

CHAPTER 1

RESEARCH PROBLEM AND RESEARCH DESIGN

1.1. INTRODUCTION

Local authorities became essential institutions long before the Union of South Africa was established on 31 May 1910. After that date a variety of local government systems, which acted on their own under provisions of Acts passed by Parliament, were established in the four provinces. It was at local government level that the apartheid value system manifested itself most forcefully. This was where laws separated racial communities in every sphere of life and where whites enjoyed privileges at the expense of other racial communities. It is hence not surprising that the first signs of apartheid being untenable as a political value system manifested at local government level. During the early eighties, social and economic pressure resulted in the breakdown of spatial ordering of different racial groups. It then became clear that the apartheid objectives of racially pure families and communities were not viable.

The implementation of the Regional Services Councils Act, 1985 (No. 109 of 1985), changed local government in South Africa. The Regional Services Council Act (Act 109 of 1985) provided for Black local authorities to participate in Regional Services Councils by means of the establishment of a regional services council for each region established by the provincial administrator after consultation with the Minister of Constitutional Development and Planning and the Minister of Finance and with the concurrence of the relevant members of the Ministers' Councils of the three Houses of Parliament. A regional services council had no authority over the municipal councils situated in the region for which it had been established; in other words, a regional services council was a local authority established for the purpose of providing specified municipal services on a regional scale.

After 1985 anti-apartheid political resistance at local community level in South Africa led to such an escalation of conflict that government was obliged to declare a state of emergency to restore law and order. The intensity of the conflict at local government level and the virtual deadlock that resulted contributed substantially to the demise of apartheid. Towards the end of 1992, the two major conflicting parties at local government level, namely the National Party and the African National Congress decided to settle their differences in a more peaceful manner.

On 22 March 1993 the Local Government Negotiating Forum was established as a bilateral forum between a statutory delegation consisting of representatives of central, provincial and organized local government on the one hand and the South African National Civics Organization (SANCO) (the non-statutory delegation) on the other hand. The terms of reference of the Local Government Negotiating Forum were to compile and analyze the necessary data and, in close co-operation with and within the framework of the national negotiating process, to seek agreement between the two delegations on the procedure for and substance of the restructuring of local government. The Local Government Negotiating Forum eventually came up with a model for local government restructuring, namely the Local Government Transition Act, 1993 (Act 209 of 1993).

In terms of the political agreements incorporated in the Local Government Transition Act, 1993 (Act 209 of 1993), local government restructuring would occur in three well-defined phases. The first or the pre-interim phase was the period from the commencement of the Act (2 February 1994) to the commencement of the interim phase, which commenced on the first day after the elections which were held on 1 November 1995 or afterwards (KwaZulu-Natal on 26 June 1996 and in the Western Cape on 2 May 1996) for transitional councils and was to end with the implementation of the final model of local government.

The third phase is the final phase, which is to be governed by the provisions of the final Constitution. The Constitution of the Republic of South Africa, 1996

(Act 108 of 1996), and the Local Government Transition Act, 1993 (Act 209 of 1993) formally activated the restructuring of local government in South Africa.

The sections governing the establishment of local authorities throughout South Africa is to be found in Section 155 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), which provides for three categories of local government:

- a) Category A: A local authority that has exclusive municipal executive and legislative authority in its area.
- b) Category B: A local authority that shares municipal executive and legislative authority in its area with a Category C local authority within whose area it falls.
- c) Category C: A local authority that has municipal executive and legislative authority in an area that includes more than one local authority.

Subsection 155(3) provides that national legislation shall establish the criteria for determining when an area should have a single Category A local authority or when an area should have local authorities of both Category B and C. National legislation will, furthermore, also establish criteria and procedures for determining local authority boundaries by an independent authority. The national legislation that resulted in terms of this subsection is the Local Government Municipal Demarcation Act, 1998 (Act 27 of 1998) and the Local Government Municipal Structures Act, 1998 (Act 117 of 1998). The restructuring of local government as envisaged in the Local Government Municipal Structures Act, 1998 (Act 117 of 1998) will have a definite impact on the current governance of local government.

In terms of Section 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), on the categories of local authorities, it is stated that an area must have a single Category A local authority if the area can reasonably be regarded as:

- a) a conurbation featuring:
 - (i) areas of high population density;
 - (ii) an intense movement of people, goods and services;
 - (iii) extensive development;
 - (iv) multiple business districts and industrial areas;
- b) a centre of economic activity with a complex and diverse economy;
- c) a single area for which integrated development planning is desirable; and
- d) strong interdependent social and economic linkages between its constituent units.

Section 3 requires areas that do not comply with Section 2 to have local authorities of both Category B and C as described in the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).

The importance hereof is that once an area complies with the criteria stated in Section 2 it must have a Category A local authority. Category A local authorities are what is commonly referred to as single cities and have exclusive legislative and executive powers (Section 155 of the Constitution, Act 108 of 1996).

However, the focus of this thesis is to determine the category of local government for the City of Tshwane in the final restructuring phase of local government that will ensure democratic and efficient service delivery to the community that the municipality serves. This is to be done by evaluating the *status quo* against the legislative requirements as well as internationally accepted restructuring principles. The research will include documentation and applicable legislation up to December 2000.

1.2. PROBLEM STATEMENT AND HYPOTHESIS

The restructuring of local government within South Africa led to the establishment of a combined Category B and C model of local government for the Greater Pretoria Metropolitan Area (referred to as the City of Tshwane in

the final restructuring phase which commenced on 5 December 2000) in the interim phase. On 22 August 1994, parties in the Greater Pretoria Metropolitan Negotiating Forum approved and signed an agreement on the new non-racial local government structure for the Greater Pretoria Metropolitan Area. The Greater Pretoria Transitional Metropolitan Council, with its three substructures was proclaimed on 8 December 1995 and inaugurated on 12 December 1995. The Greater Pretoria Metropolitan Area has, in the interim phase of local government restructuring, been proclaimed a metropolitan area comprising the Greater Pretoria Metropolitan Council (GPMC) and three metropolitan local authorities, namely:

- a) The City Council of Pretoria (CCP);
- b) The Northern Pretoria Metropolitan Substructure (NPMSS); and
- c) The Town Council of Centurion (TCC).

On 11 April 1996, the Greater Pretoria Metropolitan Council (GPMC) accepted a report regarding the division of powers and functions and the determination of cut-off points for the operational execution of metropolitan functions between the metropolitan council and the three metropolitan local authorities. In this regard, agreement was reached on, among others, a management model that, in respect of specific functions, brings about a partnership between the Greater Pretoria Metropolitan Council (GPMC) and the three metropolitan local authorities, in terms of which the metropolitan local authorities are contractually responsible to the Greater Pretoria Metropolitan Council (GPMC) for the efficient operational execution of specific metropolitan functions (Greater Pretoria Metropolitan Council, 11 April 1996).

On 30 June 1998 the Greater Pretoria Metropolitan Council (GPMC) resolved that the service contracts between the Greater Pretoria Metropolitan Council (GPMC) and the three metropolitan local authorities with regard to specific metropolitan services be terminated with effect from 30 June 1998. This step contributed to the fact that, with effect from 1 July 1998, the Greater Pretoria Metropolitan Council (GPMC), accepted full responsibility for the execution of

these services and had to stand surety for the total budgeted operational deficit of approximately R136 million.

From the various Council resolutions it is clear, that problem areas necessitate counter actions. There are differences between the policies of the Greater Pretoria Metropolitan Council (GPMC) and the three respective local authorities. These have led to different service standards with regard to supply, operation, maintenance, standardization and approach to service delivery. Limited resources, such as a lack of funding, expertise and historical inequities have impeded efficient service delivery.

The **problem** is that Section 155 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), only provides for the mentioned three categories of local government in the final restructuring phase of local government. Furthermore, Section 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), on the categories of local authorities states that, if an area does not meet the legislative requirements to be regarded as a Category A (single city) local authority, it is to have local authorities of both Category B and C as described in the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996). The combined Category B and C local authority for the Greater Pretoria Metropolitan Area in the interim phase experienced certain indicated restraints and these need to be researched as do the implications of the only available legislative alternative, namely a Category A local authority for the final restructuring phase. In order to make a sound recommendation the outcome of the research will have to be taken into consideration in the determination of a local government category for the City of Tshwane in the final restructuring phase.

*The **hypothesis** of this study is, therefore, that effective restructuring of local government according to the prescribed categorization of local government for the final restructuring phase, with specific reference to the City of Tshwane, requires the evaluation of the status quo against the legislative requirements and internationally accepted restructuring principles and experience to ensure the implementation of a category of local government that will ensure*

democratic and efficient service delivery to the community of the City of Tshwane Metropolitan Municipality.

1.3. RESEARCH AIMS AND OBJECTIVES

As a departure point, theory and practice regarding local government will be considered as a logical composite. The research objectives are as follows:

- a) The first objective is to analyze the emergence of local government in South Africa, as it contributed to the manifestation of the apartheid value system and the separation of racial communities.
- b) The second objective is to clarify the need for local government restructuring to address imbalances and inequities of past legislation.
- c) The third objective is to identify the administrative and legislative processes that culminated in the formulation of a legislative local government restructuring model.
- d) The fourth objective is to assess the impact of the local government restructuring model on local authorities, with specific reference to the City of Tshwane.
- e) The fifth objective is to identify and evaluate international restructuring principles and experience against South African local government restructuring, with specific reference to the City of Tshwane and to draw conclusions from this.

In achieving these five research objectives it is the aim of this thesis to recommend a local government category for the City of Tshwane, that will ensure that the intended purpose of local government restructuring is met in an efficient and democratic manner.

1.4. RESEARCH APPROACH AND METHODOLOGY

The methods of research applied during this study may be described as follows:


Firstly, a study will be undertaken of the relevant literature including books, journals and periodicals, legislation, official publications and correspondence, discussion documents, government reports, official papers presented at workshops, seminars and conferences, speeches and debates, newsletters and pamphlets, newspapers, surveys and statistics, theses and dissertations, as well as material from the internet. Secondly, an empirical study will be undertaken. Interviews will be conducted with relevant role players involved in local government restructuring and management.

1.5. CLARIFICATION OF TERMINOLOGY

In order to master a particular field of study it is important to master the meanings, applications, definitions and interrelationship of concepts. Phenomena and issues pertaining to local government are continuously debated and this has resulted in words gaining a specific technical meaning. To eliminate the possibility of more than one meaning being attached to a specific word, a common source of reference that attributes an exact explanation to technical language is provided.

1.5.1. APARTHEID

The foundation for the policy of separation or apartheid was not rooted in the assumption of the common humanity, the common rights and therefore the common loyalties of all members of a complex society. It was based on the contention that differences of race and cultural inheritance are fundamental and antipathetic in association (Ballinger, 1969: 15-16). This manifested in the Blacks Urban Areas Act, 1923 (Act 21 of 1923); the Blacks Urban Areas



Consolidation Act, 1945 (Act 25 of 1945); the Urban Black Councils Act, 1961 (Act 79 of 1961); the Black Affairs Administration Act, 1971 (Act 45 of 1971); the Community Councils Act, 1977 (Act 125 of 1977) and the Black Local Authorities Act, 1982 (Act 102 of 1982). Blacks were not regarded as permanent citizens of South Africa and their presence in the urban areas was linked to their contribution to the urban economy. Apartheid legislation led to racial segregation of settlements; racially-divided local authorities and gross racial disparities in access to services and housing. Apartheid local government was based on the idea that towns and cities could be separated and administered by separate local authorities with their own fiscal, administrative, legal and representative systems (Cameron, 1991: 12-13; Johnson, 1994: 1-2).

1.5.2. CITY OF TSHWANE METROPOLITAN MUNICIPALITY

In terms of General Notice No. 6396 dated 13 September 2000, a new metropolitan municipality called the City of Tshwane Metropolitan Municipality was to be established from the effective date to replace the interim structures of the Greater Pretoria Metropolitan Area. The effective date was the day on which the results of the first election of the metropolitan municipality were to be declared, 5 December 2000. The following municipalities were to be disestablished from the effective date to the extent that those municipalities would fall within the newly demarcated area: The

- a) Greater Pretoria Metropolitan Council;
- b) City Council of Pretoria;
- c) Town Council of Centurion;
- d) Northern Pretoria Metropolitan Substructure;
- e) Hammanskraal Local Area Committee;
- f) Eastern Gauteng Services Council;
- g) Pienaarsrivier Transitional Representative Council;
- h) Crocodile River Transitional Council;
- i) Western Gauteng Services Council;



- j) Winterveld Transitional Representative Council;
- k) Themba Transitional Representative Council;
- l) Mabopane Transitional Representative Council;
- m) Ga-Rankuwa Transitional Representative Council; and
- n) Eastern District Council.

1.5.3. DEMOCRACY

The word “*democracy*” literally means “*the government of the people*”. It is derived from the Greek word *demos* (the people or masses) and *kratos* (to govern). The concept evolved first in the small Greek city-states, and was refined in the Athenian democracy (roughly between 450 B.C. and 350 B.C.). Pericles, the great Athenian statesman stated: “Our constitution is named a democracy, because it is in the hands not of the few but of the many. But our laws secure equal justice for all their private disputes and our public opinion welcomes and honors talent in every branch of achievement ... on grounds of excellence alone ... Our citizens attend both to public and private duties and do not allow absorption in their various affairs to interfere with their knowledge of the city’s ... We decide or debate, carefully and in person all matters of policy, holding ...that acts are foredoomed to failure when undertaken undiscussed.” (Thucydides, 1951: 111-112). From this definition stems a common conception that democracy ensures self-determination and self-government through popular consultation, popular participation, competition of ideas and policies, basic individual freedoms, equality before the law and access to opportunity to influence policy (Reddy, 1996: 14; Venter, 1998: 16-17; 205-206). Democracy is a political system wherein decision-making power, is distributed among members of a society (Lipson, 1970: 300-301; Macridis, 1980: 62-63). Democracy in local government stresses the potential ability of people to co-operatively identify and solve issues and problems they encounter collectively. Common problems cannot be resolved effectively without the participation of those affected by the solution (Ready, 1967: 100-102; Levine, 1982: 53; Van Der Waldt and Helmbold, 1995: 5-6). The objective of local government democracy is to create conditions under which

each individual may achieve the greatest measure of welfare and prosperity. In order to achieve local government democracy, the machinery of local government should be organized in such a manner as to allow mutual deliberation and consultation. Local democracy is that form of government seeking to unite its citizenry as a community and that constantly pursues the happiness of the largest number of its people.

1.5.4. GOVERN

The word *government* is derived from the Greek word *kubernetes*, which, if translated, refers to the person guiding a sailing ship. According to Botes (1997: 3-4) the word *kubern* refers “to the art or craft of balancing a sailing ship with its large sails against the pressure of wind in order to achieve maximum speed in the water while balancing the sailing ship”. Political theorists such as John Locke (1965: 180) have viewed governments as devices to protect the rights and property of the people. He suggests that government represents an agreement between the rulers and the ruled, who will support those in power as long as the government serves in their interests. According to Wit (1953: 3-4) government exists whenever an organized control, directed towards the attainment of an orderly community life operates on a community-wide or territorial basis and involves the right to make itself effective through resort, if necessary, to physical coercion. In the municipal context the council should consult with all relevant policy-makers, *inter alia* officials, residents and interest groups in the process of formulating policy. This will not only render comprehensive policy-relevant information, but will probably ensure the legitimacy of a council’s decisions.

1.5.5. GOVERNANCE

Governance is used to redefine relationships between the government and society. The World Bank (1994: 1) defines “*governance*” as the practical exercise of power and authority by governments in the management of their

affairs in general and of economic development in particular. It could therefore be deduced that it encompasses the set of relationships between governments and citizens, institutions such as enterprises, special interest groups, and the media.

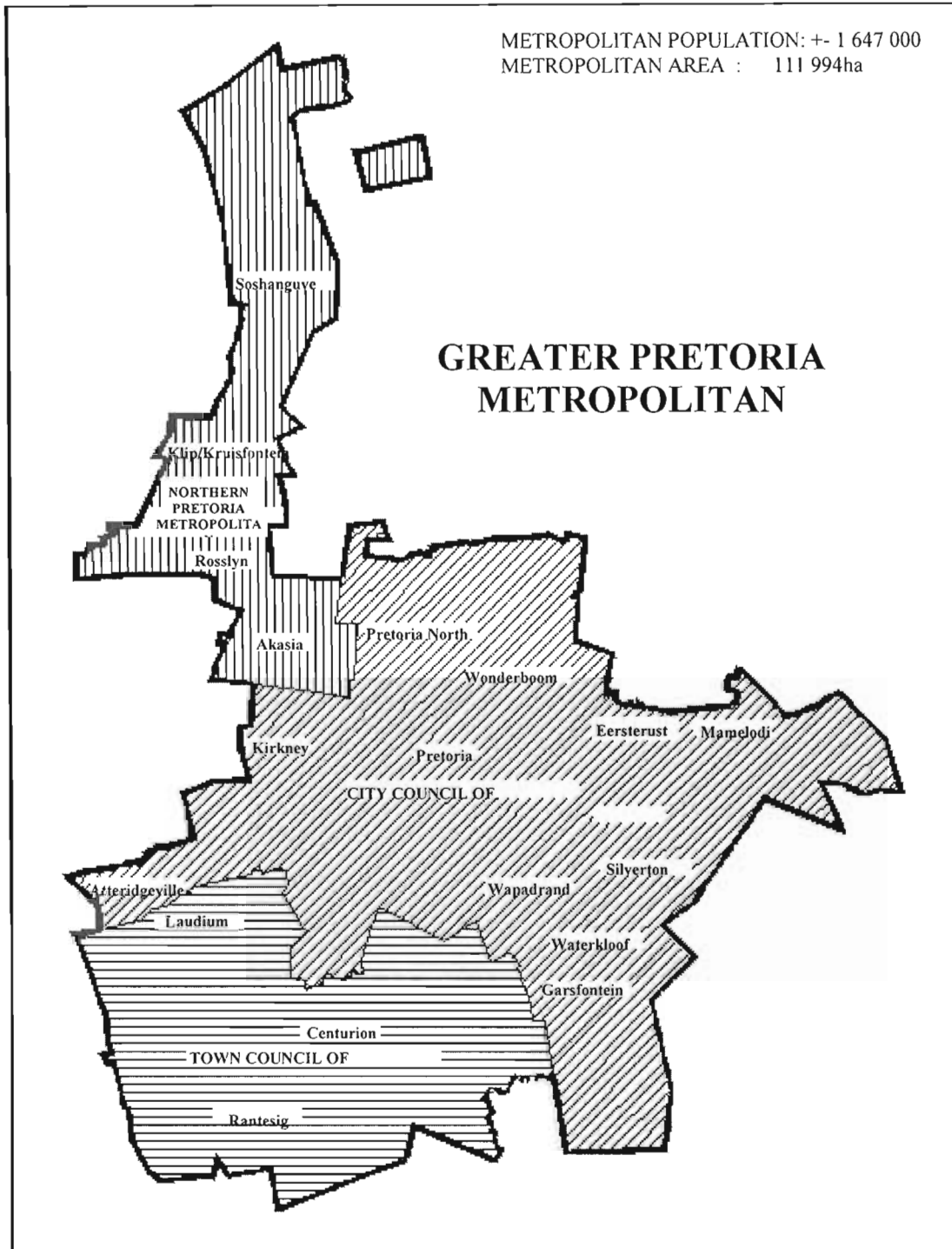
1.5.6. GREATER PRETORIA METROPOLITAN AREA (GPMA)

On 22 August 1994, parties in the Greater Pretoria Metropolitan Negotiating Forum approved and signed an agreement on the new non-racial local government structure for the Greater Pretoria Metropolitan Area. The Greater Pretoria Transitional Metropolitan Council with its three substructures was proclaimed on 8 December 1995 and inaugurated on 12 December 1995. The Greater Pretoria Metropolitan Area has in the interim restructuring phase of local government been proclaimed a metropolitan area comprised of the Greater Pretoria Metropolitan Council and three metropolitan local authorities, namely:

- a) The City Council of Pretoria;
- b) The Northern Metropolitan Substructure; and
- c) The Town Council of Centurion.

The boundaries of the Greater Pretoria Metropolitan Area are depicted in the Map 1.1. provided below:

MAP 1.1: DEPICTING THE GREATER PRETORIA METROPOLITAN AREA – BOUNDARY CONTEXT (a)



(a) Source: Greater Pretoria Metropolitan Council Land Development Objectives, 1997: 2.



1.5.7. LOCAL AUTHORITY

Speed (1971: 1) defines local authorities as statutory bodies which are the constituent parts of local government and which derive their power from a higher source and are bound by the terms and conditions upon which they are created. He furthermore identifies the following common characteristics of local authorities: they

- a) are created by statutes;
- b) have localised governing powers;
- c) have the power to tax by levying rates on immovable property;
- d) are charged with certain duties for the protection of public health;
- e) are road making authorities; and
- f) may render certain services to the public and levy charges for them.

The primary function of local authorities is to make the areas they administer, desirable places in which to live.

1.5.8. LOCAL GOVERNMENT

Meyer (1978: 10) defines local government as:

local democratic units within the unitary democratic system, ... which are subordinate members of the government vested with prescribed, controlled governmental powers and sources of income to render specific local services and to develop, control and regulate the geographic, social and economic development of defined local areas.

Local government is the sphere of government closest to the people. Local government is entrusted with the responsibility for rendering basic services such as electricity, water, transport and health to the community and for the benefit of the community.



1.5.9. METROPOLIS AND METROPOLITAN AREA

The terms metropolis and metropolitan area, commonly refer to a major city together with its suburbs and the nearby cities, towns and the countryside over which the city exercises commanding influence. Literally construed, a metropolis or a metropolitan area refers to the central or dominant city of an urban conglomeration of several municipalities and other urban units (Gildenhuys, Fox & Wissink 1991: 87).

1.5.10. MUNICIPAL ADMINISTRATION

In terms of Section 1 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), municipal administration refers to the organizational structure (municipality) that delivers municipal services to local residents. It consists of officials who are employed by the municipal council.

1.5.11. MUNICIPAL COUNCIL

In terms of Section 1 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), the municipal council consists of politicians who are democratically elected by local residents. A council is responsible for representing and governing the local area.

1.5.12. MUNICIPAL GOVERNMENT

The word “municipal” has to be analyzed to clearly understand the term municipal government. Craythorne (1990: 53) notes that the word municipal means relating to a town or city and has its roots in the Latin word *municipium*, referring to a town in Italy, the inhabitants of which had Roman citizenship but were governed by their own magistrates and laws and thus lived in a free town. In current terms, a municipality is a defined geographical



area that has a governing body created and vested with authority and power. It is a term often used to cover cities, boroughs, towns and villages (Collier's Encyclopaedia 1973: 703).

Municipal government is generally used to refer to a decentralised representative institution with powers that have been devolved upon it and delegated to it by central or regional authority and for which it is responsible within a demarcated geographical area in the state (Vosloo, Kotze & Jeppe 1974: 10). In this thesis, the terms local and municipal are often used interchangeably.

1.5.13. MUNICIPALITY

A municipality is a political subdivision that is constituted in terms of Sections 151 and 152 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) and has substantial control of local affairs, including the powers to impose taxes or to exact labour for prescribed purposes. A municipality therefore refers to a local institution comprised of elected representatives and appointed officials and that functions within a specific geographical area to provide services to its local community. Although a municipality has a right to govern and administer on its own initiative, it is, in terms of Section 156(1) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), subject to constitutional provisions as well as national and provincial legislation. Regarding its obligation to provide services to communities, to promote social and economic development, to promote a safe and healthy environment, and to encourage the involvement of the communities in local matters, a municipality may not, in terms of Section 156(3) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), enact by-laws that conflict with national or provincial legislation.



1.5.14. PUBLIC ADMINISTRATION

Corson and Harris (1963: 12) are of the opinion that,

Public administration is ... formulating objectives and goals, working with the legislature, ... establishing and revising organizations, directing and supervising employees ..., determining work methods and procedures ... and exercising controls. It is the action part of government, the means by which the purposes and goals of government are realised.

Public administration is multi-disciplinary in nature and consists of numerous activities, processes or functions performed by public officials to promote the welfare of the community.

1.5.15. RACIAL CATEGORISATION

The use of racial categories in this research is unavoidable when describing government structures and policies in South Africa especially during the apartheid and post-apartheid era.

According to Census in Brief (1996), South Africa is made up of four main race groups *viz.* African, Indian, Coloured and White. "Black" people encompasses historically disadvantaged communities *viz.* African, Indian and Coloured communities. "White" people represents all communities made up of people of European descent.

1.5.16. RESTRUCTURING

Local government restructuring includes all deliberate and purposive courses of action on a national scale that are intended to lead to new or modified structures of local government, to significant arrangements for redistributing



responsibilities for some major development functions between the national government and local government units and to increased public participation in policy making and action at local level (United Nations 1997: vi).

The term restructuring will be used in this research to refer to change in local government structure that alters the manner in which local government structures work, interact and perform.

1.5.17. URBANIZATION

Urbanization is a process of population concentration (Berry 1981: 27):

It proceeds in two ways: the multiplication of the points of concentration and the increasing in size of individual concentrations ... Just as long as cities grow in size or multiply in number, urbanization is taking place. ... Urbanization is a process of becoming. It implies a movement ... from a state of less concentration to a state of more concentration.

Urbanization is understood primarily as population movement towards densely populated and non-agricultural settlements governed by some urban structure and administration.

1.6. STRUCTURE OF RESEARCH

The thesis is composed of ten (10) chapters. A literature study as well as empirical research have contributed towards the testing of the mentioned hypothesis.

Chapter one (1) is introductory and provides an orientation to the study. The problem is analyzed and the research hypothesis stated. The research approach and methodology are presented.

Chapter two (2) provides an insight into the concept of local government and the legislative framework governing it. The relationship between the different spheres of government is analyzed.

In Chapter three (3) the role and purpose of local government is outlined. Concerns regarding the restructuring of local government are raised. Effective and optimal local government restructuring must be approached in a multi-disciplinary manner involving generic administrative processes and the environment. The conclusion is drawn in this chapter that the application and adherence to specific principles in a multi-disciplinary manner should substantially enhance the effectiveness and efficiency of local government.

Chapter four (4) provides a historical perspective on the restructuring of local government in South Africa up to 1994. The emergence of local authorities as well as the development of local authorities for the urban areas populated by non-whites are addressed. The process of moving towards local government democratization, which culminated in the identification of the three phases of local government restructuring towards the final phase, is addressed.

Chapter five (5) examines the restructuring of local government in South Africa. This restructuring occurs in three well-defined phases in terms of the political agreements incorporated in the Local Government Transition Act, 1993 (Act 209 of 1993). The first or the pre-interim phase was the period from the commencement of the Act (2 February 1994) to the commencement of the interim phase, which began on the first day after the elections which were held on 1 November 1995, or afterwards for transitional councils, and will end with the implementation of the final model of local government. The pre-interim phase involved the creation of local government negotiation forums and transitional local government models, whilst the interim phase focused on the demarcation of boundaries for election purposes. Conclusion is drawn about areas of concern during these two phases.

Chapter six (6) focuses on the restructuring of local government in South Africa towards the final phase. The chapter traces the evolution of local



government to being a distinctive, interrelated, interdependent sphere of government in its own right. A critical analysis of the new local government system is provided.

In Chapter seven (7) the restructuring of local government in the Greater Pretoria Area in the pre-interim phase is discussed. The course of local government negotiations between the separate local authorities, which culminated in the signing of the 22 August 1994 Agreement between the negotiating parties, is dealt with. The restructuring of local government in the Greater Pretoria Area in accordance with transitional local government models is discussed.

Chapter eight (8) provides an introduction to the established local government structures for the Greater Pretoria Metropolitan Area in the interim phase. The status of local government in the Greater Pretoria Metropolitan Area in the interim phase is discussed by means of statistical analysis, focusing on political representation, staffing structures and financial and fiscal affairs. These mentioned factors will have to be taken into consideration in the determination of a local government category for the Greater Pretoria Metropolitan Area in the final restructuring phase.

Chapter nine (9) evaluates and applies the three (3) categories of local government as contained in the Local Government Municipal Structures Act, 1998 (Act 117 of 1998) to the City of Tshwane. The final restructuring phase, which commenced on 5 December 2000 with the local government elections provides for a name change from the Greater Pretoria Metropolitan Area to the City of Tshwane Metropolitan Municipality. The local government restructuring process, which is discussed throughout the study proceeds to a critical evaluation in this chapter of the three (3) categories of local government to be applied specifically to the City of Tshwane in the final restructuring phase. The *status quo* is evaluated against legislative requirements, as well as against internationally accepted restructuring principles and experience.



Chapter ten (10) draws conclusions from the themes which emerged from the literature study. Appropriate and relevant recommendations are made on a local government category, which will ensure efficient and democratic service delivery to the community of the City of Tshwane, in the final restructuring phase.

1.7. CONCLUSION

This chapter has provided an orientation for the study. The problem statement has been analyzed and the research hypothesis stated. The research approach and methodology have been presented.

To eliminate the possibility of more than one meaning being attached to a specific word, a common source of reference has been provided that attributes an exact explanation to the technical language used throughout this thesis. Each chapter contained in the thesis has been described concisely in repetition.

The ensuing chapter will provide an insight into the concept of local government and the legislative framework governing it. The relationship between the different spheres of government will be analyzed.