for not conforming to expectations. The municipality was awarded an 'A' rating for succeeding in occupying vacant organogram managerial positions over time.

**Table 12: Tlokwe LM managerial institutional capacity**

(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	6	6	6	5	9	A
3.2	Vacant management positions	2	2	0	4	0	B
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	21	21	0	0	0	C
3.4	Vacant management positions	0	0	0	0	0	A

#### 4.2.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

Table 13 illustrates the water services institutional capacity based on data retrieved from the case study's IDP (Tlokwe City Council, 2014) and specifically speaks to criteria 3.5 and 3.6. A total workforce of twenty nine (29) employees was allocated to the water service department for the period 2013 and 2014. However the municipality was not able to fill all the positions over time with three (3) vacant positions recorded for both 2013 and 2014. Therefore the case study was awarded 'C' rating as it did not succeed in occupying all positions and filling vacant positions for the said period. Unfortunately no long term data was available for the water services institutional capacity of Tlokwe LM.

**Table 13: Tlokwe LM water institutional capacity***(Source: Tlokwe City Council, 2014)*

Criteria	Water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5	Positions allocated	29	29	C
	Number of employees recorded	26	26	
3.6	Vacant positions recorded	3	3	C

#### 4.2.3.3 WASTE WATER SERVICE INSTITUTIONAL CAPACITY

Table 14 illustrates the waste water services institutional capacity based on data retrieved from the case study's IDP (Tlokwe City Council, 2014), Table 14 specifically speaks to criteria 3.7 and 3.8. A total workforce of twenty six (26) employees was allocated to the waste water service department for the periods 2013 and 2014. However the municipality was not able to fill all the positions over time with four (4) vacant positions recorded for 2013 and 2014. Therefore the case study was awarded 'C' ratings. Unfortunately no long term data was available for the waste water services institutional capacity of Tlokwe LM.

**Table 14: Tlokwe LM waste water institutional capacity***(Source: Tlokwe City Council, 2014)*

Criteria	Waste water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.7	Positions allocated	26	26	C
	Number of employees recorded	22	22	
3.8	Vacant positions recorded	4	4	C

#### 4.2.3.4 SOLID WASTE SERVICE INSTITUTIONAL CAPACITY

Table 15 illustrates the solid waste services institutional capacity based on data retrieved from the case study's IDP (Tlokwe City Council, 2014), Table 15 specifically speaks to criteria 3.9 and 3.10. A total workforce of one hundred and nineteen (119) employees was allocated to the solid waste service department for the period 2013 and 2014. Although the municipality filled most of the available positions, one (1) vacant position was recorded for the periods 2013 and 2014. Therefore the case study was

awarded 'B' ratings. Unfortunately no long term data was available for the solid waste services institutional capacity of Tlokwe LM.

**Table 15: Tlokwe LM solid waste institutional capacity**

(Source: Tlokwe City Council, 2014)

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	119	119	B
	Number of employees recorded	118	118	
3.10	Vacant positions recorded	1	1	B

#### 4.2.4 SUMMARY OF BASIC SERVICE DELIVERY CAPACITY FOR TLOKWE LM

Table 16 illustrates the combined capacity review criteria for the performance of Tlokwe LM. With regard to Criterion 1 (the ability to continually provide basic municipal services to consumers), Tlokwe LM conformed to all expectations for Criterion 1 with all sub-criteria receiving 'A' ratings. Some shortfalls were recorded for Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) which received a combination of 'A' and 'B' ratings. However Criterion 3 (the state of institutional capacity to provide basic municipal services) emerged to be the weakest performed criterion scoring mostly 'B' and 'C' ratings.

**Table 16: Tlokwe LM capacity review criteria**

Criteria		Rating
<b>Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.2.1)</b>		
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	A
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	A
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.2.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	A

2.2	The municipality is mandated to provide basic municipal services over time.	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	A
2.6	The municipality participated in the Blue Drop status analysis over time.	B
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	B
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed each recorded year.	B
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.2.3)</b>		
<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	A
3.2	The municipality has occupied vacant section 57 managerial positions over time.	B
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	C
3.4	The municipality has filled vacant organogram managerial positions over time.	A
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	C
3.6	The municipality has occupied vacant positions over time.	C
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	C
3.8	The municipality has filled vacant positions over time.	C

Solid waste service capacity:		
3.9	The municipality is fully capacitated with all positions filled over time.	B
3.10	The municipality has filled vacant positions over time.	B
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

### 4.3 RUSTENBURG LOCAL MUNICIPALITY

Rustenburg Local Municipality (hereafter referred to as Rustenburg LM) is one of five local municipalities that are located within the Bojanala Platinum District Municipality. Rustenburg LM is located in the east central region of the North West Province. The municipal area is approximately 3, 423 km<sup>2</sup> and consists of four urban built-up areas, with Rustenburg being the largest (The Local Government Handbook, 2014). According to Census 2011, the municipal area has a total population of 549, 575 people with a population growth rate of 3.5% per annum (StatsSA, 2011). In terms of basic municipal services, 52.7% of the population has flush toilets connected to a sewerage system, 69.2 % receives weekly solid waste removal services and 35.8% has piped water inside their dwellings. In order for the municipality to perform its legislative mandate, all functions are delegated to the municipal manager and eight municipal departments which assists him in the execution of his duties.

#### 4.3.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 17 illustrates of the ability of the Rustenburg LM to provide basic services for the periods 2013 and 2014 (StatsSA, 2011) and specifically speaks to criteria 1.1 to 1.3. An increase in water service provision for the two year period suggests that the ability of the LM to provide water services have improved and therefore an 'A' rating was awarded. However a 'B' rating (partially conformed to expectations) was awarded for

the provision of waste water and solid waste services since the number of consumers receiving services remained the same for both years. Unfortunately no long term data was available for the number of consumer receiving services.

**Table 17: Rustenburg LMs ability to provide basic services**

(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	121 019	129 234	A
1.2	Provision of waste water services to consumers	125 638	125 638	B
1.3	Provision of solid waste services to consumers	90 000	90 000	B

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criterion 1.4 as shown in Table 18. According to the data Rustenburg LM has had sufficient infrastructure capacity since 2011 to provide basic municipal services and therefore a criteria rating 'A' (conformed to expectations) was awarded to the case study.

**Table 18: Rustenburg LM infrastructure capacity**

(Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				A
	The municipality has infrastructure capacity to provide water services over time.	Yes	Yes	Yes	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	Yes	Yes	Yes	
1.4	<b>Solid Waste</b>				A
	The municipality has infrastructure capacity to provide solid waste services over time.	Yes	Yes	Yes	

### 4.3.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, water policy and legislation, waste water policy and legislation and solid waste policy and legislation.

#### 4.3.2.1 GENERAL POLICY AND LEGISLATION

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 19 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. The importance of an IDP document is that it is the five year principal strategic instrument for the municipality setting out the priorities in terms of services development and provision amongst others (Pillay, 2006). Therefore the IDP document can indicate and influence the provision of basic municipal services. The case study municipality has not submitted IDP documentation since 2010 and therefore a 'C' criteria rating was awarded. Since the mandate to provide basic municipal services is vested on the LM, and since no basic municipal services are outsourced to the private sector a criteria rating 'A' was awarded to the case study for conforming to expectations.

**Table 19: Rustenburg LM general policy and legislative capacity**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	No	No	No	No	No	C
2.2	The municipality is mandated to provide basic municipal services over time.	Yes	Yes	Yes	Yes	Yes	A
2.3	Basic municipal services are provided in house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

### 4.3.2.2 WATER POLICY AND LEGISLATION

Clause 12 (1) of the Water Services Act, requires all water services authorities to prepare a water services development plan in order to monitor and ensure the delivery of sufficient potable water to the community. Table 20 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The case study municipality did not conform to expectations as it only maintained a WSDP and water quality monitoring system for one of the recorded five years. Therefore 'B' ratings (partially conformed to expectations) were awarded to the LM for the specific criteria. With regard to the participation in the Blue Drop analysis, Rustenburg LM participated each year and therefore an 'A' rating could be awarded.

**Table 20: Rustenburg LM water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.4	The municipality has a WSDP in place for each recorded year.	No	Yes	No	No	No	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	No	Yes	No	No	No	B
2.6	The municipality participated in the Blue Drop status analysis over time.	Yes	Yes	Yes	Yes	Yes	A

### 4.3.2.3 WASTE WATER POLICY AND LEGISLATION

According to the Rustenburg LM Integrated Development Plan (2015) a total number of four (4) Waste Water Treatment Plants are operated by the municipality. Table 21 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion 2.7. The municipality participated in the Green Drop analysis for four of the recorded five years. Therefore a 'B' rating was awarded to the LM for partially conforming to expectations.

**Table 21: Rustenburg LM waste water policy and legislation**  
 (Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	Yes	Yes	Yes	Yes	B

#### 4.3.2.4 SOLID WASTE POLICY AND LEGISLATION

Rustenburg LM provides solid waste services to its community through the operation of six (6) landfill sites (Rustenburg LM, 2014:240). Table 22 is based on data from the local municipal performance reports (Rustenburg LM, 2012 & 2014) that specifically speaks to criterion 2.8. For three of the recorded years no data could be found on whether the municipal landfill site was licensed or not, however it was confirmed that the landfill site was not licensed for 2013 and 2014. Therefore a 'C' rating was awarded to the case study LM for not conforming to expectations.

**Table 22: Rustenburg LM solid waste policy and legislation**  
 (Source: *Rustenburg LM, 2012 & 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.8	The municipal landfill site was licensed each recorded year.	No	No	No	No	No	C

#### 4.3.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

#### 4.3.3.1 MANAGERIAL CAPACITY

Table 23 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 3.1 to 3.4. Managerial capacity is separated according to the following divisions (for a detailed explanation see section 2.5.3 of the literature review):

- a) *Section 57 of the Systems Act, and*
- b) *Organograms divided in full-time, part time and vacant positions for the year 2010 to 2014.*

A general increase in full-time section 57 managerial positions for Rustenburg LM is reflected and therefore an 'A' rating was awarded. However the ability of the LM to occupy vacant section 57 managerial positions over time was awarded a 'B' rating as some positions were often vacant. From Table 23 it is evident that the case study has sufficient capacity to maintain and increase full time organogram managerial positions and therefore an 'A' rating was awarded to the LM for conforming to expectations. However since the number of vacant organogram managerial positions rapidly increased over time, the municipality was awarded a 'C' rating as it failed to permanently occupy vacant organogram managerial positions.

**Table 23: Rustenburg LM managerial institutional capacity**  
(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	5	3	14	8	33	A
3.2	Vacant management positions	2	4	0	1	0	B
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	31	26	55	61	59	A
3.4	Vacant management positions	19	4	1	61	57	C

#### 4.3.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

Table 24 illustrates the water services institutional capacity based on data retrieved from the case study's IDP (Rustenburg LM, 2014), Table 24 specifically speaks to criteria 3.5 and 3.6. Since water and waste water services are combined in one department, the figures represent the institutional capacity for both water and waste water services. A total workforce of four hundred and eighteen (418) employees was allocated to the department for the year 2013 and 2014. However the municipality was not able to fill all the positions with one hundred and fifty five (155) vacant positions recorded for both 2013 and 2014. The case study was subsequently awarded a 'C' rating. Unfortunately no long term data was available for the water services institutional capacity of Rustenburg LM.

**Table 24: Rustenburg LM water and waste water institutional capacity**

*(Source: Rustenburg LM, 2014)*

Criteria	Water and waste water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5 & 3.7	Positions allocated	418	418	C
	Number of employees recorded	263	263	
3.6 & 3.8	Vacant positions recorded	155	155	C

#### 4.3.3.3 WASTE WATER SERVICES INSTITUTIONAL CAPACITY

Table 24 illustrates the waste water services institutional capacity based on data retrieved from the case study's IDP (Rustenburg LM, 2014), Table 24 specifically speaks to criteria 3.7 and 3.8. Since water and waste water services are dealt with in one department, the figures represent the institutional capacity for both water and waste water services. A total workforce of four hundred and eighteen (418) employees was allocated to the department for the year 2013 and 2014. However the municipality was not able to fill all the positions and therefore the case study was awarded a 'C' rating. Unfortunately no long term data was available for the waste water services institutional capacity of Rustenburg LM.

#### 4.3.3.4 SOLID WASTE SERVICE INSTITUTIONAL CAPACITY

Table 25 illustrates the solid waste services institutional capacity based on data retrieved from the case study's IDP (Rustenburg LM, 2014), Table 25 specifically speaks to criteria 3.9 and 3.10. A total workforce of two hundred and seventy eight (278) employees was allocated to the solid waste service department for the period 2013 and 2014. However, the municipality was not able to fill all the positions with seventy-four (74) vacant positions recorded for both 2013 and 2014 and therefore the case study was awarded a 'C' rating. Unfortunately no long term data was available for the solid waste services institutional capacity of Rustenburg LM.

**Table 25: Rustenburg LM solid waste institutional capacity**

(Source: Rustenburg LM, 2014)

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	278	278	C
	Number of employees recorded	204	204	
3.10	Vacant positions recorded	74	74	C

#### 4.3.4 SUMMARY OF BASIC SERVICE DELIVERY CAPACITY FOR RUSTENBURG LM

Table 26 illustrates the combined capacity review criteria for the performance of Rustenburg LM. With regards to Criterion 1 (the ability to continually provide basic municipal services to consumers), the Rustenburg LM scored a combination of 'A' – and 'B' ratings while Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) received ratings over the entire spectrum of criteria, ranging from 'A'- to 'C'. Criterion 3 (the state of institutional capacity to provide basic municipal services) emerged to be the weakest performing criterion with mostly 'C' ratings (none conformed to expectations) being awarded.

**Table 26: Rustenburg LM capacity review criteria**

Criteria		Rating
<b>Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.3.1)</b>		
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	B
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	B
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.3.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	C
2.2	The municipality is mandated to provide basic municipal services over time.	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	A
2.6	The municipality participated in the Blue Drop status analysis over time.	A
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	B
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed each recorded year.	C
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.3.3)</b>		
<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	A

3.2	The municipality has filled vacant section 57 managerial positions over time.	B
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	A
3.4	The municipality has occupied vacant organogram managerial positions over time.	C
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	C
3.6	The municipality has filled vacant positions over time.	C
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	C
3.8	The municipality has filled vacant positions over time.	C
<u>Solid waste service capacity:</u>		
3.9	The municipality is fully capacitated with all positions filled over time.	C
3.10	The municipality has filled vacant positions over time.	C
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

#### 4.4 NALEDI LOCAL MUNICIPALITY

Naledi Local Municipality (hereafter referred to as Naledi LM) is one of five local municipalities that are located within the Dr. Ruth Segomotsi Mompati District Municipality. Naledi LM is located in the south-western part of the North West Province. The municipal area is approximately 6, 941 km<sup>2</sup> and consists of four urban built-up areas, with Vryburg being the largest (The Local Government Handbook, 2014). According to Census 2011, the municipal area has a total population of 66, 781 people with a population growth rate of 1.71% per annum (StatsSA, 2011). In terms of basic municipal services, 65.4% of the population has flush toilets connected to a sewerage

system, 66.4% receives weekly solid waste removal services and 40.9% has piped water inside their dwellings. In order for the municipality to perform its legislative mandate, all functions are delegated to the municipal manager and five departments to assist in the execution of duties. The Annual Budget Report, 2011/12 provides for a total number of 432 employees in the municipality (Naledi LM, 2011:48).

#### 4.4.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 27 provides an illustration of the ability of Naledi LM to provide basic services for the period 2013 and 2014 (StatsSA, 2011) that specifically speaks to criteria 1.1 to 1.3. An increase in water and waste water service provision for the two year period suggests that the ability of the LM to provide water services have improved and therefore a criteria rating 'A' was awarded. However a 'B' rating (partially conformed to expectations) was awarded for the provision of solid waste services since the number of consumers receiving services over time remained the same. Unfortunately no long term data was available for the number of consumer receiving services.

**Table 27: Naledi LMs ability to provide basic services**  
(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	15 244	16 147	A
1.2	Provision of waste water services to consumers	12 397	13 545	A
1.3	Provision of solid waste services to consumers	10 389	10 389	B

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criterion 1.4 as shown in Table 28. According to the data Naledi LM has had sufficient infrastructure capacity since 2011 to provide basic municipal services and therefore a criteria rating 'A' (conformed to expectations) was awarded to the LM.

**Table 28: Naledi LM infrastructure capacity**  
(Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				A
	The municipality has infrastructure capacity to provide water services over time.	Yes	Yes	Yes	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	Yes	Yes	Yes	
	<b>Solid Waste</b>				
	The municipality has infrastructure capacity to provide solid waste services over time.	Yes	Yes	Yes	

#### 4.4.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, water policy and legislation, waste water policy and legislation and solid waste policy and legislation.

##### 4.4.2.1 GENERAL POLICY AND LEGISLATION

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 29 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. Therefore the IDP document can indicate and influence the provision of basic municipal services. Since the mandate to provide basic municipal services is vested on the LM, and since no basic municipal services are outsourced to the private sector, it can be concluded that Naledi LM has sufficient general policy and legislative capacity and therefore a criteria rating 'A' was awarded to the case study for conforming to expectations.

**Table 29: Naledi LM general policy and legislative capacity**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.2	The municipality is mandated to provide basic municipal services over time.	Yes	Yes	Yes	Yes	Yes	A
2.3	Basic municipal services are provided in house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

#### 4.4.2.2 WATER POLICY AND LEGISLATION

Table 30 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The case study municipality conformed to expectations by maintaining a WSDP for all the recorded years. Therefore an 'A' rating (conformed to expectations) was awarded to the LM. Water quality monitoring systems are implemented to ensure the management and quality monitoring of potable water provided by municipalities to the community, Naledi LM partially conformed to expectations by implementing a water quality monitoring system for four of the recorded five years and therefore a 'B' rating was awarded. With regard to its participation in the Blue Drop analysis, Naledi LM only participated since 2011 and therefore a 'B' rating was awarded for partially conforming to expectations.

**Table 30: Naledi LM water policy and legislation**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.4	The municipality has a WSDP in place for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.5	The municipality has a water quality monitoring system in place for each recorded year.	No	Yes	Yes	Yes	Yes	B
2.6	The municipality participated in the Blue Drop status analysis over time.	No	Yes	Yes	Yes	Yes	B

#### 4.4.2.3 WASTE WATER POLICY AND LEGISLATION

The Annual performance report of 2013/14 (2013:6) stated that Naledi LM provides sanitation service to its citizens through two Waste Water Treatment Works located in the towns of Vryburg and Stella respectively. Table 31 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion 2.7. The municipality has never participated in the Green Drop analysis and therefore a 'C' rating was awarded to the LM for not conforming to expectations.

**Table 31: Naledi LM waste water policy and legislation**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	No	No	No	No	C

#### 4.4.2.4 SOLID WASTE POLICY AND LEGISLATION

Naledi LM provides solid waste services to the community through a total number of two (2) landfill sites that are operated in the study area (Auditor General, 2014:240). Table 32 is based on data from the municipal Annual Performance Reports (Naledi LM, 2012 & 2014) that specifically speaks to criterion 2.8. For four of the recorded years no data could be found indicating whether the municipal landfill site was licensed or not, however it was confirmed that the landfill site was not licensed for the year 2014. Therefore a 'C' rating was awarded to the case study LM for not conforming to expectations.

**Table 32: Naledi LM solid waste policy and legislation**

(Source: *Naledi LM, 2012 & 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	

2.8	The municipal landfill site was licensed each recorded year.	No	No	No	No	No	C
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#### 4.4.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

##### 4.4.3.1 MANAGERIAL CAPACITY

A slight decrease in full-time section 57 managerial positions for Naledi LM is reflected in Table 33. Therefore a 'C' rating was awarded to the LM for failing to increase the number of full time managerial positions over time. However the ability of the LM to occupy vacant section 57 managerial positions over time was awarded a 'B' rating. From Table 33 it is evident that the case study consists of sufficient capacity to maintain and increase full time organogram managerial positions, therefore an 'A' rating was awarded to the LM. However since the number of vacant organogram managerial positions slightly increased over time, the municipality was awarded a 'C' rating.

**Table 33: Naledi LM managerial institutional capacity**  
(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	6	6	3	3	5	C
3.2	Vacant management positions	0	0	3	2	0	B
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	9	9	10	66	36	A
3.4	Vacant management positions	0	3	12	39	36	C

#### 4.4.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

Table 34 illustrates the water services institutional capacity based on data retrieved from StatsSA (2011), Table 34 specifically speaks to criteria 3.5 and 3.6. A total workforce of forty (40) employees was allocated to the water service department for the period 2013 and 2014. However only thirty seven (37) positions were occupied for the period leaving the municipality with three (3) vacant positions recorded for 2013 and 2014. Therefore the case study was awarded 'C' ratings for failing to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for the water services institutional capacity of Naledi LM.

**Table 34: Naledi LM water institutional capacity**  
(Source: StatsSA, 2011)

Criteria	Water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5	Positions allocated	40	40	C
	Number of employees recorded	37	37	
3.6	Vacant positions recorded	3	3	C

#### 4.3.4.3 WASTE WATER SERVICES INSTITUTIONAL CAPACITY

Table 35 illustrates the waste water services institutional capacity based on data retrieved from StatsSA (2011), Table 35 specifically speaks to criteria 3.7 and 3.8. A total workforce of thirty two (32) employees was allocated to the waste water service department for the periods 2013 and 2014. However the municipality did not seem to be able to fill all the positions with four (4) vacant positions recorded for 2013 and 2014. Therefore the case study was awarded 'C' ratings for failing to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for the waste water services institutional capacity of Naledi LM.

**Table 35: Naledi LM waste water institutional capacity***(Source: StatsSA, 2011)*

Criteria	Waste water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.7	Positions allocated	32	32	C
	Number of employees recorded	28	28	
3.8	Vacant positions recorded	4	4	C

#### 4.3.4.4 SOLID WASTE SERVICES INSTITUTIONAL CAPACITY

Table 36 illustrates the solid waste services institutional capacity based on data retrieved from StatsSA (2011), Table 36 specifically speaks to criteria 3.9 and 3.10. A total workforce of sixty one (61) employees was allocated to the solid waste service department for the period 2013 and 2014. However the municipality was unsuccessful in filling all the positions over time with one (1) vacant position recorded for 2013 and 2014. Therefore the case study was awarded ‘B’ ratings for only partially conforming to expectations and failing to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for the solid waste services institutional capacity of Naledi LM.

**Table 36: Naledi LM solid waste institutional capacity***(Source: StatsSA, 2011)*

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	61	61	B
	Number of employees recorded	60	60	
3.10	Vacant positions recorded	1	1	B

#### 4.4.4 SUMMARY OF BASIC SERVICE DELIVERY CAPACITY FOR NALEDI LM

Table 37 illustrates the combined capacity review criteria for the performance of Naledi LM. In terms of Criterion 1 (the ability to continually provide basic municipal services to consumers), Naledi LM scored mostly ‘A’ ratings. Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) also received mostly

'A' ratings although some 'B' and 'C' ratings were also awarded. Criterion 3 (the state of institutional capacity to provide basic municipal services) emerged to be the weakest performance area with mostly 'C' ratings being awarded.

**Table 37: Naledi LM capacity review criteria**

Criteria		Rating
<b>Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.4.1)</b>		
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	A
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	B
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.4.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	A
2.2	The municipality is mandated to provide basic municipal services over time.	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	A
2.5	The municipality has a water quality monitoring system in place for each recorded year.	B
2.6	The municipality participated in the Blue Drop status analysis over time.	B
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	C
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed for each recorded year.	C
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.4.3)</b>		

<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	C
3.2	The municipality has filled vacant section 57 managerial positions over time.	B
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	A
3.4	The municipality has filled vacant organogram managerial positions over time.	C
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	C
3.6	The municipality has filled vacant positions over time.	C
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	C
3.8	The municipality has filled vacant positions over time.	C
<u>Solid waste service capacity:</u>		
3.9	The municipality is fully capacitated with all positions filled over time.	B
3.10	The municipality has filled vacant positions over time.	B
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

#### 4.5 LEKWA-TEEMANE LOCAL MUNICIPALITY

Lekwa-Teemane Local Municipality (hereafter referred to as Lekwa-Teemane LM) is one of five local municipalities located within the Dr. Ruth Segomotsi Mompati District Municipality. Lekwa-Teemane LM is located in the south-western part of the North West Province. The municipal area is approximately 3, 681 km<sup>2</sup> and consists of two urban built-up areas, namely Bloemhof and Christiana (The Local Government Handbook,

2014). According to Census 2011, the municipal area has a total population of 53, 248 with a population growth rate of 2.15% per annum (StatsSA, 2011). In terms of basic municipal services, 86.8% of the population has flush toilets connected to a sewerage system, 73.5% receives weekly solid waste removal services and 29.5% has piped water inside their dwellings. For the municipality to perform its legislative mandate, all functions in the municipality are delegated to the municipal manager and six departments which assists him in the execution of his duties.

#### 4.5.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 38 provides an illustration of the ability of the local municipality to provide basic services for the periods 2013 and 2014 (StatsSA, 2011) that specifically speaks to criteria 1.1 to 1.3. A telling increase in service provision for all basic services for the two year period suggests that the municipality’s ability to provide services have improved over the short term. Therefore a criteria rating ‘A’ (conformed to expectations) was awarded. Unfortunately no long term data was available for the number of consumer receiving services.

**Table 38: Lekwa-Teemane LMs ability to provide basic services**  
(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	16 406	17 542	A
1.2	Provision of waste water services to consumers	17 542	17 562	A
1.3	Provision of solid waste services to consumers	14 267	14 930	A

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criterion 1.4 as shown in Table 39. According to the data Lekwa-Teemane LM has had sufficient

infrastructure capacity since 2011 to provide basic municipal services and therefore an 'A' rating (conformed to expectations) was awarded to the LM.

**Table 39: Lekwa-Teemane LM infrastructure capacity**

(Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				A
	The municipality has infrastructure capacity to provide water services over time.	Yes	Yes	Yes	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	Yes	Yes	Yes	
	<b>Solid Waste</b>				
	The municipality has infrastructure capacity to provide solid waste services over time.	Yes	Yes	Yes	

#### 4.5.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, water policy and legislation, waste water policy and legislation and solid waste policy and legislation.

##### 4.5.2.1 GENERAL POLICY AND LEGISLATION

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 40 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. The importance of an IDP document is that it is the five year principal strategic instrument for the municipality setting out the priorities in terms of services development and provision (Pillay, 2006). Therefore the IDP document can indicate and influence the provision of basic municipal services. Since the mandate to provide basic municipal services is vested in the LM, and since no basic municipal services are outsourced to the private sector, it can be concluded that Lekwa-Teemane LM has sufficient general

policy and legislative capacity and therefore a criteria an ‘A’ rating could be awarded to the case study.

**Table 40: Lekwa-Teemane LM general policy and legislative capacity**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.2	The municipality is mandated to provide basic municipal services over time.	Yes	Yes	Yes	Yes	Yes	A
2.3	Basic municipal services are provided in house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

#### 4.5.2.2 WATER POLICY AND LEGISLATION

Clause 12 (1) of the Water Services Act, requires all water services authorities to prepare a water services development plan in order to monitor and ensure the delivery of sufficient potable water to the community. Table 41 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The case study municipality partially conformed to expectation by maintaining a WSDP for four of the recorded five years. Therefore a ‘B’ rating (partially conformed to expectations) was awarded to the LM. Water quality monitoring systems are implemented to ensure the management and quality monitoring of potable water provided by municipalities to the community, Lekwa-Teemane LM conformed to expectations by implementing a water quality monitoring system since 2010 and therefore an ‘A’ rating was awarded. With regards to the participation in the Blue Drop analysis, Lekwa-Teemane LM has never participated in the analysis and a ‘C’ rating was subsequently awarded for not conforming to expectations.

**Table 41: Lekwa-Teemane LM water policy and legislation**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	

2.4	The municipality has a WSDP in place for each recorded year.	Yes	Yes	Yes	Yes	No	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.6	The municipality participated in the Blue Drop status analysis over time.	No	No	No	No	No	C

#### 4.5.2.3 WASTE WATER POLICY AND LEGISLATION

The IDP 2013/14 (2012) stated that Lekwa-Teemane LM provides sanitation services to its citizens through two Waste Water Treatment Works located in the towns of Christiana and Bloemhof. Table 42 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion 2.7. The municipality has never participated in the Green Drop analysis therefore a 'C' rating was awarded to the LM.

**Table 42: Lekwa-Teemane LM waste water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	No	No	No	No	C

#### 4.5.2.4 SOLID WASTE POLICY AND LEGISLATION

The IDP 2013/14 (2012:112) indicates that Leekwa-Temane LM has two (2) landfill sites, one in Bloemhof and one in Christiana. Table 43 is based on data from the municipal Performance Reports (Lekwa-Teemane, 2012 & 2015) that specifically speaks to criterion 2.8. For three of the recorded years no data could be obtained indicating whether the municipal landfill site was licensed or not, however it was established that the landfill site was licensed for the years 2013 and 2014. Therefore a 'B' rating was awarded to the case study LM as it partially conformed to expectations.

**Table 43: Lekwa-Teemane LM solid waste policy and legislation**

(Source: Lekwa-Teemane, 2012 & 2015)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.8	The municipal landfill site was licensed each recorded year.	No	No	No	Yes	Yes	B

### 4.5.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

#### 4.5.3.1 MANAGERIAL CAPACITY

An irregular maintenance of full-time section 57 managerial positions for Naledi LM was recorded in Table 44. Therefore a 'B' rating was awarded to the LM for only partially succeeding in increase full time managerial positions over time. The ability of the LM to occupy vacant section 57 managerial positions over time was also awarded a 'B' rating. From Table 44 it is evident that the LM has sufficient capacity to maintain and increase full time organogram managerial positions and therefore an 'A' rating could be awarded to the LM. However, since the number of vacant organogram managerial positions increased over time, the municipality was awarded a 'C' rating for failing to successfully occupy all vacant organogram managerial positions over time.

**Table 44: Lekwa-Teemane LM managerial institutional capacity**

(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	5	4	0	5	3	B
3.2	Vacant management positions	1	1	4	0	2	B
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	5	0	0	15	15	A

3.4	Vacant management positions	0	0	0	17	17	C
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#### 4.5.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

No specific institutional capacity in terms of water services for the case study could be found, however the institutional capacity for technical services (of which water services forms a sub-department) is illustrated in Table 45 – the data is based on the municipal IDP (2015). Table 45 specifically speaks to criteria 3.5 and 3.6. A total workforce of eighty seven (87) employees was allocated to the technical service department for the period 2013 and 2014. However only sixty nine (69) positions were occupied for the period leaving the municipality with eighteen (18) vacant positions recorded for 2013 and 2014. Therefore, the case study was awarded ‘C’ ratings as it failed to occupy all positions and fill vacant positions for the said periods. Unfortunately no long term data was available for technical or water services institutional capacity of Lekwa-Teemane LM.

**Table 45: Lekwa-Teemane LM technical services institutional capacity**  
(Source: Leekwa-Temane, 2015:112)

Criteria	Technical service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5 & 3.7	Positions allocated	87	87	C
	Number of employees recorded	69	69	
3.6 & 3.8	Vacant positions recorded	18	18	C

#### 4.5.3.3 WASTE WATER SERVICES INSTITUTIONAL CAPACITY

No data on the specific institutional capacity in terms of waste water services for the case study could be obtained, however the institutional capacity for technical services (of which waste water services forms a sub-department) is illustrated in Table 45 and data is based on the municipal IDP (Leekwa-Temane, 2015). Table 45 specifically speaks to criteria 3.7 and 3.8. A total workforce of eighty seven (87) employees was allocated to the technical service department for the period 2013 and 2014. However only sixty nine (69) positions were occupied for the period leaving the municipality with

eighteen (18) vacant positions recorded for 2013 and 2014. Therefore the case study was awarded ‘C’ ratings for failing to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for waste water services institutional capacity of Lekwa-Teemane LM.

#### 4.5.3.4 SOLID WASTE SERVICE INSTITUTIONAL CAPACITY

Table 46 illustrates the solid waste services institutional capacity based on data retrieved from the municipal IDP (Lekwa-Teemane, 2015), Table 46 specifically speaks to criteria 3.9 and 3.10. A total workforce of eighty seven (87) employees was allocated to the solid waste service department for the period 2013 and 2014. However the municipality did not seem to be able to fill all the positions with eighteen (18) vacant positions being recorded for both 2013 and 2014. Therefore the case study was awarded ‘C’ ratings as it failed to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for the solid waste services institutional capacity of Lekwa-Teemane LM.

**Table 46: Lekwa-Teemane LM solid waste institutional capacity**  
(Source: Lekwa-Teemane, 2015)

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	87	87	C
	Number of employees recorded	69	69	
3.10	Vacant positions recorded	18	18	C

#### 4.5.4 SUMMARY OF BASIC SERVICE DELIVERY CAPACITY FOR LEKWA-TEEMANE LM

Table 47 illustrates the combined capacity review criteria for the performance of Lekwa-Teemane LM. With regards to Criterion 1 (the ability to continually provide basic municipal services to consumers), Lekwa-Teemane LM was awarded ‘A’ ratings while Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) also received mostly ‘A’ ratings although ‘B’ and ‘C’ ratings was also awarded. Criterion 3 (the state of institutional capacity to provide basic municipal

services) emerged to be the weakest performed criterion scoring mostly 'C' ratings as it failed to meet expectations.

**Table 47: Lekwa-Teemane LM capacity review criteria**

Criteria		Rating
<b>Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.5.1)</b>		
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	A
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	A
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.5.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	A
2.2	The municipality is mandated to provide basic municipal services over time.	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	A
2.6	The municipality participated in the Blue Drop status analysis over time.	C
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	C
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed each recorded year.	B
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.5.3)</b>		

<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	B
3.2	The municipality has filled vacant section 57 managerial positions over time.	B
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	A
3.4	The municipality has filled vacant organogram managerial positions over time.	C
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	C
3.6	The municipality has filled vacant positions over time.	C
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	C
3.8	The municipality has filled vacant positions over time.	C
<u>Solid waste service capacity:</u>		
3.9	The municipality is fully capacitated with all positions filled over time.	C
3.10	The municipality has filled vacant positions over time.	C
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

#### 4.6 RATLOU LOCAL MUNICIPALITY

Ratlou Local Municipality (herein referred to as Ratlou LM) is one of five local municipalities located within the Ngaka Modiri Molema District Municipality. The municipality is located in the western part of the North West Province and is characterized by rural villages and farms with no formal urban areas. The municipal area covers approximately 4, 884 km<sup>2</sup> of land (The Local Government Handbook,

2014). According to Census 2011, the municipal area has a total population of 107, 339 with a population growth rate of 0.11% per annum (StatsSA, 2011). The mandate to provide water and waste water services is delegated to the Ngaka Modiri Molema District Municipality in terms of Chapter 7 section 152 (b) of the Constitution and Chapter 3 of the Water Service Act, 1997. Therefore the District Municipality is the main Water Services Authority leaving Ratlou LM with the mandate to provide solid waste services as the only basic municipal service.

#### 4.6.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 49 shows the ability of the LM to provide basic services for the periods 2013 and 2014 (StatsSA, 2011) and specifically speaks to criteria 1.1 to 1.3. The provision of all basic services remained the same for the two year period suggesting that the ability of the LM to provide these services remained unchanged and therefore a B' rating was awarded. Unfortunately no long term data was available for the number of consumer receiving services.

**Table 48: Ratlou LMs ability to provide basic services**  
(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	25 701	25 701	B
1.2	Provision of waste water services to consumers	22 829	22 829	B
1.3	Provision of solid waste services to consumers	0	0	B

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criterion 1.4 as shown in Table 50. According to the data Ratlou LM has not had sufficient infrastructure capacity since 2011 to provide basic municipal services and therefore a 'C' rating (not conforming to expectations) was awarded to the LM.

**Table 49: Ratlou LM infrastructure capacity**  
 (Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				C
	The municipality has infrastructure capacity to provide water services over time.	No	No	No	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	No	No	No	
1.4	<b>Solid Waste</b>				C
	The municipality has infrastructure capacity to provide solid waste services over time.	No	No	No	

#### **4.6.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY**

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, water policy and legislation, waste water policy and legislation and solid waste policy and legislation.

##### **4.6.2.1 GENERAL POLICY AND LEGISLATION**

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 51 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. Therefore the IDP document can indicate and also influence the provision of basic municipal services. It was established that the LM only submitted IDP documentation for the last two recorded years (2013–2014) and therefore a ‘B’ criteria rating was awarded. Since the mandate to provide basic municipal services are not vested on the LM a criteria rating ‘C’ was awarded to the case study for failing to conform to expectations. No basic municipal services were, however, outsourced to the private sector therefore a criteria rating ‘A’ was awarded to the case study as it conformed to expectations.

**Table 50: Ratlou LM general policy and legislative capacity**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	No	No	No	Yes	Yes	B
2.2	The municipality is mandated to provide basic municipal services over time.	No	No	No	No	No	C
2.3	Basic municipal services are provided in house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

#### 4.6.2.2 WATER POLICY AND LEGISLATION

Clause 12 (1) of the Water Services Act, requires all water services authorities to prepare a water services development plan in order to monitor and ensure the delivery of sufficient potable water to the community. Table 52 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The case study municipality did not conformed to expectation by maintaining a WSDP and water quality monitoring system for the recorded period. Therefore 'C' ratings (none conformance to expectations) were awarded to the LM for these criteria. With regards to the participation in the Blue Drop analysis, Ratlou LM has never participated in the analysis and therefore a 'C' rating was awarded as it failed to conform to expectations.

**Table 51: Ratlou LM water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.4	The municipality has a WSDP in place for each recorded year.	No	No	No	No	No	C
2.5	The municipality has a water quality monitoring system in place for each recorded year.	No	No	No	No	No	C
2.6	The municipality participated in the Blue Drop status	No	No	No	No	No	C

	analysis over time.							
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#### 4.6.2.3 WASTE WATER POLICY AND LEGISLATION

As previously mentioned the waste water services function is performed by the District Municipality whereby Ratlou LM only assists in the facilitation of the waste water services. Table 53 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion 2.7. It was found that the municipality has never participated in the Green Drop analysis resulting in a 'C' rating being awarded.

**Table 52: Ratlou LM waste water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	No	No	No	No	C

#### 4.6.2.4 SOLID WASTE POLICY AND LEGISLATION

The case study is responsible for two landfill sites in the municipal area (AGSA, 2014:240). Table 54 is based on data from the municipal Annual Performance Reports (Ratlou LM, 2014 & 2015) that specifically speaks to criterion 2.8. For four of the recorded years no data could be found indicating whether the municipal landfill site was licensed or not, however it was established that the landfill site was not licensed for the year 2014 and therefore a 'C' rating was awarded.

**Table 53: Ratlou LM solid waste policy and legislation**  
(Source: *Ratlou LM, 2014 & 2015*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.8	The municipal landfill site was licensed each recorded year.	No	No	No	No	No	C

### 4.6.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

#### 4.6.3.1 MANAGERIAL CAPACITY

An uneven maintenance of full-time section 57 managerial positions for Ratlou LM was recorded resulting in a 'B' rating being awarded – see Table 55. However the ability of the LM to occupy vacant section 57 managerial positions over time was awarded a 'C' rating as it failed to conform to expectations. From Table 55 it is evident that the case study consists of sufficient capacity to maintain and increase full time organogram managerial positions and therefore an 'A' rating was awarded to the LM for conforming to expectations. However since the number of vacant organogram managerial positions increased over time, the municipality was awarded a 'C' rating.

**Table 54: Ratlou LM managerial institutional capacity**  
(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	4	4	5	5	4	B
3.2	Vacant management positions	0	0	0	0	1	C
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	10	11	16	20	21	A
3.4	Vacant management positions	1	2	3	24	21	C

#### 4.6.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

Table 56 is based on data from the case studies Annual Performance Report (2015) and specifically speaks to criteria 3.5 and 3.6. The water services function is performed by Ngaka Modiri Molema District Municipality whereby the case study only assists in the facilitation of water services and therefore the case study was awarded with a 'NA' rating.

**Table 55: Ratlou LM water institutional capacity**  
(Source: Ratlou, 2015)

Criteria	Water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5	Positions allocated	0	0	NA
	Number of employees recorded	0	0	
3.6	Vacant positions recorded	0	0	NA

#### 4.6.3.3 WASTE WATER SERVICES INSTITUTIONAL CAPACITY

Table 57 is based on data from the case studies Annual Performance Report (2015:22) and specifically speaks to criteria 3.7 and 3.8. The waste water services function is performed by Ngaka Modiri Molema District Municipality whereby the case study only assists in the facilitation of waste water services and therefore the case study was awarded with a 'NA' rating.

**Table 56: Ratlou LM waste water institutional capacity**  
(Source: Ratlou, 2015)

Criteria	Waste water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.7	Positions allocated	0	0	NA
	Number of employees recorded	0	0	
3.8	Vacant positions recorded	0	0	NA

#### 4.6.3.4 SOLID WASTE SERVICES INSTITUTIONAL CAPACITY

Table 57 illustrates the solid waste services institutional capacity based on data retrieved from the municipal IDP (Ratlou LM, 2015), Table 57 specifically speaks to criteria 3.9 and 3.10. A total workforce of twenty eight (28) employees was allocated to the solid waste service department for the period 2013 and 2014. However, the municipality neglected to fill all the positions over time with twenty five (25) vacant positions being recorded for both 2013 and 2014. Therefore the case study was awarded 'C' ratings as it failed to occupy all positions and fill vacant positions for the period. Unfortunately no long term data was available for the solid waste services institutional capacity of Ratlou LM.

**Table 57: Ratlou LM solid waste institutional capacity**

(Source: Ratlou LM, 2015)

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	28	28	C
	Number of employees recorded	3	3	
3.10	Vacant positions recorded	25	25	C

#### 4.6.4 SUMMARY OF BASIC MUNICIPAL SERVICE DELIVERY CAPACITY FOR RATLOU LM

Table 58 illustrates the combined capacity review criteria for the performance of Ratlou LM. Criterion 1 (the ability to continually provide basic municipal services to consumers) was awarded with mostly 'B' ratings while Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) emerged to be the weakest performing criterion receiving mostly 'C'. Criterion 3 (the state of institutional capacity to provide basic municipal services) scored mostly 'C' ratings although some 'NA' ratings was also awarded since the mandate to provide water and waste water is not vested on Ratlou LM.

**Table 58: Ratlou LM capacity review criteria**

Criteria	Rating
Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.6.1)	

1.1	The municipality has the capacity to provide and increase the provision of water services over time.	B
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	B
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	B
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	C
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.6.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	B
2.2	The municipality is mandated to provide basic municipal services over time.	C
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	C
2.5	The municipality has a water quality monitoring system in place for each recorded year.	C
2.6	The municipality participated in the Blue Drop status analysis over time.	C
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	C
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed each recorded year.	C
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.6.3)</b>		
<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	B
3.2	The municipality has filled vacant section 57 managerial positions over time.	C
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	A

3.4	The municipality has filled vacant organogram managerial positions over time.	C
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	NA
3.6	The municipality has filled vacant positions over time.	NA
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	NA
3.8	The municipality has filled vacant positions over time.	NA
<u>Solid waste service capacity:</u>		
3.9	The municipality is fully capacitated with all positions filled over time.	C
3.10	The municipality has filled vacant positions over time.	C
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

#### 4.7 VENTERSDORP LOCAL MUNICIPALITY

Ventersdorp Local Municipality (hereafter referred to as Ventersdorp LM) is one of four local municipalities that are located within the Dr. Kenneth Kaunda District Municipality. The municipality is located in the south-eastern corner of the North West Province and is approximately 3, 764.05 km<sup>2</sup> in area. Ventersdorp is the only built-up area in the municipality (The Local Government Handbook, 2014). According to Census 2011, the municipal area has a total population of 56, 702 people with a population growth rate of 2.7% per annum (StatsSA, 2011). In terms of basic municipal services for the year 2011, 40.3% of the population has flush toilets connected to a sewerage system, 36.3% receives weekly solid waste removal services and 20% have piped water inside their dwellings (StatsSA, 2011). The Annual Budget Report, 2011/12 to 2013/14 provides for a total number of 231 employees in the municipality (Ventersdorp LM, 2015).

#### 4.7.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Table 58 provides an illustration of the ability of the case study municipality to provide basic services for the period 2013 and 2014 (StatsSA, 2011) that specifically speaks to criteria 1.1 to 1.3. An increase in water and solid waste service provision for the two year period suggests that the ability of the LM to provide these services seems to have improved and therefore the municipality was considered to conformed to expectations and a subsequent criteria rating of 'A' was awarded. However, a 'B' rating (partially conformed to expectations) was awarded for the provision of waste water services since the number of consumers receiving services over time remained unchanged. Unfortunately no long term data was available for the number of consumer receiving services.

**Table 59: Ventersdorp LMs ability to provide basic services**  
(Source: StatsSA, 2011)

Criteria	Provision of services	Number of consumers receiving services per year		Criteria rating
		2013	2014	
1.1	Provision of water services to consumers	12 516	12 747	A
1.2	Provision of waste water services to consumers	12 366	12 366	B
1.3	Provision of solid waste services to consumers	6 823	6 836	A

Supplementing the StatsSA (2011) data, the Local Government Handbook (2014) provides data for the period 2011 to 2014 that specifically speaks to criteria 1.4 as shown in Table 60. According to the data Ventersdorp LM has had sufficient infrastructure capacity since 2011 to provide basic municipal services and therefore a criteria rating 'A' (conformed to expectations) was awarded to the LM.

**Table 60: Ventersdorp LM infrastructure capacity**

(Source: Local Government Handbook, 2014)

Criteria	Basic municipal service	Year			Criteria rating
		2011/12	2012/13	2013/14	
1.4	<b>Water</b>				A
	The municipality has infrastructure capacity to provide water services over time.	Yes	Yes	Yes	
	<b>Waste Water</b>				
	The municipality has infrastructure capacity to provide waste water services over time.	Yes	Yes	Yes	
	<b>Solid Waste</b>				
	The municipality has infrastructure capacity to provide solid waste services over time.	Yes	Yes	Yes	

#### **4.7.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY**

Sufficient policy and legislative capacity is discussed in relation to: general policy and legislation, water policy and legislation, waste water policy and legislation and solid waste policy and legislation.

##### **4.7.2.1 GENERAL POLICY AND LEGISLATION**

This section is based on the data from the Local Government Handbook (2014) for the period 2010 to 2014. In Table 61 the provision of a sound policy and legislative context for basic municipal services is illustrated, the table specifically speaks to criteria 2.1 to 2.3. The importance of an IDP document is that it is the five year principal strategic instrument for the municipality setting out the priorities in terms of services development and provision (Pillay, 2006). Therefore the IDP document can indicate and even influence the provision of basic municipal services. The case study municipality did not submit IDP documentation for each recorded year and therefore a 'B' criterion rating was awarded to the LM for only partially conforming to expectations. Since the mandate to provide basic municipal services is vested on the LM, and since no basic municipal

services are outsourced to the private sector a criteria rating ‘A’ was awarded to the case study as it conformed to expectations.

**Table 61: Ventersdorp LM general policy and legislative capacity**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	Yes	No	Yes	Yes	Yes	B
2.2	The municipality is mandated to provide basic municipal services over time.	Yes	Yes	Yes	Yes	Yes	A
2.3	Basic municipal services are provided in house (no outsourcing)	Yes	Yes	Yes	Yes	Yes	A

#### 4.7.2.2 WATER POLICY AND LEGISLATION

Table 62 is based on data from the Local Government Handbook (2014) that specifically speaks to criteria 2.4 to 2.6. The case study municipality only partially conformed to expectations by maintaining a WSDP for four of the recorded five years. Therefore a ‘B’ rating (partially conformed to expectations) was awarded to the LM. Water quality monitoring systems are implemented to ensure the management and quality monitoring of potable water provided by municipalities to the community. Ventersdorp LM conformed to expectations by implementing a water quality monitoring system since 2010 and therefore an ‘A’ rating was awarded. With regards to the LM’s participation in the Blue Drop analysis, Ventersdorp LM only participated for two of the recorded years and therefore a ‘B’ rating was awarded for partially conforming to expectations.

**Table 62: Ventersdorp LM water policy and legislation**

(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	

2.4	The municipality has a WSDP in place for each recorded year.	Yes	No	Yes	Yes	Yes	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	Yes	Yes	Yes	Yes	Yes	A
2.6	The municipality participated in the Blue Drop status analysis over time.	Yes	Yes	No	No	No	B

#### 4.7.2.3 WASTE WATER POLICY AND LEGISLATION

The Ventersdorp LM Annual Report of 2013/14 (2015) stated that the study area provides sanitation service to its citizens through one Waste Water Treatment Works. Table 63 is based on data from the Local Government Handbook (2014) that specifically speaks to criterion 2.7. The municipality has never participated in the Green Drop analysis and therefore a 'C' rating was awarded to the LM for being none conformed to expectations.

**Table 63: Ventersdorp LM waste water policy and legislation**  
(Source: *The Local Government Handbook, 2014*)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.7	The municipality participated in the Green Drop status analysis over time.	No	No	No	No	No	C

#### 4.7.2.4 SOLID WASTE POLICY AND LEGISLATION

According to the Ventersdorp LM Annual Report of 2013/14 (2015) the LM operates only one landfill site. Table 64 is based on data from the Annual Reports (Ventersdorp, 2013 & 2015) that specifically speaks to criterion 2.8. For four of the recorded years no data could be found whether the municipal landfill site was licensed or not, however it was established that the landfill site was not licensed for the year 2014. Therefore a 'C' rating was awarded to the case study LM for being none conformed to expectations.

**Table 64: Ventersdorp LM solid waste policy and legislation**

(Source: Ventersdorp, 2013 & 2015)

Criteria	Policy & Legislative capacity	Year					Criteria rating
		2010	2011	2012	2013	2014	
2.8	The municipal landfill site was licensed each recorded year.	No	No	No	No	No	C

### 4.7.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES

Institutional capacity is discussed in relation to: managerial capacity, water service capacity, waste water service capacity and solid waste service capacity.

#### 4.7.3.1 MANAGERIAL CAPACITY

In Table 65 a general increase in full-time section 57 managerial positions for Ventersdorp LM was recorded and therefore an 'A' rating was awarded. However the ability of the LM to occupy vacant section 57 managerial positions over time was awarded a 'C' rating as it failed to occupy all positions.

From Table 65 it is evident that the case study lacks the capacity to maintain and increase full time organogram managerial positions and therefore a 'B' rating was awarded to the LM. Since the number of vacant organogram managerial positions increased over time, the municipality was awarded a 'C' rating in this regard.

**Table 65: Ventersdorp LM managerial institutional capacity**

(Source: StatsSA, 2011)

Criterion	Managerial positions according to section 57 of Local Government Municipal System Act, 2000 (Act No. 32 of 2000)	Year					Criteria rating
		2010	2011	2012	2013	2014	
3.1	Full time management positions	3	3	3	6	6	A
3.2	Vacant management positions	2	3	3	6	6	C
Criterion	Managerial positions according to Organogram	2010	2011	2012	2013	2014	Criteria rating
3.3	Full time management positions	6	5	7	7	6	B

3.4	Vacant management positions	2	0	1	13	14	C
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#### 4.7.3.2 WATER SERVICES INSTITUTIONAL CAPACITY

Table 66 illustrates the water services institutional capacity based on data retrieved from the case study's IDP (Ventersdorp LM, 2015), Table 66 specifically speaks to criteria 3.5 and 3.6. A total workforce of fourteen (14) employees was allocated to the water service department for the periods 2013 and 2014. However the municipality did not seem to be able to fill all the positions with five (5) vacant positions being recorded for both 2013 and 2014 and therefore the case study was awarded 'C' ratings. Unfortunately no long term data was available for the water services institutional capacity of Ventersdorp LM.

**Table 66: Ventersdorp LM water institutional capacity**  
(Source: Ventersdorp LM, 2015:27)

Criteria	Water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.5	Positions allocated	14	14	C
	Number of employees recorded	9	9	
3.6	Vacant positions recorded	5	5	C

#### 4.7.3.3 WASTE WATER SERVICES INSTITUTIONAL CAPACITY

Table 67 illustrates the waste water services institutional capacity based on data retrieved from the case study's IDP (Ventersdorp LM, 2015), Table 67 specifically speaks to criteria 3.7 and 3.8. A total workforce of sixteen (16) employees was allocated to the waste water service department for the period 2013 and 2014. However the municipality failed to fill all the positions with two (2) vacant positions recorded for both 2013 and 2014 and therefore the case study was awarded 'C' ratings. Unfortunately no long term data was available for the waste water services institutional capacity of Ventersdorp LM.

**Table 67: Ventersdorp LM waste water institutional capacity**  
(Source: Ventersdorp LM, 2015)

Criteria	Waste water service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.7	Positions allocated	16	16	C
	Number of employees recorded	14	14	
3.8	Vacant positions recorded	2	2	C

#### 4.7.3.4 SOLID WASTE SERVICES INSTITUTIONAL CAPACITY

Table 68 illustrates the solid waste services institutional capacity based on data retrieved from the municipal IDP (Ventersdorp LM, 2015), Table 68 specifically speaks to criteria 3.9 and 3.10. A total workforce of fourteen (14) employees was allocated to the solid waste service department for the period 2013 and 2014. However the municipality failed to fill all the positions with eight (8) vacant positions being recorded for 2013 and 2014. Therefore the case study was awarded 'C' ratings as it failed to live up to expectations. Unfortunately no long term data was available for the solid waste services institutional capacity of Ventersdorp LM.

**Table 68: Ventersdorp LM solid waste institutional capacity**  
(Source: Ventersdorp LM, 2015)

Criteria	Solid waste service institutional capacity	Number of positions		Criteria rating
		2013	2014	
3.9	Positions allocated	14	14	C
	Number of employees recorded	6	6	
3.10	Vacant positions recorded	8	8	C

#### 4.7.4 SUMMARY OF BASIC MUNICIPAL SERVICE DELIVERY CAPACITY FOR VENTERSDORP LM

Table 69 illustrates the combined capacity review criteria for the performance of Ventersdorp LM. With regards to Criterion 1 (the ability to continually provide basic municipal services to consumers), Ventersdorp LM was awarded mostly 'A' ratings while Criterion 2 (the provision of a sound policy and legislative context for basic municipal service delivery) received ratings over the entire spectrum ranging from 'A'- to

'C'. Criterion 3 (the state of institutional capacity to provide basic municipal services) emerged to be the weakest performing criterion scoring mostly 'C' ratings and failing to meet expectations.

**Table 69: Ventersdorp LM capacity review criteria**

Criteria		Rating
<b>Criterion 1: The ability to continually provide basic municipal services to consumers (refer to section 4.7.1)</b>		
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	B
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	A
1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery (refer to section 4.7.2)</b>		
<u>General policy and legislation:</u>		
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	B
2.2	The municipality is mandated to provide basic municipal services over time.	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A
<u>Water policy and legislation:</u>		
2.4	The municipality has a WSDP in place for each recorded year.	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	A
2.6	The municipality participated in the Blue Drop status analysis over time.	B
<u>Waste water policy and legislation:</u>		
2.7	The municipality participated in the Green Drop status analysis over time.	C
<u>Solid waste policy and legislation:</u>		
2.8	The municipal landfill site was licensed each recorded year.	C
<b>Criterion 3: The state of institutional capacity to provide basic municipal services (refer to section 4.7.3)</b>		

<u>Managerial capacity:</u>		
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	A
3.2	The municipality has filled vacant section 57 managerial positions over time.	C
3.3	The municipality has the capacity to maintain and increase full time organogram managerial positions over time.	B
3.4	The municipality has filled vacant organogram managerial positions over time.	C
<u>Water services capacity:</u>		
3.5	The municipality is fully capacitated with all positions filled over time.	C
3.6	The municipality has filled vacant positions over time.	C
<u>Waste water service capacity:</u>		
3.7	The municipality is fully capacitated with all positions filled over time.	C
3.8	The municipality has filled vacant positions over time.	C
<u>Solid waste service capacity:</u>		
3.9	The municipality is fully capacitated with all positions filled over time.	C
3.10	The municipality has filled vacant positions over time.	C
<b>A</b>	Conformed to expectation	
<b>B</b>	Partially conformed to expectation	
<b>C</b>	Did not conform to expectation	
<b>NA</b>	Not applicable	

#### 4.8 CONCLUSION

This chapter discussed the evaluation results for of each of the six case studies. Each case study was evaluated and discussed against the review criteria discussed in Chapter 3. The findings from the analysis presented in Chapter 4 are further evaluated through the application cross case analysis in Chapter 5.

## CHAPTER 5: CROSS-CASE ANALYSIS AND CONCLUSION

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### 5.1 INTRODUCTION

This chapter deals with the fourth and final step of the research process as explained in Chapter 3 (Figure 1) and entails a cross case analysis of the six individual cases. The insights gained from this analysis inform the overall research aim which is to:

*Determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.*

The cross case analysis results are first presented followed by a discussion and some proposals for future research.

### 5.2 CROSS-CASE ANALYSIS AND RESULTS

Table 70 shows the capacity review results for all the case studies.

**Table 70: Cross-case capacity review results**

Criteria		Capacity rating per municipality					
		TLOKWE LM	RUSTENBURG LM	NALEDI LM	LEKWA-TEEMANE LM	RATLOU LM	VENTERSDORP LM
<b>Criterion 1: The ability to continually provide basic municipal services to consumers</b>							
1.1	The municipality has the capacity to provide and increase the provision of water services over time.	A	A	A	A	B	A
1.2	The municipality has the capacity to provide and increase the provision of waste water services over time.	A	B	A	A	B	B
1.3	The municipality has the capacity to provide and increase the provision of solid waste services over time.	A	B	B	A	B	A

1.4	The municipality has infrastructure capacity to provide basic municipal services over time.	A	A	A	A	C	A
<b>Criterion 2: The provision of a sound policy and legislative context for basic municipal service delivery</b>							
<u>General policy and legislation:</u>							
2.1	The municipality has the capacity to submit IDP documents for each recorded year.	A	C	A	A	B	B
2.2	The municipality is mandated to provide basic municipal services over time.	A	A	A	A	C	A
2.3	Basic municipal services are provided in-house (no outsourcing)	A	A	A	A	A	A
<u>Water policy and legislation:</u>							
2.4	The municipality has a WSDP in place for each recorded year.	B	B	A	B	C	B
2.5	The municipality has a water quality monitoring system in place for each recorded year.	A	A	B	A	C	A
2.6	The municipality participated in the Blue Drop status analysis over time.	B	A	B	C	C	B
<u>Waste water policy and legislation:</u>							
2.7	The municipality participated in the Green Drop status analysis over time.	B	B	C	C	C	C
<u>Solid waste policy and legislation:</u>							
2.8	The municipal landfill site was licensed each recorded year.	B	C	C	B	C	C
<b>Criterion 3: The state of institutional capacity to provide basic municipal services</b>							
<u>Managerial capacity:</u>							
3.1	The municipality has the capacity to maintain and increase full time section 57 managerial positions over time.	A	A	C	B	B	A
3.2	The municipality has occupied vacant section 57 managerial positions over time.	B	B	B	B	C	C
3.3	The municipality has the capacity to maintain and increase full time	C	A	A	A	A	B

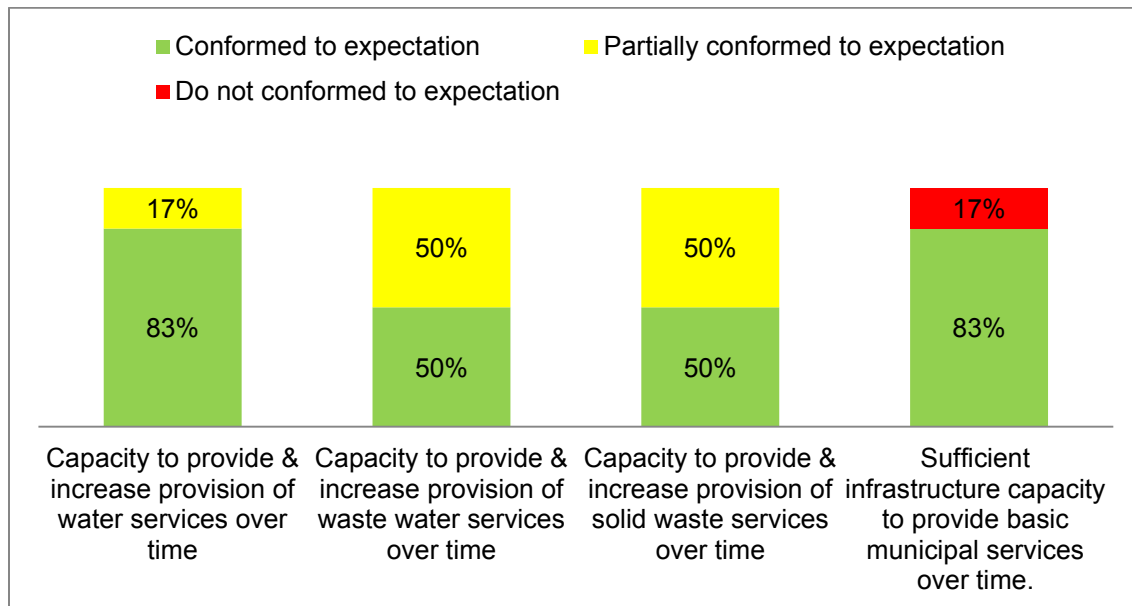
	organogram managerial positions over time.						
3.4	The municipality has filled vacant organogram managerial positions over time.	A	C	C	C	C	C
<u>Water services capacity:</u>							
3.5	The municipality is fully capacitated with all positions filled over time.	C	C	C	C	NA	C
3.6	The municipality has occupied vacant positions over time.	C	C	C	C	NA	C
<u>Waste water service capacity:</u>							
3.7	The municipality is fully capacitated with all positions filled over time.	C	C	C	C	NA	C
3.8	The municipality has filled vacant positions over time.	C	C	C	C	NA	C
<u>Solid waste service capacity:</u>							
3.9	The municipality is fully capacitated with all positions filled over time.	B	C	B	C	C	C
3.10	The municipality has filled vacant positions over time.	B	C	B	C	C	C
<b>A</b>	Conformed to expectation						
<b>B</b>	Partially conformed to expectation						
<b>C</b>	Did not conformed to expectation						
<b>NA</b>	Not applicable						

A number of patterns were identified from the table which is discussed in the following sections.

### 5.2.1 THE ABILITY TO CONTINUALLY PROVIDE BASIC MUNICIPAL SERVICES TO CONSUMERS

Figure 2 provides an illustration of the cross-case results for Criterion 1: the ability of the case studies to continually provide basic municipal services to consumers. The majority (83%) of cases conformed to expectations and successfully increased the provision of water services over time, however only half of the case studies (50%) succeeded in

increasing waste water services and solid waste services over time. With regards to sufficient infrastructure capacity, the majority (83%) of cases had sufficient infrastructure capacity to provide basic municipal services.



**Figure 2: Cross-case analysis - provision of basic municipal services**

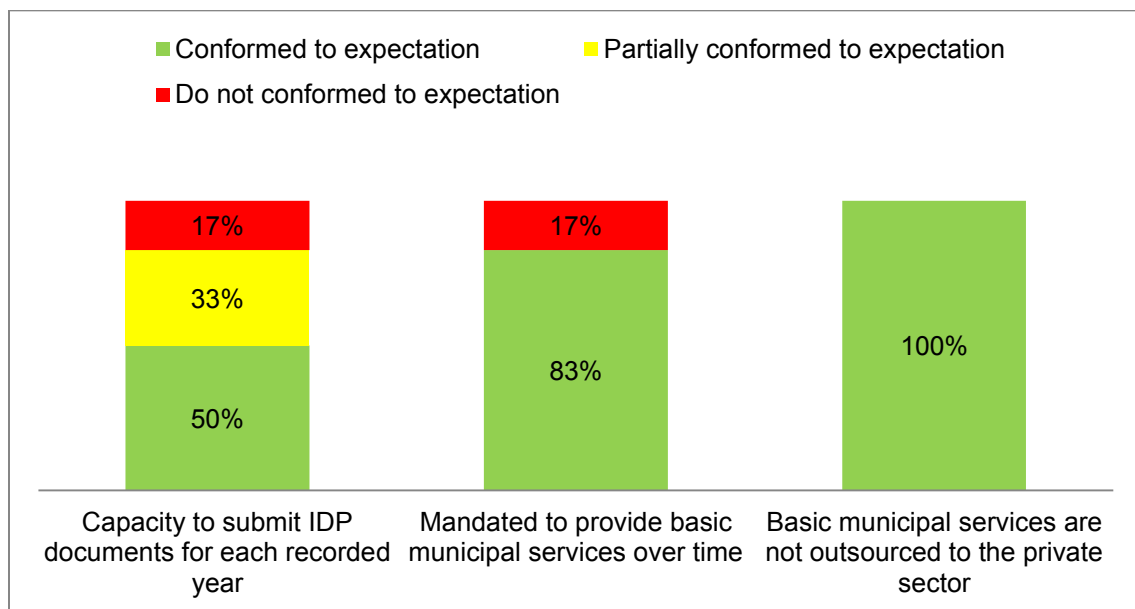
## 5.2.2 THE PROVISION OF A SOUND POLICY AND LEGISLATIVE CONTEXT FOR BASIC MUNICIPAL SERVICE DELIVERY

This section discusses the extent to which the local municipalities had sound policy and legal frameworks for basic municipal services (Criterion 2) in terms of:

- General policy and legislation,
- Water policy and legislation,
- Waste water policy and legislation, and
- Solid waste policy and legislation.

### 5.2.2.1 GENERAL POLICY AND LEGISLATION

Figure 3 illustrates the cross-case results for criteria 2.1 to 2.3 (general policy and legislation). It is important for the case study municipalities to have the described policy and legislation in place in order to ensure, amongst other things, the proper infrastructure capacity, institutional capacity and budget allocation necessary to guarantee the delivery of the discussed basic services. It was established that only half of the case municipalities (50%) submitted IDP documentation over the past five years whereas the mandate to provide basic service only vested on 83% of case studies (in one case this was delegated to a district municipality). Basic services were not outsourced to the private sector by any of the municipalities.

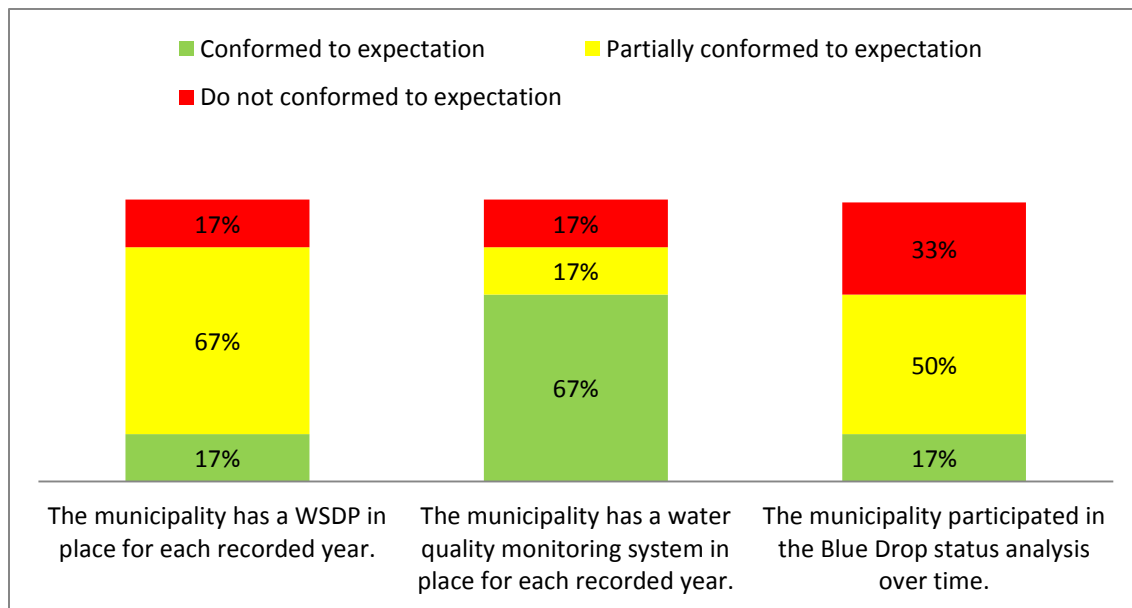


**Figure 3: Cross-case analysis – general policy & legislative capacity**

### 5.2.2.2 WATER POLICY AND LEGISLATION

Figure 4 illustrates for the cross case results for criterion 2.4 to 2.6 (water services policy and legislation). With regard to Water Services Development Plans, the majority (67%) of case studies only partially conformed to expectations, while in terms of the

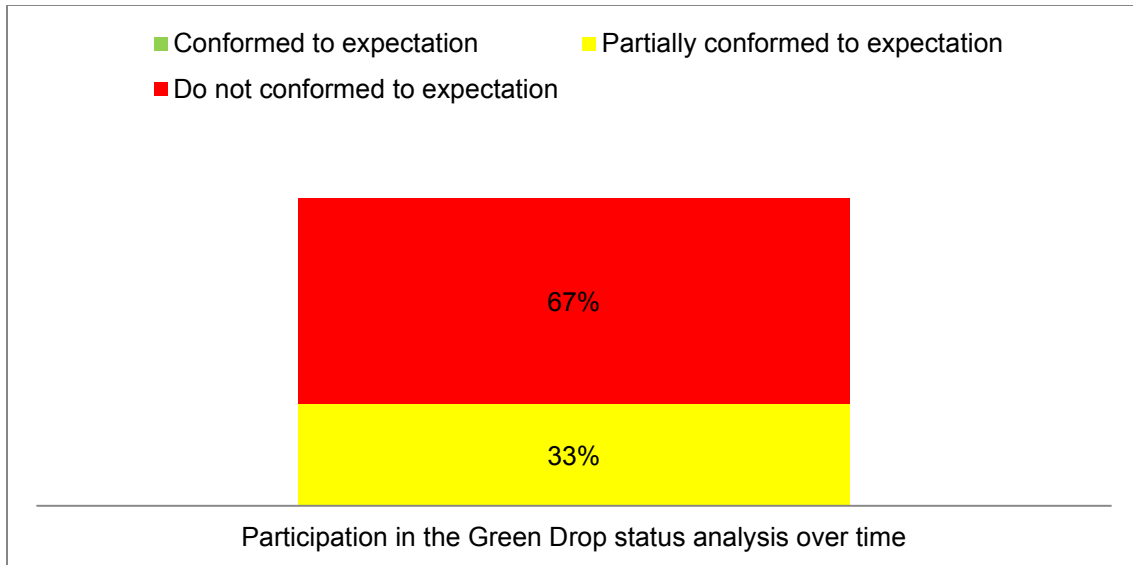
implementation of a water quality monitoring systems the cases performed better with 67% conforming to expectations. In terms of participation in Blue Drop analysis, results showed that only 17% of the case study municipalities conformed to expectations. This is however to be expected as participation in this process is not a legal requirement.



**Figure 4: Cross-case analysis – water policy & legislation**

### 5.2.2.3 WASTE WATER POLICY AND LEGISLATION

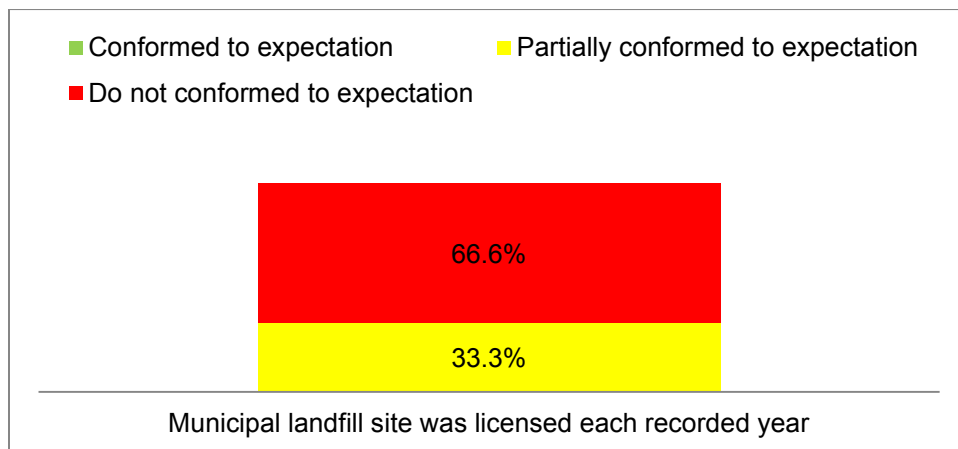
Figure 5 illustrates the cross case results for criterion 2.7 (waste water services policy and legislation). Although participation in the Green Drop analysis is also not a legal requirement for municipalities, it is concerning that 67% of the case study municipalities did not conform to expectations while the remainder (33%) only partially conformed. This is a concerning matter since no other mechanism exist to measure the quality of municipal waste water services. Waste water that is not treated and disposed of correctly further poses a great threat to the environment.



**Figure 5: Cross-case analysis – waste water policy & legislation**

#### 5.2.2.4 SOLID WASTE POLICY AND LEGISLATION

Figure 6 illustrates the cross case results for Criterion 2.8 (solid waste services policy and legislation). A distinct weakness is detected in the licensing of landfill sites with four of the six cases not conforming to expectations and failing to licence their landfill sites while the remainder (33%) only partially conformed to expectations. The latter might present a major pollution risk and threat to the environment and require urgent attention.



**Figure 6: Cross-case analysis – solid waste policy & legislation**

### **5.2.3 THE STATE OF INSTITUTIONAL CAPACITY TO PROVIDE BASIC MUNICIPAL SERVICES**

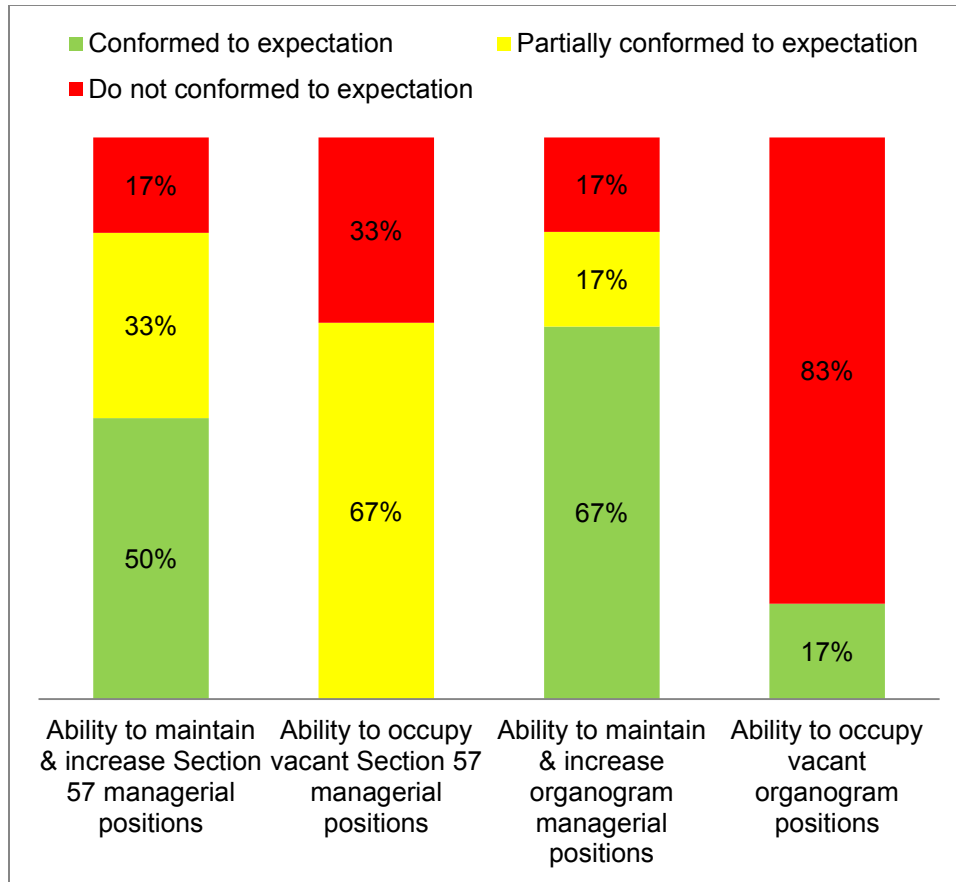
Institutional capacity (Criterion 3) was the worst performing evaluation area across all cases. It emerged that there was an immense number of vacant positions in the basic services departments across all cases. The overall findings in terms of institutional capacity are discussed in following sections:

- *Managerial capacity,*
- *Water services capacity,*
- *Waste water services capacity, and*
- *Solid waste capacity.*

#### **5.2.3.1 MANAGERIAL CAPACITY**

Figure 7 illustrates the cross case results for criterion 3.1 to 3.4 (managerial capacity). As illustrated, half of the cases conformed to expectations and succeeded in maintaining and increasing their section 57 managerial positions over time. With regards to the occupation of vacant section 57 managerial positions, two thirds of the case studies only partially conformed to expectations failing to consistently fill all vacant positions.

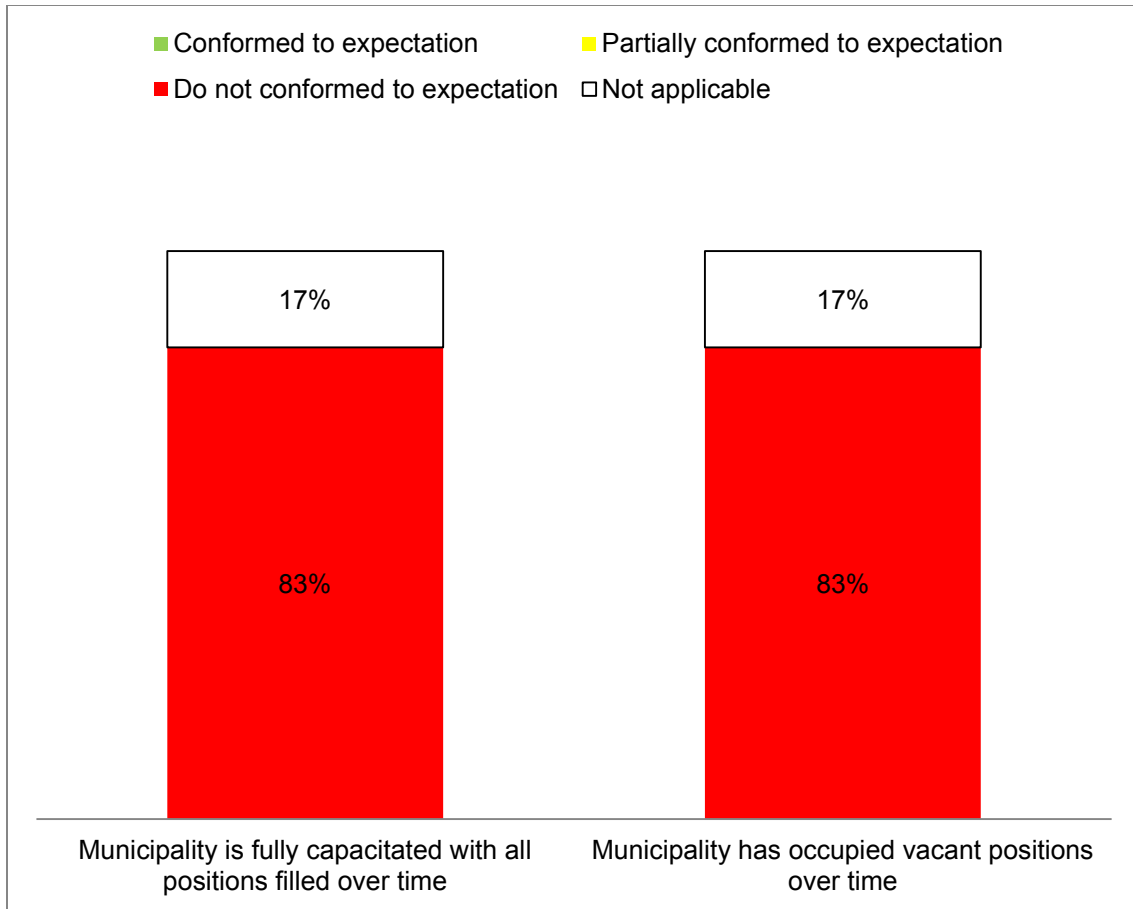
The maintenance and increase of organogram listed managerial positions performed well with four of the six municipalities conforming to expectations. However, a concerning 83% of case study municipalities failed to occupy vacant organogram managerial positions.



**Figure 7: Combined case study managerial capacity**

### 5.2.3.2 WATER SERVICES CAPACITY

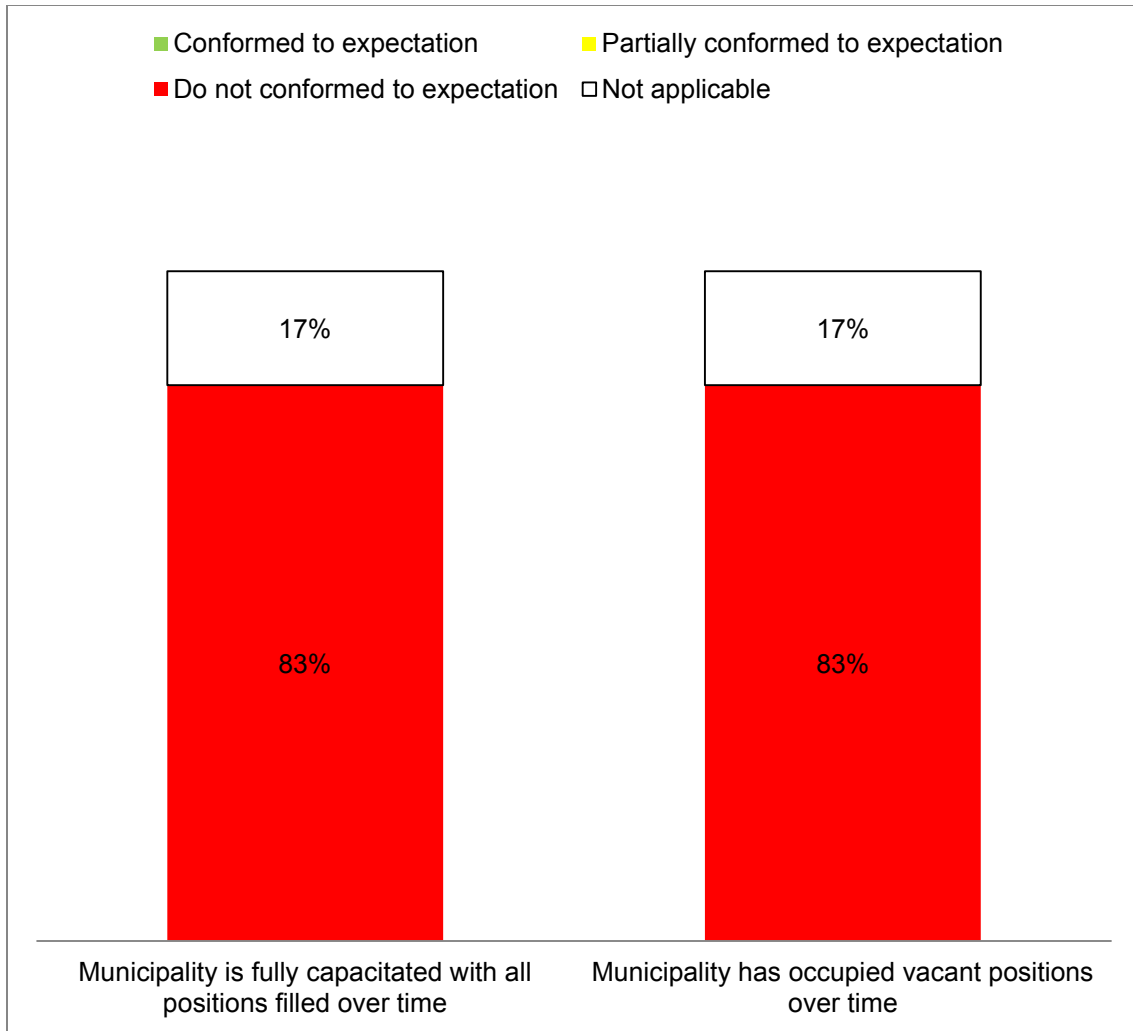
Figure 8 illustrates of the cross case results for criterion 3.5 to 3.6 (water services capacity). A shortfall is observed with regards to the institutional capacity of the water services departments for all the case study municipalities. Not one case study municipality succeeded in filling all available positions. The majority (83%) of the case study municipalities did not conform to expectations, indicating that a great number of positions in departments were left vacant. One case study received a 'Not Applicable' rating due to the water services mandate being delegated to the district municipality.



**Figure 8: Combined case study water services institutional capacity**

### 5.2.3.3 WASTE WATER SERVICES CAPACITY

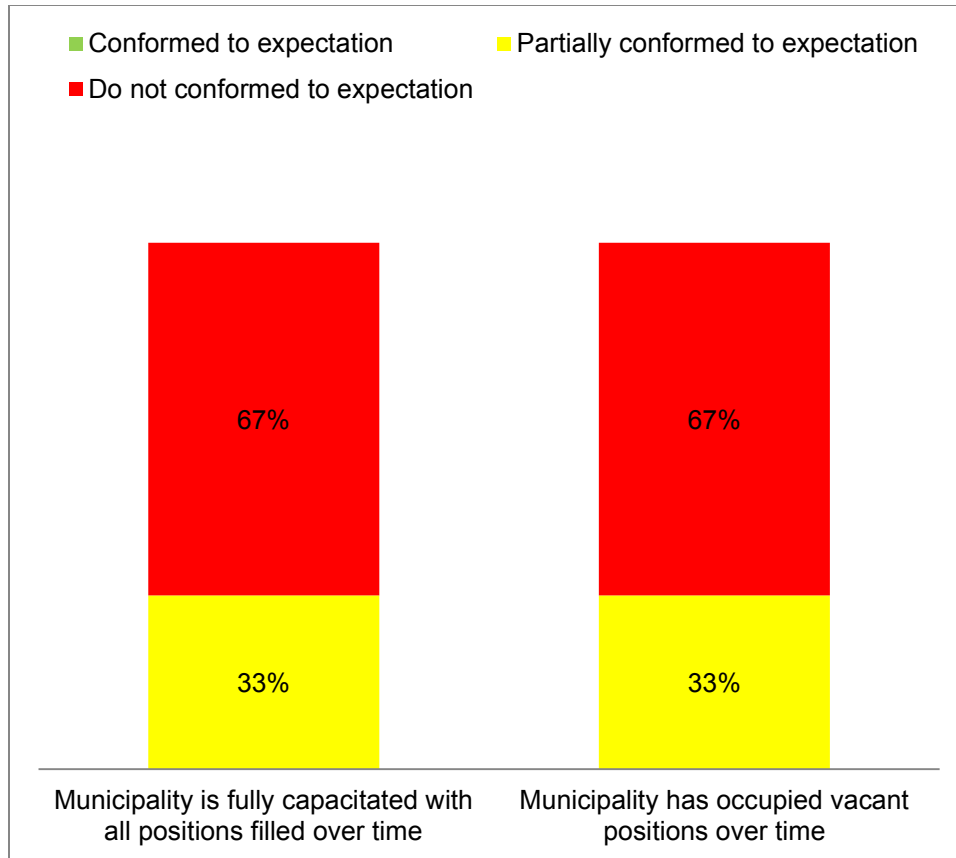
Figure 9 shows the cross case results for criterion 3.7 to 3.8 (waste water services capacity). As illustrated in Figure 9 the limited institutional capacity in terms of waste water services across municipalities is evident. One municipality had no institutional capacity as the mandate for waste water services was delegated to the district municipality. The remainder of cases however failed to establish the necessary capacity needed for successful service delivery. With regard to the occupation of vacant positions over time, 83% of the case study municipalities failed to occupy existing vacant positions.



**Figure 9: Combined case study waste water institutional capacity**

#### 5.2.3.4 SOLID WASTE SERVICE CAPACITY

Figure 10 illustrates the cross case results for criteria 3.9 to 3.10 (waste water services capacity). The observed patterns for the solid waste institutional capacity are no different from the institutional capacity for water- and waste water services. A concerning 67% of the case studies did not conformed to expectations by not occupying all positions in the solid waste departments. The majority (67%) of the case study municipalities further did not conform to expectations as they failed to occupy vacant positions over time.



**Figure 10: Combined case study solid waste institutional capacity**

### 5.3 CONCLUSION AND RECOMMENDATIONS

This research aimed to:

*Determine the extent to which municipalities have the necessary capacity to fulfil their basic municipal services mandate, with specific reference to water, waste water and solid waste services.*

To deal with this aim is a complicated task because no methodological blueprint existed for such a capacity evaluation. Moreover, it is evident that due to the contextual uniqueness inherent to municipalities and the context specific nature of such an evaluation, a case study approach would be best suited (as also already explained in Chapter 3). Therefore an in depth review of the legal mandate of municipalities as well

as the existing state of municipal capacity was conducted (as described in Chapter 2) to provide the basis for capacity review criteria. Based on a justified sample of cases from the North West Province the following broad conclusions can be summarized to address the research aim in broad terms:

- Based on the available data municipal service delivery seems to have expanded in terms of improving access, with water services performing slightly better than waste water and solid waste services. How service delivery is expanding within a context of limited policy and planning as well as institutional capacity, can be explained by the drive for infrastructure provision from a national and provincial level. Therefore the infrastructure expands but then challenges emerge with continual management and maintenance of the infrastructure, which raises the next two main points.
- In terms of the policy and legal context the case studies generally performed well in terms of having the broader policies and plans such as IDPs in place. However, the more specific policies and plans related to water and more specifically waste water and waste seems seriously lacking. Clearly there is a need to improve capacity in this regard.
- The most significant finding of the research is the clear lack of institutional capacity when it comes to water, waste water and solid waste. This is in line with the general state of capacity described in Chapter 2. The combination of lack of policy and planning probably links onto this result, since the policy and planning could be expected to flow from addressing the institutional capacity.

The next logical step for future research would be to explore the 'why' question. This research only dealt with the 'what' question i.e. 'what' is the capacity but not 'why' this is the case. There may be a myriad of reasons for the state of municipal capacity such as, ideological, political, financial, historical, etc. reasons. This research would struggle to, based on the data, make valid recommendations for dealing with the state of municipal capacity. Not dealing with the 'why' question in this research means that any such attempts to explain the state of capacity might be viewed as speculative. Therefore the

following recommendations are made for future research with a view to provide answers to the 'why' question:

- Expanded case study research to include a broader sample of municipalities. It is clear that through this research it cannot yet be argued that a saturation point has been reached in terms of results, and therefore the coverage of more cases would strengthen the results. The development of the capacity review criteria would however provide an ideal methodological framework to use and thereby also allow for comparison of results.
- Finding explanations for the capacity review results would require softer methods such as questionnaires and interviews. It is therefore proposed that further research should engage directly with relevant role players such as councilors and officials to unpack the reasons for the capacity challenges. Such research would be time consuming and probably require an even smaller sample of case studies.

In conclusion, it is evident that the future well-being and quality of life of South African citizens will in large part depend on the ability of local municipalities to provide a certain level of service, especially in terms of basic services. The provision of services speaks directly to individual's dignity and ability to escape poverty and depravation. This research – in exploring the state of municipal capacity to provide services – has made a humble contribution towards a better understanding of the challenges municipalities face in providing services. Ultimately, our future is intrinsically connected to the performance of local government.

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