

Section D: Operational Framework and Strategies (Institutional Arrangements & Constitutional Mandate)

1. Introduction

Emthanjeni Municipality was established in terms of Provincial Gazette Extraordinary No. 555 [Notice 30 of 2000] (as amended). The establishment brought together the Transitional Local Authorities of Britstown, De Aar and Hanover.

Since then, substantial work has been undertaken to structure and re-orientate the Municipality on an operational level so as to ensure its effectiveness for delivery on its developmental mandate as outlined in the Constitution and Emthanjeni Municipality's IDP.

This work is not a static, once-off process, but a continuous process of evaluation and re-orientation to ensure that the organization remains relevant to the changing situation and the developmental objectives outlined in the IDP.

2. Emthanjeni Municipality: Political Structure

The Section 12 notice published by the MEC for Housing and Local Government determined that Emthanjeni Municipal Council, in terms of section 9(f) of the Municipal Structures Act 1998, would have a plenary executive system, combined with a ward participatory system.

The administrative seat of Emthanjeni Municipality is in De Aar. The Municipality has satellite offices in Britstown and Hanover.

The Council consists of 14 Councillors of which 7 are Ward Councillors. There are 5 wards in De Aar and one each in Britstown and Hanover. The Municipality has a Mayor (non-executive) and a Speaker. The Speaker is chairperson of the Council and the Mayor is chairperson of the Executive Committee.

Council meetings are held quarterly; i.e. 4 per year. Special Council Meetings are held as the need arises. The Executive Committee meets monthly.

2.1. Ward Committees

Local Government elections were held in 2006. This led to the establishment of new ward committees in line with Sections 72-78, of the Municipal Structures Act, for the 7 wards.

Ward committees are chaired by ward councillors and consist of ten elected members. Ward committees are consultative community structures, whose purpose is to broaden participation in the democratic processes of Council and to assist the Ward Councillor with organizing consultation, disseminating information and encouraging participation from residents in the wards.

The proper functioning of ward committees remains a challenge for the municipality and can be addressed through continuous training, coordination and supervision.

2.2. Standing Committees

In terms of Section 79&80 of the Municipal Structures Act 1998 and Section 160 of the Constitution, standing committees have been established to assist the Council. After 2006 elections, standing committees were realigned to ensure a more effective manner in addressing the mandate of Council.

Standing Committees:

- Executive Committee
- Rules Committee
- Infrastructure and Economic Development Committee
- Social Services Committee

Committees meet bi-monthly, to ensure effective processing of decisions.

3. Emthanjeni Municipality: Administrative Structure

Emthanjeni Municipality implements its Integrated Development Plan through its administrative structure headed by the Municipal Manager with the following Directorates:

- Office of the Municipal Manager
- Directorate: Corporate, Community and Development Services
- Directorate: Infrastructure and Housing Services
- Directorate: Financial Services

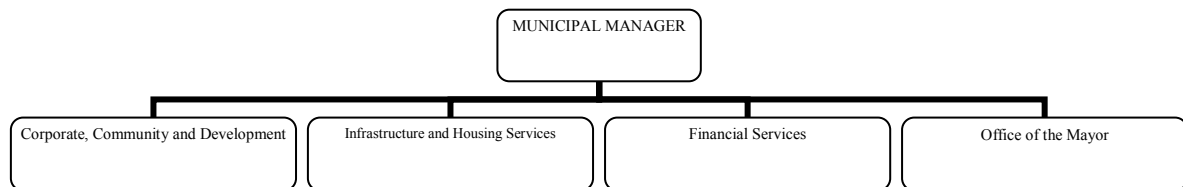


Figure: D 1

The municipality has an organogram with 301 posts including vacant funded posts:

The municipality has as far as possible attempted to align the organizational structure with the objectives of the IDP. This is the principal on which reviews of the organogram would be based.

Directorate: Corporate, Community and Development Services

The Directorate consists of the following departments, namely;

- Corporate Services
- Development
- Traffic Services

Figure D 2 details the organogram of the directorate up to management level.

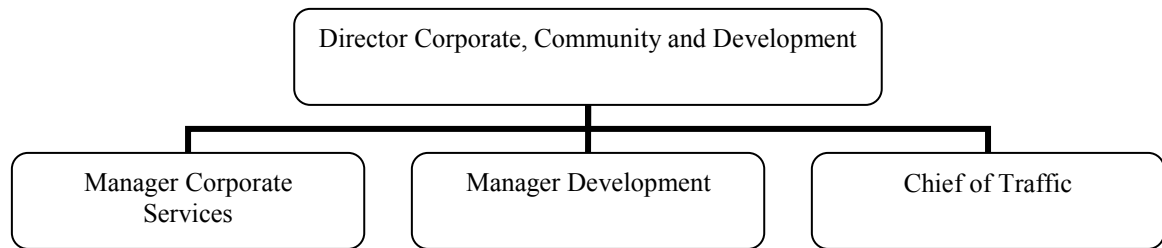


Figure D: 2
Directorate: Infrastructure and Housing Services

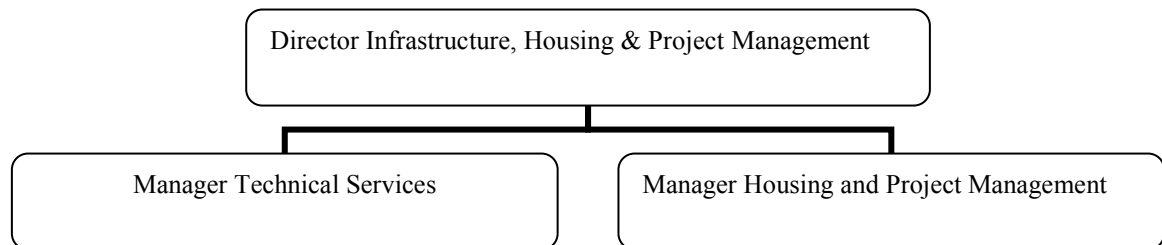


Figure D: 3

Directorate: Financial Services

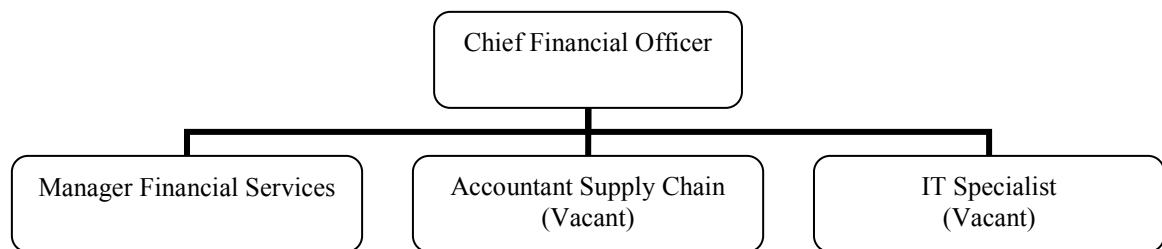


Figure D: 4

4. Integration and Coordination: Political and Administrative Structure

The political and administrative structure work together to achieve the objectives of the municipality as set out in the IDP. Our standing committees are linked to directorates as a strategy to ensure alignment. We are in a position to better our alignment structures by ensuring that we improve our inter-relations between directorates.

Coordination is an ongoing process that takes place through formal and informal means. Some of the formal structures include the standing committees, Municipal Manager and Directors meetings and project working groups.

4.1. Standing Committees

Receive continuous reports on progress. Better coordination is crucial for correct management and implementation of the IDP. These committees are not optimally utilized to ensure that they are drivers of segments of the IDP dedicated to them. There is a need for the establishment of working groups made up of representatives of each directorate. This should ensure inter-directorate coordination, cooperation and strategic thinking with regard to development and review of the IDP, Budget and Performance Management System.

4.2. Municipal Manager and Directors meetings

These meetings are convened on a weekly basis to discuss and make decisions on issues of strategic and operational importance, thereby contributing towards inter-directorate coordination.

4.3. Project Working Groups

Although project steering committees are leading IDP project implementation, there exists a greater need for inter-departmental project steering committees thus ensuring integration, not only in planning phase, but also during implementation.

5. Powers and Functions

The powers and functions performed by Local Authorities in South Africa are defined primarily in Section 156 and 229 of the Constitution (Act 108 of 1996).

The Local Government Municipal Structures Act (117 of 1998), read together with the Local Government Municipal Structures Amendment Act (33 of 2000), divides the powers and functions, as set out in the Constitution between District and local municipalities (Section 84). The Act together with the Amendment Act, Section 85(1), allows the MEC for Housing and Local Government to further adjust the division of certain of these functions between District and Local Municipalities, whilst Section 84(3) (a) allows only the Minister for Provincial and Local Government to authorize a category B municipality to perform the following functions

- Potable water supply system
- Electricity
- Domestic waste-water and sewage disposal systems
- Municipal health services

Table D 1: Powers and Functions of Municipalities: Section 156 of the Constitution

- air pollution	- building regulations
- child care facilities	- electricity and gas reticulation
- fire fighting services	- local tourism
- municipal airports	- municipal planning
- cleansing	- municipal public transport
- storm water management systems	- control of public nuisances

<ul style="list-style-type: none"> - billboards & public display of advertisements - fencing of fences - local sports facilities - municipal abattoirs - municipal roads - pounds - refuse removal - street trading - municipal public works relevant to their constitutional or legal function - water & sanitation services limited to portable water supply system & domestic waste water and sewage disposal systems - control of undertakings that sell liquor to the public - traffic and parking - beaches and amusement facilities 	<ul style="list-style-type: none"> - trading regulations - cemeteries, funeral parlours & crematoria - licensing of dogs - markets - municipal parks and recreation - noise pollution - public places - refuse dumps and solid waste disposal - street lighting - licensing and control of undertakings that sell food to the public - facilities for the accommodation, care & burial of animals - pontoons, ferries, jetties, piers and harbours -local amenities
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The Municipality envisages that Environmental Health Services will be moved to the District Municipality as from July 2008. Thus that function will then no longer be performed by Emthanjeni Municipality but rather the District.